

# NEW ZEALAND 2016 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution, which is comprised of several basic laws, and policies, provide for religious freedom, including the right to manifest religion or belief in worship, observance, practice, or teaching, either individually or in community with others, and either in public or in private. The law prohibits discrimination based on religious belief. In November the Auckland High Court denied refugee status for and ordered the deportation of an Indian Christian evangelist who said he faced death threats from “Hindu extremists” in India.

Jewish and Muslim leaders reported anti-Semitic and anti-Muslim incidents, and the Human Rights Commission (HRC) received 82 complaints of discrimination based on religious belief for 2015-2016, 60 percent more than the previous year. The HRC, government officials, and community leaders denounced these incidents of discrimination. Reportedly, an imam’s anti-Semitic remarks received an extensive audience in a video released in November. The imam said his remarks had been altered. In July a Muslim woman was told not to apply for a job if she continued to wear a headscarf. The company subsequently apologized. Anti-Muslim pamphlets were circulated in the Whanganui region in September. In August parents criticized an American pastor’s motivational speech at a secondary school that they said was “stealth evangelism.”

The Ambassador and embassy and consulate general officers continued to meet with the government and representatives of all major religious groups throughout the country to discuss religious freedom and the role of religion in society. The Ambassador and Consul General also engaged in a series of meetings with resettled refugees from diverse religious backgrounds to learn about the successes and challenges of integrating into the country.

## Section I. Religious Demography

The U.S. government estimates the population at 4.5 million (July 2016 estimate). According to 2013 census data, 12.6 percent of the population is Roman Catholic, 11.8 percent of the population is Anglican, 8.1 percent Presbyterian, 7.5 percent other Protestant denominations, 5.5 percent Christian with no affiliation specified, 2.6 percent Methodist, 2.3 percent Hindu, 1.5 percent Buddhist, 1.4 percent Maori religion, 1.2 percent Muslim, and 0.2 percent Jewish. Since 2006, the number of

Muslims and Hindus has increased by 28 and 40 percent, respectively. More than 90 additional religious groups together constitute less than 1 percent of the population. The number of people stating they had no religion affiliation increased by 26 percent compared with the 2006 data, from 34 percent of respondents to 42 percent; 4.4 percent of the respondents to the census question on religion stated they objected to the question.

According to 2013 census data, of the indigenous Maori, who make up approximately 15 percent of the population, 11.2 percent are Catholic, 10.8 percent are Anglican, and 8.4 percent belong to syncretic Maori Christian groups such as Ratana and Ringatu. Forty-six percent stated no religious affiliation while 6.5 percent did not respond regarding religion.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal Framework**

The constitution, which is comprised of several basic laws, states that religious expression is “subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.” According to the law, religious practices may not breach the peace.

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 obtain tax benefits, it must register with Department of Internal Affairs as a charitable trust. The registration must provide the rules of the organization showing it is a nonprofit organization and a list of officers free from conflict of interest who will not put their own interests above the organization. There is no fee for this registration.

The law provides teaching within public primary schools “shall be entirely of a secular character.” It permits, however, religious instruction and observances in public primary schools within certain parameters. A public primary school may close for up to one hour a week up to a total of 20 hours a year to devote to religious instruction or religious observance, to be conducted in a manner approved by the school’s Board of Trustees in consultation with the principal or head teacher. Attendance at religious instruction or observances is not compulsory. According to the Ministry of Education, public secondary schools may also permit religious instruction at the discretion of individual school boards. Religious instruction, if provided, usually takes place after normal school hours.

Citizens may file complaints of unlawful discrimination, including on the basis of religious belief, to the government-funded HRC. The HRC's mandate includes assuring equal treatment of all religious groups under the law; protecting the right to safety for religious individuals and communities; promoting freedom of religious expression, automatic legal sanctioning of religious groups, and reasonable accommodation for religious groups; and the promotion of religious tolerance in education. 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 (e.g. workplace discrimination) may also be prosecuted under other applicable laws. In addition to the HRC dispute resolution mechanism, a complainant may initiate proceedings in the court system.

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

The country is a party to the International Covenant on Civil and Political Rights.

