

Sri Lanka (47)



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Sri Lanka

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The Constitution accords Buddhism the "foremost place," but it is not recognized as the state religion. The Constitution also provides for the right of members of other faiths to practice their religion freely, and the Government generally respects this right in practice.

During the period covered by this report, the status of respect for religious freedom improved due to the ongoing peace process between the Government and the Liberation Tigers of Tamil Eelam (LTTE). As a result of the February 2002 ceasefire accord, government security forces vacated Hindu religious properties in the north and east, although there were some complaints by Tamils as of mid-May that some Hindu properties still were occupied. After June 20, the LTTE allowed increased access to the religious sites in areas under its control.

Despite generally amicable relations among persons of different faiths, there has been occasional resistance by Buddhists to Christian church activity, and in particular to the activities of evangelical Christian denominations. While the courts generally have upheld the right of evangelical Christian groups to worship and to construct facilities to house their congregations, the Government limits the number of foreign religious workers granted temporary residence permits. During the December 2001 parliamentary elections, 12 supporters of a Muslim-based political party were killed in 2 separate incidents. However, the killings appear to have been politically, rather than religiously, motivated.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The country has a total area of 25,322 square miles and a population of approximately 18.5 million. Buddhism, Hinduism, Islam, and Christianity all are practiced in the country. Approximately 70 percent of the population are Buddhist, 15 percent are Hindu, 8 percent are Muslim, and 7 percent are Christian. Christians tend to be concentrated in the west, with much of the north almost exclusively Hindu. Muslims, although present in many other areas, make up a particularly high percentage of the population in the east. The other parts of the country have a mixture of religions, with Buddhism overwhelmingly present in the south.

Most members of the majority Sinhalese community are Theravada Buddhists. Almost all Muslims are Sunnis, with a small minority of Shi'a, including members of the Borah community. Roman Catholics account for almost 90 percent of the Christians, with Anglicans and other mainstream Protestant churches also present in the cities. The Seventh-Day Adventists, Jehovah's Witnesses, and the Assemblies of God are present as well. Evangelical Christian groups have increased their membership in recent years, although the overall number of members in these groups still is small.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution gives Buddhism a "foremost position," but it also provides for the right of members of other faiths to practice their religions freely, and the Government generally respects this right in practice.

There is a Ministry of Buddha Sasana and Religious Affairs. Within the Ministry, there is a Department of Hindu Religious and Cultural Affairs and a Department of Muslim Cultural and Religious Affairs which deal primarily with cultural issues and maintenance of historical sites. The Ministry of Muslim affairs also deals with all other issues involving the Muslim community. A Senior Assistant Secretary in the Ministry of Buddha Sasana and Religious Affairs monitors government relations with Christian denominations, which have resisted greater government involvement in their affairs. Instead, they are registered individually through acts of Parliament or as corporations under domestic law. Christian denominations must fill out and submit forms in order to be recognized as corporations. This gives them legal standing to be treated as corporate entities in their financial and real estate transactions.

There is no tax exemption for religious organizations as such. However, churches and temples are allowed to register as charitable organizations and therefore are entitled to some tax relief.

Religion is a mandatory subject in the school curriculum. Parents and children may choose whether a child studies Buddhism, Islam, Hinduism, or Christianity. Students of minority religions other than Islam, Hinduism, and Christianity must pursue religious instruction outside of the public school system. There are no separate syllabuses provided for religions with a smaller following in Sri Lanka. Religion is taught in schools from an academic point of view.

Despite the constitutional preference for Buddhism, major religious festivals of all faiths are celebrated as national holidays.

The Government has established councils for interfaith understanding.

Restrictions on Religious Freedom

Foreign clergy may work in the country, but for the last 30 years, the Government has sought to limit the number of foreign religious workers given temporary work permits. Permission usually is restricted to denominations that are registered with the Government. Most religious workers in the country, including most Christian clergy, are Sri Lankan in origin.

