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2018 Report on International Religious Freedom: Sri Lanka

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 give Buddhism the “foremost place” among the country’s religious faiths and commit the government to protecting it while respecting the rights of religious minorities. According to representatives of religious minority communities and nongovernmental organizations (NGOs), government officials at the local level continued to engage in systematic discrimination against religious minorities, especially Muslims and converts to “free” (nondenominational and evangelical) Christian groups. Local government officials and police reportedly responded minimally or not at all to numerous incidents of religiously motivated violence against Muslim and Christian minorities. There were some reports of government officials being complicit in physical attacks on and harassment of religious minorities and their places of worship. In March the government declared a 10-day nationwide state of emergency, restricted social media access, and arrested more than 100 persons in response to anti-Muslim riots in Kandy District in which mobs attacked Muslim civilians, shops, homes, and mosques, resulting in at least two deaths, 28 injured, and extensive property damage to Muslims’ houses, shops, and mosques. According to the media, in February the government deployed police after at least five persons were wounded and several shops and a mosque damaged in anti-Muslim riots in Ampara District. Evangelical and nondenominational Christian churches continued to state police harassed them and local government officials often sided with the religious majority in a given community. Activists reported that on April 29, a group of Buddhists and Hindus forcibly entered the Sunday service of the Apostolic Church in Padukka in Colombo and threatened congregants. Police demanded the Christians stop the worship service immediately. According to activists, on July 8, a group of villagers and Buddhist monks disrupted a Living Christian Assembly service in Sevanapitiya, Polonnaruwa, stating it was a Hindu-majority village. The police ordered the Christian group to stop holding services. At year’s end, the government had not formally registered any free Christian groups as religious organizations. Local police and government officials reportedly continued requiring places of worship to obtain approval to conduct religious activities, citing a 2011 government circular that was no longer in effect. Police and local officials continued to cite a 2008 government

circular to prohibit the construction of or to close down Christian and Muslim places of worship, despite the Ministry of Buddha Sasana and Religious Affairs (Ministry of Buddha Sasana) determining in May that the circular only applied to Buddhist facilities.

Attacks on religious minorities continued. As of October the National Christian Evangelical Alliance of Sri Lanka (NCEASL) documented 74 incidents of attacks on churches, intimidation of and violence against pastors and their congregations, and obstruction of worship services. According to civil society groups, social media campaigns targeting religious minorities fueled hatred and incited violence. Buddhist nationalist groups such as the Bodu Bala Sena (BBS, Buddhist Power Force) continued to promote the supremacy of the ethnic Sinhalese Buddhist majority and denigrate religious and ethnic minorities, especially via social media during the Kandy riots in March. Civil society organizations continued efforts to strengthen the capacity of religious and community leaders to engage in peacebuilding activities through district-level interreligious reconciliation committees that were created following the end of the civil war in 2010 between the predominantly Buddhist Sinhalese majority and the Tamil minority (mainly Hindu with a significant Christian minority).

The U.S. embassy repeatedly urged political leaders to defend religious minorities and protect religious freedom for all, emphasizing the importance of religious minorities in the national reconciliation process. Embassy personnel met often with religious and civic leaders to foster interfaith dialogue. The U.S. government also funded multiple foreign assistance programs designed to build on global best practices in interfaith and interreligious cooperation, dialogue, and confidence building. In March the Special Advisor for Religious Minorities attended a conference led by the Religious Freedom Institute and engaged with the government and civil society leaders. He met with religious and community leaders and senior government officials to discuss religious freedom. The Ambassador publicly condemned the anti-Muslim violence in Kandy in March.

Section I. Religious Demography

The U.S. government estimates the total population at 22.6 million (July 2018 estimate). The 2012 national census (the most recent) lists 70.2 percent of the population as 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 a majority in the Central, North-Central, Northwestern, Sabaragamuwa, Southern, Uva, and Western Provinces.

