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Sri Lanka

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2009

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The Constitution accords Buddhism the "foremost place" and commits the Government to protecting it but does not recognize it as the state religion. The Constitution also provides for the right of members of other religious groups to practice freely their religious beliefs.

There was no change in the status of respect for religious freedom by the Government during the reporting period. Although the Government publicly endorses religious freedom, in practice there were problems in some areas.

There continued to be sporadic attacks on Christian churches by Buddhist extremists and some societal tension due to ongoing allegations of forced conversions. There were also attacks on Muslims in the Eastern Province by pro-government Tamil militias; these appeared to be due to ethnic and political tensions rather than to the Muslim community's religious beliefs.

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. U.S. Embassy officials conveyed U.S. Government concerns about church attacks to government leaders and urged them to arrest and prosecute the perpetrators. Embassy officials also expressed concern to the Government about the negative impact of anticonversion laws on religious freedom. The U.S. Government continued to discuss general religious freedom concerns with religious leaders.

Section I. Religious Demography

The country has an area of 25,322 square miles and a population of 20.1 million.

Approximately 70 percent of the population is Buddhist, 15 percent Hindu, 8 percent Christian, and 7 percent Muslim. Christians tend to be concentrated in the west, Muslims populate the east, and the north is almost exclusively Hindu.

Most members of the majority Sinhala community are Theravada Buddhists. Most Tamils, who make up the largest ethnic minority, are Hindus. Almost all Muslims are Sunnis; there is a small minority of Shi'a, including members of the Bohra community. Almost 80 percent of Christians are Roman Catholics, with Anglican and other mainstream Protestant churches also present in cities. Seventh-day Adventists, Jehovah's Witnesses, Methodists, Baptists, Dutch Reformed, Anglicans, Pentecostals, and members of the Assemblies of God are also present. Evangelical Christian groups have grown in recent years, although membership is small.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Article 10 of 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." Article 14(1)(e) gives a citizen "the right either by himself or in association with others, and either in public or in private, to manifest his religion or belief in worship, observance, practice or teaching."

The Ministry of Religious Affairs has four departments that deal specifically with Buddhist, Hindu, Muslim, and Christian affairs. According to the legislation defining their mandates, each department should formulate and implement programs that inculcate religious values and promote a virtuous society.

Parliament again took no action on "anticonversion" legislation first introduced in 2004. In 2004 the Jathika Hela

Urumaya Party (JHU) presented to Parliament a bill that would criminalize "unethical" conversions, and in 2005 the JHU presented the bill for a second reading, despite a Supreme Court ruling that some sections of the bill were unconstitutional. Subsequently, the proposed bill was referred to a special parliamentary committee that reviewed the bill and referred it back to Parliament for the third reading. The JHU indicated it would bring the bill forward again in 2010.

Religious groups are not required to register with the Government. To conduct financial transactions and open bank accounts, however, they must be incorporated either by an act of Parliament, under the Companies Act as a business, under the Societies Ordinance, or under the Trust Ordinance. Until the 1960s, most churches were either Catholic or Anglican and were incorporated by acts of Parliament. Beginning in the 1970s, as new Christian groups, including evangelical groups, began to emerge in the country, it became more common to register churches under the Companies Act. Over time, evangelical churches have been accused of engaging in "unethical conversions." As a result, the Government has become reluctant to register new religious groups as companies. Evangelical groups report that they find it increasingly difficult to register new churches or to reregister under the Companies Act. Registration under the Societies or Trust Ordinances limits these churches' ability to conduct certain financial transactions.

Matters related to family law, including divorce, child custody, and inheritance, are adjudicated according to the customary law of the concerned ethnic or religious group. The minimum age of marriage for women is 18 years, except in the case of Muslims, who continued to follow their customary religious practices of girls attaining marrying age with the onset of puberty and men when they are financially capable of supporting a family.

Despite the constitutional preference for Buddhism, the Government observes a number of major religious festivals of other religious groups as national holidays. These include the Hindu Thai Pongal, New Year, and Deepawali festivals; the Islamic Hadji and Ramzan festivals and the Prophet Muhammad's birthday; and Christian Good Friday and Christmas.

