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Sri Lanka

International Religious Freedom Report 2008

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

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

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

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

Section I. Religious Demography

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

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

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

Section II. Status of Religious Freedom

Legal/Policy Framework

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

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

Parliament took no action on "anticonversion" legislation first introduced in 2004. In May 2004 the Jathika Hela Urumaya Party (JHU) presented to Parliament a bill that would criminalize "unethical" conversions and on May 6, 2005, the JHU presented the bill for a second reading, despite a Supreme Court ruling that some sections of the bill were unconstitutional. Subsequently, the proposed bill was referred to a special parliamentary committee, which reviewed the bill and referred it back to Parliament for the third reading. The JHU indicated that it would bring the bill forward again in the coming year.

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

Religious groups are not required to register with the Government. However, to conduct financial transactions and open bank accounts, they must be incorporated either by 1) an act of Parliament, 2) under the Companies Act as a business, 3) under the Societies Ordinance, or 4) under the Trust Ordinance. Until the 1960s, most churches were either Catholic or Anglican and were incorporated by acts of Parliament. Beginning in the 1970s, as new Christian groups, including evangelical groups, began to emerge in the country, it became more common to register churches under the Companies Act. Over time, evangelical churches have been accused of engaging in "unethical conversions." As a result, the Government has become reluctant to register new religious groups as companies. Evangelical groups report that they find it increasingly difficult to register new churches or to reregister under the Companies Act. Registration under the Societies or Trusts Ordinances limits these churches' ability to conduct certain financial transactions.

Religion is a mandatory subject in the public school curriculum. Parents and children may choose whether a child studies Buddhism, Islam, Hinduism, or Christianity. Students belonging to other religious groups can pursue religious instruction outside of the public school system, since no instruction on their beliefs is provided. Schools teach religious studies from an academic point of view. All schools follow the Department of Education curriculums on the subject, which is compulsory for the General Certificate Education Ordinary/ Level exams. International schools which follow the London Ordinary/ Level syllabus may opt not to teach religious studies in schools.

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

Restrictions on Religious Freedom

There was no change in the status of respect for religious freedom by the Government during the period covered by this report. While the Government publicly endorses religious freedom, in practice, there were problems in some areas. Foreign clergy may work in the country, but for the last 3 decades the Government has limited the issuance of temporary work permits. Permission to work was usually restricted to denominations that were registered formally with the Government. Most religious workers in the country were indigenous.

The Government limited the number of foreign religious workers granted temporary residence permits. Work permits for foreign clergy were issued for 1 year instead of the 5 years issued previously; work permits can be extended.

In May 2007 the British principal of a Christian school in Kandy, Trinity College, was denied a visa renewal and forced to leave the country. He was accused of conducting missionary activities, anti-Buddhist activities, and helping the Liberation Tigers of Tamil Eelam (LTTE). He petitioned the Supreme Court for relief, but in a May 2008 decision, the Court chose not to intervene.

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

Abuses of Religious Freedom

Since 1983 the Government has battled the LTTE, a terrorist organization fighting for a separate state for the country's Tamil, and mainly Hindu, minority. In 2001 the Government and the LTTE each announced unilateral cease-fires, and in 2002 they agreed to a joint cease-fire accord. The peace process stalled in late 2005 following an escalation in violence. In 2006 renewed fighting broke out, and in January 2008 the Government terminated the cease-fire agreement. Adherence to a specific set of religious beliefs does not play a significant role in the conflict, which is rooted in linguistic, ethnic, and political differences. Buddhists, Hindus, Muslims, and Christians all have been affected by the conflict, which has claimed more than 65,000 lives since 1983. The military issued warnings over public radio before commencing major operations, instructing civilians to congregate in safe zones around churches and temples. The Government, paramilitaries, and Tamil Tigers have been accused of involving religious facilities in the conflict or putting them at risk through shelling in conflict areas.

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

In April 2008 the Bishop of Mannar moved the historical statue of Our Lady of Madhu from Madhu Church to St. Xavier's Church in Thevanpiddy to protect it from increasing hostilities between government security forces and the LTTE in the area. The Bishop of Mannar asked the Government and the LTTE to stay at least 1.2 miles away from the church to enable civilian access.