Tamils, mainly Hindu with a significant Christian minority, constitute the majority in the Northern Province and constitute the second largest group, after Muslims, in the Eastern Province. Most Muslims self-identify as a separate ethnic group. 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 Shia and Ahmadi minorities. An estimated 82 percent of Christians are Roman Catholic. Other groups include Church of Ceylon (Anglicans), the Dutch Reformed Church, Methodists, Baptists, Assembly of God, Pentecostals, The Church of Jesus Christ of Latter-day Saints, and Jehovah’s Witnesses. Christian evangelicals and other “free” (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 to the larger Christian community. Although the government does not recognize Judaism as an official religion, 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. A 2003 Supreme Court ruling determined 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 held 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 government adheres to a 2008 ministerial circular, introduced by the Ministry of Buddha Sasana, requiring all groups, regardless of their religion, to receive permission from the ministry to register and construct new places of worship. In June 2017, a Supreme Court ruling effectively upheld the registration requirements. In May the Ministry of Buddha Sasana ruled that the 2008 circular on registration and construction

of religious facilities only applied to Buddhist religious sites. According to some legal experts, however, there is no explicit basis in national law for compulsory registration of places of worship with the state.

Specific government ministers are responsible for addressing the concerns of each major religious community. Departmental and ministerial assignments are based on the religion of the respective incumbent minister and change when a new minister of a different faith takes office – a customary political tradition that has spanned the past several governments.

Religion is a compulsory subject in both public and private school curricula. Parents may elect to have their children study Buddhism, Islam, Hinduism, or Christianity, provided sufficient demand (at least 15 students) exists within the school for the chosen subject. Students may not opt out of religious instruction. All schools teaching the Sri Lankan Ordinary Level syllabus 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 12). 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. Religious community members, however, report the practice varies by region, and numerous exceptions exist. Sharia and cultural practice typically govern marriages and divorces of Muslims while civil law applies to most property rights. According to civil society groups in the Northern Province, civil law governs marriages while the Thesawalamai (Hindu) customary law often governs the division of property. Civil law also governs most marriages of Sinhalese and Tamils of various religions, including mixed marriages or those of individuals who claim no religious affiliation.

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

Government Practices

On March 6, the government imposed a nationwide 10-day state of emergency, restricted access to social media, and deployed hundreds of police following several days of anti-Muslim attacks in Kandy District that left two dead and 28 injured. According to media reports, Sinhalese Buddhist nationalist gangs perpetrated the violence, which reportedly began after a group of Muslim men in the town of Digana was accused of killing a Sinhalese Buddhist over a traffic dispute. The Muslim Council of Sri Lanka said rioters thoroughly damaged 33 houses, partially damaged 256 houses, and destroyed 163 shops and 47 vehicles. In addition, a number of mosques were damaged in various locations. Police arrested more than 100 persons. According to some local activists and the media, however, police did not intervene in a timely fashion to stem the rioting. On March 17, the Terrorism Investigation Division arrested Amith Weerasinghe, leader of Maha Sohon Balakaya, a Sinhalese Buddhist nationalist group,

in connection with the Kandy riots. The Kandy High Court released Weerasinghe and five others on bail on October 29. As of year's end, police had made no more arrests, but many cases remained pending.

NCEASL said free Christian groups continued to state police and local government officials were complicit in physical attacks on and harassment of religious minorities and their places of worship. Christian groups said officials and police often sided with the religious majority in a given community.

Christian religious freedom media outlets reported that, according to NCEASL, in October a group of unidentified persons abducted a pastor in Avissawella and held him for 24 hours. The pastor was returning home by motorbike when a police officer flagged him down. The media outlets stated the group beat him and administered electric shocks, threatened him, and told him to stop his religious worship activities in the area.

According to media reports, on February 27, the government deployed police to contain the situation after an anti-Muslim riot in Ampara District in the Eastern Province left at least five persons wounded and several shops and a mosque damaged. The attack occurred after a group of Sinhalese accused a Muslim shop owner of incorporating “sterilization pills” into food. The online news outlet thehindu.com reported President Maithripala Sirisena said such incidents were detrimental to reconciliation in the country, and that Rajavaroatham Sampanthan, leader of the opposition Tamil National Alliance party, condemned the attacks and called for “stern action” against the perpetrators. Siraj Mashoor, a political activist based in Ampara District, told the media the police response was “rather slow.”

On April 29, according to local activists, a group of approximately 20 persons, including local Buddhists and Hindus, forcibly entered the Apostolic Church, Padukka, located in Colombo, during the Sunday service and threatened congregants. Multiple individuals struck a female congregant and the owner of the home in which the church meets. Police intervened and brought the attackers and congregants to the police station in Padukka. According to members of the congregation, the police officer in charge demanded the Christians stop their religious worship activities immediately and told the others to file a complaint against the Christians if they continued. He also reportedly scolded the pastor's wife in what activists described as derogatory language and refused to accept a complaint regarding the assault on the owner of the premises.

