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2021 Report on International Religious Freedom: Sri Lanka

OFFICE OF INTERNATIONAL RELIGIOUS FREEDOM / JUNE 2, 2022

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EXECUTIVE SUMMARY

Executive Summary

The constitution provides for freedom of thought, conscience, and religion, including the freedom to change religion. The law recognizes four religions: Buddhism, Islam, Hinduism, and Christianity. The constitution and other laws accord Buddhism the “foremost place” among the country’s religious faiths and commit the government to protecting it while respecting the rights of religious minorities. A government investigation continued into the 2019 Easter Sunday attacks that targeted Christian churches and luxury hotels. As of the end of the year, more than 300 suspects remained in detention, most being held without charge. The Attorney General’s Department indicted 25 suspects for direct involvement in the attacks, including three facing U.S. terrorism charges. Civil society organizations and diplomatic missions called upon the government to grant due process to all of those arrested and detained under the Prevention of Terrorism Act (PTA), including five prominent Muslims. Local nongovernmental organization (NGO) reports stated that local officials and police responded minimally or not at all to numerous incidents of religiously motivated discrimination and violence against minorities. In 10 cases of intimidation or attacks by Buddhist groups on Christian churches, police said the pastors were to blame for holding worship services and in three additional cases, police accused a pastor of breaching the

peace. The National Christian Evangelical Alliance of Sri Lanka (NCEASL) reported few arrests and none of Buddhist monks. Religious rights groups reported instances in which police continued to prohibit, impede, and attempt to close Christian and Muslim places of worship, citing government regulations, which legal scholars said did not apply. On March 12, the government announced regulations on “de-radicalization from holding violent extremist religious ideology” and created a system for referring individuals detained under the PTA to a mandatory rehabilitation program as an alternative to prosecution. International and domestic human rights activists criticized the new regulations as a form of extrajudicial detention. Civil society groups challenged the regulations in the Supreme Court, which issued an interim order on August 5 suspending the regulations until it issued a final ruling, which remained pending at year’s end. On February 25, the government reversed the mandatory cremation policy for COVID-19 victims, which denied Muslims the right to bury their dead. On March 5, the government chose a location in the Eastern Province as the sole burial ground for COVID-19 victims. Throughout the year, Muslims complained of the hardships in traveling to this location and in adhering to strict and cumbersome government burial procedures. On October 26, President Gotabaya Rajapaksa appointed a 13-member Presidential Task Force to implement his “One Country, One Law” campaign pledge and named General Secretary of the Buddhist nationalist group Bodu Bala Sena (BBS), Galagoda Aththe Gnanasara Thero, as chairman. Following criticism that the task force and Gnanasara, a Buddhist monk known for anti-Muslim rhetoric, would “eventually turn towards targeting minorities,” the President narrowed the task force’s mandate. In media appearances in September, Gnanasara said the Muslim community was complicit in the Easter Sunday attacks and any future attacks, and also admonished the Catholic Archbishop of Colombo for his criticism of the government on the Easter Sunday investigations. Muslim leaders lodged a complaint with police against Gnanasara for inciting hate speech, and Christian clergy and Buddhist monks warned the public of what they said were planned attempts by Gnanasara to create communal tension in the country.

According to civil society groups, highly visible social media campaigns by Buddhist nationalist groups such as BBS targeted and incited violence against religious minorities, in particular the Muslim community. BBS continued to use social media to promote what it called the supremacy of the ethnic Sinhalese Buddhist majority and vilify religious and ethnic minorities. During the year NCEASL documented 77 incidents of attacks on churches, intimidation of and violence against pastors and their congregations, and obstruction of worship services, compared with 50 incidents in 2020. In 11 instances, NCEASL said crowds assaulted or threatened pastors, their family members, and congregants.

U.S. embassy officials repeatedly urged senior government officials and political leaders, including the President and Prime Minister, to defend religious minorities and protect religious freedom for all, emphasizing the importance of religious minorities in the national reconciliation process, and calling for due process for those in prolonged detentions under the PTA, including Muslims detained in connection with the Easter Sunday attacks. The Ambassador affirmed in a public statement in January that the rights and dignity of families of COVID-19 victims should be respected by permitting the observance of their faith in accordance with international public health guidelines. Embassy personnel met often with religious and civic leaders to understand the views of the communities they represent, the challenges they faced, including government and societal discrimination and the COVID-19 cremation policy, and to identify ways their communities could help diffuse ethnic tensions. The U.S. government funded multiple assistance programs designed to build on global best practices in interfaith and interreligious cooperation, dialogue, and confidence building.

Section I. Religious Demography

The U.S. government estimates the total population at 23 million (midyear 2021). The 2012 national census, which provides the most recent available data, lists the population as 70.2 percent Buddhist, 12.6 percent Hindu, 9.7 percent Muslim, and 7.4 percent Christian. According to census data, the Theravada Buddhist community, which comprises nearly all the country's Buddhists, is the majority population in the Central, North-Central, Northwestern, Sabaragamuwa, Southern, Uva, and Western Provinces.

Most Sinhalese are Buddhist and are commonly referred to as Sinhala Buddhists, an ethnoreligious group. Tamils, mainly Hindu with a significant Christian minority, constitute the majority in the Northern Province and represent the second largest group, after Muslims, in the Eastern Province. Muslims are legally recognized as a separate ethnoreligious group, rather than as Tamil or Sinhalese. Within the Muslim community there are several communities, ranging from the majority Tamil-speaking Moors to Malays (whose ancestry traces to Java) and to those with Indian roots tracing back to Mumbai and Gujarat, the Memons and Bohras. Tamils of Indian origin, who are mostly Hindu, have a large presence in the Central, Sabaragamuwa, and Uva Provinces. Muslims form a plurality in the Eastern Province, and there are sizable Muslim populations in the Central, North-Central, Northwestern, Sabaragamuwa, Uva, and Western Provinces. Christians reside throughout the country but have a larger presence in the Eastern, Northern, Northwestern, and Western Provinces, and a smaller presence in Sabaragamuwa and Uva Provinces.

