



Home Office

Country Policy and Information Note Sri Lanka – Religious Minorities

Version 2.0
August 2021

Preface

Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the [Introduction](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into 2 parts: (1) an assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

Assessment

This section analyses the evidence relevant to this note - that is information in the COI section; refugee/human rights laws and policies; and applicable caselaw - by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- a person is reasonably likely to face a real risk of persecution or serious harm
- that the general humanitarian situation is so severe that there are substantial grounds for believing that there is a real risk of serious harm because conditions amount to inhuman or degrading treatment as within [paragraphs 339C and 339CA\(iii\) of the Immigration Rules](#) / Article 3 of the [European Convention on Human Rights \(ECHR\)](#)
- that the security situation is such that there are substantial grounds for believing there is a real risk of serious harm because there exists a serious and individual threat to a civilian's life or person by reason of indiscriminate violence in a situation of international or internal armed conflict as within [paragraphs 339C and 339CA\(iv\) of the Immigration Rules](#)
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a claim is likely to justify granting asylum, humanitarian protection, or other form of leave, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available. Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate and balanced, which is compared and contrasted where appropriate so that a comprehensive and up-to-date picture is provided of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote. Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

Feedback

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the [Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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Assessment

Updated: 24 August 2021

1. Introduction

1.1 Basis of claim

1.1.1 Fear of serious harm or persecution by state and/or non-state actors because the person belongs to a minority religious group.

1.2 Points to note

1.2.1 For the purposes of this note, religious minority groups include Muslims, Christians and Hindus.

1.2.2 Almost all Hindus in Sri Lanka are Tamils (although a small number of Tamils practice other religions). The available information, where it is broken down by specific religious group, often does not refer specifically to Hindus as it does to Christians and Muslims. For claims by Tamils, decision makers must also refer to the country policy and information note on [Sri Lanka: Tamil separatism](#).

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2. Consideration of issues

2.1 Credibility

2.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).

2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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Official – sensitive: End of section

2.2 Exclusion

2.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.

2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection.

- 2.2.3 For further guidance on the exclusion clauses and restricted leave, see the Asylum Instructions on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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2.3 **Convention reason(s)**

- 2.3.1 Actual or imputed religion.
- 2.3.2 Establishing a convention reason is not sufficient to be recognised as a refugee. The question is whether the person has a well-founded fear of persecution on account of an actual or imputed Refugee Convention reason.
- 2.3.3 For further guidance on Convention reasons see the instruction on [Assessing Credibility and Refugee Status](#).

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2.4 **Risk**

a. **State treatment of religious minorities**

- 2.4.1 Sri Lanka is a majority Buddhist country. Religious minorities account for just under 30% of the population (6.8 million people). The largest of which are:
- Hindus (12.6% of the population), who are mainly Tamils and are mainly present in the Northern, Eastern, Central, Sabragamuwa and Uva provinces;
 - Muslims (9.7% of the population), who are mainly present in Ampara, Batticaloa and Trincomalee in the east, and Mannar and Puttalam in the west; and
 - Christians (7.4% of the population), who are mainly present in Eastern, Northern, North-Western and Western provinces (see [Religious demography](#)).

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- 2.4.2 The Constitution and Penal Code protects religious freedom and prohibits discrimination on the grounds of a person's faith, and the law recognises the 4 religions of Buddhism, Islam, Hinduism and Christianity. However, Article 9 of the Constitution affirms that Buddhism occupies the 'foremost place' in the country and that it is the duty of the state to protect the teaching of the Buddha. The Supreme Court ruled in 2003 that the authorities are constitutionally required to protect Buddhism only. The right to proselytise is not fully protected in Sri Lanka. The Supreme Court of Sri Lanka decided that the propagation and spreading of a religion other than Buddhism would

impair the existence of Buddhism or the Buddha Sasana (see [Constitution](#), [Penal Code](#) and [Proselytising and conversion](#)).

- 2.4.3 Since the November 2019 election of President Gotabaya Rajapaksa and his brother as Prime Minister, fundamental changes to policies on ethnic relations have been initiated, which according to some may increase ethnic and religious tensions (see [State treatment of religious minorities](#)).
- 2.4.4 It is compulsory for all primary and secondary schools to teach religious studies, which includes teaching on all 4 of the state-recognised religions. Religious communities are also free to run schools and classes to teach their religions, although they do not receive State funding as Buddhist schools do (see [Legal Context](#)).
- 2.4.5 A variety of initiatives have been introduced by the state to improve the lives of religious minorities in Sri Lanka at both state and district level. This includes, for example, the establishment of the Select Committee of Parliament, introduced in 2018, which works to study and report on 'communal and religious harmony' in Sri Lanka. Since its implementation, the Committee has been successful in identifying challenges to 'religious harmony' and provided a list of recommendations to tackle such challenges. At district level, there are, for example, a number of inter-religious committees that bring together leaders of different religions in order to promote interreligious harmony, resolve disputes and report on any incidents violating freedom of religion or belief. These committees are supported by NGOs such as the National Peace Council of Sri Lanka, as well as the Interreligious Forum of Caritas Sri Lanka (see State treatment – [Overview](#)).
- 2.4.6 Sri Lanka has no laws or government policies that hinder access to state protection on the basis of religion or ethnicity. All citizens have access to avenues of redress through the police, judiciary and the Human Rights Commission of Sri Lanka (HRCSL). In general, police officers often lack resources/training, the judicial system is overburdened which results in lengthy legal procedures and delays and widespread corruption and a lack of accountability affects overall police effectiveness (see [General police effectiveness](#)).

