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SRI LANKA 2016 INTERNATIONAL RELIGIOUS FREEDOM REPORT

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, in public and in private. The constitution and other laws give Buddhism the “foremost place” among the country’s religious faiths and commit the government to protecting it. On successive days in November the police arrested the leaders of militant Buddhist and Islamic organizations for publicly inciting hate and threatening violence. Non-Buddhist religious groups reported an increase in discriminatory restrictions imposed by local government officials on religious minorities. This included a requirement that evangelical Christian churches register places of worship although no law or regulation specifically requires such registration. The government continued to permit the construction of Buddhist statues in non-Buddhist areas despite strong objections from members of the Hindu, Muslim, and Christian communities. The government had not yet prosecuted Buddhist monks involved in attacks against Muslims and Christians in 2014.

The National Christian Evangelical Alliance of Sri Lanka (NCEASL) documented 85 incidents of attacks on churches, intimidation and violence against pastors and their congregations, and obstruction of worship services during the year compared to 87 such incidents in 2015. Multiple universities and mosques reported vandalism of Muslim prayer rooms during the year. Minority Rights Group International, an international nongovernmental organization (NGO), reported 60 instances of hate speech, acts of discrimination, or attempts to desecrate or destroy Muslim religious buildings in the first half of the year. The Centre for Policy Alternatives stated that several Buddhist nationalist organizations that regularly espoused hate speech continued to enjoy impunity from arrest and investigation, although not to the extent permitted under the previous government. Buddhist groups – including the Bodu Bala Sena (BBS or Buddhist Power Force), Ravana Balava (Ravana Power), Sinhala Ravana (Sinhala Echo), and the Sinhale Jathika Balamuluwa (Sinhala National Force), which claims ownership of the Sinha-Le (Lion’s Blood) campaign – continued to promote the supremacy of the country’s ethnic Sinhalese Buddhist population and propagated views hostile to members of religious and ethnic minorities.

The U.S. Ambassador urged political leaders to take action to defend religious minorities and to protect religious freedom for everyone. The Ambassador encouraged the government to make the national reconciliation process inclusive of religious minorities and to be protective of minority rights and sentiments. Embassy personnel also met with religious leaders to urge them to assume a leadership role in bridging the ethnic and religious divide in support of interfaith harmony. The embassy continued to support programs and host events designed to promote dialogue among religious and ethnic groups, and embassy officers met regularly with leaders and representatives from a broad range of religious groups to encourage them to play a leading role in reconciliation.

Section I. Religious Demography

The U.S. government estimates the total population at 22.2 million (July 2016 estimate). A UN analysis estimates 69 percent of the population is Buddhist, 15 percent Hindu, 8 percent Muslim, and 8 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. Tamils constitute a majority in Northern Province and are strongly represented in Eastern Province.

The Tamil community is mainly Hindu, with a sizeable Christian minority. Tamils of Indian origin, who are mainly Hindu, have a large presence in Central, Sabaragamuwa and Uva Provinces. The largest concentration of Muslims is in Ampara District and urban areas of Eastern Province, with sizable portions of the Muslim community also residing in Central, North-Central, Northwestern, Sabaragamuwa, Uva, and Western Provinces. Christians have large communities in Eastern, Northern, Northwestern, and Western Provinces, and a smaller presence in Sabaragamuwa and Uva Provinces.

The census indicates most Muslims are Sunni, with a small Shia minority, primarily members of the Bohra community. Nearly 82 percent of Christians are Roman Catholic. Other Christian denominations include Anglicans, Assembly of God, Baptists, The Church of Jesus Christ of Latter-day Saints (Mormons), the Dutch Reformed Church, Jehovah's Witnesses, Methodists, and Pentecostals. Evangelical Christian groups have grown in recent years although membership 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, both in public and in private. The constitution accords Buddhism the “foremost place” among the country’s religious faiths and commits the government to protecting it, but does not recognize it as the state religion. A 2003 Supreme Court ruling determined the state was constitutionally required to protect only Buddhism; other religions were not accorded the same fundamental right of state-provided protection.

Religious groups are only required to register with the government to obtain approval to construct new places of worship. In this case, they must register as a trust, society, or NGO to engage in financial transactions, open a bank account, or hold property. Religious organizations may also seek incorporation by an act of parliament, which is passed by a simple majority and affords religious groups state recognition and permission to operate schools.