Religion is a mandatory subject in the public school curriculum. Parents and children may choose to study Buddhism, Islam, Hinduism, or Christianity. Students who belong to other religious groups can pursue religious instruction outside the public school system. All schools follow the Department of Education curriculums on the subject, which is compulsory for the General Certificate Education Ordinary/Level exams. International schools that follow the London Ordinary/Level syllabus may opt not to teach religious studies in schools.

Restrictions on Religious Freedom

There was no change in the status of respect for religious freedom by the Government during the reporting period. Although the Government publicly endorses religious freedom, in practice there were problems in some areas. Foreign clergy may work in the country, but for the last three decades the Government has limited the issuance of temporary work permits. Members of denominations registered formally with the Government could work in the country. Most religious workers in the country were indigenous.

Work permits for foreign clergy were issued for one year rather than five years as in the past; work permits can be extended. In the past, it had become regular practice for many foreign religious workers on development projects to use tourist visas to gain entry without encountering any problems with immigration authorities. During the reporting period, however, government authorities informed some religious workers that they would not be able to continue this practice. They were not deported formally but instead were encouraged strongly to leave the country.

Some evangelical Christian groups complained of governmental discrimination in the provision of services. These groups reported that state schools refused to accept Christian children or forced the children to study Buddhism and that the Colombo Municipal Council denied free midday meals to Christians who did not belong to the Catholic Church.

Abuses of Religious Freedom

Since 1983, the Government had battled the Liberation Tigers of Tamil Eelam (LTTE), a terrorist organization fighting for a separate state for the country's Tamil, and mainly Hindu, minority. In 2001 the Government and the LTTE each

announced a unilateral cease-fire, and in 2002 they agreed to a joint cease-fire accord. The peace process stalled in late 2005 following an escalation in violence. In 2006 renewed fighting broke out, and in January 2008 the Government terminated the cease-fire agreement. The conflict formally ended in May 2009. Adherence to a specific set of religious beliefs did not play a significant role in the conflict, which was rooted in linguistic, ethnic, and political differences. The conflict affected Buddhists, Hindus, Muslims, and Christians. Since 1983, approximately 100,000 persons had died. The Government, paramilitaries, and Tamil Tigers have been accused of involving religious facilities in the conflict or putting them at risk through shelling in conflict areas. During the final days of fighting in April and May 2009, there were unconfirmed reports both of the LTTE locating artillery pieces next to religious facilities and of the army firing heavy weapons at the same sites, often while they were in use as shelters for civilians.

During the reporting period, security forces committed human rights abuses against individuals at places of worship in the north and east. While these incidents had an impact on religious freedom, they were not religiously motivated; instead, they were a product of the conflict. Since 2006 there were numerous reports of killings and disappearances. Some Catholic priests who spoke out on humanitarian issues were among those who disappeared. There is no evidence that the killings and disappearances that occurred in this area during the reporting period were religiously motivated.

In May 2009 navy personnel and army commandos accompanied by a police officer visited the National Christian Evangelical Alliance of Sri Lanka's office in the south part of Colombo (the navy oversees security issues in that neighborhood). They interrogated the general secretary of the Alliance and his senior staff and searched official documents and the office premises.

In April 2009 Minister Rohitha Abeygunawardene, Member of Parliament for the Kalutara District, informed Pastor Stanley Royston of the Assembly of God (AOG) church that it was the official stance of the Government that churches must close down unless they are registered with the Ministry of Cultural Affairs. The AOG Church in Kalutara has been functioning for more than 60 years with a congregation of more than 800. While Pastor Royston was inside the local police station reporting attacks on the AOG church, some of the JHU-affiliated monks who had carried out the attacks threatened him with death.