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b. State treatment of Muslims

- 2.4.7 Muslims in Sri Lanka generally have freedoms to practice their faith; including attending Mosques, have access to employment and are represented in the political sphere, including by two Muslim political parties; the Sri Lanka Muslim Congress (SLMC) which holds seven members of parliament and the All Ceylon Makkal Congress (ACMC), which holds five seats in parliament (see [Religious minorities' participation in political sphere](#) Religious demography - [Muslims](#)).
- 2.4.8 However, following the Easter 2019 bombings - a series of coordinated bombings targeted primarily against the Christian community, killing 253 people and injuring 500 - carried out by Islamic State-affiliated Sri Lankan Islamic terrorist group 'National Thowheeth Jama'ath' (NTJ), police have arrested close to 2,300 people (most of whom were Muslims) under emergency regulations on suspicion of involvement with terrorism. As of July

2019, 1,655 had been granted bail, 423 had been remanded and 211 were in detention. Those arrested in connection with the bombings have since faced difficulty in securing adequate legal representation due to lawyers' fears of societal retribution for representing Muslims. Since the initial high volume of arrests, there are reportedly now only 42 suspects being investigated in the case. Further large-scale arrests and searches have not been reported since the aftermath of the bombings (see [Easter 2019 extremist bombings](#), State treatment – [Overview](#), [Police treatment of Muslims](#)).

- 2.4.9 The Easter 2019 bombings have resulted in an increase of societal discrimination and physical attacks perpetrated against Muslims. Police action against this violence has generally been inadequate, with little intervention and few arrests made. There have been no prosecutions of perpetrators of the violence and the government have not fully compensated victims for property damage as a result of the violence (see State treatment – [Overview](#), [Police treatment of Muslims](#) and [Judicial treatment of Muslims](#)).
- 2.4.10 During the Covid-19 pandemic, the Government of Sri Lanka was criticised following a mandatory order to cremate any person who had died from the virus, thereby denying Muslims who had died from the virus the Islamic tradition of burying the dead; a move that was perceived as discriminatory against those of Islamic faith in relation to death and burials. The government made the decision to reverse this order in February 2021, almost a year after it was initially put in place. The army has said it is investigating disciplinary action against its officers who reportedly forced a group of Muslims to kneel on the road as a punishment for flouting Covid lockdown rules in June 2021 (see [COVID-19 pandemic](#) and [Police treatment of Muslims](#)).
- 2.4.11 In March 2021, a move was made by the Sri Lankan state to ban burkas and other face coverings, as well as close more than 1,000 Islamic schools known as madrassas, in the interest of 'national security'. This has not been approved by parliament at the time of writing, but has been criticised by the United Nations as a gross breach of international law, and is in direct contradiction to the Constitution which provides for freedom of religion or belief (see [Legal context](#) – Ban of Burkas and religious face coverings and Other Islamic legal restrictions).

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c. State treatment of Christians

- 2.4.12 In general, Christians are able to practice their faith throughout Sri Lanka without facing restrictions by the state. However, some Christian groups have reported instances of harassment and attempts to restrict the expression of their faith by the police and local authorities, who occasionally use 'maintaining community peace' as a reason to disband religious activities and places of worship. A 2008 Circular issued by the Secretary of the Ministry to provincial councils and divisional secretaries is routinely misapplied by state actors to close down churches and forbid Christian worship. Since the election of Gotabaya Rajapaksa in November 2019, some Christian places of worship in the Northern Province have had military

personnel stationed nearby and pastors have claimed that intelligence agents appear to be monitoring certain religious services. Police responses to societal violence against Christian groups are mixed, with some instances of police disregarding complaints and intimidating those who make them, and other instances whereby perpetrators of violence against Christians are actively pursued and apprehended; though conviction rates for those who commit crimes against Christian groups are low. CPIT could not find information pertaining to the representation of Christians in parliament (see [State treatment – Overview](#) and [Police treatment of Christians, Judicial treatment of Christians, Religious minorities' participation in the political sphere](#)).

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d. State treatment of Hindus

- 2.4.13 Almost all Hindus in Sri Lanka are Tamils (although a small number of Tamils practice other religions). For claims by Tamils, decision makers must refer to the country policy and information note on [Sri Lanka: Tamil separatism](#) for information on the treatment of Tamils (see also State treatment – [Overview](#))
- 2.4.14 Hindus are able to practice their faith freely in Sri Lanka and have access to education and employment (see [Religious demography - Hindus](#) and [Other legal rights](#)). Hindus are adequately represented in Government positions, with several Tamil political parties representing the interests of their ethnic and religious group ([Religious minorities' participation in the political sphere](#)).

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e. State treatment conclusion

- 2.4.15 Whilst there are no laws or policies which discriminate on the basis of religion, there are some restrictions and incidents of state discrimination and harassment against all religious minorities which can inhibit their ability to practice their faiths freely. However, overall, religious minorities participate in political life and are represented in government, are able to go about their daily lives, have access to employment, education and places of worship. They may experience difficulty in obtaining and maintaining places of worship due to the misapplication of government Circulars, difficulties with registration or due to the appropriation of religious sites by Buddhist monks, aided by the Department of Archaeology. There are also a number of recent state and district-level initiatives which have been introduced to combat challenges facing religious minorities and look to improve communal and religious harmony.
- 2.4.16 In general, Christians and Hindus are not at risk of treatment amounting to persecution by the state. Since most Hindus are of Tamil ethnicity, it is imperative that decision makers consider this aspect when assessing risk.
- 2.4.17 Whilst Muslims have experienced increased levels of state discrimination since the Easter 2019 bombings, in general, it is not sufficiently serious by its nature and/or repetition to amount to persecution or serious harm.
- 2.4.18 However, decision makers must consider each case on its facts, with the onus on the person to show that they would be at real risk of persecution or

serious harm on return. If a person conceals or does not openly practise their religion, decision makers must consider the reasons why. If a person conceals or does not openly practise their religion to avoid persecution, decision makers must consider the findings of [HJ \(Iran\)](#).

- 2.4.19 For further guidance on assessing risk, see the instruction on [Assessing Credibility and Refugee Status](#).