While non-Buddhist religious groups maintain the right to incorporate through an act of parliament, the parliament has limited their ability to proselytize based on a 2003 Supreme Court ruling stating the right to propagate a religion through proselytization was not fundamental under the constitution.

Separate government ministers are tasked with addressing the specific concerns of each major religious community: the Minister of Justice is also responsible for the affairs of Buddha Sasana; the Minister of Prison Reforms, Rehabilitation, Resettlement is also responsible for Hindu Religious Affairs; the Minister of Postal Services is also responsible for Muslim Religious Affairs; and the Minister of Lands, Tourism Development is also responsible for Christian Religious Affairs. The assignments are not legally mandated but are connected to the religion of the minister, a tradition that has been customary for several administrations.

Religion is a compulsory subject in both public and private school curricula. Parents may elect for their children to study Buddhism, Islam, Hinduism, or Christianity. Students are not allowed to opt out of religious instruction. All schools not teaching the London Ordinary-Level syllabus follow the Ministry of Education curriculum on religion, which covers the four main religions and is compulsory for the General Certificate Education Ordinary-Level exams (equivalent to U.S. grade 12). Students are required to take only the exam

covering his or her religion. International private schools following the London Ordinary-Level syllabus are not required to teach religious studies.

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 the country's civil law. Religious community members, however, report practice varies by region and exceptions exist. Muslim community members state marriages are governed by customary law derived from sharia and cultural practice while civil law applies to property rights. According to Tamil civil society groups in the Northern Province, marriages are governed by civil law while the Thesawalamai customary law governs the division of property. Most Sinhalese and Tamil marriages are governed by civil law, including mixed marriages or those of individuals who claim no religious affiliation.

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

Government Practices

Authorities arrested the leaders of militant Buddhist and Muslim organizations in November for hate speech and threats of violence. On November 15, police arrested Dan Priyasad, the leader of the Savior of Sinhalese organization, for publicly inciting hate speech against Muslims. According to media reports, on November 7 Priyasad stated in front of Colombo's Fort Railway station that he would "kill all Muslims" and "deploy suicide bombers to fulfill his mission." Priyasad was released on bail on December 2.

On November 16, police arrested Secretary of the Muslim organization Sri Lanka Thawheed Jamath (SLTJ) Abdul Razik for "inciting religious disharmony" by speaking against other religions in an offensive manner during a protest on November 3. Following the arrest of Dan Priyasad the previous day, BBS General Secretary Galagoda Gnanasara issued a statement demanding the arrest of Razik, threatening an attack by his followers and a "blood bath" if the arrest did not occur. The courts released Razik on bail on December 9.

Police arrested BBS General Secretary and prominent monk Gnanasara on January 26, along with 37 of his supporters on charges of contempt of court, disruption of court proceedings, and damaging state property while participating in what authorities stated was an unlawful gathering. Gnanasara was released on bail on February 9. Critical public reaction to the behavior of the protesting monks included reporting by the country's business paper *Daily Financial Times*, which

labeled the BBS as the former Rajapaksa government's "storm troopers." Prior to Gnanasara's release on bail, former President Mahinda Rajapaksa held a press conference saying the government was biased against Buddhist monks because BBS leader Gnanasara was refused bail for a bailable offense while a member of parliament who committed a nonbailable offense was granted bail.

The cases against monks accused in 2014 attacks on Muslims and Christians progressed slowly. On November 24, Muslim civil society representatives indicated the Attorney General's Department planned to file indictments in two cases against BBS members accused of defaming the Quran. Authorities did not file indictments as of the end of the year, but the cases were reportedly scheduled to be tried in 2017. Muslim lawyers with knowledge of the case stated 42 cases related to anti-Muslim riots in 2014 in Aluthgama remained pending at the end of the year.

On September 23, the Court of Appeal reinforced a 2003 Supreme Court ruling that determined the state was constitutionally required to protect only Buddhism by dismissing an appeal by the Jehovah's Witnesses seeking police assistance in conducting investigations and criminal prosecutions in cases of criminal attacks and harassment targeting them. The court decided the constitution did not guarantee the right to propagate religion, thus the police could not be compelled to investigate these incidents.

In place of incorporation through acts of parliament, evangelical Christian churches continued to seek legal status by establishing a trust, society, NGO, or company to conduct basic operations such as financial transactions.