Most Muslims are Sunni, with small Ahmadi and Shia minorities, the latter comprised of Dawoodi Bohras. According to government statistics, an estimated 81 percent of Christians are Roman Catholic. Other Christian groups include the Church of Ceylon (Anglican), the Dutch Reformed Church, Methodists, Baptists, Assembly of God, Pentecostals, The Church of Jesus Christ of Latter-day Saints, and Jehovah's Witnesses. Christian evangelical and nondenominational Protestant groups have grown in recent years, although there are no reliable estimates of their numbers. According to the government, membership remains low compared with the larger Christian community. There is a small Jewish population living in different parts of the country.

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 requires the government to protect it, although it does not recognize it as the state religion. According to a 2003 Supreme Court ruling, the state is constitutionally required to protect only Buddhism, and other religions do not have the same right to state protection. The same ruling also holds that no fundamental right to proselytize exists or is protected under the constitution. In 2017, the Supreme Court determined the right to propagate one's religion is not protected by the constitution.

The law recognizes four religions: Buddhism, Islam, Hinduism, and Christianity. There is no registration requirement for central religious bodies of these four groups. New religious groups, including groups affiliated with the four recognized religions, must register with the government to obtain approval to construct new places of worship, sponsor religious worker (missionary) visas/immigration permits, operate schools, and apply for subsidies for religious education. Religious organizations may also seek incorporation by an act of parliament, which requires a simple majority and affords religious groups state recognition.

The law considers any racial or religious hatred that constitutes incitement to discrimination, hostility, or violence to be a criminal offense, including through spoken word, written words, and signs or other visible representation that cause religious disharmony. Lower courts normally do not approve release on payment of bail for such offenses, with bail possible only

through appeal to a higher court. The offenses carry a punishment of imprisonment from five to 20 years, depending on which law or laws are applied.

The government adheres to a 2008 ministerial circular, introduced by the Ministry of Buddhasasana, Religious, and Cultural Affairs, the cabinet ministry responsible for oversight of what the constitution describes as the country's foremost religion, Theravada Buddhism, requiring all groups, regardless of their religion, to receive permission from the ministry to register and to construct new places of worship. The Prime Minister heads this ministry. A 2017 Supreme Court ruling upheld the registration requirements. In 2018, the ministry ruled that the 2008 circular on registration and construction of religious facilities only applied to Buddhist religious sites. Specific non-cabinet departments under the ministry are responsible for addressing the concerns of each major religious community.

The country's International Covenant on Civil and Political Rights (ICCPR) Act, which is designed to incorporate the international covenant into domestic law, criminalizes propagating or advocating religious or racial hatred. Punishment ranges from fines to up to 10 years' imprisonment.

Religion is a compulsory subject at the primary and secondary levels in public and private schools. Parents may elect to have their children study Buddhism, Islam, Hinduism, or Christianity, provided enough demand (at least 15 students) exists within the school for the chosen subject. Students may not opt out of religious instruction even if instruction in their religion of choice is not available, or if they do not choose any religion. All schools teaching the Sri Lankan Ordinary Level syllabus, including private schools founded by religious organizations, must use 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 10). International schools not following the Sri Lankan Ordinary Level syllabus are not required to teach religious studies.

Matters related to family law, including divorce, child custody, and property inheritance, are adjudicated either under customary law of the ethnic or religious group in question or under the country's civil law. According to the 1951 Muslim Marriage and Divorce Act (MMDA), Islamic personal law governs marriages and divorces of Muslims, while civil law applies to most property rights. In the Northern Province, civil law governs marriages, while the *Thesawalamai* (Tamil customary law) often governs the division of property. For some Sinhalese, Kandyan personal law (based on the traditions of the Sinhalese Kandyan kir that preceded British colonial rule) governs civil matters, such as inheritance issues, and

works within the caste system. Civil law governs most marriages of Sinhalese and Tamils of various religions, including marriages involving individuals of different faiths or those of individuals who state no religious affiliation. Religious community members report practices vary by region, and numerous exceptions exist.

There is no national law regulating ritual animal sacrifice, but there are laws prohibiting animal cruelty that are used to prevent religious ceremonies involving animal sacrifice.

The country is a party to the ICCPR.

GOVERNMENT PRACTICES

Analysts studying incidents of violence against Christians noted a connection between what they said was a display of prejudice by the state against the Christian community and the state's use of authority. In some of these cases, they reported, state officials sided with perpetrators who demanded that Christians cease activities in "Buddhist villages" or obtain permission from the Ministry of Buddhasasana, Religious, and Cultural Affairs to conduct worship activities. NCEASL said evangelical Christian groups continued to report that police and local government officials were complicit in the harassment of religious minorities and their places of worship. Christian groups said officials and police often sided with the religious majority. According to NCEASL, in 10 of at least 11 cases of intimidation or attacks by Buddhist groups on Christian churches, police said the pastors were to blame for holding worship services; in three additional cases, police accused pastors of breaching the peace. NCEASL reported few arrests and none of Buddhist monks.

Muslim NGOs and organizations reported an increase in police harassment and surveillance of their activities since the 2019 Easter Sunday bombings. They said harassment included regular phone calls and visits by government security forces to ask about activities of the organizations.

An NGO leader said violence against religious minorities varied depending on the religious minority group, stating, "when violence happens against the Christian community, it's done at an individual level, while violence against Muslims happens at a communal level." According to Christian, Hindu, and Muslim civil society groups, while the overall number of incidents of violence against religious communities during the year decreased compared with 2020 incidents of monitoring, surveillance, harassment, and intimidation increased and often occurred in concert with harassment by local Buddhist monks and Buddhist nationalist

organizations. Civil society groups said that while the level of fear among religious minority communities was higher given this increase, they nonetheless continued to report cases of intimidation to authorities and NGOs.

NCEASL reported that on July 30, two Muslim individuals lodged a complaint with police regarding a Facebook post that denigrated the Prophet Muhammad by the chairman of an Ampara District local council.