On July 8, according to NGO reports, a mob from the surrounding villages and four Buddhist monks forcibly entered a Living Christian Assembly church in Sevanapitiya, Polonnaruwa. One of the Buddhist monks pushed the pastor aside, physically assaulted a congregant, and seized two Bibles that were in the church and took them away. The victims reportedly stated the mob claimed that Sevanapitiya was a Hindu-majority village and the pastor would not be allowed to enter the village and conduct services. Later that day, according to NGO reports, the police officer-in-charge of the Welikande Police Station and a Buddhist monk came to the church and ordered the Christian group to stop holding services there. The incident occurred on land under the

jurisdiction of the Mahaweli Development Authority, which reportedly often prohibits unregistered congregations from worshipping on state land under its control without prior permission from officials.

In two separate instances in March and July the government paid compensation to the victims of 2014 anti-Muslim riots in Aluthgama, in which, according to media reports, four persons died, 80 were injured, and 200 houses and 73 commercial buildings were damaged. As of year's end, some court cases were pending.

The Department of Christian Religious Affairs launched a public awareness campaign to encourage local congregations of nondenominational groups to register as religious organizations in 2016, but at year's end the government had not registered any new groups because a political decision on whether or not the ministry would register these groups was still pending, according to officials. Instead, unregistered free Christian groups continued to incorporate as commercial trusts, legal societies, or NGOs to engage in financial transactions, open bank accounts, and hold property. Without formal government recognition via the registration process, however, nondenominational churches said they could not sponsor religious worker visas for visiting clergy and faced restrictions on holding meetings or constructing new places of worship. According to free Christian groups, they experienced two major difficulties in complying with local officials' registration requirements. First, rural congregations often could not obtain deeds to land due to the degradation of hard copy Land Registry documentation and incomplete land surveys. Second, without the consent of the majority of the local community or the local Buddhist temple, local councils often opted not to approve the construction of new religious buildings. Church leaders said they repeatedly appealed to local government officials and the ministry responsible for Christian religious affairs for assistance, with limited success.

According to members of the Christian groups in question, local authorities sometimes demanded Christian 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 2011 government circular requiring places of worship to obtain approval to conduct religious activities. The Ministry of Buddha Sasana, however, revoked the 2011 circular in 2012. Police also reportedly cited the 2008 circular on construction of religious facilities to prohibit, impede, and close down Christian and Muslim places of worship.

According to Christian and Muslim civil society groups, official harassment often happened in concert with harassment by local Buddhist monks and Buddhist nationalist organizations. According to civil society sources, on January 12, the pastor of Jesus Evangelical Church in Kallady, Batticaloa received a letter from the Verugal divisional secretary instructing the pastor to cease conducting worship activities at his residence due to opposition from the villagers.

According to local sources, on January 19, the government land officer in the Ampara District Secretariat demanded the pastor of an Assemblies of God church stop worship activities immediately. The land officer reportedly said the pastor had no constitutional right to engage in religious activities and the regulations of the Mahaweli Development

Authority superseded constitutional protections afforded residents of other parts of the country. The sources stated government officials threatened to seize the church's land and tried to coerce the pastor into signing a letter promising not to hold Christian services at the site. The pastor, however, refused to sign. Later that same day, the pastor met with the additional district secretary (ADS), who he said forcibly took the pastor's mobile phone to ensure that he would not record their conversation. The ADS then reportedly reiterated the statements of the land officer and demanded the pastor stop conducting prayer meetings at his personal residence. When the pastor refused, the ADS called a Buddhist monk in the area and told him the monks could now decide on a course of action.

According to NCEASL, on October 7 and 14, a crowd led by a Buddhist monk threatened a pastor of the Assemblies of God in Bulathkohupitiya in Kegala District and his family during Sunday worship services. The monk demanded the pastor produce evidence of the church's registration and a list of its congregants. Police officers from the Bulathkohupitiya police station reprimanded and dispersed the crowd, stating everyone had the right to practice their religion freely. The officer-in-charge, however, requested the pastor refrain from filing a formal complaint and convened a meeting on October 15 among all parties. The pastor stated that during the meeting two Buddhist monks, the Bulathkohupitiya divisional secretary, and a neighbor living next to the church premises demanded the pastor stop holding services in the church. The pastor, however, refused to comply and the police said he would need to attend another meeting at a later date. The case remained pending at year's end.