In April 2008 Pastor Huthin Manohar from Mannar was released from custody after 48 days in detention. Manohar's name was given to police by Pastor Nahulan from the Foursquare Church who was arrested in February for transporting LTTE equipment and explosives in his van. Police appear to be investigating all pastors who may have been closely associated with Nahulan or who may have used his van. Six other pastors from the Foursquare Church were arrested and later released.

In April 2008 a Sri Lanka Army (SLA) claymore antipersonnel mine allegedly killed the Chairman of the North East Secretariat on Human Rights, Father M. X. Karunaratnam, in Vanni (Northern Province).

In March 2008 the Foursquare Gospel Church in Kelaniya, Gampaha District was informed by the Chairman of the Pradeshiya Sabha that the approvals for constructing a new church building were revoked and that work must stop immediately. No reason was given for the reversal.

In January 2008 UNP parliamentarian T. Maheswaran was killed at a Hindu temple in Kotahena. The main suspect is a former member of Maheswaran's security detail who has connections to the progovernment Tamil party Eelam's People Democratic Party. However, the Inspector General of Police stated the LTTE was responsible.

In October 2007 the bodies of Vavuniya Pastor Victor Yogarajan and his two sons were found buried near Negombo. The three had been missing since March 2007.

In September 2007 an SLA claymore mine killed Father Nicholaspillai Packiyaranjit, Mannar Coordinator of Jesuit Refugee Service, in Mannar.

In September 2007 unidentified men abducted, severely abused, and killed Hindu priest Subramaniasharma Ketheswara Kurukkal in Jaffna as he was traveling to visit relatives. His body was found on the road.

In September 2007 the chief monk of the Boddhirukkaramaya Temple led a protest against expansion work being performed on a Catholic church just north of Colombo. Protesters demanded that construction stop immediately, warning lives would be otherwise lost. A judge told Father Susith Silva to suspend the church expansion. In October 2007 police interrupted mass at the same church and sent worshippers home. The chief monk stated that Buddhists in the area do not want a church nearby and would not allow the building to proceed.

In April 2007 an exchange of fire between the Sri Lanka Navy and a group of youths during a cordon and search operation killed Hindu priest Ratnasabapathy Aiyar Somaskantha in Velanai, Jaffna.

In January 2007 government security forces shot and killed Reverend Nallathamby Gnanaseelan of the Tamil Mission Church of Jaffna.

In August 2006 Father Thiruchchelvan Nihal Jim Brown and his assistant, Wenceslaus Vences Vimalathas, disappeared after six armed men followed them from a security forces checkpoint near a predominantly Catholic neighborhood near the Jaffna peninsula. In March 2007 local press reported that DNA tests confirmed Father Brown's death; however, in June 2007 the Ministry of Foreign Affairs stated the opposite.

In August 2006 government troops were accused of firing into Philip Nerean Church in Allapiddy, Kayts Island (Northern Province), Father Jim Brown's church. Approximately 30 civilians died.

In June 2006 in Pesalai, government troops were accused of opening fire at a Christian church where hundreds of civilians, including both Christian and Hindu Tamils, were seeking shelter from an exchange of fire between the Government and the LTTE.

In May 2006 eight Tamil men were abducted from a Hindu temple in the north as they were decorating the temple for a religious festival. Eyewitnesses claimed the eight men were taken away by Army personnel. However, at the end of the reporting period, no action had been taken by the Human Rights Commission in Jaffna in response to petitions filed with the UN Special Rapporteur for Extra-Judicial Killings by the next of kin of the abducted. The whereabouts of the missing individuals remained unknown.

In 2005 Joseph Pararajasingham, a Member of Parliament for the pro-LTTE Tamil National Alliance (TNA) and a Christian, was assassinated while attending midnight mass at a church in Batticaloa in the east.

In 2006 three individuals who had been arrested in 2003 in connection with the death of a sick girl were released on bail. The girl's parents and Brother Manoharan, a member of their Christian congregation, were accused of homicide after they prayed for the girl to be healed. A few months after their release, Brother Manoharan died of natural causes. The Attorney General opted not to file charges against the deceased child's parents.

There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Rebel or Foreign Forces or terrorist Organizations

The LTTE has been listed as a Foreign Terrorist Organization by the United States since 1997. Muslims, Hindus, Buddhists, and Christians all have been victimized by the LTTE; it does not appear that the victims are selected along religious lines.

