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2014 Report on International Religious Freedom - Sri Lanka

Executive Summary

The constitution states that 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 both public and in private. The constitution and other laws give Buddhism "foremost place" and commit the government to protecting it, but do not recognize it as the state religion. Authorities often did not investigate or prosecute those responsible for attacks on churches, Hindu *kovils* (temples), and mosques, and protected perpetrators of such violence. At times, local police and government officials appeared to be acting in concert with Buddhist nationalist organizations. Police continued to use a revoked 2011 government circular to coerce unregistered churches to register or be shut down. Eight masked men assaulted the pastor of New Blessing Church in Valaichchenai and his family when they reportedly failed to comply with the "government requirement" to submit a registration letter. In April President Rajapaksa acknowledged for the first time the increase in religiously-motivated violence and established a special religious police unit within the Ministry of Buddha Sasana (doctrine and practice) and Religious Affairs to address complaints. Some religious minorities, however, questioned the sincerity and efficacy of the effort, and the unit took no credible steps during the year to pursue prosecution of perpetrators of violence.

In June at least three Muslims were killed and scores injured in clashes with hardline Buddhists in Aluthgama and Beruwala. The incident, widely covered by international press, occurred after the Bodu Bala Sena (BBS, "Forces of Buddhist Power"), a hardline violent ethnic Sinhala Buddhist organization with links to the government, held a large rally in the streets of Aluthgama to condemn a reported assault of a Buddhist monk by several Muslim youth. The violence followed years of increasing religious tensions and what NGOs cited as a deepening culture of impunity for those aligned with the government. Members of hardline Buddhist groups committed numerous instances of violence, destruction of property, and injuries against Christians and Muslims.

The U.S. Ambassador urged government leaders at the most senior levels, including President Rajapaksa and his brother, the defense minister, to arrest and prosecute perpetrators of crimes against religious minorities and to protect religious freedom for all citizens. The embassy continued to regularly meet 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 21.9 million (July 2014 estimate). Approximately 70 percent is Buddhist, 13 percent Hindu, 10 percent Christian, and 7 percent Muslim. Christians tend to be concentrated in the west and Muslims in the east; the north is predominantly Hindu.

Most members of the majority Sinhalese community are Theravada Buddhist. The majority of Tamils, the largest ethnic minority, are Hindu. The Muslim community is comprised of both ethnic Sinhalese and ethnic Tamils. Most Muslims are Sunni; there is a small Shia minority, including members of the Bohra community. Almost 80 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.

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 have or to adopt a religion or belief of his choice." 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" (priority consideration) and commits the government to protecting it, but does not recognize it as the state religion. Employment opportunities, appointments to high offices, granting of scholarships, and favorable police treatment are among the benefits Buddhists receive.

By law each of four departments in the Ministry of Buddha Sasana and Religious Affairs must formulate and implement programs to inculcate religious values and promote a "virtuous society." These departments work with Buddhist, Hindu, Christian, and Muslim groups.

Religious groups are not required to register with the government, nor is there a requirement to register places of worship. Incorporation by act of parliament is the highest form of legal validity, but that option is unavailable in practice for Christian churches. Christian churches are compelled to seek other forms of registration to establish a legal status, such as establishing a trust, society, non-governmental organization (NGO), or company. Any of these forms of registration allows a church to engage in financial transactions, operate a bank account, and hold property.

Government ministries can also issue circulars, which are directives that do not have the force of law. There are two such circulars, both issued by the Ministry of Buddha Sasana and Religious Affairs, that are often used to restrict religious freedom. A 2008 circular states that future construction of any place of worship is subject to prior permission of the ministry. It also stipulates that observations from the divisional secretary of the area have to be forwarded with the application for a new construction. A revised circular from 2011 states that not only construction of new places of religious worship, but also the "continuation of a place of worship or any activity headed by a religious leader, in the guise of religion is deemed illegal unless approved by the Ministry." In addition, the circular states that special attention will be given to the ideas of people belonging to other religions in the region. Although the secretary of the Ministry of Buddha Sasana and Religious Affairs revoked the second circular in 2012, police continued to cite the circular in attempts to close places of worship.

Matters related to family law, including divorce, child custody, and inheritance, are adjudicated according to the customary law of the applicable ethnic or religious group. In order to solemnize marriages, religious groups must register with the Ministry of Buddha Sasana and Religious Affairs.

Although not required by statute, religion is a mandatory subject in the public school curriculum. Parents may elect for their children to study Buddhism, Islam, Hinduism, or Christianity, although there are not enough teachers in all faiths in rural areas. Students cannot opt out of religious instruction. Those belonging to other religious groups may pursue religious instruction outside the public school system. All schools follow the Ministry of Education curriculum on religion, which is compulsory for the General Certificate Education Ordinary-Level exams covering the four main religions. International schools following the London Ordinary-Level syllabus are governed by the Board of Investment and may opt not to teach religious studies in schools, as students can pass without religion. There are few options for children who are not members of the four faiths mentioned above.

