

# **SRI LANKA 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **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. In his February 24 report to the UN Human Rights Council on his visit to the country in 2019, the UN Special Rapporteur on Freedom of Religion or Belief, Ahmed Shaheed, said that he observed “significant gaps” in “upholding accountability and access to justice as well as ensuring non-recurrence of human rights violations.” He also said that religious minorities faced restrictions in the manifestation of their religion or belief, such as proselytization, conversion, and building of places of worship, in addition to numerous incidents of violent attacks. A government investigation continued into the 2019 Easter Sunday attacks that targeted Christian churches and luxury hotels, killing 268 persons, including five U.S. citizens, and injured more than 500. As of December, 135 suspects remained in custody, including three facing U.S. terrorism charges. According to police, 2,299 individuals were arrested overall. According to representatives of minority religious communities and nongovernmental organizations (NGOs), government officials continued to engage in systematic discrimination against some religious minorities. Reports stated that local government officials and police responded minimally or not at all to numerous incidents of religiously motivated discrimination and violence against minorities. Religious minorities reported government officials and police often sided with Buddhists and did not prevent harassment of religious minorities and their places of worship. 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. Media reports stated police and military personnel were complicit in allowing Buddhists to build religious structures on Hindu sites. In March, the Ministry of Health (MOH) made cremation compulsory for COVID-19 victims, denying Muslims who died from the virus the Islamic tradition of burying their dead. Between April and November, four UN special rapporteurs, including the Special Rapporteur for Religious Freedom, in addition to the Muslim Council of Sri Lanka (MCSL) and the Organization of Islamic Cooperation, expressed deep concerns about the government’s policy and asked it to reconsider in light of World Health Organization (WHO) guidelines permitting burial or cremation for COVID-19

victims. The Government Medical Officers Association called for President Gotabaya Rajapaksa to convene a panel of experts to examine the issue. In May, the country's two major Muslim political parties, the Sri Lanka Muslim Congress (SLMC) and the All Ceylon Makkal Congress (ACMC) as well as several civil society activists, petitioned the Supreme Court, challenging the government's policy; at year's end, the court had not determined whether it would consider the case. In November, Health Minister Pavithra Wanniarachchi informed parliament that the government had appointed a committee to investigate the matter, and media reported that Prime Minister Mahinda Rajapaksa agreed to allow burials for Muslims who died from COVID-19 and asked health authorities to identify appropriate areas, but no official announcement of a policy change had been made by year's end, and media and civil society groups reported that forcible cremations continued. In December, the Supreme Court refused to hear an appeal against the mandatory cremation practice filed by 11 Muslim and Christian activists. The court gave no explanation for its unanimous refusal to hear the case. At year's end, the government maintained the policy despite increasing domestic and international calls to abandon it.

During the year, the National Christian Evangelical Alliance of Sri Lanka (NCEASL) documented 50 incidents of attacks on churches, intimidation of and violence against pastors and their congregations, and obstruction of worship services, compared with 94 in 2019. In January and February, groups led by Buddhist monks accosted evangelical Christians on their way to church or interrupted church services, demanding they end immediately and threatening worshippers. In three instances, the crowd assaulted pastors, their family members, or congregants. In two of these cases, police said the pastors were to blame for holding worship services; in one case, police accused a pastor of breaching the peace. NCEASL reported few arrests and none involving Buddhist monks. Jehovah's Witnesses continued to report incidences of discrimination and abuse and lengthy delays in court action on cases involving them. In September, a magistrate issued arrest warrants for two men accused of assaulting four members of Jehovah's Witnesses in 2019. In October, police reported that the attorney general would be filing a complaint against Buddhist monks accused of leading a mob that assaulted three female Jehovah's Witnesses in 2013. According to civil society groups and NGOs, highly visible social media campaigns targeting religious minorities continued to fuel hatred and incite violence. According to Human Rights Watch, in April and May, there were calls on social media to boycott Muslim businesses and false allegations of Muslims spreading COVID-19 deliberately, which the authorities did not contest. Buddhist nationalist groups such as Bodu Bala Sena (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.

