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2015 Report on International Religious Freedom - Sri Lanka

Executive Summary

The constitution states every person is “entitled to freedom of thought, conscience, and religion, including the freedom to have or to adopt a religion or belief of his choice.” It gives citizens the right to manifest their religion or belief in worship, observance, practice, or teaching both in public and in private. The constitution and other laws give Buddhism “foremost place” and commit the government to protecting it. Civil society organizations such as the Centre for Policy Alternatives (CPA), Center for Human Rights and Research, and others said the new government, which took office in January, pursued an agenda including a renewed commitment to the rule of law and willingness to investigate and prosecute state officials implicated in or responsible for inciting past religiously based violence. There were instances, however, in which local police and local government officials appeared to act in concert with Buddhist nationalist organizations, although not to the extent as previously. For example, police continued to cite outdated government circulars restricting the construction of religious facilities in attempts to force churches to cease operations. In multiple instances, police reportedly failed to respond or were reluctant to arrest or pursue criminal cases against individuals instigating attacks on minority religious sites. CPA noted in its “Advocacy Brief – Human Rights Violations and Surveillance in Sri Lanka,” which covered the period from January to September (hereafter CPA Brief), the government had not yet prosecuted hardline Buddhist monks involved in attacks in 2014 against Muslims and Christians. Parliament’s passage of the Assistance to and Protection of Victims of Crime and Witnesses Act in February strengthened safeguards for persons involved in legal actions against criminal perpetrators implicated in attacks upon religious sites.

Sources stated Buddhist monks continued to operate with government protection, and some monks, particularly outside Colombo, regularly tried to close down Christian and Muslim places of worship on the grounds they lacked the Ministry of Justice and Buddha Sasana’s approval. The National Christian Evangelical Alliance of Sri Lanka (NCEASL) documented a total of 87 cases of attacks on churches, intimidation and violence against pastors and their congregations, and obstruction of worship services during the year. NCEASL had reported a total of 96 such incidents in 2014. The Secretariat for Muslims (SFM) recorded 82 incidents of hate speech, acts of discrimination, attempts to desecrate or destroy Muslim religious edifices, and verbal insults upon or use of physical force to impede Muslim cultural practices and rituals, a 62 percent reduction from the previous year. There were no reported deaths related to interreligious disputes. The Bodu Bala Sena (BBS), or Buddhist Power Force, continued to promote the supremacy of the country’s ethnic Sinhalese Buddhist population and propagated views hostile toward members of religious and ethnic minorities.

The U.S. Ambassador urged government leaders at the most senior levels, including President Maithripala Sirisena, to arrest and prosecute perpetrators of crimes against religious minorities and to protect religious freedom for all citizens. The embassy continued to meet regularly with representatives from a broad range of

religious groups to promote cooperative engagement and strengthen bonds between and among various religious and ethnic communities.

Section I. Religious Demography

The U.S. government estimates the total population at 22.1 million (July 2015 estimate). Approximately 70 percent is Buddhist, 13 percent Hindu, 10 percent Muslim, and 7 percent Christian. According to 2012 census data, the Theravada Buddhist Sinhalese community is a majority in Central, North-Central, Northwestern, Sabaragamuwa, Southern, Uva, and Western Provinces. The Tamil community known as “Sri Lankan Tamils” constitute a majority in Northern Province and are strongly represented in Eastern Province. Another segment of the Tamil community known as “Indian Tamils” has a large presence in Sabaragamuwa and Uva Provinces. Most Tamils are Hindu, but many also converted to Christianity in earlier eras. The largest concentration of Muslims is in Ampara District and urban areas of Eastern Province, with sizable portions of this community also residing in Central, North-Central, Northwestern, Sabaragamuwa, Uva, and Western Provinces. Christians have a sizable presence in Eastern, Northern, Northwestern, and Western Provinces, and a smaller presence in Sabaragamuwa and Uva Provinces among Indian Tamil converts to Christianity.

The census indicates most Muslims are Sunni; there is a small Shia minority, primarily members of the Bohra community. Almost 82 percent of Christians are Roman Catholic; other Christian denominations include Anglicans, Seventh-day Adventists, Jehovah’s Witnesses, Methodists, Assembly of God, Baptists, Pentecostals, the Dutch Reformed Church, and The Church of Jesus Christ of Latter Day Saints (Mormons). Evangelical Christian groups have grown in recent years, although membership still remains relatively low. There is a very small Jewish population.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

According to the constitution, every person is “entitled to freedom of thought, conscience, and religion,” including the freedom to choose a religion. The constitution gives citizens the right to manifest their religion or belief in worship, observance, practice, or teaching in both public and in private. It accords Buddhism the “foremost place” and commits the government to protecting it, but does not recognize it as the state religion.

Religious groups are not required to register with the government other than obtaining approval to construct a new place of worship. In order to engage in financial transactions, open a bank account, or hold property, however, a religious group must register as a trust, society, nongovernmental organization (NGO), or company. Religious organizations may also seek incorporation by an act of parliament, which is passed by a simple majority and affords religious groups the highest level of state recognition and the permission to operate schools freely.