At an October 1 virtual event, UN Special Rapporteur on Freedom of Religion or Belief Ahmed Shaheed said that the 2019 Easter Sunday bombings were “followed by a significant rise in intercommunal tension, specifically targeting members of certain religious minority groups and their places of worship, in particular Muslims.” He said that the UN had “repeatedly called on the government to take all appropriate measures to curb incitement to hatred and violence against members of minorities.”

According to police, 2,299 individuals were arrested in the aftermath of the 2019 Easter Sunday attacks that targeted Christian churches and luxury hotels, killing 268 persons, including five U.S. citizens, and injuring more than 500. On August 25, the Inspector General of Police announced that 311 individuals remained in custody for alleged connections to the 2019 Easter Sunday attacks. According to civil society, almost all of these individuals identified as Muslim, had been arrested in 2019 in the immediate aftermath of the attacks, and were being held without charge under various combinations of provisions in the PTA, the ICCPR Act, and the penal code. The figure also included some Muslims arrested in 2020 and 2021, including several prominent individuals such as lawyer Hejaaz Hizbullah, poet and teacher Ahnaf Jazeem, and politicians Azath Salley and Rishad Bathiudeen, as well as his brother Riyaj Bathiudeen. The courts denied them bail for months, but with the exception of Hizbullah, all others were released by the end of the year. Salley was acquitted on December 2, and the courts granted bail to Rishad and Riyaj Bathiudeen on October 14 and November 15, respectively, and to Jazeem on December 15. According to civil society sources, many of the 311 Easter Sunday-related detainees were in overcrowded prison facilities with limited or no access to legal counsel, while the families of those detained reported facing economic hardships after losing their family's primary breadwinner. On August 10, the Attorney General's Department filed indictments against 25 suspects at the Colombo High Court for direct involvement in the bombings, including three men charged by the United States with providing material support to ISIS, a designated foreign terrorist organization. On October 1, their cases commenced through a Trial-at Bar, a process set up to hear cases of exceptional public importance in front of three judges of a superior court.

Lawyers and advocates on behalf of prominent Muslims arrested and charged under the PTA said the government had been unable to produce credible evidence of their alleged connections to terrorist activity, and in 2020 and 2021 filed Fundamental Rights (FR) petitions at the Supreme Court saying the arrests and detentions violated their fundamental rights under the constitution. At year's end, the FR petition for Azath Salley was scheduled for a hearing in June 2022. Activists stated that a guilty verdict in the cases of either Hizbullah or Jazeem would set a dangerous precedent for freedom of speech and religion. Hizbullah, in custody since April 2020, was charged on July 15, 2021 with speech-related offenses. Ahnaf Jazeem, in custody from May 2020 until December 15 for a collection of Tamil poems he published, which authorities said contained "extremist" messages, was indicted for speech-related offenses on November 15. Jazeem's lawyer stated that allegedly squalid conditions of his detention could amount to ill treatment, and according to Amnesty International had a negative impact on his health. Jazeem's lawyer also said interrogators coerced him to make false confessions and sign documents in a language he did not understand. Civil society sources regularly engaged the international community on the behalf of these individuals, and NGOs and diplomatic missions called upon the government to grant due process to all of those arrested and detained under the PTA.

In an October report, Amnesty International called on the government to repeal the PTA, release Hizbullah and Ahnaf Jazeem, ensure they and other detainees facing charges under the PTA have access to lawyers and family members, and that fair trials be held.

On March 12, the government issued a gazette notification announcing regulations on "de-radicalization from holding violent extremist religious ideology." The notification created a system for referring individuals detained under certain provisions of the PTA to a mandatory rehabilitation program as an alternative to prosecution. The regulations stipulate that the Attorney General has the authority to recommend detainees be sent to a "reintegration center," with an initial rehabilitation period of one year, extendable up to an additional year, before release.

International and domestic human rights activists criticized the new regulations as extrajudicial detention under the guise of rehabilitation, noting the subjectiveness of the definition of extremism, expanded authorities to propose individuals for rehabilitation, lack of due process, and the potential risk of harm to detainees. Human Rights Watch cited what it said was the negative record of the PTA in targeting minorities, and Amnesty International expressed concerns that the new regulations "may be used to disproportionately target government critics, including Muslims." Civil society groups filed a number of FR petitions

challenging the regulations in the Supreme Court, and on August 5, the Supreme Court issued an interim order suspending the regulations until it issued a final ruling, which remained pending at year's end.

On March 28, the government issued a gazette notification designating seven Tamil diaspora organizations and 388 individuals, all ethnic Tamils and Muslims, as terrorists. The gazette reversed the delisting of hundreds of diaspora organizations and representatives by the previous government. The new list also included several Sri Lanka-based Tamils accused of attempting to revitalize the terrorist organization Liberation Tigers of Tamil Eelam (LTTE) and several Muslims accused of involvement in the 2019 Easter Sunday attacks, some of whom remained in detention. The list included the names and home addresses of dozens of detained individuals, which local activists said endangered the families of the designated individuals.

Following the recommendation in the Presidential Commission of Inquiry report into the Easter Sunday attacks, Attorney General Dappula de Livera announced on April 7 that the government would proscribe 11 Islamic organizations, including the Islamic State (ISIS) and Al Qaeda, for their links to extremist activities in a soon-to-be issued *gazette*. By year's end the gazette had not been published.

Some representatives of minority religious communities and NGOs stated they believed the government viewed the Muslim community as a threat to cultural, land, and population hegemony, viewed the Christian community as responsible for inducing unethical conversions in the country, and viewed the Hindu community as encroaching on Buddhist archaeological sites.