In 1990 the LTTE expelled approximately 46,000 Muslim inhabitants – virtually the entire Muslim population in the area – from their homes in the northern part of the island. Most of these persons remained displaced and lived in or near welfare centers. Although some Muslims returned to the northern city of Jaffna in 1997, they did not remain there due to the continuing threat posed by the LTTE. There were credible reports that the LTTE warned thousands of Muslims displaced from the Mannar area not to return to their homes until the conflict was over. It appears that the LTTE's actions against Muslims were not due to Muslims' religious beliefs, but rather that they were part of an overall strategy to clear the north and east of persons unsympathetic to the LTTE. The LTTE made some conciliatory statements to the Muslim community, but many Muslims viewed the statements with skepticism. The LTTE continued to encourage Muslim internally displaced persons (IDPs) in some areas to return home, asserting they would not be harmed. Although some Muslim IDPs returned home, the vast majority did not and waited for a government guarantee of safety in LTTE-controlled areas. Since the 2002 Ceasefire Agreement, the LTTE also carried out a number of attacks in the east in which Muslims killed. No arrests were made in these

cases by the end of the period covered by this report.

On May 6, 2008, the LTTE targeted with a claymore mine explosion a vehicle carrying a sick Buddhist monk, Kahatagasdigiliye Chandrananda Thero, from Mannar junction to Yaya-7 in the Vilachchiya area. The driver of the vehicle was injured but the monk escaped unhurt.

On February 7, 2008, the LTTE blasted an electricity transformer in front of the Rajakadaluwa Christian Church in the Arachchikattuwa area of Chilaw. No casualties were reported.

On September 25, 2007, the LTTE killed the chief priest of the Thumpalai Luxman Thottam Pulleyar Hindu temple, Balasubramaniam Luxman, in the Point Pedro area of Jaffna district.

At the end of the reporting period, the Buddha statue erected on public land in Trincomalee remained at the contested site. In May 2005 the killing of a Sinhala youth by an LTTE-led strike protesting the statue prompted the Trincomalee magistrate to issue an order to remove the statue. The order was suspended by the court of appeals of Colombo. In 2006 an unidentified gunman shot and killed the organizer of the LTTE-sponsored strike over the Buddha statue.

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

Section III. Societal Abuses and Discrimination

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

In contrast to previous reporting periods, there were no known incidents of harassment of the Ahmadiyya Community.

During the period covered by this report, Christians, both of mainstream denominations and evangelical groups, sometimes encountered harassment and physical attacks on property and places of worship by some local Buddhists who were opposed to conversion and believed they were threatened by these groups. Some Christian groups occasionally complained that the Government tacitly condoned harassment and violence aimed at them. Police generally provided protection for these groups at their request. In some cases police response was inadequate, and local police officials reportedly were reluctant to take legal action against individuals involved in the attacks. The National Christian Evangelical Alliance of Sri Lanka reported numerous attacks on Christian churches, organizations, religious leaders, or congregants, many of which were reported to the police. Credible sources confirmed some of these attacks.

In June 2008 anti-Christian banners were mounted in Middeniya, Hambantota District, and the local Buddhist temple initiated a petition against the local Assembly of God church. On June 17, the Middeniya Maha Vidyalaya school held a meeting for students and teachers to express opposition to Christianity and advertise an anti-Christian rally. The school's principal warned students, most of whom were Buddhists, not to attend church. After the speeches a Christian girl was attacked for attending church. On June 22, an estimated 5,000 lay persons and Buddhist monks participated in an anti-Christian rally where a cross and picture of the Virgin Mary were burned.

On June 24, 2008, three men attacked and warned a Christian pastor, Reverend Fernando, not to return to his village in Ampara, Eastern Province. The pastor was attacked while returning home from a church group meeting in Uhana.

In March 2008 an armed Wennappuwa Provincial Council member assaulted a security guard at the Pentecostal Believer's Church Bible College in Lunuwila, Puttalam District. Following the attack, he threatened to return and rape the female students at the college. A hearing regarding an attack 2 weeks earlier on students of the Bible College, scheduled for the same day, was postponed after the same Council member led a protest with villagers and some Buddhist monks accusing the school of harboring

LTTE members. Earlier in March, masked men attacked students of the Bible College. Nine students were injured. Following the attack, the same Council member came to the gate of the Bible College and threatened that he would not allow it to continue operating for more than a week. The Bible College is in a predominantly Catholic area.