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. Embassy personnel met often with religious and civic leaders to foster interfaith dialogue and respect for the right of religious minorities. The U.S. government funded multiple foreign 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 22.7 million (midyear 2020 estimate). The 2012 national census 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 a majority in the Central, North-Central, Northwestern, Sabaragamuwa, Southern, Uva, and Western Provinces.

Most Sinhalese are Buddhist. 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. Most Muslims self-identify as a separate ethnic group, rather than as Tamil or Sinhalese, but are Tamil-speaking. 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 Sufi, Ahmadi, and Shia, including Dawoodi Bohra, minorities. According to government statistics, an estimated 81 percent of Christians are Roman Catholic. Other Christian groups include the 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 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 government adheres to a 2008 ministerial circular, introduced by the Ministry of Buddha Sasana, Religious, and Cultural Affairs (Ministry of Buddha Sasana), 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 construct new places of worship. A 2017 Supreme Court ruling upholds the registration requirements. In 2018, the Ministry of Buddha Sasana ruled that the 2008 circular on registration and construction of religious facilities only applied to Buddhist religious sites.

Starting in 2020, specific noncabinet departments under the Ministry of Buddha Sasana are responsible for addressing the concerns of each major religious community. The Prime Minister heads this ministry. Previously, individual cabinet ministries handled religious affairs with each of the four recognized religions.

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, 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 kingdom 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 mixed marriages or those of individuals who state no religious affiliation. Religious community members report practices vary by region, and numerous exceptions exist.

The Muslim Marriage and Divorce Act of 1951 does not stipulate a minimum age for marriage, permitting Islamic religious court judges to allow children as young as 12 to be married. Written consent from the bride is not required. The religious marriage ceremony and marriage registration do not have to take place concurrently, which can complicate divorce and child support cases.

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 International Covenant on Civil and Political Rights (ICCPR). The country's 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.

### **Government Practices**

In his February 24 report to the UN Human Rights Council, UN Special Rapporteur on Freedom of Religion or Belief Shaheed said that during his 2019 visit to Sri Lanka, he observed that “significant gaps exist, particularly in upholding accountability and access to justice as well as ensuring non-recurrence of human rights violations.” He said that, despite Sri Lanka's civil war ending over a decade ago, “Reverberations of the ethnic conflict remain apparent in the political, social and economic life of the country and impact the enjoyment of human rights, including the right to freedom of religion or belief.” Shaheed stated that religious minorities also faced restrictions in the manifestation of their religion or belief, such as proselytization, conversion, and building of places of worship in addition to numerous incidents of violent attacks. He noted the importance of analyzing and identifying the root causes of religious intolerance and tensions that lead to violations of freedom of religion or belief to better address these challenges.

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. NCEASL said police often attempted to coerce Christians into signing statements absolving those harassing them and accused them of breaching the peace if they filed complaints about police behavior.

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. As of December, the government's investigation continued and 135 suspects remained in custody, including three men charged by the United States with providing material support to a designated foreign terrorist organization (ISIS). Hejaaz Hizbullah, a

Muslim lawyer, was arrested in April under the Prevention of Terrorism Act. The government publicly stated that Hizbullah was arrested because of his interactions with the bombers and their family, though he was never charged. He was being held without bail at year's end. Civil society regularly engaged the international community on his behalf and NGOs and diplomatic missions called upon the government to grant Hizbullah due process under the law.

According to NCEASL, on September 17, a plainclothes officer from the Criminal Investigation Department attached to the Gampola police station visited the Foursquare Church in Nawalapitiya, Kandy District, and questioned the pastor regarding the registration status, number of congregants, and locations of all churches in the fellowship. He told the pastor that he collected details in accordance with an unspecified government circular.

According to Christian, Hindu, and Muslim civil society groups, incidents of increased monitoring often occurred in concert with harassment by local Buddhist monks and Buddhist nationalist organizations.

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 Buddha Sasana 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.