According to some nondenominational Christian groups, public officials told Christian clergy that in order to continue with their religious activities they needed to register their places of worship in accordance with the 2008 ministerial circular, despite a 2017 letter from the Assistant Director of the Department of Christian Religious Affairs that said that evangelical churches were not legally required to register under the department. These groups said that government officials deemed Christian places of worship unauthorized or illegal if they failed to produce proof of registration and threatened them with legal action if they did not register, but the registration process continued indefinitely if they tried to do so. Instead, unregistered Christian groups said they continued to incorporate as commercial trusts, legal societies or NGOs but without formal government recognition. Nondenominational churches said they faced restrictions on holding meetings or constructing new places of worship.

According to Christian groups, they experienced major difficulties in complying with registration requirements. Without the consent of the local community or the local Buddhist temple, local councils often did not approve the construction of new religious buildings. Church leaders said they repeatedly appealed to local government officials and the ministry responsible for religious affairs for assistance, with limited success.

According to NCEASL, the chairman of a local council delayed for more than a year issuing approval for the Pentecostal Assemblies of Sri Lanka in Punduloya, Nuwara Eliya District to construct a children's education center. In February, the chairman instructed the pastor to seek approval from the Ministry of Buddhasasana, Religious, and Cultural Affairs, which told the pastor the process of approvals had been temporarily halted and did not provide a timeline for continuation.

On February 17, Ministry of Buddhasasana, Religious, and Cultural Affairs Secretary Kapila Gunawardana told *The Morning* newspaper that "We are looking at a legal framework to combat the issue of unethical conversions." Gunawardana stated the ministry had been receiving increasing complaints about this practice. In response to questions as to the demarcation between ethical and unethical conversions, Gunawardana said that religious conversions for financial gain or in order to access other services such as education were regarded as unethical. At year's end, there was no indication that the government had taken any action to establish the referenced legal framework.

Jehovah's Witnesses reported that since the April 2019 Easter Sunday attacks, there has been heightened surveillance on places of worship through inquiries and requests for information. This included inquiries from local police and intelligence officers calling or visiting the headquarters of Jehovah's Witnesses, requesting information about the board of directors of the Watch Tower Bible and Tract Society of Lanka (the legal entity used by Jehovah's Witnesses in the country), lists of meeting places, and the whereabouts of specific members. According to a Jehovah's Witnesses report, the surveillance and inquiries created an atmosphere that infringed on Jehovah's Witnesses' freedom of worship.

According to members of Christian groups, local authorities sometimes demanded their groups stop worship activities or relocate their places of worship outside the local jurisdiction, ostensibly to maintain community peace. Local police and government officials reportedly continued to cite a government circular, revoked by the Ministry of Buddhasasana, Religious, and Cultural Affairs in 2012, requiring places of worship to obtain approval to conduct religious activities. Police also reportedly cited a 2008 circular on the construction of religious

facilities when they prohibited, impeded, or closed Christian and Muslim services and places of worship. According to some legal experts, however, there was no explicit basis in national law for such a requirement. NGOs said they received reports that intelligence officials from the Presidential Security Department visited churches throughout the year, requesting information from pastors on the number of persons attending their churches and services, as well as the number of converts in the community. Muslim and Hindu leaders also shared concerns about being identified by their religion during visits by authorities.

According to NCEASL, on August 9, police ordered Jeevana Diya Adhahille Devasthanaya, the pastor of a church in Moragahahena, Kalutara District, to “stop his religious worship activities in order to maintain the peace” after villagers opposed to the worship activities filed five noise complaints against the church. Soon after the pastor concluded his service, a group of approximately 15 villagers and a Buddhist monk gathered outside the premises. The officer-in-charge asked the pastor for a list of congregants who had attended services that day and told the pastor that he should stop his worship activities, citing the villagers’ opposition. He asked the pastor to come to the police station for an inquiry, but the pastor refused, saying he had done nothing wrong and was being harassed repeatedly by the residents and police. He refuted the allegations and asked the officer to file a court case to settle the matter. The officer told the pastor not to hold a service the following Sunday.

According to NCEASL, on January 19, when the pastor of Bethel Missionary Church in Velanai, Jaffna inquired about the status of a construction application, which he submitted in October 2020, the council chairman told the pastor that approval would be granted on condition that he did not gather individuals for prayer services or conduct any religious worship activities on the premises. The pastor faced similar obstacles in 2019 when he sought approval to build a church on his privately owned land. Permission to build was denied in June 2019 by both the local council and the divisional secretariat, indicating that there was opposition to his activities from the Hindu majority community in the village.

In a public statement issued on January 25, four UN human rights experts expressed criticism of the continuation of the country’s mandatory cremation policy for COVID-19 victims, in effect since March 2020, as a human rights violation. The experts “deplored the implementation of such public health decisions based on discrimination, aggressive nationalism and ethnocentrism amounting to persecution of Muslims and other minorities,” adding that such hostility “exacerbated existing prejudices, intercommunal tensions, and religious intolerance, sowing fear and distrust while inciting further hatred and violence.” experts urged the government to stop forced cremations, combat disinformation, hate

speech, and stigmatization of Muslims and other minorities, and provide a remedy and ensure accountability for cremations that took place in error. While the cremation policy mostly had an impact on Muslims seeking to bury family members, civil society representatives said the policy and the government's rhetoric had an impact on the Christian community as well.

On February 25, the Ministry of Health (MOH) published a *gazette* announcing it would reverse the 11-month-long mandatory cremation policy and allow burial of COVID-19 victims. On March 1, cabinet spokesperson and Media Minister Keheliya Rambukwella announced that burials for COVID-19 victims were only allowed on Iranativu Island, a small island located 163 miles from Colombo off the coast of Mannar in the Northern Province. The announcement immediately sparked criticism from civil society representatives and Muslim politicians, and protests from the majority Tamil-Catholic population of Iranativu Island. On March 3, the MOH issued guidelines on COVID-19 burials including mandatory distance of corpses from groundwater, despite the lack of scientific evidence to support COVID-19 transmission from corpses and contrary to WHO guidelines. Director General of Health Services Dr. Asela Gunawardena told media that Iranativu was a temporary selection until relevant provincial government officers could identify suitable locations in various provinces. Representatives of the Muslim community said they had previously identified areas that met the government's "strict requirements," none of which were approved. On March 5, the government announced it had selected a site on private land owned by Muslims in Oddamavadi, Batticaloa District in the Eastern Province, which had a low water table and was surrounded by villages inhabited by Muslims. Burials commenced immediately. According to the Oddamavadi COVID-19 burial committee, an unofficial group that assists in burials of Muslims, a total of 3,287 individuals were buried at the site as of December 23, of which 2,804 were Muslims, 225 Hindus, 73 Christians, and 185 Buddhists. International and local NGOs said they believed international pressure on the government led to the "delayed reversal of a religiously discriminatory practice."