According to the NCEASL, newly established churches experienced two major difficulties in registering. First, the rural communities in which the churches wanted to locate experienced difficulties obtaining deeds to land because of the degradation of hard copy Land Registry documentation and incomplete land surveys. Second, the requirement for local council approval for construction of new religious buildings often resulted in council members telling applicants they needed the consent of the majority of the local community, which was not consistently granted. Church leaders reported they repeatedly appealed to local government officials and the Ministry of Christian Religious Affairs for assistance, with limited success.

Evangelical Christian churches continued to report pressure and harassment by local government officials to suspend worship activities that the government

classified as “unauthorized gatherings” or to close down places of worship because they were not registered with the government. On February 6, a pastor attached to the Bethel Assemblies of God in Puttalam District received a letter from the divisional secretary stating the church was an unauthorized place of worship. The letter questioned the legal status of the church, referencing an October 2008 Ministry of Buddha Sasana and Religious Affairs circular requiring newly constructed places of religious worship to obtain government approval. The circular had been revoked in 2012 and the country’s laws no longer required religious places of worship to register with the government once they are constructed. In other instances, police reportedly continued to cite a 2011 government circular requiring places of worship to obtain approval to conduct religious activities on their grounds, which extended the provisions of the 2008 circular on construction of religious facilities, and which was also revoked in 2012. Local police officers, however, continued to cite the 2011 circular during the year to demand religious leaders register their places of worship and threatened closure should they fail to comply. According to some Muslim and Christian groups, harassment from police and government officials sometimes appeared to be in concert with Buddhist monks and Buddhist nationalist organizations.

In July two police officers cited the circular and ordered the pastor of the Church of Truth in Pallekele to cease all religious activities until he registered with the Ministry of Buddha Sasana. In a letter received one week later, the Urban Development Authority (UDA) informed the pastor his religious activities were unauthorized and urged him to bring his land title and registration from the Ministry of Christian Religious Affairs to a meeting with the UDA. The pastor ignored this letter and continued to organize religious activities at the church. In September he received another letter from the UDA ordering him to cease all religious activities or the UDA would take legal action against him. The pastor reportedly heeded this second warning and ceased operations.

In addition to using the revoked circular to restrict churches’ religious activities, Jehovah’s Witness representatives reported the 2008 circular was used during the year to deny applications to construct new Kingdom Halls. They stated the Ministry of Christian Religious Affairs failed to take responsibility for approving new Christian places of worship, thus preventing Jehovah’s Witnesses from building any new Kingdom Halls during the year.

Civil society groups and politicians in the north and east stated the construction of Buddhist shrines by Buddhist groups or the military in parts of the Northern and Eastern provinces became contentious symbols of perceived Buddhist Sinhalese

religious and cultural imperialism. The north and east are predominantly Hindu and Muslim, and some Buddhist shrines were erected in areas with few, if any, Buddhist residents. According to local politicians in the north, the military sometimes acted outside its official capacity to aid in the construction of these statues. In some instances, however, the military withdrew from areas, removing Buddhist statues, but leaving the Bodhi tree, an important component of Buddhist shrines that may not be cut down even if the shrine is dismantled. In some cases, Hindu and Muslim religious groups constructed their own shrines and cut down the Bodhi tree, an action Buddhists considered extremely offensive and which exacerbated religious tensions. When the navy moved one of its bases in Trincomalee in June, navy officials removed a statue of Buddha and the nearby Bodhi tree. Tamil residents then placed a Hindu deity in the Bodhi tree shrine, which was then anonymously removed and replaced by a Buddha statue. On July 11, the Tamil villagers removed the Buddha statue and cut down the tree. After weeks of local religious tension, a Buddhist monk erected a large Buddha statue where one had stood previously and planted a tree nearby. Both remained in place at the end of the year.

In November the government agreed to a 20 million rupee (\$133,700) project financed by the Chinese Gwandoon Buddhist Association to renovate 100 yet-to-be specified Buddhist temples in the Northern and Eastern provinces. The Ministry of Justice and Buddha Sasana submitted the proposal to the cabinet indicating the money would be used to improve access to water and lavatory facilities at the temples.

According to the National Christian Evangelical Alliance of Sri Lanka, in multiple instances police reportedly failed to respond to, or were reluctant to arrest or pursue, criminal cases against individuals instigating attacks on religious minority sites. Legal experts with experience representing minorities with discrimination claims also noted the prosecution of perpetrators was rare.