In April 2009 attorneys Faiz Mustapha PC and Asoka Weerasooriya accompanied a delegation from the Assembly of God Church at a meeting with Senior Presidential Advisor Basil Rajapaksa. Rajapaksa assured the delegation that the churches did not require registration with the Ministry of Cultural Affairs, as Minister Rohitha Abeygunewardena had stated. Rajapaksa further added that the Ministry of Religious Affairs would be directed to work out a mechanism of registration. He assured the delegation that attacks on churches would be dealt with and that the law enforcement authorities would be directed to ensure that law and order prevailed, ensuring the rights of citizens to exercise their religious beliefs.

In September 2008 a group of approximately 60 persons led by a Buddhist monk and a local politician arrived at the Prayer Tower Church at Maliankulam in the Puttalam District. They set fire to the partially constructed hall the congregation used as a Sunday school. The group assaulted members of the church who live in the vicinity and who had gone to the scene in an attempt to stop the arson. The attackers threatened children from the congregation who also had gathered. The pastor lodged a complaint at the local police station but was told police would be unable to help, as the attackers were no longer in the village. Around midnight the same day, some of the attackers returned and warned the Christian families not to send their children to the village school the next day or they would be killed. Another church in Puttalam district was the target of an arson attack on August 17, 2008.

In July 2008 local police warned Pastor Royston of the AOG Church in Kalutara not to continue church services. There had been protest rallies against the church in the area, and Royston was asked to report to the local police station. When he arrived there with his lawyer, he was confronted by a group of 50 persons, 10 of whom were Buddhist monks. The monks said they objected to the presence of the lawyer, and Royston asked him to sit in another room. The monks then asked to see the lawyer's national identity card. When he refused, saying he had no obligation to present it, the monks and the others attempted to assault him, in full view of police. The lawyer was able to evade the attack, but the mob shouted that they would destroy the church. The local police then advised Royston to discontinue church services.

In April 2008 the Bishop of Mannar moved the historic statue of Our Lady of Madhu from Madhu Church to St.

Xavier's Church in Thevanpiddy to protect it from increasing hostilities between government security forces and the LTTE in the area. The Bishop of Mannar asked the Government and the LTTE to stay at least 1.2 miles away from the church to enable civilian access. After fighting between the government and the LTTE pushed north of the Madhu area, the Bishop of Mannar was able to return the statue to Madhu Church on August 6, 2008. Madhu Church is considered the most important Catholic site in the country.

There were no updates during the reporting period on the April 2008 killing of the Chairman of the North East Secretariat on Human Rights, Father M. X. Karunaratnam, in Vanni (Northern Province).

There were no updates on the March 2008 case filed in the Appeals Court seeking remedy for the revocation of the approval given to the Foursquare Gospel Church in Kelaniya, Gampaha for the construction of a new church building.

There were no updates on the January 2008 killing of UNP parliamentarian T. Maheswaran at a Hindu temple in Kotahena. The main suspect was a former member of Maheswaran's security detail who had connections to the progovernment Tamil party Eelam People's Democratic Party. However, the Inspector General of Police stated the LTTE was responsible.

There were no updates on the October 2007 killing of Pastor Victor Yogarajan and his two sons near Negombo. The three had been missing since March 2007.

There were no updates on the September 2007 killing of Father Nicholaspillai Packiyaranjit, Mannar coordinator of Jesuit Refugee Service, in Mannar.

There were no updates on the September 2007 abduction and killing of Hindu priest Subramaniasharma Ketheswara Kurukkal in Jaffna as he was traveling to visit relatives.

There were no updates on the April 2007 killing of Hindu priest Ratnasabapathy Aiyar Somaskantha in Velanai, Jaffna.

There were no updates on the January 2007 killing of Reverend Nallathamby Gnanaseelan of the Tamil Mission Church of Jaffna by government security forces.

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 who had not been allowed to be returned to the United States.

Abuses by Rebel or Foreign Forces or Terrorist Organizations

The U.S. Government has listed the LTTE as a Foreign Terrorist Organization since 1997. The LTTE has victimized Muslims, Hindus, Buddhists, and Christians; it does not appear that the victims are selected along religious lines.