There are separate government ministries tasked with addressing the specific concerns of each major religious community: the Ministry of Justice and Buddha Sasana; Ministry of Resettlement, Rehabilitation, and Hindu Affairs; Ministry of Postal Service and Muslim Affairs; and the Ministry of Tourism Development and Christian Religious Affairs.

Matters related to family law, including divorce, child custody, and property inheritance, are adjudicated according to either the customary law of the applicable ethnic or religious group or Sri Lankan civil law, although religious community members report the practice varies by region and exceptions exist. For example, Muslim community members state that marriages are governed by customary law derived from sharia and cultural practice, while civil law applies to property rights. Tamil Hindus residing in Northern Province state that marriages are governed by civil law, while Tamil Hindu custom governs the division of property according to traditions codified in religious texts. They state that Hindu Tamils from Eastern Province, however, follow civil law, which also applies to citizens who claim no religious affiliation. In order to record marriages legally, parties must register their marriage at the Divisional Secretariat office in their home district.

Government Practices

BBS General Secretary Gnanasara Thero surrendered himself to a magistrate’s court on October 13 following the issuance of an arrest warrant for failure to appear in response to a court summons. The summons concerned pending charges for insulting the Quran in March 2014, and verbally abusing the Jathika Bala Sena (JBS) leader Watareka Vijitha Thero for the latter’s defense of Sri Lankan Muslims. The JBS is a group of

Sinhalese Buddhist clergy who promote the peaceful coexistence of the country's religious communities. The BBS issued a public statement on November 24 saying its members would refuse to appear in response to such summons on grounds their actions were not those of individuals, but rather collective defense of Sinhalese Buddhism. Gnanasara Thero failed to make a court ordered appearance in November.

While non-Buddhist religions technically maintained the right to incorporate through an act of parliament, they found continued resistance within parliament, based on a 2003 Supreme Court ruling stating the right to propagate a religion via proselytization was not fundamental under the constitution. In place of incorporation through acts of parliament, Christian churches sought to gain legal status by establishing a trust, society, NGO, or company in order to conduct basic operations such as financial transactions.

Civil society organizations such as the CPA, Centre for Human Rights and Research, and others said the government's agenda included a renewed commitment to the rule of law and willingness to investigate and prosecute state officials implicated in or responsible for inciting past religiously based violence.

The *Tamil Guardian* newspaper reported army personnel occupied a private plot of land in Kollilaay, Mullaithivu, in June and erected a Buddhist statue. Evangelical churches, especially in the south, continued to report local government pressure and harassment to suspend worship activities which some authorities classified as "unauthorized gatherings" or to close down because they were not registered with the government. Muslim and Christian groups reported police and government officials sometimes appeared to act in concert with Buddhist nationalist organizations.

Police reportedly continued to cite a government circular dating from 2008 on construction of religious facilities issued by the then Ministry of Buddha Sasana and Religious Affairs in attempts to force churches to cease operations. The ministry issued a second circular in 2011 extending the provisions of the 2008 circular to require places of worship to obtain its approval to conduct religious activities on their grounds. The ministry revoked this latter circular in 2012, although local police officers continued to cite it during the year to demand religious leaders register their places of worship, and threatened closure should they fail to comply.

According to the NCEASL August-September incident report, on September 6, police sought to enforce the terms of the 2008 circular, instructing the pastor of the Christian Centre in Bandaragama, Kalutara District to register with the Ministry of Buddha Sasana and Religious Affairs in order to continue operating at the center. The center had complained to police after four local Buddhist monks forcibly entered the center, claiming the pastor had no legal standing to operate a church. The police sent approximately eight officers to the center and convened an inquiry. The police forced the pastor to sign a document agreeing to discontinue worship activities until the center was registered.

According to the NCEASL report, on September 9, four officers from the religious affairs branch of the Divisional Secretariat in Kegalle visited the residence of the Good Shepherd Gospel Centre's (GSGC) pastor on the basis of several petitions submitted against the pastor and the GSGC. The officers instructed the pastor to register the GSGC and threatened to seal the premises if he refused.

Religion remained a compulsory subject in the public school curriculum. Parents could elect for their children to study Buddhism, Islam, Hinduism, or Christianity. Students could not opt out of religious instruction. All schools followed the Ministry of Education curriculum on religion, which remained compulsory for the General Certificate Education Ordinary-Level (equivalent to U.S. grade 12) exams covering the four main religions. Government schools frequently experienced a shortage of teachers, sometimes requiring available teachers to teach the curriculum of a different faith. International schools following the London Ordinary-Level syllabus remained governed by the Board of Investment and could opt not to teach religious studies in schools, as students could pass without religion.

The government continued to limit the issuance of temporary work permits for foreign religious workers and clergy. The government issued work permits for foreign clergy for one year, but they could be extended.