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f. Societal treatment of Muslims

- 2.4.20 Muslims have been the victims of hate speech online and in the media in Sri Lanka in recent years and there have been isolated bouts of violence against Muslim groups. Negative perceptions of, and violence against Muslims, increased in the immediate aftermath of the Easter 2019 bombings, despite the Muslim community's condemnation of the attacks. In the months following the Easter 2019 bombings, there was an increase in physical attacks on Muslims, boycotts of Muslim businesses, harassment on public transport, property damage and hate campaigns against Muslims in the media, online, on social media and in everyday life (see [Easter 2019 extremist bombings](#), [Social media and online abuse](#) and [Societal treatment of Muslims](#)).
- 2.4.21 In May 2019, groups of Sinhalese mobs torched and damaged many Muslim-owned businesses, cars and properties across the North Western Province in 'retaliation' to the Easter 2019 bombings. The mob violence resulted in one Muslim man being killed. However such mob violence and violent incidents against Muslims has decreased since May 2019 (see [Easter 2019 extremist bombings](#), [Social media and online abuse](#) and [Societal treatment of Muslims](#)).
- 2.4.22 In recent years, Sri Lanka has seen a rise in Buddhist Nationalist groups, formed with the purpose of protecting the Sinhalese and Buddhist identity from the 'globalisation' of religious and ethnic minorities. Following its inception in 2012, a leading Buddhist Nationalist group; Bodu Bala Sena, launched an anti-Muslim campaign which sought to spread misinformation about the Muslim community to incite hatred and violence against them. The group continues to use social media platforms to create religious and ethnic tensions against the Muslim community (see [Buddhist nationalism](#)).

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g. Societal treatment of Christians

- 2.4.23 Christians continue to report harassment and attacks against themselves and their places of worship, though there was a decrease in reported physical attacks in 2020 compared to 2019, which some Human Rights organisations have put down to restrictions as a result of the Covid-19 pandemic. The National Christian Evangelical Alliance of Sri Lanka (NCEASL) reported 94 attacks (which included attacks on churches, intimidation of and violence against pastors and their congregations, and obstruction of worship services) in 2019, compared with 50 attacks in 2020. Sinhalese Buddhists were most often the perpetrators of the violence (see [Societal treatment of Christians](#)).

- 2.4.24 Christians have also been targeted by hate speech online and on social media by other religious groups, a majority of whom were Buddhists. There have also been a low number of attacks reported against individuals from Christian groups, which have also been encouraged by Buddhist Nationalist groups such as Bodu Bala Sana. There have been instances of attacks on Roman Catholics due to a suspicion of “unethical conversion” and limitations on their right to proselytize. Physical attacks against Christian groups are rare and not representative of the general treatment of Christians (see [Societal treatment of Christians](#), [Social media and online abuse](#) and [Buddhist nationalism](#))
- 2.4.25 In 2019, suicide bombers from militant group National Thowheed Jamath (NTJ) affiliated with Islamic State killed at least 253 people and injured approximately 500 at churches and hotels across Sri Lanka, in an attack targeting those belonging to the Christian faith. Whilst the attack was severe, attacks perpetrated by extremist groups and Muslims against Christians are rare and not representative of the general treatment of Christians in Sri Lanka (see [Easter 2019 extremist bombings](#)).

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h. Societal treatment of Hindus

- 2.4.26 Hindus reportedly are able to practice their faith freely in the Northern Province and elsewhere. There are no organisations in Sri Lanka that systematically document violations against Hindus and therefore the occurrence and extent of any violations against Hindus on the basis of their faith is unknown. According to local sources, the Department of Archaeology routinely sided with Buddhist monks claiming Hindu archaeological sites in the north and east as Buddhist sites. Hindus are a target of online and social media abuse, though to a lesser extent than Muslim and Christian minorities (see [Societal treatment of Hindus](#) and [Social media and online abuse](#)).
- 2.4.27 Hindus are also a target of Buddhist Nationalist groups, including Bodu Bala Sana and Sinha Le, whose poster campaign depicting an image of the lion taken from the national flag reinterpreted to remove two coloured strips – saffron and green – representing the Tamil and Muslim communities – was created to incite hatred against the Hindu Tamil community and create religious tension (see [Buddhist nationalism](#)).

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i. Societal treatment conclusion

- 2.4.28 In general, it is unlikely that the level of societal discrimination of members of Christian, Hindu or Muslim religious groups, despite Muslims experiencing a raised level of discrimination following the 2019 bombings, is sufficiently serious by its nature and repetition to amount to persecution or serious harm.
- 2.4.29 However, decision makers must consider each case on its individual facts, taking full account of the person’s circumstances. The onus is on the person to demonstrate that they are at risk.
- 2.4.30 For further guidance on assessing risk, see the instruction on [Assessing Credibility and Refugee Status](#).

2.5 Protection

- 2.5.1 If the person's fear is of persecution and/or serious harm by the state, they are unlikely to be able to avail themselves of the protection of the authorities.
- 2.5.2 There are a number of avenues of redress against police and judicial misconduct, including the Human Rights Commission Sri Lanka (HRCSL) and the National Police Commission (NPC); both organisations of which have branches across the country (see [Avenues of redress against police and judicial mistreatment / inaction](#)).
- 2.5.3 Where the person fears persecution and/or serious harm from non-state actors or rogue state agents, decision makers must assess whether the state can provide effective protection.
- 2.5.4 The state operates a generally effective criminal justice system which is able to detect, prosecute and punish acts constituting persecution. However, whilst the state has sometimes been unwilling, it is generally willing and able to provide effective protection to religious minorities. Each case will need to be considered on its merits (see [State treatment](#)).
- 2.5.5 Decision makers must consider each case on its facts, with the onus on the person to demonstrate that they cannot obtain protection.
- 2.5.6 For further guidance on assessing the availability of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

2.6 Internal relocation

- 2.6.1 If the person's fear is of persecution and/or serious harm by the state, they will not be able to relocate to escape that risk.
- 2.6.2 If the person's fear is of persecution and/or serious harm by non-state actors, they may be able to relocate to escape the risk, depending on their circumstances. The Constitution of Sri Lanka provides for freedom of movement for all Sri Lankan citizens, and no official restrictions apply to internal relocation (see [Internal Relocation](#)).
- 2.6.3 Christians are located throughout Sri Lanka and could therefore, dependent on their personal circumstances, relocate to other Christian-populated areas. There are sizeable Christian groups residing in the Eastern, Northern and North-western Provinces, as well as smaller groups living in Sabaragamuwa and Uva Provinces (see [Breakdown by ethnicity / geographical location](#)).
- 2.6.4 Hindus are also located throughout Sri Lanka and, dependent on their personal circumstances, have the option to relocate to another highly populated Hindu area. Hindus constitute the majority in the Northern Province and retain a significant presence in the Eastern province. Hindus also constitute a large presence in the Central, Sabaragamuwa, and Uva Provinces (see [Breakdown by ethnicity / geographical location](#)).
- 2.6.5 Muslims form a plurality in the Eastern Province, and there are sizable Muslim populations in the Central, North-Central, North-western,

Sabaragamuwa, Uva, and Western Provinces (see [Breakdown by ethnicity / geographical location](#)).