In 1990 the LTTE expelled approximately 46,000 Muslim inhabitants, virtually the entire Muslim population in the area, from the northern part of the country. Most of these persons remained displaced and lived in or near welfare centers. Although some Muslims returned to the northern city of Jaffna in 1997, they did not remain there due to the continuing threat the LTTE posed. There were credible reports that the LTTE warned thousands of Muslims displaced from the Mannar area not to return to their homes until the conflict was over. It appears that the LTTE's actions against Muslims were not due to Muslims' religious beliefs but rather that these actions were part of an overall strategy to clear the north and east of persons unsympathetic to the LTTE. The LTTE made some conciliatory statements to the Muslim community, but many Muslims viewed the statements with skepticism. The LTTE later encouraged Muslim internally displaced persons (IDPs) in some areas to return home, asserting they would not be harmed. Although some Muslim IDPs returned home, the majority did not and waited for a government guarantee of safety in LTTE-controlled areas. Since the 2002 Ceasefire Agreement, the LTTE also carried out a number of attacks

in the east in which Muslims were killed. No arrests had been made in these cases by the end of the reporting period. Although the Government defeated the LTTE militarily in May 2009, it remained unclear whether these Muslim citizens would soon be able to return to their former homes.

The LTTE has been accused of using church and temple compounds, many of which the Government designated as shelters in the event of hostilities, for the storage of munitions.

Section III. Status of Societal Respect for Religious Freedom

Discrimination based on religious differences was much less common than discrimination based on ethnicity. In general, members of the various religious groups tended to be tolerant of each other's religious beliefs. However, allegations by Buddhist extremists of Christian involvement in "unethical" or forced conversions continued to be a source of tension between the two communities. Christians denied the charges, responding that people undergo conversion of their own free will. There were reports that members of some evangelical groups made disparaging comments about Buddhism while evangelizing. Some groups also alleged that Christians engaged in aggressive proselytism and took advantage of societal ills such as general poverty, war, and lack of education. Christians countered that their relief efforts were not aimed at converting aid beneficiaries.

During the reporting period, Christians of all groups sometimes encountered harassment and physical attacks on property and places of worship by some local Buddhists who were opposed to conversion and believed the Christian groups threatened them. Some Christian groups occasionally complained that the Government tacitly condoned harassment and violence aimed at them. Police generally provided protection for these groups at their request. In some cases police response was inadequate, and local police officials reportedly were reluctant to take legal action against individuals involved in the attacks. The National Christian Evangelical Alliance of Sri Lanka reported numerous attacks on Christian churches, organizations, religious leaders, or congregants, many of which were reported to the police. Credible sources confirmed some of these attacks. A general increase in the number of attacks on churches, particularly in the south, occurred in April and May of 2008. The most severe attack was in Talangama, Colombo District, when Buddhist monks led mobs attacking the Calvary Church, destroying the building and severely injuring the pastor. No arrests were made following these attacks.

On June 23, 2009, a group of men on motorcycles attacked the pastor of the Foursquare Gospel Church in Polonnaruwa with knives, attempting to slash his neck. The local police conducted inquiries, but no arrests had been made by the end of the reporting period. At the end of the reporting period, the pastor had a police escort for his protection.

On June 13, 2009, two Catholic shrines were attacked in Hingurakgoda and Polonnaruwa.

On June 7, 2009, a mob attacked and destroyed the Apostolic Church in Mannar. Seven persons were arrested, and an action was filed in the local Magistrates Court.

On June 6, 2009, a Seventh-day Adventist pastor from the Vavuniya region was planning to return home by bus from Colombo after attending a conference. He telephoned his wife in Vavuniya to tell her he was getting on the bus but never arrived home. He had been abducted once before in November 2008 and released shortly afterward.

On June 3, 2009, the Catholic National Association of the Laity of Sri Lanka reported the vandalism of a 10-year-old statue of Jesus Christ at the Catholic Convent Prasadani, in Minneriya. Another statue of Christ that belonged to a family in Minneriya was removed and smashed.