Although the Muslim community was widely dispersed across the country, Muslim community representatives said the majority of Muslims who died of COVID-19 were in Colombo, on the west coast. Muslim civil society members said families faced considerable hardships in burying family members in Oddamavadi due to the distance and the MOH burial guidelines, which included a required timeframe for burial and restrictions on the length of the service and the number of family members present. The Muslim community urged government to designate at least one cemetery in each of the 25 districts across the island for COVID-19 burials and said they identified locations that complied with MOH requirements. A

Muslim community representative said there was no government response. On August 21, local government officials in Oddamavadi told the media they had annexed two more acres of private land to the existing burial grounds. Government officials indicated they would start using a new government owned site in Kinniya (also in the Eastern Province) once the expanded Oddamavadi site ran out of space.

On October 18, the cabinet approved draft bills to existing laws to ban cattle slaughter, which the government said was a measure to increase local agriculture and milk production, despite observers stating that a ban on cattle slaughter would not fulfill such objectives. Human rights activist Aritha Wickramasinghe posted on Facebook on October 19 saying, “this is called distraction – against the enormous economic struggles for people. And racism – against a cattle slaughter industry dominated by Muslim butchers.” Muslim community representatives said they believed the proposed ban targeted the Muslim community, and that the government used the measure to keep its nationalist Sinhala Buddhist base happy. Muslim representatives, however, said the Muslim community refrained from public commentary to avoid controversy and noted that Sinhala and Tamil cattle farmers will likely be the worst affected if the ban is implemented.

On August 21, Catholics across the country hoisted black flags as part of a silent protest against the government’s perceived lack of progress on investigating the 2019 Easter Sunday attacks. Media reported one instance in which a group allegedly led by a local politician removed flags. Civil society groups said that police had intimidated residents and church staff by visiting sites with flags.

On March 5, the Ministry of Defense (MOD) announced that Islamic books imported into the country and held by authorities would only be released after being analyzed and reviewed by the ministry as part of what the ministry termed was a counterterrorism measure. According to Muslim civil society members, anyone wishing to import Islamic books needed to submit a list of books with a sample copy of each to the All Ceylon Jamiyyathul Ulama (ACJU), the main body of Islamic theologians, to screen for any extremist content. The MOD then needed to approve the list. Muslim community members said the lengthy process was meant to discourage importation of Islamic religious books altogether.

On February 9, a magistrate court dismissed charges against writer Shakthika Sathkumara stemming from his 2019 publication of a short story that a group of Buddhist monks sa’ offended Buddhism. The story referred to homosexuality and child abuse at a Buddhist temple. Police arrested and charged Sathkumara in 2019 for violating laws against hate

speech. An additional hearing on an FR petition filed by Sathkumara against his arrest was scheduled for March 2022.

On March 12, Public Security Minister Sarath Weerasekara signed a cabinet paper to ban face coverings and told *The Morning* newspaper on March 14 that the ban would include the burqa and the niqab, stating the “burqa is a sign of religious extremism that affects national security.” On April 27, cabinet spokesman and Media Minister Keheliya Rambukwella told the press that the cabinet had approved a ban on Islamic face veils proposed by Weerasekara and instructed the legal staff to draft legislation. Rambukwella said the move was a measure to protect and promote national security. At year’s end, no draft legislation had been put forward and there was no ban in effect.

During the year, there were no prosecutions for the May 2019 anti-Muslim violence that led to the death of one Muslim and attacks on mosques and Muslim-owned homes and businesses. By year’s end, the government had not fully compensated owners for property damage they sustained during the violence across North-Western Province. One observer said he believed it unlikely the government would ever prosecute anyone or provide compensation.

According to NCEASL, on March 17 the Kaduwela magistrate issued a temporary order against the pastor of Calvary Church in Ranala, Colombo District prohibiting the pastor from “engaging in any activity which disturbs peace and breaches quarantine regulations.” Police had previously ordered the pastor to stop church services on March 15 and 16 after local residents complained. On March 18, three officers from the Criminal Investigation Department of the Padukka police station visited the pastor’s parent’s residence and questioned them about her activities. They also collected details about her husband and children. When the case was taken up again on March 31, the order was not extended.

Media reports, ethnic minority politicians, and commentators continued to voice concerns that the Presidential Task Force for Archaeological Heritage Management in the Eastern Province created in 2020 would be used to further what they termed “the Sinhala Buddhist nationalist agenda,” and stated that the task force was extremely problematic. The 12-member task force was composed exclusively of Sinhalese Buddhists and headed by Secretary of Defense Kamal Gunaratne until the government appointed one Tamil and one Muslim member in November. The task force’s mandate was to conduct archaeological site surveys in the heavily Tamil and Muslim Eastern Province, and to recommend measures to preserve religious heritage. Critics of the task force said they feared it would lead to land grabbing by officials in the name of preserving heritage.