- 2.6.6 Decision makers must consider each case on its facts, with the onus on the person to demonstrate why they cannot relocate to another part of the country.
- 2.6.7 For further guidance on internal relocation and the factors to be considered, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.7 Certification

- 2.7.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.7.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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Country information

Section 3 updated: 24 August 2021

3. Religious demography

3.1 Population sizes

- 3.1.1 The USSD 2020 IRF report detailed an estimated population of 22.7 million in Sri Lanka in mid-2020¹. Of the 22.7 million, the 2012 national census lists the population as 70.2% (14.2 million) Buddhist, 12.6% (2.5 million) Hindu, 9.7% (1.9 million) Muslim, and 7.4% (1.5 million) Christian².
- 3.1.2 Religion plays an important role in Sri Lanka, with the 2012 Sri Lankan census showing that less than 2% of the general population do not believe in any of the religions listed above³.

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3.2 Breakdown by ethnicity / geographical location

- 3.2.1 The ethnic and geographical breakdown between religions is detailed by the USSD IRF report 2020 as the following:

‘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, North-western, Sabaragamuwa, Uva, and Western Provinces. Christians reside throughout the country but have a larger presence in the Eastern, Northern, North-western, and Western Provinces, and a smaller presence in Sabaragamuwa and Uva Provinces.’⁴

- 3.2.2 The DFAT 2019 report demonstrated the geographical breakdown of ethnicity and religion in Sri Lanka (see picture below)⁵:

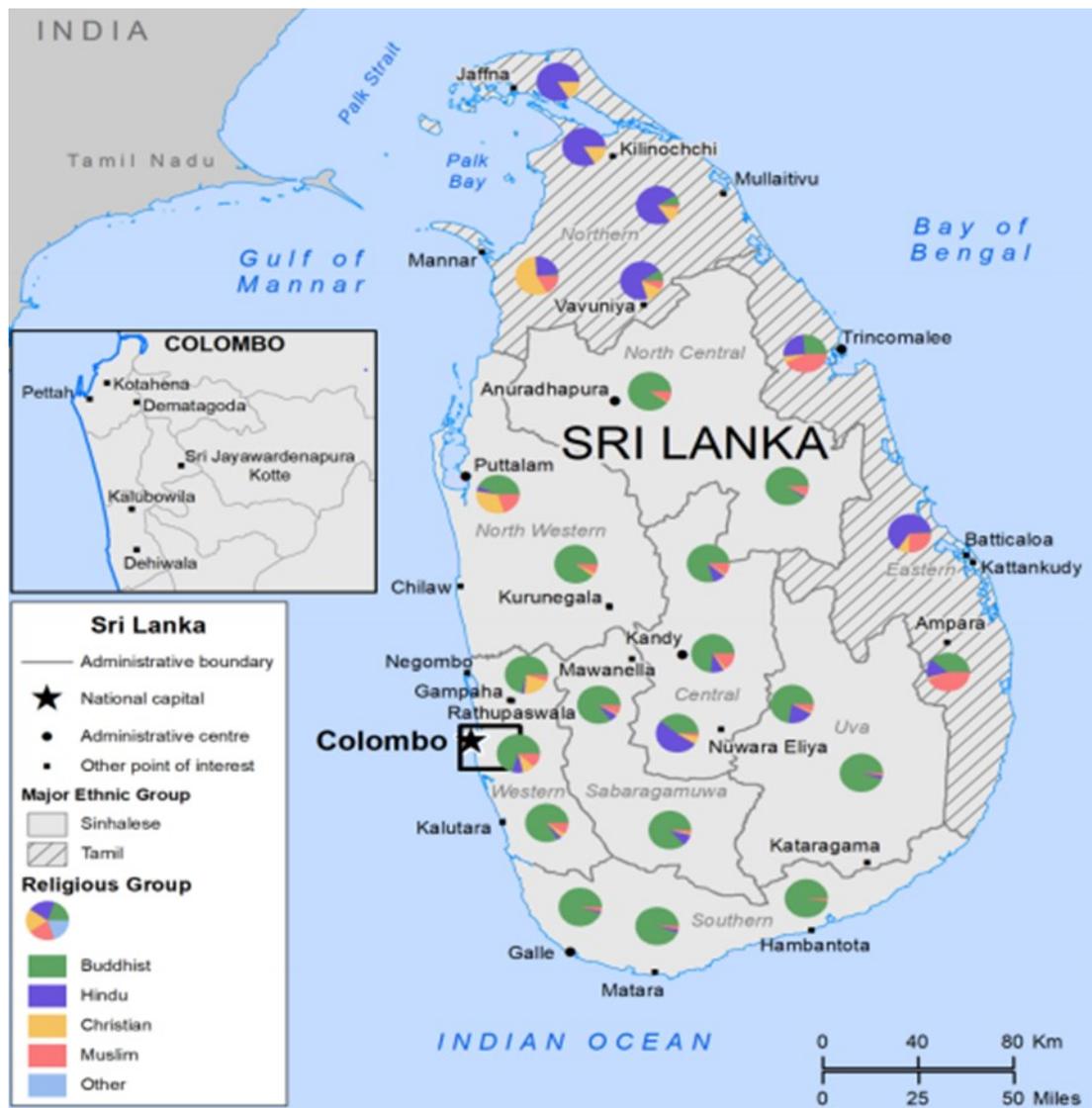
¹ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 3, 12 May 2021

² Department of Census and Statistics, [Census of Population and Housing](#), page 160, 2012

³ Department of Census and Statistics, [Census of Population and Housing](#), page 160, 2012

⁴ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 3-4, 12 May 2021

⁵ DFAT, [Country Information Report – Sri Lanka](#), page 1, 04 November 2019



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3.3 Christians

3.3.1 In regard to the introduction of Christianity to Sri Lanka, the Religion Media Centre (UK based charity providing religious information for the media) noted that:

‘Christianity arrived in Sri Lanka predominantly through European settlers, beginning with the Portuguese, who occupied coastal parts of the country in the 16th century. Many locals converted to Roman Catholicism during this period. Parts of the island were then occupied by the Dutch until the late 18th century, and the Dutch Reformed Church was established during this period.