According to NCEASL, on January 18, a mob of approximately 150 individuals arrived at the King of Kings Gospel Church in Kalawanchikudy and demanded that the pastor stop conducting his religious worship activities in the village and close the church. The mob included members of the local government and a Hindu priest. The pastor went to the Kalwanchikudy Police Station on January 25 for an inquiry, where the senior officer there spoke in favor of the pastor, defending his religious rights and reiterating his freedom to conduct his religious activities. The senior officer further warned the others against harassing the pastor and said that he would place them all under arrest if they continued to cause trouble in the future.

On February 10, according to NCEASL, the pastor and nine congregants of Good Shepherd Church at Sri Nissankamallapura met with local police, government officials and 12 Buddhist monks. The government officials and the monks demanded that the pastor stop religious activities immediately, reportedly saying Christians would not be tolerated in the village. The pastor refused and challenged them to take legal action. On February 16, a group led by a Buddhist monk went to the church and admonished the pastor for not stopping his religious activities as instructed. At the pastor's request, local police personnel provided protection to the church. When the pastor went to lodge a complaint against the monks, however, a police headquarters inspector instructed him to sign a statement affirming that he had breached the peace. When the pastor refused, the inspector threatened to place him under arrest. Police accused the pastor of disturbing the peace. His case was taken before the Manampitiya Magistrates Court on February 17 and postponed until March 16. The magistrate ordered the pastor not to invite anyone to participate in religious activities at his premises for one month and imposed a bail bond of 500,000 rupees (\$2,700) if he violated the order.

Writer Shakthika Sathkumara faced a criminal hearing on September 22 for charges stemming from his 2019 publication of a short story that a group of Buddhist monks said offended Buddhism. The story referred to homosexuality and child abuse at a Buddhist temple. The monks filed charges against Sathkumara under the ICCPR Act, accusing him of propagating religious hatred. He was detained four months, released in August 2019, and filed a fundamental rights petition in October 2019 challenging the constitutionality of his arrest. At his September hearing, the court postponed his case to February 2021, pending the Attorney General's instructions on whether to file indictments.

According to Amnesty International, on April 9, police arrested Ramzy Razeek for violating the ICCPR Act by inciting religious hatred. The charge was based on his April 2 Facebook post calling for an "ideological jihad" through social and mainstream media "to help people understand the truth" in the context of rising "hate propagated against Muslims" during the COVID-19 pandemic. According to Razeek's lawyers, in August, the Supreme Court agreed to hear his petition challenging the constitutionality of his arrest, but no date had been set for a hearing by the end of the year. On September 17, the Colombo High Court granted him bail on medical grounds.

On October 18, newspapers reported that police arrested a woman on charges of "spreading hate" between Buddhists and Catholics after she posted a video



criticizing Catholic Cardinal Malcolm Ranjith of Colombo. The status of her case was unknown at year's end.

On October 21, the Colombo High Court granted bail to BBS general secretary Galagoda Aththe Gnanasara Thero, who was charged with denigrating the religious beliefs of Muslims following statements he made in 2016 at the Kuragala Raja Maha Vihara Temple. Further proceedings of the trial, set for November 24, were postponed, and Gnanasara Thero remained free on bail at year's end.

On August 18, the Mahiyanganaya Magistrate Court dismissed a 2019 case against a woman for wearing clothing decorated with the logo of a ship's wheel, described as a Buddhist *dharma chakra*. She had been charged under the ICCPR Act for propagating religious hatred.

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 Northwestern Province.

According to a NCEASL report, on February 23, while a worship service was underway at Bethany Church in Tangalle, a group of approximately 100 individuals, including one Buddhist monk, forcibly entered the premises and questioned the legality of the place of worship. The group threatened the Christians, and one individual grabbed the pastor by his throat. They demanded that the Christians leave the village and never return and threw stones at the building, damaging the roof. Police arrived and insisted that the pastor and Christian congregants leave the church before dispersing the mob. The police inspector in charge said he had warned the pastor against conducting worship activities and accused him of breaching the peace. In response, the pastor said it was the mob who had breached the peace and that he had the right to conduct worship there. NCEASL said there were no arrests in this case.