Press reported the Archaeology Department began excavations in Kurunthoormalai, the site of the ruins of the Athi Ayyanar Hindu temple, from January to May, stating that ancient Buddhist structures were buried under the site. On January 18, Vidura Wickramanayaka, State Minister of National Heritage, Performing Arts, and Rural Arts Promotion, accompanied by Archaeology Department officers and military personnel, led an event at Kurunthoormalai in which a new Buddha statue was placed and consecrated at the site of the Athi Ayyanar temple. According to press reports, local residents had resisted previous efforts by Sinhala Buddhist monks to seize the land, leading to a 2018 court order decreeing that no changes could be made to the site. On May 10, the *Tamil Guardian* newspaper reported a Pirith chanting ceremony (a Buddhist religious ritual) took place at the site, which the report said contravened COVID-19 restrictions. According to local press, hundreds of armed personnel were stationed at the site. Officials from the Archaeology Department and Sinhala Buddhist monks also attended. Press and Tamil commentators on social media said the army's move to conduct the Buddhist ritual raised suspicions among the predominantly Hindu population in Mullaitivu and demonstrated the uneven application of pandemic restrictions, given that authorities had arrested Tamil religious leaders for organizing gatherings.

On February 5, according to press reports, Buddhist monk Ellawala Medhananda Thero, a member of the Presidential Task Force for Archaeological Heritage Management, said that some Tamil politicians spread misinformation about the excavations at Kurunthoormalai and that Sri Lankans should unite to protect the heritage of the country by eliminating religious and racial differences.

Civil society groups and local politicians continued to state the military sometimes acted outside its official capacity and aided in the construction of Buddhist shrines in predominantly Hindu and Muslim areas. Reports published by various civil society groups indicated security forces involved in constructing Buddhist religious sites continued to cite archeological links in places where there had been no Buddhist populations.

On January 30, Army Commander General Shavendra Silva laid the cornerstone for construction of a new 100 foot-high stupa (Buddhist shrine) and monastery at the Tissa Raja Maha Viharaya site in Kankesanthurai, Jaffna. The Army Corps of Engineer Services carried out construction activities. Press reports indicated that the monastery and the stupa were being constructed on private property seized by the army during the 1983-2009 civil war. According to the army website, the Ministry of Buddhasasana, Religious, and Cultural / allocated funds for the construction of the monastery and both local and foreign Buddhists planned to contribute funds to construct the stupa.

Jehovah's Witnesses said they continued to have difficulty obtaining approval to build houses of worship. Local government officials cited the 2008 circular and forwarded all new Kingdom Hall construction applications to the Department of Christian Religious Affairs of the Ministry of Buddhasasana, Religious, and Cultural Affairs. According to Jehovah's Witnesses, during the year the ministry again did not issue any approvals for its building applications. Older applications, such as those submitted in 2015 to build Kingdom Halls in Pugoda and Nattandiya, remained pending at year's end. Jehovah's Witnesses representatives said that on January 7, they met with the Director of the Department of Christian Religious Affairs and asked for her direction on how they could be recognized and registered as a Christian group in the country. By year's end, the department had not responded to requests for follow-up meetings.

Although religious education remained compulsory in state-funded schools, not all schools had sufficient resources to teach all four recognized religions, and according to civil society groups, some students were required to study religions other than their own. Government schools frequently experienced a shortage of teachers, sometimes requiring available teachers to teach the curriculum of a faith different from their own.

Religious schools continued to receive state funding for facilities and personnel and operated under the purview of the central government and/or the provincial ministry of education.

Religious rights advocates continued to say that across all religious groups, traditional leaders charged with adjudication of religious law were poorly or completely untrained and issued inconsistent or arbitrary judgments.

On March 13, Minister for Public Security Sarath Weerasekera announced government plans to close approximately 1,000 unregistered or noncompliant madrassahs of the more than 2,000 madrassahs in the country to "control extremist activities." Weerasekera said, "Nobody can open a school and teach whatever you want to the children." Amnesty International in its October report said, "if enforced, the ban would amount to discrimination solely on the ground of religion" because it constituted "a blanket ban that is not based on a realistic assessment of any danger posed by madrasahs." As of year's end, according to Muslim civil society representatives, the government had not yet taken any concrete steps to close any madrassahs.

The cabinet approved amending the Civil Procedure Code to permit Muslims to marry the country's General Marriage Registration Ordinance (GMRO) on July 19, but the amendment required approval from parliament to become law, which remained pending at

year's end. At year's end, Muslims could only marry under the Muslim Marriage and Divorce Act (MMDA) enacted in 1951. Women's rights activists campaigned for reform of the MMDA for decades, citing what they stated were discriminatory practices against women including the lack of a minimum age for marriage, different conditions for divorce for men and women, and the bride not being able to sign her own marriage contract, among others. They further stated that the majority of the practices were contrary to Islamic law, but they faced opposition from within the Muslim community led by clergy when they sought reforms to the MMDA. Justice Minister Ali Sabry appointed a committee to reform the MMDA in January and worked through the cabinet to amend the GMRO with a provision to allow Muslims to opt out of the authority of the MMDA. In March, the cabinet separately approved several changes to the MMDA without consulting the Muslim community, according to community representatives, including abolishing the Quazi court system (Islamic court system) and prohibiting polygamous marriages for Muslim males. Muslim community members criticized the measures as government overreach and said the government was trying to use the reform process to strip the MMDA of key components. In its October report, Amnesty International wrote "the battle for the reform of the MMDA has been a difficult one for activists and allies. Their demands to repeal the regressive and discriminatory provisions in the MMDA were met with opposition from conservative factions of the Muslim community, while racist nationalistic factions – such as [member of parliament] Rathana Thero's attempts to repeal the MMDA – use the concerns of women to rationalize further marginalization of the Muslim community. Any reforms of the MMDA must be centered around the experiences and concerns raised by Muslim women and girls, and their allies." As of the end of the year, parliament had not taken up the proposed MMDA changes or the Civil Procedure Code amendment and neither had become law.