During the December 2001 Parliamentary elections a Buddhist monk was elected to Parliament as a member of the Opposition People's Alliance party. This was the first time a member of the clergy ever had been elected to Parliament. There was some public debate as to the appropriateness of a member of the clergy participating in the political process, but the monk was allowed to take his position and he now is an active Member of Parliament.

Some evangelical Christians, who constitute less than 1 percent of the population, have expressed concern that their efforts at proselytizing often are met with hostility and harassment by the local Buddhist clergy and others opposed to their work. They sometimes complain that the Government tacitly condones such harassment, but there is no evidence to support this claim. Some Christian organizations claim that they continue to face opposition at the local level in rural areas but state that legal action or the threat of legal action generally has resulted in their being allowed to continue their activities.

Issues related to family law, including divorce, child custody, and inheritance are adjudicated by the customary law of each ethnic or religious group. In 1995, the Government raised the minimum age of marriage for women from 12 to 18 years, except in the case of Muslims, who continue to follow their customary religious practices. The application of different legal practices based on membership in a religious or ethnic group may result in discrimination against women.

Abuses of Religious Freedom

For the past 19 years, the Government, which is largely made up of Sinhalese (who predominantly are Buddhist), has fought the LTTE, a terrorist insurgent organization fighting for a separate state for the country's Tamil (and predominantly Hindu) minority. After unilateral ceasefires were declared in December 2001, the Government and the LTTE signed a ceasefire accord in February 2002, which currently is in force.

Religion does not play a significant role in the conflict, which essentially is rooted in linguistic, ethnic, and political differences. Buddhists, Hindus, and Christians all have been affected by the conflict, which has claimed more than 60,000 lives. In the past, the military issued warnings through public radio before commencing major operations, instructing civilians to congregate at safe zones around churches and temples. In the conflict areas in the north, the Government occasionally has been accused of bombing and shelling Hindu temples and Christian churches. In November 1999, the LTTE recaptured the area where the Madhu shrine, a well-known Christian pilgrimage site, is located, and granted some limited access for a period thereafter. During the period covered by this report the LTTE generally allowed Catholics access to the Shrine.

On May 5, 2000, a Buddhist holy day, a bomb was placed outside of a Buddhist temple in Batticaloa, on the eastern coast, killing several persons. The Government has investigated the incident and blamed the LTTE for the deaths; however, during the period covered by this report, no arrests were reported. The LTTE has attacked Buddhist sites, most notably the historic Dalada Maligawa or "Temple of the Tooth," the holiest Buddhist shrine in the country, in the town of Kandy in January 1998. Thirteen worshipers, including several children, were killed by the bombing. The Government still is attempting to locate and arrest the LTTE perpetrators of the attack. As a result, the Government has augmented security at a number of religious sites island-wide, including the Temple of the Tooth. In contrast to previous years, the LTTE did not target Buddhist sites during the period covered by this report; however, the LTTE has not indicated that it will abstain from attacking such targets in the future.

The LTTE has discriminated against Muslims, and in 1990 expelled some 46,000 Muslim inhabitants—virtually the entire Muslim population—from their homes in areas under LTTE control in the northern part of the island. Most of these persons remain displaced and live in or near welfare centers. Although some Muslims returned to Jaffna in 1997, they did not remain there due to the continuing threat posed by the LTTE. In the past, there were credible reports that the LTTE had warned thousands of Muslims displaced from the Mannar area not to return to their homes until the conflict was over. However, in the period covered by this report, the LTTE has made positive statements on the possible return of Muslims

to this area. In the past, the LTTE also expropriated Muslim homes, land, and businesses, and threatened Muslim families with death if they attempted to return. However, it appears that these attacks were not targeted against persons due to their religious beliefs, but rather that they were a part of an overall strategy to clear the north and east of persons not sympathetic to the cause of an independent Tamil state. In April 2002, LTTE leaders met with Rauf Hakeem, the leader of the Sri Lankan Muslim Congress, and promised to permit the return of Muslims to their homes when a negotiated settlement to the conflict was attained. The LTTE also promised to cease kidnapping and harassing Muslims in the east. As of mid-May 2002, LTTE-Muslim relations appeared to have improved due to this meeting.