Civil society groups and local politicians continued to state the construction of Buddhist shrines by Buddhist groups and the military in the predominantly Hindu and Muslim Northern and Eastern Provinces constituted religious intimidation, as some shrines were built in areas with few, if any, Buddhist residents. According to local politicians in the north, the military sometimes acted outside its official capacity and aided in the construction of Buddhist statues.

According to civil society reports, on September 5, local residents resisted an attempt by a group of Buddhists to place a statue of Buddha on Kurunthur Mountain in Kumilamunai, Mullaitivu. The Buddhists stated there was an ancient Buddhist connection to the mountain. Local residents said the mountain had only ever had a Hindu temple and disputed the historical existence of any Buddhist temple. On October 5, Buddhist monks told the Mullaitivu Magistrate Court an official Buddhist archeological site was located on the site and requested the court permit construction of a shrine there. The court refused to grant permission. The government's Archaeological Department told the court it had deputized local Buddhist monks to carry out an archeological site survey since the Archaeological Department was short of funds.

According to the Jehovah's Witnesses community, the group 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

Ministry of Tourism Development and Christian Affairs. According to Jehovah's Witnesses, during the year the ministry did not issue any approvals for building applications, even when local authorities had no objections.

Jehovah's Witnesses said that the Madampe Chilaw local council in Puttalam District, Northwestern Province, rejected an application to build a Kingdom Hall, stating “the approval cannot be granted as this can cause religious disharmony in the area.” The Jehovah's Witnesses filed a complaint with the Human Rights Commission. At a meeting convened by the Human Rights Commission on August 9, the council said the proposed building site was located in an area that had experienced violent clashes between Christians and Buddhists, and offered to approve a building application on a different piece of land. The matter remained unresolved at year's end.

On September 11, the Cabinet of Ministers approved a proposal submitted by the minister of Hindu religious affairs to enact legislation banning animal sacrifices at places of worship. The bill, which was pending in parliament at year's end, would prohibit the sacrifice of any animal, including birds, on the premises of or within a Hindu temple.

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 forced 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 to be under the purview of the central government and/or provincial ministry of education. While the law requires government and semigovernment schools, some religiously affiliated, to accept students of all faiths, there were some reports of schools refusing students admission on religious grounds. According to human rights groups, in August the principal of a Catholic school in Wattala refused to admit a child to school because she was a “non-RC (other than Roman Catholic) Christian.”

Section III. Status of Societal Respect for Religious Freedom

Because religion, language, and ethnicity are closely linked, it was difficult to categorize many incidents as being solely based on religious identity.

According to civil society groups, social media campaigns targeting religious minorities fueled hatred and incited violence. According to press reports and civil society, Buddhist nationalist groups such as the BBS continued to promote the supremacy of the ethnic Sinhalese Buddhist majority and denigrate religious and ethnic minorities, especially via social media.

Civil society observers expressed concern the rhetoric of the BBS and other Buddhist nationalist groups incited societal actors to commit acts of violence against members of religious minority groups. Instigators of the violence in the March Kandy riots used social media to mobilize anti-Muslim crowds.

The NCEASL documented 74 cases of attacks on churches, intimidation of and violence against pastors and their congregations, and obstruction of worship services during the year, compared with 97 cases in 2017.

The Jehovah’s Witnesses community reported discrimination and abuse against members of their community. According to Jehovah’s Witnesses, on February 28 in Nikaweratiya, Northwestern Province, two Buddhist monks approached two female adherents at a bus stop and asked to see their identity cards. The monks reportedly also took pictures of the women, forcibly took literature from one of the women’s bags, and threatened to strip them and eject them from the area. According to Jehovah’s Witnesses, at a subsequent police inquiry on March 5, the monks arrived with a crowd of more than one hundred who “behaved in a very frenzied manner,” causing the women to fear for their personal safety. Subsequently police told the owner of the house where Jehovah’s Witnesses meetings took place to stop allowing meetings to be held on her property. A legal case concerning the matter was pending at year’s end.