During the week of April 8, 2009, Jeevanaloka Sabhawa (an independent local Christian church) in Weeraketiya, Hambanthota District, experienced a number of threats. On April 8 four men stood outside the pastor's house shouting, "Christian come out," frightening his wife and two children, who were home alone. He returned home soon after, then received a telephone call threatening him with death unless he left the village by morning. The caller, reportedly one of the four who had been seen outside the home, made several more threatening calls to the pastor that night. He then returned to the pastor's home, pounding on the door and demanding that the pastor come outside. The man continued his verbal harassment until the police arrived and placed him under arrest. The next day police released the suspect from custody, and he started a petition against the church with help from other villagers

and several Buddhist temples in the area. The owner of the pastor's house was warned to evict the pastor or face serious damage to the property. The pastor's children were relocated for their protection. The church canceled Good Friday and Easter Sunday worship services as a precautionary measure, and the pastor continued to be informed of plots to attack him.

On April 5, 2009, an unidentified gang broke into the Methodist Church in Pepiliyana, Dehiwela, Colombo District. Once inside the 150-year-old church, the intruders looted valuable musical instruments, Bibles, hymnals, and documents, including baptism and marriage records. Church sources believed the deliberate removal of church documents, which had no monetary value, indicated the motive was not robbery. The incident occurred the night after the church had celebrated Palm Sunday with a traditional procession. The Boralesgamuwa Police were investigating.

In April 2009 Christians in several congregations in Kommatalamaduru and Amanthanveli in Vakarai, Batticaloa District, experienced problems conducting worship services due to threats. The majority Hindu villagers chased away a pastoral worker visiting Christian families.

In March 2009 a protest rally took place against the Calvary Prayer Centre at Udugampola, Gampaha District, claiming the church was engaged in kidnapping youth. Police protection was provided to deter violent incidents during the protest.

In March 2009 a man wielding a machete attacked an assistant pastor and a church worker of the Vineyard Community Church at Pannala in Kurunegala District. A complaint was made to the Pannala police. According to the senior pastor, police visited the scene of the crime but made no arrests.

From January to March 2009, the Assembly of God Church in Bulathkohupitiya, Kegakalle District, came under threat. Mobs verbally abused members of the congregation and prevented them from attending Sunday worship service. The instigators of the mobs and a number of Buddhist monks from the area petitioned the Ministry of Religious Affairs to close the church. These groups have also held meetings in the village to discuss closing the church.

In January 2009 a report by a commission appointed by the All Ceylon Buddhist Congress (ACBC) on conversion of Buddhists to other religions was released. The ACBC appointed the commission in 2006 to investigate what it termed unethical conversions, including activities of NGOs and other charitable organizations. Allegations leveled against Christian churches and organizations during these proceedings ranged from alleged unethical conversions through material inducement to allegations of supporting terrorism.

In September 2008 a Buddhist monk and three associates desecrated the Sri Muthumariamman Temple in Grandpass, Colombo. They entered the temple at night through the roof, smashing the New Goddess statue, Lord Vishnu statue, Lord Rama statue, and the Lord Shivalingam statue. Residents alerted the police, who arrested the four intruders. They were brought before the Colombo Additional Magistrate Court, where they were remanded into custody but later released on bail. The leader of the group was identified as Sri Sapugasyaye Dhammanada Thero, the chief incumbent of a major Buddhist temple complex in Grandpass.

In August 2008 an Assembly of God Church at Pannaladi, Norochcholai, Puttalam District, was set on fire and destroyed. A group of persons who had visited the local pastor's house earlier that evening and threatened him was suspected of having carried out the arson. A police complaint was filed, and three persons were arrested but later released on bail.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. U.S. Embassy officials regularly meet with representatives of all the country's religious groups to review a wide range of human rights, ethnic, and religious freedom concerns. During the reporting period, Embassy representatives met with government officials at the highest level to express U.S. Government concern about the attacks on Christian churches and to discuss the anticonversion issue.

The U.S. Government is a strong supporter of political reconciliation now that the conflict has ended, and the U.S.

Embassy supports interfaith efforts by religious leaders to promote a peaceful resolution of the underlying causes of the conflict.