

NEW ZEALAND 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. The trend in the government's respect for religious freedom did not change significantly during the year.

There were few reports of societal abuses or discrimination based on religious affiliation, belief, or practice, and prominent societal leaders took positive steps to promote religious freedom.

The U.S. ambassador and other embassy and consulate officers continued to meet with the government and with representatives of all major religious groups throughout the country to discuss religious freedom and the role of religion in society. An embassy representative attended the annual country-wide religious diversity forum. The embassy's public diplomacy efforts regularly included contacts with religious groups.

Section I. Religious Demography

The government estimates the population is 4.5 million. According to 2006 census data, 14.8 percent of the population is Anglican; 13.6 percent is Roman Catholic; 10.7 percent is Presbyterian; 3.3 percent is Methodist; 8.2 percent belongs to other Protestant denominations; 5 percent is Christian with no affiliation specified; 5 percent is Buddhist; and 1 percent is Muslim. More than 90 additional religious groups together constitute less than 1 percent of the population. In addition, 39 percent states no religious affiliation.

Of the indigenous Maori, who make up approximately 15 percent of the population, 13 percent is Anglican, 12 percent Catholic, and 10 percent belongs to syncretic Maori Christian groups such as Ratana and Ringatu. Thirty-four percent states no religious affiliation.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

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The constitution and other laws and policies protect religious freedom. Provided that religious practices do not breach the peace, religious expression is unrestricted.

The government does not specifically promote any religion; however, a Christian prayer is recited at the opening of every parliamentary session.

The law provides that teaching within public primary schools “shall be entirely of a secular character.” However, it also permits religious instruction and observances in state primary schools within certain parameters. If the school committee in consultation with the principal or head teacher so determines, any class may be closed at any time of the school day for the purposes of religious instruction given by voluntary instructors; however, attendance at religious instruction or observances is not compulsory. According to the Ministry of Education, public secondary schools also may permit religious instruction at the discretion of individual school boards. The ministry does not keep data on how many schools permit religious instruction or observances. Religious instruction, if provided at a school, usually takes place after normal school hours.

Citizens may file complaints of unlawful discrimination to the government-funded Human Rights Commission (HRC) under the Human Rights Act. In the event a complaint is not resolved satisfactorily with the assistance of HRC mediation, the complainant may proceed to the Human Rights Review Tribunal. The tribunal has the authority to issue restraining orders, award monetary damages, or declare a breach of the Human Rights Act, which is reported to parliament. Conduct prohibited by the Human Rights Act may be prosecuted under other laws. In addition to the HRC dispute resolution mechanism, a complainant may initiate proceedings in the court system.

The government does not require the licensing or registration of religious groups; however, if a religious group desires to collect money for any charitable purpose, including the advancement of its religion, and wishes to obtain tax benefits, it must register with the Inland Revenue Department as a charitable trust. There is no fee for this registration.

The law does not prevent the registration of political parties based on religion. The country has two registered Christian-associated political parties.

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

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Government Practices

There were no reports of abuses of religious freedom.

Changes to immigration policy made it easier to recruit and retain religious workers to serve their communities.

In December the HRC published guidelines on religious diversity in the workplace, developed in consultation with the government, employers, unions, and religious communities.

Some businesses were fined up to NZD 1,000 (\$830) under New Zealand's labor laws if they attempted to operate on the official holidays of Good Friday, Easter Sunday, or Christmas Day. The government pursued prosecution of 30 businesses for violating these laws during the year. The government exempted businesses providing essential supplies, convenience items, and food and drink.

The HRC continued to implement its 2007 Statement on Religious Diversity, which aimed to assure equal treatment of all religious groups under the law, the right to safety for religious individuals and communities, freedom of religious expression, the right to recognition and reasonable accommodation for religious groups, and the promotion of understanding in education. The HRC actively promoted religious tolerance, facilitated a national interfaith network with a monthly electronic newsletter, and maintained a Diversity Action Program, which included respect for religious diversity.

Section III. Status of Societal Respect for Religious Freedom

There were few reports of societal abuses or discrimination based on religious affiliation, belief, or practice, and prominent societal leaders took positive steps to promote religious freedom.

During the year, the HRC received 1,744 complaints of unlawful discrimination under the Human Rights Act. Of these complaints, 53 were classified as complaints against members of society for unlawful discrimination on grounds of religious belief or lack of religious belief. This percentage was generally consistent with the proportion of complaints relating to religion since 2005.

A Jewish cemetery was desecrated with swastikas and anti-Semitic messages in October. The graffiti was removed on the same day, three men were charged, and

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the HRC issued a statement condemning the actions. Following the attack, the Holocaust Centre in Wellington called for making the study of the Holocaust a compulsory subject in secondary schools, rather than allowing teachers the option of including a Holocaust unit in the curriculum. The Education Ministry issued a statement saying that schools and teachers ultimately decide what to teach.

Section IV. U.S. Government Policy

The U.S. ambassador and other embassy and consulate officers continued to meet with the government and with representatives of all major religious groups throughout the country to discuss religious freedom and the role of religion in society. An embassy representative attended the annual country-wide religious diversity forum organized by the HRC, which provided a space for robust discussion on the role of religion in New Zealand society. The embassy's public diplomacy efforts regularly included contacts with religious groups.