Government Practices

Throughout the year NGOs accused authorities of reluctance to investigate or prosecute those responsible for attacks on churches, Hindu *koviis*, and mosques and characterized this as indicative of a deepening “culture of impunity” that protected alleged Buddhist perpetrators. At times local police and government officials appeared to be acting in concert with Buddhist nationalist organizations, according to targeted Muslim and Christian groups and legal experts who noted that the prosecution of perpetrators was rare. Evangelical Christian churches, especially in the south, reported increased pressure and harassment by local government bodies to suspend worship activities as “unauthorized gatherings” or close down if they were not registered with the government, despite no legal requirement to do so. The National Christian Evangelical Alliance of Sri Lanka (NCEASL) stated that “dozens” of churches from all parts of the country had been questioned about their legality by local government officials and police based on the circulars noted above.

The BBS continued to promote the supremacy of the country’s ethnic Sinhalese Buddhist population and propagated views hostile toward members of religious and ethnic minorities. For example, BBS General Secretary Ven. Galagoda Atte Gnanasara Thero regularly made inflammatory statements about “Islamic invasion and aggression” and “forced conversions” by Christian groups as posing existential threats to Buddhism in the country. Local media and NGOs said there were strong linkages between the BBS and the government. At the BBS convention in September, leaders of the group called for a new constitution to protect the majority Sinhalese community.

Christians, particularly those from evangelical denominations, encountered harassment and physical attacks on property and places of worship by local Buddhists who stated they were opposed to conversion and believed Christian groups threatened them. On January 12, a Buddhist mob attacked two evangelical churches in the southern town of Hikkaduwa during services. The protestors caused thousands of dollars of damage, burning Bibles, breaking windows, and smashing musical instruments. The attack, filmed and broadcast nationally on Derana TV and posted on a social media site, showed police standing by while protesters carried out acts of destruction. Opposition United National Party (UNP) parliamentarian and Leadership Council Chair Karu Jayasuriya released a statement on January 14 accusing the Rajapaksa government of allowing religious and ethnic intolerance to “reign with impunity.”

Local authorities continued to cite the 2008 circular requiring prior government approval of new churches when they closed down churches, including those that predate the circular, even though it is not part of the law.

According to the evangelical Margaya Fellowship of Sri Lanka, the *grama sevaka* (village headman) visited the New Blessing Church in Valaichchenai in the Batticaloa District on August 24 while the Sunday worship service was in progress. He asked the pastor, Joseph Vedanayagam, whether the church was registered and said he had received an anonymous letter complaining about the pastor’s worship activities. The *grama sevaka* visited again August 29, to warn the pastor that he would face consequences if he failed to adhere to the “government requirement” to submit the church registration letter. This church has been registered since 1992 under the central government but not locally as a branch of the Margaya Fellowship of Sri Lanka. On August 31, a group of eight masked men assaulted the pastor of the New Blessing Church, his wife, 12-year-old daughter, and 15-year-old son with wooden poles studded with nails, cricket stumps, and iron rods. The family was hospitalized following the incident. Police arrested one of the attackers at the scene, but a magistrate ordered his release the next day on the grounds that he had to take a university exam. According to the leadership of the Margaya Fellowship, five attackers were arrested and produced in court in November after political pressure. They were set free after the church leadership expressed willingness to grant them forgiveness.

Although no law prohibits proselytizing, Jehovah’s Witnesses reported police physically attacked or reprimanded them at times for advocating their faith. On February 19, a mob assaulted and verbally abused seven Jehovah’s Witnesses in Galagedra, dousing women with muddy water and beating men with sticks. According to sources, authorities refused to investigate and prosecute the known perpetrators. Jehovah’s Witness representatives stated that on March 1, a woman invited a Jehovah’s Witness and her 58-year-old mother into her home in Talawa to preach their faith. Two Buddhist monks, along with a group of people and two police officers, arrived at the home and verbally harassed the women. Authorities arrested the two Jehovah’s Witnesses and detained them overnight without charges.

Church leaders, predominately those from unregistered evangelical churches, reported police used the revoked 2011 government circular in an attempt to coerce unregistered churches to register. In some such instances, police warned church leaders that if their places of worship remained open, security forces would be unable to protect them from vandalism or attacks. The NCEASL stated church closures were often carried out with the tacit support and even cooperation of local authorities. In March a group of 60 people led by six Buddhist monks attacked the pastor of the Good News Church in Mahiyangana (Badulla District) demanding closure of the church. The area police station was alerted of the incident, but police officers arrived on the scene after the mob had dispersed.