In June a former police officer physically attacked two Jehovah's Witnesses during their worship activities in Akaragama. The Jehovah's Witnesses reported both the investigating officer and the assistant superintendent of police insulted their religion with the assistant superintendent saying, "Witnesses should be tied to trees and beaten." The Jehovah's Witnesses stated the investigating officer then forced the victims to sign a document stating the complaint was amicably resolved.

Minority Rights Group International detailed a February incident in which the divisional secretary halted construction to expand a madrassah in Bandaragama

because of local Buddhist clergy objections. The construction project had the necessary approvals and police conceded the project was legal, but advised the Muslims against resuming construction, stating the police would not be able to provide security in the event of an attack.

According to reports from Jehovah's Witnesses, the government continued to limit the issuance of temporary work permits and visas for foreign religious workers and clergy. The Witnesses reported longer than usual delays in the issuance process, with the result often a denial or no response. When approved, the government issued work permits for foreign clergy for one year with an allowance for extension. Jehovah's Witnesses reported the government refused to issue new work permits for incoming foreign pastors during the year, and they therefore chose instead to renew the work permits for those already working in the country.

Not all schools had sufficient resources to teach all four religious subjects covering Buddhism, Islam, Hinduism, or Christianity and some students studied a religious subject different from their own religion. Government schools frequently experienced a shortage of teachers, sometimes requiring available teachers to teach the curriculum of a faith different from their own.

On December 4, President Maithripala Sirisena made remarks during the bicentennial celebration of the Methodist Church of Thempola stating, "the freedom to follow any religion is guaranteed in Sri Lanka, as religious philosophies help people live more virtuous and disciplined lives." He also stressed the importance of moral and spiritual development in the overall development of any country.

On November 22, the minister of justice and Buddha Sasana announced the creation of a ministerial committee tasked with defusing rising religious tensions in response to publicized incidents of interfaith attacks. The four ministers with religious portfolios will serve on the committee. Under the auspices of this committee, President Sirisena met religious leaders in December to promote interfaith dialogue. On December 24, Sirisena hosted a Christmas celebration, during which he called for peace and reconciliation among all citizens.

In October Prime Minister Ranil Wickremesinghe stated the leaders of all faiths and political parties in the country supported keeping the special protection accorded to Buddhism in the constitution. In response, the National Christian Council and several Muslim groups said they supported a secular constitution that did not provide privileges to any one religion.

In October the government appointed a committee to propose amendments to the Muslim Marriage and Divorce Act, which allows girls as young as 12 to marry. The committee had not presented its findings by the end of the year.

On September 12, President Sirisena announced that 2017 would be dedicated to propagating Theravada Buddhism in Sri Lanka.

Section III. Status of Societal Respect for Religious Freedom

The NCEASL documented 85 cases of attacks on churches, intimidation and violence against pastors and their congregations, and obstruction of worship services during the year, compared to 87 cases in 2015. Minority Rights Group International reported 60 instances of hate speech, acts of discrimination or attempts to desecrate or destroy Muslim religious buildings in the first half of the year. The Centre for Policy Alternatives stated several Buddhist nationalist organizations regularly espoused hate speech and continued to enjoy impunity from arrest and investigation, although not to the extent as under the previous government. Because religion and ethnicity are often closely linked, it was difficult to categorize many incidents as being solely based on religious identity.

In June Buddhist clergy protested the construction of a minaret at a mosque in Kandy, stating the minaret would make the mosque taller than the sacred Buddhist Temple of the Tooth. Minority Rights Group International reported the mosque ceased construction of the minaret in response to the monk-led street demonstrations.

In January a group of Buddhist monks and village supporters attempted to block the burial of a Christian in a public cemetery in Puttalam. With the help of a lawyer, the pastor obtained a court order to proceed with the burial at the cemetery, as planned, but villagers surrounded the cemetery and obstructed the event. Police attempted to protect the pastor and the deceased's family but, fearing for their safety, advised them to bury the Christian at another public cemetery in a nearby village.

The National Christian Evangelic Alliance of Sri Lanka stated that in May a group of 30 Buddhist monks and 150 of their supporters reportedly entered the Christ Embassy Church in Gampaha and used racial and religious slurs against the pastor and the congregation. Police arrived on the scene minutes later but did not

immediately intervene and instead urged the pastor to halt his religious activities temporarily to keep the peace. The pastor resumed his work after a brief respite.