‘The British occupied parts of the island in 1796, and by 1815, the entire country came under British rule and was known as Ceylon. The Church of England established a presence during this time, and many other protestant denominations also sent missionaries.

‘The Roman Catholic Church re-established a presence during this period, and a number of Catholic schools were established in the late 19th and early

20th century. The 20th century saw the arrival of newer evangelical and Pentecostal churches.⁶

3.3.2 In considering the Christian denominations present in Sri Lanka today, the USSD 2020 IRF report noted that:

‘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.’⁷

3.3.3 The DFAT 2019 report noted that: ‘Membership of evangelical Christian groups is small but growing. The Christian community encompasses both Sinhalese and Tamil ethnic groups.’⁸

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3.4 Muslims

3.4.1 In consideration of the introduction of Islam to Sri Lanka, according to the Department of Muslim Religious and Cultural Affairs: ‘The activities of the Muslim traders of Peninsular India in the period of 1000 to 1500 A.D. are closely linked with the origin of the Muslim settlements that we see today in Sri Lanka and the countries of south-east Asia. Immigration and conversion were the main two factors that influenced the growth of Muslim communities in this region.’⁹

3.4.2 In considering the Islamic denominations present in Sri Lanka today, the USSD 2020 IRF report noted that: ‘most Muslims are Sunni, with small Sufi, Ahmadi, and Shia, including Dawoodi Bohra, minorities.’¹⁰

3.4.3 The DFAT 2019 report noted that:

‘Muslims are the third largest religious group in Sri Lanka (9.7 per cent of the population were practising Islam at the time of the 2012 census). Between 1981 and 2012, Sri Lanka’s Muslim population grew by over 40 per cent, from 1.12 million to 1.97 million. Most Muslims speak Tamil as their first language. Muslim communities live throughout Sri Lanka, including in Colombo and Kandy, with larger communities in the east (Ampara, Batticaloa and Trincomalee), north (Mannar) and northwest (Puttalam). Nearly all Sri Lankan Muslims (98 per cent) are Sunni. A small number of Shi’a, including members of the Bohra community from India, reside mostly in Colombo. The Malay community, largely comprising descendants of Malay members of the Ceylon Police Force, is Muslim and a few of its members hold senior positions in the Sri Lankan military and police. The Urdu-speaking Memon community of Indian or Pakistani descent mostly lives in

⁶ RMC, ‘[Factsheet: Christianity in Sri Lanka](#)’, 24 April 2019

⁷ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 3-4, 12 May 2021

⁸ DFAT, [Country Information Report – Sri Lanka](#), para 3.4.2, 04 November 2019

⁹ Department of Muslim Religious and Cultural Affairs, ‘[Muslims of Sri Lanka](#)’, nd

¹⁰ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 3, 12 May 2021

Colombo. Sri Lanka also hosts a small number of Muslims who follow the Sufi tradition. Muslim property rights fall under state law while sharia (Islamic) law and cultural practice apply to marriages... Although many Muslims work in agriculture and fisheries, many also work in business, industry and the civil service. There are many wealthy Muslim businessmen in the east. In November 2017, some Muslim businesses were temporarily boycotted because of tensions between the Tamil and Muslim communities in Batticaloa. Muslim businesses have also been boycotted following the 2019 Easter Sunday terrorist attacks.¹¹

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3.5 Hindus

3.5.1 The USSD 2020 IRF report noted that ‘Tamils of Indian origin, who are mostly Hindu, have a large presence in the Central, Sabaragamuwa, and Uva Provinces.’¹²

3.5.2 Minority Rights Group International (MRGI) noted in 2018 that:

‘There are two groups of Tamils: “Sri Lankan Tamils” (also known as “Ceylon” or “Jaffna” Tamils) are the descendants of Tamil-speaking groups who migrated from southern India many centuries ago; and “Up Country Tamils” (also known as “Indian” or “estate” Tamils), who are descendants of comparatively recent immigrants. Both Tamil groups are predominantly Hindu with a small percentage of Christians. They also speak their own distinct language called Tamil.’¹³

3.5.3 The DFAT 2019 report noted that: ‘Most Tamils in Sri Lanka are Hindu. Hindus account for a majority of the population in the Northern Province, and practise their faith freely there and elsewhere in Sri Lanka.’¹⁴

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Section 4 updated: 24 August 2021

4. Legal context

4.1 Constitution

4.1.1 The United States Department of State (USSD) 2020 report on International Religious Freedom: Sri Lanka, published in May 2021 and covering events in 2020, (USSD 2020 IRF report), stated that the [Sri Lankan Constitution](#) provides for freedom of thought, conscience, and religion, including the freedom to change religion and that the law recognises Buddhism, Islam, Hinduism and Christianity¹⁵. However, whilst it respects the rights of religious minorities, the law places Buddhism ahead of the country’s religious faiths, committing the government to protecting it under the 2003 Supreme Court ruling ([S.C. Special Determination No.19/2003](#)) [while respecting the rights of the other religions](#)

¹¹ DFAT, [Country Information Report – Sri Lanka](#), para 3.28, 04 November 2019