Despite a public awareness campaign by the Department of Christian Religious Affairs underway since 2016 to encourage local congregations of nondenominational groups to register as religious organizations, the government had not registered any new groups by year's end. According to some nondenominational groups, government officials threatened them with legal action if they did not register, but the process dragged on indefinitely if they tried to register. Instead, unregistered 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 through 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 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 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 religious affairs for assistance, with limited success.

On June 1, President Rajapaksa issued an official notification in the government gazette that created a 12-member Presidential Task Force for Archaeological Heritage Management in the Eastern Province composed exclusively of Sinhalese Buddhists and headed by Secretary of Defense Kamal Gunaratne. 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. The task force included six Buddhist monks but no representatives from other religious communities, despite the multiethnic nature of the province. On August 19, President Rajapaksa added four more monks to the task force, including two general secretaries of the Asgiriya and Malwatte chapters, the two main Buddhist sects in the nation, despite civil society and political leaders' repeated calls for the inclusion of minority representatives.

Media reported that in June, an archeological task force surveyed 40 acres around the Muhudu Maha Viharaya in Pottuvil, Ampara District and evicted approximately 400 Muslim residents from land their families had inhabited since the colonial era. Tamil activists reported that in September, a Buddhist monk from Arisimalai, who was a member of the task force, threatened a group of Tamil farmers in the Thiriyai area in the Kuchchaveli Divisional Secretary's Division in the Trincomalee District and prevented them from engaging in cultivation of more than 1,000 acres, including 400 acres without private deeds or government permits that had been cultivated by farmers for many decades. According to lawyers involved in the cases, by the end of the year, more than 40 Tamil and Muslim farmers had filed cases against the expulsions from their traditional lands. All cases remained pending at year's end.

On August 20, presenting the government's policy speech at the inaugural session of parliament, President Rajapaksa pledged to "protect and nurture the Buddha Sasana" and explained that he had established an advisory council of leading Buddhist monks to seek advice on governance. He also highlighted the Presidential Task Force for Archaeological Heritage Management, saying that it had been established to protect places of archaeological importance and to preserve the Buddhist heritage. He said that by "ensuring priority for Buddhism... the freedom of any citizen to practice the religion of his or her choice is better secured." Tamil and Muslim activists in the Eastern Province predicted that the Task Force for Archaeological Heritage Management would use its authority to claim locations that possess ancient Buddhist relics as a pretext to force minorities off their lands.

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, although there were few reports of this practice during the year due to movement restrictions imposed because of the COVID-19 pandemic. 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 were no Buddhist populations.

In January, the army completed construction of a Buddhist *vihara* (shrine) in Valikamam North on privately owned land occupied by the army and designated as a "high security zone" during the war. Journalists reported that residents lodged complaints with the Valikamam North divisional council regarding construction of the *vihara*, but the council did not have jurisdiction over military-controlled lands.

On March 8, student groups reported that a Buddhist *vihara* had been dedicated on Jaffna University's Killinochchi Campus, whose student body is mostly Hindu. Students protested the rushed manner in which the *vihara* was constructed, in contrast with a Hindu temple and Christian church on the university grounds that had been abandoned with no renovations planned.

On July 10, newspapers reported that Buddhist monk Ellawala Medhananda, a member of the Presidential Task Force for Archaeological Heritage Management, said that up to 2,000 sites in the Eastern Province would be subject to examination, including in forests across Ampara, Batticaloa and Trincomalee. He specifically noted that if Buddhist artifacts were found at the historic Koneswaram Hindu

Temple, they should be protected. Civil society groups said the effort was a Sinhala Buddhist land grab in the historically Tamil and Muslim province.

On October 9, the Vavuniya Magistrate Court granted bail to the administrators of the ancient Hindu Vedukkunari Hill Temple after local police and Archeology Department officials filed a case against them for damaging the temple, which had been declared a Buddhist archaeological site, by holding a Hindu festival there in September. At a November 6 hearing, the case was postponed until 2021. However, at the request of the lawyer representing the Archaeology Department and police, the court rescheduled the hearing to December 11. Because the temple administration was not aware of the change of date and missed the hearing, the magistrate revoked bail and issued an arrest warrant for the administrators of the temple. At year's end, temple administrators remained at large, despite the arrest warrant.