Some evangelical Christian groups reported incidents of governmental discrimination in the provision of services. Sources stated that some local authorities refused the building plans of pastors' homes on the grounds they were attempting to construct a church, leaving some pastors living in temporary shelters. In July authorities in Naula, near Matale, denied a request for an electricity connection to the pastor of the Assemblies of God church. When officers from the Ceylon Electricity Board (CEB) visited the pastor's premises to issue an electricity connection, some of the neighbors, reportedly instigated by village Buddhist monks, began to threaten the CEB officials against providing electricity to the pastor's premises, stating they were an unauthorized place of worship. The CEB officers then left the premises. When the pastor lodged a complaint at the area police station, the officer in charge instructed the pastor to resolve the issue with the area divisional secretary (DS). Upon meeting the DS and an officer of the CEB, the pastor was informed of a petition lodged against him by Buddhist monks from the village stating that his premises were an unauthorized place of worship. Despite constitutional and legal protections against discrimination, the pastor was instructed to obtain approval from the Ministry of Buddha Sasana and Religious Affairs to get the electricity connection.

On March 4, local press reported the magistrate in Gangodawila ordered the closure of the Dehiwela mosque based on a complaint from the police filed on February 20 that the mosque was not registered. The magistrate later granted the mosque permission to reopen. The magistrate observed that the 2008 circular regarding authorized places of worship could not supersede the approval of the Wakf Board, which is legally empowered to register mosques.

Human rights organizations and members of religious minority groups expressed concern that authorities tacitly condoned harassment and violence, particularly by Buddhist nationalist groups, against religious minorities. In multiple instances, police failed to respond or were reluctant to arrest or pursue criminal cases against individuals instigating attacks on minority religious sites.

The government failed to arrest and prosecute hardline Buddhist monks involved in numerous attacks against Muslims and Christians. Sources stated that Buddhist monks generally operated under the protection of the government, and some monks, particularly outside Colombo, operated with impunity in trying to close down Christian and Muslim places of worship on the grounds they were not registered. In April a group of 30 persons led by Buddhist monks stormed the premises of the New Life Living Church in Bandaragama, Kalutara District where Christians were praying and demanded they stop. The Christians immediately contacted the local police, but upon arriving on the scene, the officer in charge instructed church members to stop the prayer meetings.

On April 24, President Rajapaksa established a special religious police unit to deal with religious complaints. The new unit reports to the Ministry of Law and Order, although it is housed in the Buddhist Division of the Ministry of Buddha Sasana and Religious Affairs. This announcement came during a meeting with selected print and electronic media editors, in which Rajapaksa acknowledged for the first time an increase in religiously motivated violence that he said should be stopped. Critics of the new police unit, including religious groups, political opponents, and NGOs, argued it would strengthen the hand of violent Buddhist groups, such as BBS, encourage religious sectarianism, reinforce police state measures, and further entrench a culture of impunity. Some religious minority groups stated that, because of how the unit is structured, they were afraid to report incidents of conflict or violence to the police unit for fear of retaliation.

The government gave each Tamil Hindu family evicted from its home in Dambulla 100,000 Sri Lankan rupees (\$762) but took none of the other promised steps. In October 2013, the Urban Development Authority, heeding the calls of area Buddhists in Dambulla, bulldozed the Hindu Dambulla Badhrakaali Amman Kovil near the separate Buddhist temple to make way for a pond in the Dambulla Buddhist "sacred zone." According to sources, 47 Tamil Hindu families who had paid rent to Sinhalese landowners in the area surrounding the *kovil* for over three generations were evicted with the promise of alternative living arrangements, but local authorities did not fulfill the promise. At year's end, these families were living in the area with relatives and in rental homes.

In May trustees of Dambulla's mosque agreed to a government offer to relocate the mosque and surrounding Muslim homes to another location, but authorities had taken no action to relocate the mosque by year's end. Members of the Muslim community reported various continued acts of vandalism against the mosque, acts which increased in recent years. In 2013, a Buddhist leader in Dambulla demanded the mosque be removed because it was also located in a Buddhist "sacred zone."

Government troops continued to build Buddhist shrines in Tamil areas of the North, which are home to primarily Hindu, but also Christian and Muslim, populations. Some Tamil groups stated that this demonstrated government-sponsored Sinhalese colonization of majority-Tamil areas. The number of Buddhist shrines and religious sites in the northern Districts of Jaffna and Kilinochchi also increased.