¹² USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 3, 12 May 2021

¹³ MRGI, [Sri Lanka country page](#), March 2018

¹⁴ DFAT, [Country Information Report – Sri Lanka](#), para 3.47, 04 November 2019

¹⁵ USSD, [2019 Report on International Religious Freedom: Sri Lanka](#), page 1, 10 June 2020

4.1.2 The constitution outlines the following Articles concerning religious freedom:

- ‘Article 9: The Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the State to protect and foster the Buddha Sasana [the teaching of the Buddha], while assuring to all religions the rights granted by Articles 10 and 14(1)(e).
- ‘Article 10: Every person is entitled to freedom of thought, conscience and religion, including the freedom to have or to adopt a religion or belief of his choice
- ‘Article 12(2): No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any such grounds.
- ‘Article 12(3): No person shall, on the grounds of race, religion, language, caste, sex or any one such grounds, be subject to any disability, liability, restriction or condition with regard to access to shops, public restaurants, hotels, places of public entertainment and places of public worship of his own religion.
- ‘Article 14(1)(e): Every citizen is entitled to the freedom, either by himself or in association with others, and either in public or in private, to manifest his religion or belief in worship, observance, practice or teaching.
- ‘Article 27(6): The State shall ensure equality of opportunity to citizens, so that no citizen shall suffer any disability on the ground of race, religion, language, caste, sex, political opinion or occupation.’¹⁶

4.1.3 A report by Minority Rights Group International (MRGI), dated December 2016 stated:

‘Sri Lanka’s constitutional provisions on the freedom of religion broadly mirror international standards. However, judicial interpretation – particularly of Article 9 – demonstrates disparity in the manifestation of this right. It appears that the majority religious community enjoys greater protection and freedom to manifest their religious beliefs than the minority religious communities, as exemplified in the Menzingen Sisters case... In this case, which challenged the incorporation of a Catholic order of nuns, the Supreme Court determined that the right to propagation was not guaranteed by the Constitution and further, that “the propagation and spreading of Christianity... would not be permissible as it would impair the very existence of Buddhism”¹⁷ (see also [Proselytising and Conversion](#)).

4.1.4 The USSD 2020 IRF report stated ‘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.’¹⁸

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¹⁶ [The Constitution of the Democratic Socialist Republic of Sri Lanka](#)

¹⁷ MRGI, [...Continued violations against religious minorities in Sri Lanka](#), para 5, December 2016,

¹⁸ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 4, 12 May 2021

4.2 Penal code

4.2.1 The Sri Lankan [Penal Code of 1885](#) outlines offences related to religion:

- 'Article 290: Whoever destroys, damages, or defiles any place of worship, or any object held sacred by any class persons, with the intention of thereby insulting the religion of insult the any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage, or defilement as an insult to their religion, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.
- 'Article 290A: Whoever does any act, in or upon, or in the vicinity of, any place of worship or any object which is held sacred with intent to or in veneration by any class of persons, with the intention wounding the religious feelings of any class of persons or with the knowledge that any class of persons is likely to consider such act as an insult to their religion, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.
- 'Article 291: Whoever voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious worship or religious ceremonies shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.
- 'Article 291A: Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.
- 'Article 291B: Whoever, with the deliberate and malicious intention of outraging the religious feelings of any class of persons, by words, either spoken or written, or by visible representations, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.
- 'Article 292: Whoever with the intention of wounding the feelings of any person, or of insulting the religion of any person, or with the knowledge that the feelings of any person are likely to be wounded, ore that the religion of any person is likely to be insulted thereby, commits any trespass in any place of worship or on any place of sepulture or any place set apart for the performance of funeral rites, or as a depository for the remains of the dead, or offers any indignity to any human corpse, or causes disturbance to any persons assembled for the performance of funeral ceremonies, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.'¹⁹

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¹⁹ [Sri Lankan Penal Code](#), 1885

4.3 Registration of religious groups

4.3.1 With reference to the founding of new religions, the USSD 2020 IRF report noted that:

‘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 workers (missionaries) 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.’²⁰

4.3.2 The same report stated that: ‘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.’²¹

4.3.3 The same report also stated that:

‘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.’²²

4.3.4 Ahmed Shaheed, the United Nations Special Rapporteur on Freedom of Religion or Belief, undertook a visit to Sri Lanka from 15 to 26 August 2019, during which he spoke with a variety of government officials, civil society organisations, research institutions and representatives of a variety of religious organisations. In the preliminary findings of the ‘[Report of the Special Rapporteur on freedom of religion or belief on his visit to Sri Lanka](#)’ (UN SR report 2020), the Special Rapporteur noted that ‘minority communities complain that the registration process is opaque and slow; that registration requirement is not clear and is a cumbersome process, and that it also results in monitoring and harassment by local police and authorities.’²³

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4.4 Education and religious teaching

4.4.1 The USSD 2020 IRF report covering events in 2020 noted that it is compulsory for all primary and secondary schools to teach religious studies to students and noted that all schools following the Sri Lankan Ordinary

²⁰ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 4, 12 May 2021

²¹ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 5, 12 May 2021

²² USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 10, 12 May 2021

²³ OHCHR, ‘[...findings of Country Visit to Sri Lanka by the Special Rapporteur](#)’ 26 August 2019

Level syllabus are obligated to teach the Ministry of Education curriculum, which includes teaching on all 4 of the state-recognised religions²⁴.