On October 26, President Rajapaksa announced via the official gazette a 13-member Presidential Task Force to implement his "One Country, One Law" campaign pledge and named BBS General Secretary Gnanasara Thero as chairman. According to the gazette, the task force would study the implementation of the "One Country, One Law" concept – which NGOs and religious minority activists said could entail reducing or eliminating the separate longstanding systems of family law for the Muslim, Northern Tamil, and Upcountry Kandyan Sinhala communities – and prepare draft legislation by February 28, 2022. The task force initially included four Muslims, but no Tamils or Christians. Civil society organizations, opposition politicians, and representatives of ethnic and religious minority communities criticized the announcement and the appointment of Gnanasara as chairman, expressing fears that the task force would "eventually turn towards targeting minorities." The major commentators in traditional and social media were also highly critical. Social media

commentators focused on what they said was the controversial nature of Gnanasara's persona and his inflammatory rhetoric as well as his prior judicial convictions and time spent in prison.

Widespread criticism about the choice of chair and criticism that the task force would undermine democratic law-making processes followed the appointment of the task force members, including press reports that Justice Minister Ali Sabry (the only Muslim member of the cabinet) attempted to resign. In a television interview, Sabry said he tendered his resignation to the President because the task force undermined the justice ministry's efforts to reform multiple laws and that he could not work under such circumstances. On November 6 the President issued another *gazette* limiting the mandate of the task force to presenting proposals to formulate a conceptual framework for the "One Country, One Law" concept rather than draft legislation and appointing three Tamil members, replacing two of the original members (one Sinhalese and one Muslim) who had resigned.

Appearing on privately owned Hiru TV on September 13, Gnanasara stated another extremist attack could hit the country. He said he knew who and where the groups plotting the attack were, adding that President Gotabaya Rajapaksa had already been informed. He also said that the true mastermind behind the 2019 attacks was "Allah." Gnanasara said Muslim extremists could be activated at any time and described Sri Lankan Muslims as "walking bombers" in a subsequent interview on the state-owned Rupavahini channel. During the year, Gnanasara also publicly admonished Cardinal Malcolm Ranjith, the Catholic Archbishop of Colombo, for his criticism of the government's progress on the Easter Sunday investigations. In response, the ACJU and the Catholic Archdiocese of Colombo issued statements on September 16 urging the government to investigate Gnanasara's allegations in order to disprove them. The ACJU also accused Gnanasara of insulting Islam and called for legal actions to be taken against him. Several opposition Muslim Members of Parliament (MPs) and Muslim civil society activists lodged a complaint with the Criminal Investigation Department against Gnanasara for inciting hate speech against Muslims. On September 23, opposition Samagi Jana Balawegaya MP Mujibur Rahman wrote to Media Minister Dulles Alahapperuma and questioned why the monk was given airtime on state media after delivering controversial remarks against Muslims and Catholics, at a time when the President and Prime Minister participated in international forums.

In addition to Cardinal Ranjith, other Christian clergy, including Anglican Bishop of Kuruk, Keerthisiri Fernando, and Buddhist monks from the National Sangha Council, warned the public of what they said were planned attempts by Gnanasara to create communal tension.

Public Security Minister Sarath Weerasekera defended Gnanasara in parliament, saying “anyone who believes in that ideology [Islam] could carry out an attack any time. It is not easy to identify them.” On September 24, former Commissioner of the Sri Lanka Human Rights Commission Ambika Satkunanathan tweeted, “Minister Weerasekera says any Muslim can have Islamic State ideology. This is racial profiling and can lead to discrimination of Muslims, arbitrary arrests and detentions, and other human rights violations. We’re witnessing bigotry in Parliament.”

During a November 2 media briefing, Gnanasara said the establishment of the task force was a “validation of BBS concerns” including “unethical conversions, forced sterilization, and cultural invasions in the country.” He also said that the country remained under threat by radical Christian organizations “tasked with stirring disharmony in the country and painting a wrong picture of Sri Lanka in Geneva.” He also stated there was “no need to include Muslim representatives in the presidential task force either,” and that “Tamil members must be selected carefully as they are unable to unite within their own community.”

Section III. Status of Societal Respect for Religious Freedom

Because religion, language, and ethnicity are closely linked, it was difficult to categorize most incidents of harassment or discrimination as being solely based on religious identity.

According to civil society groups, highly visible social media campaigns targeting religious minorities, in particular the Muslim community, continued to fuel hatred and incite violence. According to press reports and civil society representatives, Buddhist nationalist groups such as the BBS continued to promote what it called the supremacy of the ethnic Sinhalese Buddhist majority and denigrated religious and ethnic minorities, especially in social media. Civil society groups said authorities did not act against those inciting hatred against the Muslim and Tamil community.

According to press reports, police and security forces launched an investigation into damage caused by stones pelted at six roadside Catholic shrines in Mannar, a predominantly Catholic community with a considerable number of Hindus and Muslims, between July 12 and July 14. Press reported police suspected the attacks were designed to disrupt harmony in the multireligious community. Investigations led to the arrest of one suspect, who suffered from mental illness, *The Morning* reported. Bishop of Mannar Emmanuel Fernando told *The Morning* that the Catholic Church did not believe these incidents were ethnically or religiously motivated.

Hashtag Generation, a local NGO that analyzes trends in online dangerous speech said the outbreak and spread of the COVID-19 pandemic led to an intensification of anti-Muslim rhetoric online, including hate speech, disinformation and harassment. When the government reversed the mandatory cremation policy in February to allow for burial of COVID-19 victims, the NGO stated that this led to further anti-Muslim online content, mainly on YouTube, portraying this as a deviation from the government's "One Country, One Law" concept. In October, Hashtag Generation said Muslims were the main ethnoreligious group targeted online, with posts portraying Muslims as terrorists or being responsible for the spread of COVID-19. Of the 188 incidents that the NGO recorded in October, five targeted ethnoreligious or religious groups, four against Muslims and one against Catholics. NGOs reported two narratives appeared to drive discrimination against Muslims: the perceived "cultural peculiarities of Muslims (Islamic law and religious attire) and the fear of Muslim encroachment." According to NCEASL, discrimination against Hindus centered on land issues and cultural heritage, while Christians experienced individualized forms of hate speech.