### **Government Practices**

In November the Auckland High Court denied refugee status for an Indian Christian evangelist who said he faced death threats from "Hindu extremists" in his home in India. According to news reports, the court believed his risk of danger would be low if he returned to India, but said the situation of Christians had "deteriorated" under the current Indian government. Hindu and Christian leaders in Auckland's ethnic Indian community dismissed the man's reports. The man's lawyer said his client's claim of threat was valid because of the work he did converting Indians to Christianity. The man had been arrested for the first time in 2012 for overstaying his visa. At the end of the year, he continued to fight the court's deportation order.

In June New Zealand First Party leader Winston Peters said certain countries "treat their women like cattle" and every immigrant should be interviewed to screen their attitude before entering the country. Peters said he was not referring to Muslim countries specifically, although some press reports said he did refer to them. Other members of parliament denounced Peters' comments, calling them "shameful" and "disgraceful."

The government did not specifically promote any religion; however, every parliamentary session began with a Christian prayer.

On August 29, the government enacted a law enabling local authorities to allow shopping in defined areas on Easter Sunday. National law still restricted businesses from operating on Good Friday, Christmas, and Australia New Zealand Army Corps Day. Businesses could be fined up to 1,000 New Zealand dollars (\$696) if they opened on official holidays, although the government rarely enforced fines.

Also in August the country's tourism board released a halal food guide listing halal outlets certified by the FIANZ, Muslim-owned halal restaurants, and eateries that served vegetarian dishes.

### **Section III. Status of Societal Respect for Religious Freedom**

The HRC received 82 complaints of unlawful discrimination on the grounds of religious belief or lack of religious belief during 2015-2016 compared to 49 complaints during 2013-2014.

In July the manager of a jewelry store reportedly told a Muslim woman not to apply for a job if she wore a headscarf. This reportedly was the second such instance of employment discrimination by the parent company of the jewelry store in nine months against women who wore the hijab. The chief financial officer later apologized and offered the woman an interview. He said the company would remind employees such discrimination is against company policy.

In September the Whanganui branch of the Right Wing Resistance circulated anti-Muslim pamphlets in the Whanganui region. The pamphlet said Muslim refugees entering the country intend to change the "laws, culture, and daily life to suit Muslims" and "kill anyone" who does not believe in Allah. The Multicultural Council of Rangitikei/Whanganui condemned the flyer. In previous instances of inflammatory remarks by the Right Wing Resistance, authorities said noted such speech was protected by law.

Auckland Imam Mohammad Anwar Sahib, a FIANZ religious advisor, made what appeared to be anti-Semitic remarks during a speech in November in which he reportedly said, "Christians are using the Jews and the Jews are using everybody because they think their protocol is to rule the entire world." The speech emerged

in edited video footage and received a wide audience, sparking condemnation and debate throughout the country. Sahib said the “cut and paste” video was a misrepresentation of his views. The HRC said it had received 17 complaints about Sahib and was investigating. Race Relations Commissioner Susan Devoy said both the Jewish Council and FIANZ had told her they were deeply concerned about the speeches. FIANZ said publically they did not agree with comments by Sahib.

According to news reports, in August parents of students at Kapiti College secondary school in Raumati voiced anger at an American pastor’s motivational speech that they said was “stealth evangelism.” A dissemination of flyers advertising the Arise Pentecostal Church’s convention featuring the pastor followed the speech. The school’s principal said the speech’s content was motivational and he instructed the speaker not to preach. Parents also criticized the pastor’s speeches at Victoria schools in May.

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

Embassy officers regularly met with government officials in the HRC and Foreign Ministry to discuss promoting religious freedom and actions to encourage tolerance.

The Ambassador and Consul General hosted an interfaith dinner to bring together leaders of diverse religious communities to discuss shared opportunities, challenges, and areas for collaboration. The Consul General and consulate staff attended the National Interfaith Forum to learn about religious issues in the country and gave a presentation about U.S. efforts to promote religious tolerance as well as its associated challenges. The Ambassador and Consul General also engaged in a series of meetings with resettled refugees from diverse religious backgrounds to learn about the successes and challenges of integrating into the country.