Also in October, the mostly Hindu residents of Delft Island in Jaffna protested an effort of Jaffna-based Buddhist monks and Archaeology Department officials, who said that a Vedi Arasan fortress in Delft belonged historically to a Tamil Buddhist king. Monks also surveyed the area with the Archaeology Department using a drone camera.

According to press reports, on September 24, at the request of Buddhist monk Thilakawansa Nayaka, the Archaeology Department seized 358 acres of land between Panikkanvayal and Thennamaravadi in Trincomalee, including fields belonging to Tamil farmers. The farmers reported that Civil Defense Force guards posted at the site prevented them from cultivating their land and that monks had begun to build a Buddhist shrine at the site to prevent any alternative use for the land.

The Jehovah's Witnesses community said it 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 Buddha Sasana, Department of Christian Affairs. According to Jehovah's Witnesses, during the year, the ministry again did not issue any approvals for building applications. Older applications, such as those submitted in 2015 to build houses of worship in Pugoda and Nattandiya, remained pending at year's end.

During a July 24 meeting with the Buddhist Advisory Council, President Rajapaksa appointed a committee of *Maha Sangha* (senior Buddhist clergy) to

study the Antiquities Ordinance and recommend amendments to strengthen the preservation of antiquities and national heritage. During this meeting, the Maha Sangha requested the President transfer cases relating to artifacts and historic places in the predominantly Hindu and Muslim Northern and Eastern Provinces to courts in Colombo.

On September 28, the cabinet announced it would amend national and local legislation to ban cattle slaughter, saying that such a ban would help the dairy industry and save money used to purchase imported milk powder, but by year's end, the government had taken no action to introduce the ban for consideration by parliament.

In March, the MOH made cremation compulsory for all COVID-19 victims, thereby denying Muslims who died from the virus the Islamic tradition of burying the dead. International media reported that Muslims who had lost relatives due to COVID-19 described a traumatic rush by police and health authorities to cremate the bodies of their loved ones. Many family members said they were not provided a copy of the test results showing that their loved ones had tested positive, and that hospital officials refused their pleas to conduct second tests. Human rights activist Shreen Shahor told *The Guardian*, "The way (the government) is treating the Muslim community during this pandemic is clear-cut racism. The community is being forced to abandon their own dead in order to protect (others') beliefs and traditions. There is not even a scientific justification for them being denied dignity in death."

On April 8, four UN special rapporteurs, including the Special Rapporteur for Freedom of Religion or Belief, in addition to the Muslim Council of Sri Lanka (MCSL), wrote President Rajapaksa requesting the government reconsider its policy, in light of WHO COVID-19 guidelines that permitted either burial or cremation. The UN letter also stated that MOH guidelines were not sensitive to the religious and cultural practices of different communities. Similarly, the MCSL published a letter to the President on April 8 that highlighted WHO guidelines permitting burial. "Over 182 countries...have permitted (relatives) to bury or cremate the dead bodies of those infected with COVID-19," MCSL stated. Also in April, the Government Medical Officers Association published a letter calling for the President to convene a panel of experts to examine the issue. On April 11, the MOH issued revised guidelines with no further explanation, reiterating that cremation was mandatory for COVID-19 victims of all faiths. In May, the two major Muslim political parties, the SLMC and the ACMC, as well as several civil society activists, filed petitions with the Supreme Court challenging the

government's COVID-19 cremation policy. By year's end, the court had not heard the petitions to determine if the cases had standing to proceed. In a November 4 open letter, the Independent Permanent Human Rights Commission of the Organization of Islamic Cooperation expressed deep concerns about the country's policy of mandatory cremation for COVID-19 victims.