In an April report entitled "Countering Islamophobia/anti-Muslim hatred to eliminate discrimination and intolerance based on religion or belief" presented to the UN Human Rights Council, UN Special Rapporteur on Freedom of Religion or Belief Shaheed said that disinformation rapidly proliferated online that stated Muslims deliberately spread COVID-19 in the country.

NCEASL reported that in February a number of high-profile conversions to Christianity led to what it said were inflammatory claims on mainstream and social media against evangelical churches. According to *The Morning*, in a February press statement, Archbishop of Colombo Ranjith urged the government to formulate a legal framework against what he called self-proclaimed pastors who targeted celebrities, including artists and athletes, for what he said were unethical conversions, conversions for financial gain or in order to access services such as education. On February 17, Buddhist Asgiriya Chapter Supreme Sangha Council Secretary Medagama Dhammananda Thero told *The Morning* that in recent times, evangelical pastors targeted highly influential political and cultural figures for unethical conversions, as opposed to poorer individuals from rural areas.

NCEASL documented 77 cases of attacks on churches, intimidation of and violence against pastors and their congregations, and obstruction of worship services during the year, compared with 50 cases in 2020. Of these, 40 involved threats, intimidation, or coercion were discriminatory actions or practices, nine involved property damage or destruction were related to hate campaigns or propaganda, and three involved physical violence, with

one incident possibly including multiple factors. In 11 instances, NCEASL said crowds intimidated or attacked pastors, their family members, or congregants. NCEASL also documented 10 incidents of religious freedom violations against Muslims and three incidents against Hindus.

According to NCEASL, on July 16, members of the funeral endowment society of Alakolawewa village in Nuwara Eliya District visited the home of a deceased Christian from the Smyrna Church and asked the Christian family to conduct its religious rituals at home and refrain from inviting a pastor to perform funeral rites at the cemetery. They further told the family to conduct the burial according to Buddhist rituals, but the family refused to comply. On July 17, following opposition from residents, the family was not able to bury the individual in the cemetery.

According to NCEASL, unidentified individuals desecrated and covered with mud two burial sites close to the Kuragala Jailani Mosque in Kurunagala District between July 26 and 31. The burial sites are of historical significance to the local Muslim community. The mosque's management lodged a complaint with the Kaltota police station regarding the incident, but they later withdrew it to avoid "religious disharmony."

According to NCEASL, on April 2, three men threatened a pastor from the Gospel Tabernacle Church in Pandiyankulam, Mullaitivu District for continuing religious worship activities in the village. Later, one of the men assaulted the pastor, beating him over the head with a bicycle pump and helmet. On April 3, the pastor lodged a complaint at the Pandiyakulam police station. He later admitted himself to the Malavi Base Hospital. The police arrested a suspect and filed a case at the Mullaitivu Magistrate's Court only after a senior pastor from the Church headquarters in Colombo travelled to Mullaitivu to intervene on behalf of the pastor.

Civil society organizations continued efforts to strengthen the ability of religious and community leaders to lead peacebuilding activities through district-level interreligious reconciliation committees consisting of religious and civic leaders and laypersons from different faith traditions and ethnicities. The NGO National Peace Council of Sri Lanka created the committees in 2010 following the end of the civil war between the predominantly Buddhist Sinhalese majority and the primarily Hindu and Christian Tamil minority.

Section IV. U.S. Government Policy and Engagement

The Ambassador and embassy officers emphasized the need for respect for and inclusion of ethnic and religious minorities as part of the post-conflict reconciliation process during meetings with the President, Prime Minister, cabinet ministers, and other officials involved with religious affairs.

Embassy and visiting Department of State officials met with government officials to express concern about harassment of and government and societal discrimination against members of religious minority groups, to urge the government to reverse the policy mandating cremation for victims of COVID-19, and to ensure due process for those in prolonged detention, in particular those detained under the PTA, including more than 300 Muslims detained since the Easter Sunday attacks in 2019.

The Ambassador promoted religious freedom through private diplomatic advocacy and in public statements and speeches, including her January 19 statement for World Religious Freedom Day in which she highlighted the country's commitments, as per its ratification of the Universal Declaration of Human Rights in 1955, that "everyone has the right to manifest their religion or belief in teaching, practice, worship, and observance." She stated, "COVID created global challenges, but it should not cost us our compassion and respect for one another's beliefs. We stand with all families who've lost loved ones to this pandemic. Their rights and dignity should be respected by permitting the observance of their faith in accordance with international public health guidelines."

Embassy and visiting senior Department of State officials met with Muslim, Christian, Buddhist, and Hindu civil society and religious leaders to understand the views of the communities they represent, the challenges they faced, including government and societal discrimination and the COVID-19 cremation policy. During embassy-hosted roundtable discussions with the media, the Ambassador stressed the importance of reconciliation and peacebuilding in multiethnic and multireligious Sri Lankan society.

Throughout the year, the Ambassador and the Charge d'Affaires offered public greetings, including on social media, and participated in person or virtually in celebrations of the country's many religious holidays and other occasions, including Thai Pongal in January, Maha Shivarathri in March, a memorial service commemorating the 2019 Easter Sunday attacks in April, Ramadan Mubarak in April, Sinhala and Tamil New Year in April, Eid al-Fitr in May, Vesak in May, International Day of Peace in September, Deepavali in November, and Hanukkah¹ in December. The Ambassador also visited several sites across the country

have a significant religious value, including Thiruketheeswaram Hindu Temple and Madhu Shrine.

The embassy supported multiple reconciliation projects that identified and resolved local grievances, built empathy and understanding among religious groups, and supported government reconciliation efforts. The embassy led ongoing tolerance and unity programs in cultural centers promoting freedom of religion, as well as peaceful dispute resolution among Hindu, Buddhist, and Muslim youth. Embassy representatives supported the work of civil society organizations in strengthening the capacity of religious and community leaders by fostering peacebuilding activities through district-level interreligious reconciliation committees. Through community-based civil society organizations and the National Peace Council, the U.S. government funded multiple foreign assistance programs designed to build on global best practices in interfaith cooperation, dialogue, and confidence building.

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