In multiple instances, police reportedly failed to respond or were reluctant to arrest or pursue criminal cases against individuals instigating attacks on minority religious sites. Throughout the year NGOs continued to say authorities were reluctant to investigate or prosecute individuals for attacks on churches, Hindu *kovils*, and mosques. Legal experts also noted the prosecution of perpetrators was rare.

In its first opportunity since taking office to represent the country at the UN Human Rights Council, the government cosponsored a resolution in October which, among other things, advocated for greater religious tolerance in the country.

Section III. Status of Societal Respect for Religious Freedom

The NCEASL documented a total of 87 cases of attacks on churches, intimidation and violence against pastors and their congregations, and obstruction of worship services during the year. In 2014, Christian groups reported 96 incidents.

The Secretariat for Muslims (SFM) recorded 82 total incidents of hate speech, acts of discrimination, attempts to desecrate or destroy Muslim religious edifices, and verbal insults or use of physical force to impede Muslim cultural practices and rituals through the end of September. This represented a 62 percent reduction from the number of incidents reported for all of 2014, although data for the final quarter of the year has yet to be published. There were no reported deaths related to interreligious disputes throughout the year, in contrast to at least three in 2014.

According to a July 23 NCEASL incident report, approximately 12 Buddhist monks and members of the local community harassed the pastor of an Assemblies of God church in Hambantota District. The monks came to the pastor's premises to interrogate him regarding the church's religious activities. The group also attempted to obtain a letter from the pastor stating he was engaged in activities other than Christian worship on church grounds. Unidentified assailants threw stones and set fire to the pastor's house and vehicle. The pastor lodged a complaint with the police, but as of the end of the year, no action had been taken.

In October members of a mosque in a Muslim majority area of central Colombo sought to prevent a Hindu temple, Sri Muththumaariamman Kovil, from hosting a procession as part of a traditional Hindu festival. The festival was celebrated in previous years, but for the first time the leadership of the temple also planned to hold a procession. Local Muslims protested the procession, stating the road was too narrow. BBS and the Hindu Federation of Sri Lanka sent a letter to the police expressing solidarity with the temple and criticizing the activities of the Muslims, whom they said were extremists. After the intervention of a senior government minister between the trustees of the mosque and the temple, the parties agreed to allow the procession to proceed as planned.

The BBS called for the government to remove the Muslim shrine at the Kurugala Monastery on the grounds of protecting the monastery under the Antiquities Ordinance. During a media briefing on February 10 to announce the BBS' campaign for the monastery, BBS leader Gnanasara Thero accused Muslims of being involved in narcotics and human trafficking as well as illegal weapons sales. He was also quoted as saying, "We will not allow these infidel Muslims to run riot in Kurugala." Members of the group also called for banning the *niqab*, claiming it posed a threat to national security.

While a less prominent public voice than previously, the BBS continued to promote the supremacy of the country's Sinhalese Buddhist population and propagated views hostile toward members of religious and ethnic minorities. For example, BBS General Secretary Ven. Galagodaththe Gnanasara Thero regularly made inflammatory statements about "Islamic invasion and aggression" and "forced conversions" by Christian groups as posing an existential threat to the country's Buddhism.

On October 19, during its two-day visit to the country, the American Jewish Committee launched the Sri Lankan-Jewish Friendship Association. On November 6, in Mardana, a group of Muslim organizations protested the association's formation. The protesters objected to the role played by government ministers in the association's establishment, particularly Deputy Minister for Foreign Affairs Harsha De Silva. They demanded any agreement reached over the association's establishment be withdrawn due to opposition to Israeli policies in the Occupied Territories.

Section IV. U.S. Government Policy

The U.S. Ambassador urged government leaders at the most senior levels, including President Maithripala Sirisena, to arrest and prosecute perpetrators of crimes against religious minorities and to protect religious freedom for all citizens.

In April the embassy cosponsored with the Buddhist and Pali University a two-day International Conference on Religious Tolerance and Harmony, which was attended by more than 500 delegates from India, Maldives, Thailand, China, Pakistan, and Burma. The event's keynote speaker was a prominent U.S. citizen involved in interfaith activities. Participants examined religiously related threats to national reconciliation such as the 2014 anti-Muslim attacks in Aluthgama and the role of hardline Buddhist groups in the political sphere. They also discussed strategies to reduce threats to religious freedom and promote equality and tolerance of all religious traditions.

The Ambassador and other embassy officials met regularly with a broad range of religious leaders and groups to encourage interfaith dialogue and efforts at reconciliation. The embassy held events to promote cooperative engagement, including visits by the Ambassador to temples and other places of worship, interfaith panel discussions, workshops, and conferences involving several thousand religious leaders, community members, and government officials over the year.

In addition, the embassy worked with local NGOs to form District Interreligious Reconciliation Committees with moderate leaders from across the religious spectrum throughout the country. The embassy sponsored the participation of the vice-chancellor of the Buddhist and Pali University, in a U.S.-funded exchange program on interfaith dialogue, which took place in September and October. The program brought together eight interfaith religious leaders from across the south and central Asia region to discuss issues facing multireligious societies and strategies to promote greater religious tolerance.

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