The LTTE has been accused in the past of using church and temple compounds, in which civilians are instructed by the Government to congregate in the event of hostilities, as shields for the storage of munitions.

There were no reports of religious prisoners or detainees.

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.

Improvements and Positive Developments in Respect for Religious Freedom

As part of the February 2002 ceasefire accord, government security forces have begun the process of vacating Hindu religious properties in the north and east that they have occupied. There were some complaints by Tamils as of mid-May 2002, however, that the properties were not being vacated as quickly as promised. Since June the LTTE also has allowed visits to religious sites in areas it controls.

Section III. Societal Attitudes

Discrimination based on religious differences is much less common than discrimination based on ethnic group affiliation. In general, the members of the various faiths tend to be tolerant of each other's religious beliefs. On occasion, evangelical Christians, or anyone perceived to be attempting to convert Buddhists to Christianity, have been harassed by Buddhist monks. Some Christian organizations complain that the Government tacitly condones such harassment, although there is no evidence to support this claim (see Section I).

There are credible reports that in some rural areas members of Christian organizations have been physically assaulted for alleged attempts to convert Buddhists. In one instance, in April, a Buddhist monk was reported to have assaulted two members of the Salvation Army, claiming that they were attempting to convert a person they were meeting with. The Salvation Army members were shaken by the incident but not seriously injured. In some rural areas, small Christian organizations have stated that they do not report cases of harassment in order to avoid additional attention. In other areas, religious leaders have found that a peaceful coexistence can be maintained as long as the leaders of all of the religious communities maintain a dialog.

On December 5, 2001, a total of 12 Muslim supporters of the Sri Lankan Muslim Congress were killed in 2 separate incidents. The killings occurred on Parliamentary election day and appear to have been politically—and not religiously—motivated. The alleged perpetrators, including a former Minister, currently are awaiting trial.

There are reports that members of various religious groups give preference in hiring in the private sector to members of their own group or denomination. This practice likely is linked to the country's ongoing ethnic problems and does not appear to be based principally on religion. There is no indication of preference in employment in the public sector on the basis of religion.

In April 2001, three Sinhalese men attacked a Muslim cashier. The Muslim community in Mawanella protested police inaction during and after the attack. In response, approximately 2,000 Sinhalese, including Buddhist monks, rioted in the Muslim section of town and confronted the Muslim protesters. Two Muslims were killed, and a number of buildings and vehicles were destroyed. The Muslim community throughout the western portion of the country staged a number of protests claiming the police did nothing to prevent the riot. Some of the protests resulted in direct clashes between the Muslim and Sinhalese communities. The police investigation of these incidents remains open, but no one has been arrested in connection with the violence.

In mid-February 1999, a group of religious leaders from the Buddhist, Hindu, Muslim, and Christian communities made a visit to the north central part of the country, an LTTE-controlled area. The purpose of the visit was to assess the humanitarian situation and to talk with senior LTTE leaders. The group later met with the President, but there were few concrete results. However, since the ceasefire went into effect in December 2001, there has been increasing contact and dialog among religious leaders. For example, Buddhist leaders have been able to travel through LTTE-controlled areas to get to Buddhist shrines in the Jaffna area.

Section IV. U.S. Government Policy

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Representatives of the Embassy regularly meet with representatives of all of the country's religious groups to review a wide range of human rights, ethnic, and religious freedom issues. The U.S. Ambassador has met with many religious figures, both in Colombo and in his travels around the country. Christian bishops and prominent Buddhist monks, as well as prominent members of the Hindu and Muslim communities, are in regular contact with the Embassy. The Embassy has been supportive of efforts by interfaith religious leaders to promote a peaceful resolution of the conflict.

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