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

Section III. Status of Societal Respect for Religious Freedom

On June 15, at least three Muslims were killed and scores were injured in clashes with hardline Buddhists in the southern coastal towns of Aluthgama and Beruwalla. The violence occurred after the BBS held a rally in the streets of Aluthgama to condemn an incident that occurred on June 12, when three Muslim youth reportedly assaulted a Buddhist monk in Dharga Town. Although the three men were arrested after the monk filed a police statement, BBS General Secretary Ven. Gnanasara Thero organized the rally and delivered an inflammatory speech to the crowd that included Buddhist clergy and laity. He stated that if any Muslim laid a hand on a Sinhalese person – let alone a monk – that would “be the end” of the individual.

After the speech, the BBS leaders led a procession through the streets of Aluthgama chanting anti-Muslim slogans. According to reports, bystanders pelted stones on the procession in Dharga Town (in Aluthgama), leading to further clashes that ultimately left three people dead and more than 80 injured. Some 900 policemen were on duty in the vicinity and failed to stop the violence. Minister of Justice Rauff Hakeem criticized the police for not taking proper action to prevent the violence. According to police media spokesman Ajith Rohana, 62 persons were arrested after the Beruwalla and Aluthgama incidents and 35 of them were remanded. As of year’s end, there had been no prosecutions.

In February a group of around 250 villagers led by 11 Buddhist monks belonging to the BBS stormed the premises of the pastor of Holy Family Church in Asgiriya, Kandy, demanding that worship services be stopped immediately. The pastor explained his right to religious freedom to continue with religious worship. While talking to BBS General Secretary Gnanasara, the pastor and his wife were forcibly dragged out of the premises and physically assaulted by the crowd. The pastor’s 18-year-old daughter was verbally abused in the incident. Afterwards, the BBS general secretary gathered the villagers outside the pastor’s premises and warned them against “traitors” such as the pastor and his family. The monk threatened Buddhist villagers as well and said they would face the same consequences if they continued to encourage such religious worship activities in the village. A Christian member in the vicinity immediately called the police emergency hotline. Police officers arrived at the scene and took a statement from the pastor and his spouse.

On September 28, the BBS hosted a monk from Burma, Ashin Wirathu, the leader of the anti-Muslim 969 movement, as guest of honor at a convention of Buddhist hardliners in Colombo. Muslim and Christian groups were unsuccessful in their efforts to convince the government to cancel his visa. BBS General Secretary Gnanasara said “the time has come for Buddhists to ally internationally” and that Wirathu understood the situation. At the convention attended by several thousand Buddhist monks, BBS leaders called for a new constitution to protect the majority Sinhalese community and threatened the government that the group would field its own candidate for president if the Rajapaksa government failed to protect Buddhists.

On April 9, Gnanasara and other BBS monks disrupted a joint Muslim-Buddhist press conference, the first of its kind, with the moderate Buddhist Jathika Bala Sena (JBS) and a Muslim cleric at a Colombo hotel. The press conference was convened to counter BBS assertions concerning an “illegal” resettlement colony of Muslim internally displaced persons in national park lands. Gnanasara harassed JBS leader Watarekke Vijitha Thero and told the press that the Quran “encourages Muslim extremists to mislead people and acquire their property.” The JBS monks were compelled to withdraw their position about the legality of the Muslim settlement in front of TV cameras and then cancel the press conference.

Christian groups reported at least 96 violent attacks led by Buddhist monks against Christians or churches as of December. The NCEASL reported attacks on Christian churches, organizations, religious leaders, and congregants; many of the attacks were reported to the police. Other sources confirmed some of these attacks.

On January 26, more than 2,000 Christians gathered in Colombo to protest after a spate of church attacks, including three on Christmas Eve, by Buddhist militants in 2013.

Section IV. U.S. Government Policy

In the wake of attacks on churches, mosques, and Muslim communities in the towns of Aluthgama and Beruwalla, the U.S. Ambassador and embassy officials urged government leaders at the most senior levels, such as the president and the defense minister, to arrest and prosecute the perpetrators, and issued statements calling for the protection of the right of all people to practice the religion of their choice and an end to religiously-based violence.

Embassy officials regularly met with representatives from a broad range of religious groups to encourage interfaith efforts. The embassy undertook several projects to promote interfaith dialogue and cooperative

engagement, including interfaith panel discussions, workshops, and conferences, where several thousand religious leaders, community members, and government officials participated. The embassy also sponsored intrafaith dialogues promoting peace and reconciliation.

In addition, the embassy worked with local NGOs to form District Inter-religious Reconciliation Committees (DIRC) with moderate leaders from across the religious spectrum. In the aftermath of the Aluthgama and Beruwalla attacks, the regional DIRC played a relevant role in identifying ways to strengthen bonds between and among communities.

The Ambassador and other embassy officials regularly participated in religious conferences, ceremonies, and other events promoting religious freedom around the country, addressing interreligious harmony.

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