- 4.4.2 The UN SR report 2020 noted, with specific reference to religious teaching, that ‘Religious communities are free to run schools and classes to teach their religions. The Government funds and supports religious schools by the Buddhist community while those run by other religious communities are privately funded.’²⁵

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4.5 Proselytising and conversion

- 4.5.1 The UN SR report 2020 noted that, with reference to proselytising:

‘The right to proselytize is not fully protected in Sri Lanka. In its Special Determination No. 19 of 2003, the Supreme Court decided that the propagation and spreading of a religion other than Buddhism “would not be permissible as it would impair the very existence of Buddhism or the Buddha Sasana”; while in 2018, it was held that the right “to propagate” one’s religion was not protected by the Constitution. However, the decision of 2003 seems to suggest that it would be acceptable if one were to propagate Buddhism. This would also contradict the Constitution of Sri Lanka, which assures all religions the rights granted by articles 10 and 14 (1) (e).’²⁶

- 4.5.2 He also reported that:

‘Reported hostilities towards Jehovah’s Witnesses, Evangelicals and Muslims appear to be grounded in the perception that religious conversions threaten established hegemonies or “insult” the doctrines and beliefs of the dominant religion in a given area. Often, these religious conversions are allegedly claimed to be “unethical” and involve the “exploitation” of vulnerable persons. The common complaint of both the Bodu Bala Sena and Siva Senai is that Buddhists and Hindus are being converted to Christianity through insults to existing religious practices and material inducement by Western-funded non-governmental organizations in Sri Lanka. They assert that, during the course of the civil war, many such exploitative religious conversions took place in the conflict-affected Eastern and Northern provinces in particular.’²⁷

- 4.5.3 Despite the Sri Lankan constitution providing for freedom of religion, Sri Lankan news publication ‘The Morning’ reported in February 2021 that the Ministry of Buddhasasana, Religious, and Cultural Affairs is currently drafting anti-conversion laws to combat ‘unethical’ conversions of individuals to different religions. The Ministry of Buddhasasana, Religious, and Cultural Affairs Secretary Prof. Kapila Gunawardana’ explained that ‘religious conversions for financial gains or in order to access other services such as education are regarded as unethical. “While people have the right to follow the religion they want, various financial gains and other services are obtained through unethical conversions, and that must be stopped”.’²⁸ The

²⁴ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 5, 12 May 2021

²⁵ UN HRC, ‘[...Special Rapporteur on freedom of religion or belief...](#)’ para 42, 28 February 2020

²⁶ UN HRC, ‘[...Special Rapporteur on freedom of religion or belief...](#)’ para 31, 28 February 2020

²⁷ UN HRC, ‘[...Special Rapporteur on freedom of religion or belief...](#)’ para 33, 28 February 2020

²⁸ The Morning, [‘New laws against unethical conversions’](#), 18 February 2021

same article also reported that: ‘Prime Minister Mahinda Rajapaksa raised concerns regarding this issue, when he claimed that the conversion of “traditional Buddhist families to other religions” is a major threat, in a speech made at the annual convention of the All Ceylon Buddhist Congress.’²⁹ This is despite the 2012 census only showing a negligible total rise in those following the Christian faiths compared to the 1981 census³⁰.

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4.6 Ban of Burkas and religious face coverings

4.6.1 The BBC reported in March 2021 that the Sri Lankan state had taken steps towards banning the burka and other face coverings in public, on grounds of national security³¹. The report noted that:

‘Public Security Minister Sarath Weerasekara told the BBC that he had signed a cabinet order which now needs parliamentary approval.

‘Officials say they expect the ban to be implemented very soon.

‘The move comes nearly two years after a wave of co-ordinated attacks on hotels and churches on Easter Sunday.

‘Suicide bombers targeted Catholic churches and tourist hotels, killing more than 250 people in April 2019. The Islamic State militant group said it had carried out the attacks.

‘As the authorities tracked down the militants, an emergency short-term ban on face coverings was implemented in the majority-Buddhist nation.

‘Now the government is moving to re-introduce it on a permanent basis.

‘Mr Weerasekara told reporters that the burka was "a sign of religious extremism that came about recently". He added that it was "affecting national security" and that a permanent ban was overdue.

“So I have signed that and it will be implemented very soon," he said.’³²

4.6.2 The UN SR report 2020 stated:

‘[the ban of religious face coverings] has led to a rise in intolerance towards those who observe religious dress codes, especially Muslim women in public institutions such as hospitals, schools and public transport. Some people stop Muslim women and girls with the hijab or abaya that do not include facial covering from entering hospitals or exam halls, or make verbal insults in workplaces.

‘Many Muslim women reported being harassed on the street and refused service at government agencies and private businesses when wearing a headscarf, even with their faces visible...’³³

4.6.3 Al Jazeera noted, on 28 April 2021, that ‘Sri Lanka’s cabinet has approved a proposed ban on wearing full-face veils including Muslim burqas in public, citing national security grounds, despite a United Nations expert’s comment

²⁹ The Morning, ‘[New laws against unethical conversions](#)’, 18 February 2021

³⁰ Colombo Telegraph, ‘[Are Religious Conversions Taking Place In Sri Lanka?](#)’, 4 November 2016

³¹ BBC, ‘[Sri Lanka to ban burka and other face coverings](#)’, 13 March 2021

³² BBC, ‘[Sri Lanka to ban burka and other face coverings](#)’, 13 March 2021

³³ UN HRC, ‘[...Special Rapporteur on freedom of religion or belief...](#)’ para 49- 50, 28 February 2020

that it would violate international law... The proposal will now be sent to the Attorney General's Department and must be approved by parliament to become law. The proposal could easily be passed as the government holds a majority in parliament.³⁴

- 4.6.4 At the time of writing, a decision by parliament on the proposal remained pending (see [Bibliography](#)).

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4.7 Other Islamic legal restrictions

- 4.7.1 In March 2021, The Guardian also reported the Sri Lankan government's plan to close 1000 Muslim schools: 'Weerasekara also said the government will ban more than 1,000 madrassas, saying they are not registered with the authorities and do not follow the national education policy.'³⁵ At the time of writing, CPIT could not find information to confirm whether the madrassas have been closed down (see [Bibliography](#)).