In November, Health Minister Wanniarachchi informed parliament that the government had appointed a committee to investigate the burial issue. Media reports that month said that Prime Minister Mahinda Rajapaksa had agreed to allow Muslim burials for COVID-19-related deaths and had asked health authorities to identify appropriate areas to use. In December, however, the Supreme Court refused to hear a petition against the mandatory cremation practice, separate from the SLMC and ACMC petition, filed by 11 Muslim and Christian activists. The petitioners said the practice violated their freedom of religion and their fundamental rights under the constitution. At year's end, the government's policy of mandatory cremation for all COVID-19 victims remained in force.

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 to fall under the purview of the central government and/or the provincial ministry of education. The National Christian Council of Sri Lanka reported several dozen cases of schools refusing students admission on religious grounds during the year, even though the law required government and private schools receiving government funding, some religiously affiliated, to accept students of all faiths.

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

### **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, social media campaigns targeting religious minorities fueled hatred. 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 denigrated religious and ethnic minorities, especially in social media. These groups said authorities did not act against those inciting hatred against the Muslim and Tamil community.

According to an NGO report examining online hate speech between March and June, 58 percent of online hate speech in all national languages (Sinhala, Tamil, and English) attacked Muslims or Islam on a variety of grounds, 30 percent targeted Christians, and less than 5 percent attacked Tamils or Hinduism. Of the Sinhala-language posts surveyed, 79 percent attacked Muslims or Islam. Of the Tamil-language posts, 46 percent attacked Christians of Tamil ethnicity and 35 percent attacked Muslims or Islam.

At a hearing in January, 76 medical staff submitted statements claiming knowledge of forced sterilizations of Sinhala women carried out by Muslim doctor Siyabdeen Shafi over several years. A medical expert review of the evidence for the sterilization claims, ordered in 2019, remained pending. Shafi was arrested for suspicious accumulation of wealth and released in 2019. He was investigated further after a social media campaign accused him of the sterilizations. He was not charged with any crimes, however. At the request of police, a magistrate will continue the case until March 2021.

Muslim civil society activists described a “vast outpouring” of anti-Muslim hate speech on social media and in parts of the broadcast and print media related to the COVID-19 pandemic. According to Human Rights Watch, in April and May, there were calls on social media to boycott Muslim businesses and false allegations of Muslims spreading COVID-19 deliberately that authorities did not adequately refute. On April 12, in a letter addressed to the acting inspector general of police, several Muslim groups, including the Muslim Council of Sri Lanka and the Colombo District Mosques’ Federation, sought investigations into “the continued hate-mongering against the Muslim community” during the COVID-19 pandemic.

On November 10, commenting on reports that the government was considering allowing the burial of Muslim COVID-19 victims, media reported BBS leader

Galagoda Aththe Gnanasara Thero blamed “Wahhabi groups infiltrating society” for the political debate surrounding the issue.

NCEASL documented 50 cases of attacks on churches, intimidation of and violence against pastors and their congregations, and obstruction of worship services during the year, compared with 94 cases in 2019. Human rights activists attributed the lower number of incidents to pandemic-related lockdowns and prohibitions on public gatherings.

According to NCEASL, on January 19, congregants of an Assemblies of God church in Divulapitiya, Gampaha District were accosted on their way to Sunday service by 40 persons led by eight Buddhist monks who verbally abused them with obscene language and took their photographs. The monks also assaulted one female congregant physically. When the congregants complained, police officers defused the situation but made no arrests, and the senior officer present admonished the pastor for continuing her worship activities. The pastor lodged a complaint at the Divulapitiya Police Station. On the same day, some individuals threw stones at the church, targeting the closed-circuit television cameras. There was no follow-up on this case by year’s end.

According to NCEASL, on February 2, a Christian worship service in Inhala Yakkure in Polonanaruwa District was disrupted by a mob of approximately 150 individuals led by four Buddhist monks. The crowd demanded an end to the service and threatened violence if it continued. Police were called and allowed the pastor to conclude the service. Afterwards, however, the Buddhist monks attempted to assault the pastor, and were stopped by the police. The monks said that the pastor needed to register his place of worship with the proper authorities and that the activities at the church were illegal. Later that day, the pastor, accompanied by his wife, son, and a few others, visited the village of a family of parishioners who had been previously threatened by the monks. As they were leaving their vehicles, they were reportedly accosted by a second group of approximately 50 individuals, including three Buddhist monks, who blocked the road with logs and physically assaulted the pastor’s son and the other Christians. On February 3, five persons were detained by police in connection with the incident, but not the monks involved. No charges were filed in the case.