In March 2008 a group of protesters led by a police officer and a Buddhist monk from the Aandagala Temple prevented Christians from attending a Sunday service at the King's Revival Church in Mathugama, Kaluthara District. Two similar incidents occurred in February. The protesters stated they did not object to Christians living in the village, but did not want them to gather to worship. Police later advised the pastor to stop holding services since any further demonstrations might turn violent. The pastor eventually agreed to close the church.

In March 2008 approximately 200 persons gathered outside the house of the pastor of Opma Bible Ministry in Galle District. The mob threatened to kill the pastor if he did not leave the village. In February three men armed with clubs threatened the same church.

In March 2008 the Zion Mount Prayer House in Mullaitivu was set on fire while the pastor, his wife, child, and two others were in the building. All escaped safely.

In February 2008 Pastor Neil Edirisinghe of the House Church Foundation in Ampara was shot outside his house by two men on a motorcycle. The attackers also shot his wife. Their young son received minor injuries. Police arrested four persons in connection with the killing, including two Home Guards. Initial reports suggested that a prominent area businessman may have ordered the killing because his wife was attending the church against his will.

In February 2008 the house of a parishioner of the Independent Church in Weeraketiya, Hambantota District, was stoned while the pastor and his family were paying a visit. The pastor received threatening phone calls and church members were verbally abused while traveling to Sunday services.

In September 2007 the president of the local government authority threatened the pastor of the Assemblies of God church in Neluwa, Galle District, telling him to leave the village or be killed. The next day, 500 lay persons and 35 Buddhist monks demonstrated in front of the church for an hour, demanding that the church be closed within 1 month. Police prevented the demonstrators from entering the church premises.

In August 2007, 21 Buddhist monks visited the homes of Christians in Pollonnaruwa District and warned them not to attend Christian worship services.

In August 2007 police in Vakaraï called Pastor K. Muraleetharan from Trincomalee to the police station to respond to a group of villagers who objected to church meetings in the area. The police explained to the villagers that practice of all religious beliefs is legal, but eventually advised Muraleetharan to compromise with the villagers since the police would be unable to ensure his security.

In June 2007 a group of monks, including the chief monk of the Mirigama Temple, assaulted Pastor Suresh Sanjeewa of the Gethamanae Prayer Center in Mirigama. When questioned by the police, the monks denied the assault, but warned the pastor not to return to the village.

In June 2006 the All Ceylon Buddhist Congress of Sri Lanka (ACBC), a private association, appointed a commission of inquiry to report on the strategies and funding of conversion of Buddhists to other religious groups. The officials of the ACBC intended to publish the report in July 2008.

On the evening of June 5, 2005, villagers threw bottles at the home of the pastor of the Assembly of God church in Ambalangoda in Galle District. On June 6, following an argument between a mob of approximately thirty persons and the pastor, the mob attacked the pastor's home, damaging the windows and fence. The mob, which later grew to more than fifty persons, assaulted the pastor and his brother and stole the pastor's mobile telephone and more than \$2,000 (200,000 rupees) from him. The home also was vandalized and a Buddha statue and lamps were placed on the property. Police investigated, promptly removed the statue and lamps, and arrested six persons. The initial hearing was held in January 2006. The pastor reported that subsequently stones were thrown at his house, and villagers occupying the building he meant to use as a community center stopped him from using the facility. The accused approached the pastor and asked to settle out of court, promising to allow him to continue his work.

peacefully. The pastor asked that any settlement be agreed upon before a Magistrate and recorded in the Court. On April 27, 2007, a judge ordered the illegal occupants of the premises slated for the community center to vacate the area and remove fences they had built. However, the pastor reported he was still too frightened to reclaim his land from the unlawful residents. Both a criminal case against the attackers and the case against the illegal occupants of the community center were still pending at the end of this reporting period.

In 2004 a large crowd attacked an Apostolic church in Kurunegala. The church and workers' quarters were burned. Five men were arrested but remained free on bail at the end of the period covered by this report. A hearing on the case was scheduled for July 2005. The attackers sought to settle out of court. The church agreed to a settlement on condition that the attackers accept fault for the incident. The church also filed a civil suit seeking compensation for damages. The next settlement hearing was scheduled for July 2008.

Section IV. U.S. Government Policy

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

The U.S. Government is a strong supporter of a political solution to the conflict, and the U.S. Embassy supports interfaith efforts by religious leaders to promote a peaceful resolution of the conflict.

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