According to members of the Jehovah’s Witnesses community, on January 10, two adherents were returning from religious teaching when a Buddhist monk named Saddarathne, whom the Jehovah’s Witnesses identified as the chief monk of the Shrawasthipura Buddhist Temple, approached and intimidated them while recording a video. Saddarathne then reportedly assaulted one of them with a staff. Police arrested the monk on January 27 and released him on bail. The case remained unresolved at year’s end.

On March 26, an NGO reported unidentified individuals threw stones at the Lighthouse Church at Pupuressa in Kandy, damaging its roof. On March 28, the pastor lodged a complaint at the Gampola Police Station. No suspects were arrested.

According to NGO sources, on October 21, a crowd of approximately 100, including a Hindu priest and the chairman of a Hindu temple, issued death threats and verbally abused a Christian pastor and congregants of the Foursquare Church in Batticaloa. The Hindu priest reportedly stated the church was located on land belonging to the temple. The landowner, who had leased the land to the church, later produced his title deed to the land in question. The pastor stated police admonished the Hindu priest and the chairperson of the temple for their actions and threatened to arrest them if they disrupted the Christian worship activities in the future.

According to civil society sources, on October 20, the coordinating secretary to the chief minister of Uva Province ordered an Assemblies of God pastor in Badulla District to attend an official meeting. When the pastor arrived at the meeting, three villagers demanded the pastor stop construction of a church and attempted to persuade the coordinating secretary to support them. The official, however, affirmed the pastor’s right to carry out his religious worship activities.

Civil society organizations continued efforts to strengthen the capacity 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 National Peace Council of Sri Lanka

created these committees in 2010 following the end of the civil war, fought between the predominantly Buddhist Sinhalese majority and the primarily Hindu and Christian Tamil minority.

The number of Christian groups worshiping in “house churches” (i.e., outside formally designated places of worship) grew.

The Jehovah’s Witnesses online news outlet JW.org reported that from July 6 to July 8, more than 14,200 Jehovah’s Witnesses from seven countries met in Colombo for the first “Be Courageous” Special Convention ever held in the country. At the convention, participants discussed religious issues, baptized individuals, and attended activities highlighting Sri Lankan culture.

According to the Asia Evangelical Alliance, from July 17 to July 20, a group of 22 lawyers and academics from the South Asia region held the South Asia Legal Consultation, entitled “Defending Religious Freedom,” in Colombo. Deputy Secretary General of the World Evangelical Alliance Godfrey Yogarajah and Director of the Asian Evangelical Alliance’s Religious Liberty Commission Yamini Ravindran were among the participants. Among the topics discussed were common trends, challenges, and strategies to promote religious freedom in the region.

Section IV. U.S. Government Policy and Engagement

In regular meetings with the president, prime minister, and other senior government officials, the Ambassador emphasized the need for respect for and inclusion of ethnic and religious minorities as part of the post-conflict reconciliation process. During times of heightened religious and ethnic tensions, such as during the anti-Muslim riots in Kandy in March, the Ambassador urged political leaders to defuse the immediate crisis and called on citizens to disavow religious violence. Embassy officers also met regularly with cabinet ministers with religious portfolios to encourage them to build ties across religions. In response specifically to the Kandy riots, the Ambassador made a public statement condemning the violence and conveyed on social media his support for freedom of religion and protection from violence. In addition, the embassy engaged with leaders of the government to urge them to take effective steps to end the violence.

Department of State and embassy officials met with Muslim, Christian, Buddhist, and Hindu civil society activists and victims of reported attacks across the country to gauge the climate for religious minorities. In addition, embassy and visiting Department of State officials met with religious groups, civil society organizations, and government officials to express concern about harassment of, attacks on, and government and societal discrimination against members of religious minority groups.

In March the Department of State Special Advisor for Religious Minorities attended a conference hosted by the Religious Freedom Institute and engaged with government and civil society leaders. He met with religious and community leaders and senior government officials to discuss the violence against Muslims and discriminatory laws targeting other minorities.

The embassy supported the work of civil society organizations to strengthen the capacity of religious and community leaders to lead peacebuilding activities through district-level interreligious reconciliation committees. The U.S. government also funded multiple foreign assistance programs designed to build on global best practices in interfaith cooperation, dialogue, and confidence building through the National Peace Council.

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