Twelve members of the Young Men's Buddhist Association went to the House Church Foundation in Polonnaruwa in July and reportedly stated the children of the village should not be taught Christianity because the church was in a Buddhist village, according to the National Christian Evangelical Alliance of Sri Lanka. They accused the pastor of forcibly converting villagers to Christianity. Later that day, 30 villagers and two Buddhist monks converged on the church premises and accused the pastor of forced conversions. They also ordered the pastor and his congregation to stop their religious activities immediately and leave the village; they threatened the pastor with violence if he failed to comply. Following the incident, the congregation no longer held large-scale prayer meetings, choosing instead to meet in smaller groups to avoid attracting attention.

In November a Buddhist monk of the Mangalarama Temple in Batticaloa, affiliated with the BBS, publicly called Grama Sewaka, a Tamil village officer, a "bloody Tiger and a dog" and threatened to "smash" him if he did not stop filing court cases against the Sinhalese for land encroachment. In a conversation captured on video, the monk told the officer "my blood boils when I see you. If you even send out one Sinhalese from their land, I will end the rule by the Thambiyas (Muslims) and the Demalas (Tamils)."

On the second anniversary of the 2014 Aluthgama Muslim-Buddhist riots in June, BBS General Secretary Gnanasara publicly threatened to initiate "phase two" of the violent confrontation if the government did not keep the Muslim community under control. Gnanasara and members of the BBS frequently used religious and racial slurs when describing Muslims and ethnic minorities at public rallies and in media statements. In a February media statement, the BBS also accused local madrassahs of promoting radicalization through religious teachings and accused one Islamic group of having ties to ISIS.

Vandals damaged the Muslim prayer room at Jaffna University three times during the year and in November individuals attacked the grand mosque in the Nikaweratiya area of Kurunegala District with gasoline bombs. Police made no arrests in connection with these incidents.

Section IV. U.S. Government Policy

Through meetings with the president, prime minister, and other senior government officials, the U.S. Ambassador urged that the national reconciliation process be inclusive of ethnic and religious minorities, and raised awareness with senior government leaders about tensions among religious groups that could undermine their efforts toward reconciliation. In February the Ambassador accompanied Minister of Muslim Affairs M.H.A. Haleem on a visit to the grand mosque in Colombo and delivered public remarks reiterating the strong U.S. commitment for religious freedom and emphasizing how religious diversity “can contribute greatly to the achievement of a golden vision of a Sri Lanka that is reconciled, unified, peaceful, and prosperous.” In May the Ambassador visited both the historic Koneswaram Hindu temple and the Gangaramaya Buddhist temple where he discussed the importance of celebrating the country’s diverse religious heritage.

The Ambassador and other embassy officials met regularly with senior Buddhist clergy, Hindu political leaders, Catholic and Anglican Church leaders, and Muslim advocacy organizations to underscore the role of religious tolerance in the ongoing reconciliation process. In outreach events, the Ambassador and U.S. officials encouraged civil society to play a productive role in demonstrating how a post-conflict, religiously diverse country could achieve lasting peace and inclusive prosperity. The Ambassador also met with the new Catholic Bishop of Jaffna, whose predecessors played an instrumental role in protecting human rights activists during the conflict, to urge the church and religious institutions in the north to use their influence to help lead the post-conflict reconstruction and reconciliation efforts across the country.

The Ambassador and embassy staff participated in events to commemorate the 200th anniversary of the American Ceylon Mission, a group of pioneering American Christian missionaries who established Christian schools across the Jaffna peninsula and opened the first girls’ boarding school in Asia. They amplified messages of U.S. support for religious freedom with postings to the embassy’s social media pages. Embassy officers regularly met with cabinet ministers with religious portfolios to encourage them to build ties across religions as part of sustainable reconciliation. They also participated in and hosted events with religious groups, including organizing an interfaith iftar in Colombo and others across the country.

In addition, the embassy supported the work of the National Peace Council to strengthen the capacity of religious and community leaders to lead peacebuilding activities through District Interreligious Reconciliation Committees (DIRC). The Ambassador met the Galle DIRC in January to discuss how religious extremism

posed a threat to national reconciliation and urged community leaders to coordinate closely to promote greater understanding.