Jehovah’s Witnesses continued to report incidents of discrimination and abuse. On March 17, Jehovah’s Witnesses reported that Angmaduwe Vimala Himi, chief monk of the Weralugahamulla Temple, with a group of followers, approached four female Jehovah’s Witnesses. The monk and his followers verbally abused the



women and beat them with a cane. They seized religious literature from one of the women and burned it, while issuing threats to all of them against returning, saying they would “face worse.” One of the women was hospitalized after the attack. On the same day, the same monk and a group of his followers confronted another group of Jehovah’s Witnesses, confiscated their literature, and assaulted them, resulting in the hospitalization of two. Jehovah Witnesses filed complaints in both instances, which remained pending at year’s end.

On October 23, police reported that the attorney general would be filing a complaint against Buddhist monks accused of leading a mob that assaulted three female Jehovah’s Witnesses in 2013. The women had been tied to a tree by the mob, struck, and verbally assaulted. When the incident was first reported to police, the mob stormed the local police station and assaulted the officers there. In the years since the attack, the victims continued to press police to take action, and the monks involved were identified.

On September 7, the case of a February 2019 assault on four Jehovah’s Witnesses in Adikarimulla, Divulapitiya, was brought before the Minuwangoda magistrate, who issued warrants for the two men accused of the attack. They remained at large at year’s end. Jehovah’s Witnesses said they viewed the action by the magistrate as a positive development but said the delays in getting trials started and heard to completion denied many Jehovah’s Witnesses access to justice. Multiple other cases from previous years involving assaults on Jehovah’s Witnesses remained pending at year’s end.

According to representatives of a Sufi Muslim community of approximately 10,000 based in the Eastern Province town of Kathankudy, there were no incidents against them during the year. They said they felt secure, since public attention on Sufi relations with conservative Wahhabi-inspired Sunni Muslims had waned since the Easter Sunday bombing, and government scrutiny of the Wahhabis had increased.

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.

According to NCEASL, the number of Christian groups worshipping in “house churches” continued to grow.

#### **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 postconflict reconciliation process, during meetings with the President, Prime Minister, cabinet ministers, and other officials holding religious portfolios. During his October 28 visit to Sri Lanka, the Secretary of State laid a wreath at the Catholic Shrine of St. Anthony, one of the sites of the 2019 Easter Sunday suicide bombings.

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 and to urge the government to reverse the policy mandating cremation for victims of COVID-19.

The Ambassador promoted religious freedom through private diplomatic advocacy and in public statements and speeches, including her January 16 statement for world Religious Freedom Day in which she highlighted how the United States and Sri Lanka shared “a long tradition of religious liberty and diversity.” She added, “The freedom to profess one’s own faith is innate to the dignity of every person,” and, “We will continue to advocate for the right to worship freely and protect those persecuted for their faith.” In a June 11 tweet, the Ambassador encouraged the government to adhere to its commitments under the Universal Declaration of Human Rights (UDHR), noting that the UDHR recognizes that everyone has the right to freedom of thought, conscience, and religion and that the United States adopted the UDHR in 1948 and Sri Lanka in 1955. The Ambassador urged Sri Lankans to work with the United States to “ensure this right is a reality.” In a November 10 speech at the Pathfinder Foundation Indian Ocean Security Conference, the Ambassador highlighted that the United States is a champion for “human rights, religious freedom, and democratic ideals, as enshrined in international instruments such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights,” and she urged “all nations to join us in upholding these commitments.”

Embassy and visiting 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, and to identify ways their communities could help diffuse ethnic tensions.

Throughout the year, the Ambassador offered public greetings, including on social media, and participated in person or virtually in celebrations of the country's many religious holidays, including Thai Pongal in January, Eid al-Fitr in May, Deepavali in November, and Hanukkah and Christmas in December.

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. 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 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.