- 4.7.2 In March 2021, the Tamil Guardian also reported that a ban had been imposed on the import of Islamic books, unless the Ministry of Defence approve of the material³⁶. This was also reported by Journalists for Democracy in Sri Lanka (JDS) at 11:52am (UK time) on 6 March 2021, who stated: 'A week after granting burial rights for #Muslims by #GoSL under increased international pressure, Secretary of Defence @KamalGunaratne on Friday (5), has ordered a blanket ban on importing #Islamic religious books, unless they are approved by #MoD.'³⁷

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Section 5 updated: 24 August 2021

5. Religious minorities' participation in the political sphere

- 5.1.1 The Australian Department of Foreign Affairs and Trade in their Country Information report on Sri Lanka, published 4 November 2019 (DFAT 2019 report) informed by DFAT's on-the-ground knowledge and discussions with a range of sources noted that, with regards to the representation of Muslims in the political sphere:

'The Sri Lanka Muslim Congress (SLMC), the largest Muslim political party, has seven members of parliament. Another Muslim party, the All Ceylon Makkal Congress (ACMC), holds five seats in parliament. Both the SLMC and the ACMC are part of the United National Front for Good Governance, the UNP-led governing coalition. The SLFP [Sri Lanka Freedom Party] and the UNP have Muslim members in parliament. Muslims held nine ministerial-level positions – including cabinet positions – in the current government, although they resigned en masse from their portfolios on 3 June 2019 in protest over the government's perceived failure to protect the Muslim community following the 2019 Easter Sunday terrorist attacks. On the same day, and in response to public pressure, the Muslim provincial governors of the Western and Eastern provinces also tendered their resignations. Eight of

³⁴ Al Jazeera, '[Sri Lanka cabinet approves proposed ban on burqas in public](#)', 28 April 2021

³⁵ The Guardian, '[Sri Lanka to ban burqa and close 1,000 Islamic schools](#)', 13 March 2021

³⁶ Tamil Guardian, '[Sri Lanka bans importing Islamic religious books...](#)' 06 March 2021

³⁷ JDS, (@JDSLanka on Twitter.com) '[Tweet dated 11:52am UK time, 6 March 2021](#)'

the nine Muslim ministers subsequently returned to their ministerial and cabinet positions (two on 19 June, four on 29 July and two on 23 August 2019).³⁸

- 5.1.2 Freedom House's Freedom in the World 2021 report covering events in 2020 (the Freedom House 2021 report) detailed that, with specific regard to the representation of Hinduism in the political sphere: 'A number of parties explicitly represent the interests of ethnic and religious minority groups, including several Tamil parties and the Sri Lankan Muslim Congress, the country's largest Muslim party. Systemic discrimination, including via language laws and naturalization procedures, negatively affects Tamils' political participation.'³⁹
- 5.1.3 CPIT could not find information regarding Christian representation in the political sphere in the sources consulted in this note (see [Bibliography](#)).

Section 6 updated: 24 August 2021

6. State treatment of religious minorities

6.1 Overview

- 6.1.1 The UN SR report 2020 found that, despite the ongoing challenges in societal treatment of religious minorities, some positive steps have been taken by the state in recent years to attempt to tackle public perception of them. Notably:

'The Special Rapporteur received reports that various initiatives to promote reconciliation and peaceful coexistence were under way in the country. He noted the establishment of the Select Committee of Parliament on 4 September 2018 to study and report on "communal and religious harmony" in Sri Lanka... By August 2019, the Committee had identified existing challenges to religious harmony, provided a list of recommendations to overcome some of those challenges and drawn up an implementation plan for the proposed recommendations. Moreover, at the Special All-Faith and All-Party Conference in April 2019, the Committee launched the Diyawanna Declaration, which, among other recommendations, stated that there was "the need for all party leaders including the President, the Prime Minister and the Leader of the Opposition to work in cooperation with each other regardless of narrow political, religious or party differences in order to ensure all citizens are able to exist without fear or suspicion and to ensure the security of the country and its people".

'In 2017, the Office published the Cabinet-approved National Policy on Reconciliation and Coexistence in Sri Lanka, which provides stakeholders working on reconciliation and coexistence with a guiding framework to achieve coherence in peace and national unity initiatives. It has also been reported that the Office conducts programmes, targeting and training students, to promote religious coexistence and to identify geographic locations with particular vulnerabilities to interreligious violence, as well as interactive training in conflict transformation in these areas... In addition, district reconciliation committees 11 were established to tackle inter-ethnic

³⁸ DFAT, [Country Information Report – Sri Lanka](#), para 3.29, 04 November 2019

³⁹ Freedom House, [Freedom in the World Sri Lanka 2021 report](#), 3 March 2021

and interreligious tensions through conflict resolution, mediation and amicable settlement. Furthermore, the Office recently launched a project known as “Heal the past, build the future”, which is aimed at bringing together religious leaders, young people, government representatives and civil society actors to raise awareness about how to transform conflict...

‘Additionally, the Special Rapporteur learned about a number of district-level interreligious committees that bring together religious leaders and actors from different religions to promote interreligious harmony. These committees are supported by the National Peace Council of Sri Lanka and the Interreligious Forum of Caritas Sri Lanka. Civil society has been active in monitoring and reporting incidents of the violation of freedom of religion or belief.’⁴⁰

6.1.2 The Special Rapporteur also observed, however, that: ‘Despite the positive developments mentioned above, tensions among ethnic and religious communities persist and significant gaps exist, particularly in upholding accountability and access to justice, as well as ensuring the non-recurrence of human rights violations.’⁴¹

6.1.3 In January 2020, International Crisis Group noted:

‘Since his election on 16 November 2019, Sri Lankan President Gotabaya Rajapaksa and his brother, Prime Minister Mahinda Rajapaksa, have initiated fundamental changes to policies on ethnic relations, the legacy of a 26-year civil war, and the rule of law... The shift in policy, rooted in part in the ethno-nationalism of many among Sri Lanka’s Sinhala and Buddhist majority, threatens to increase ethnic and religious tensions and dangerously weaken checks on executive and state power.’⁴²

6.1.4 With reference to religious minority groups’ places of worship, the USSD 2020 IRF report noted that:

‘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.’⁴³

6.1.5 The same report further stated:

‘On August 20, presenting the government’s policy speech at the inaugural session of parliament, President Rajapaksa... 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

⁴⁰ UN HRC, ‘...[Special Rapporteur on freedom of religion or belief...](#)’ para 15-17, 28 February 2020

⁴¹ UN HRC, ‘...[Special Rapporteur on freedom of religion or belief...](#)’ para 18, 28 February 2020

⁴² International Crisis Group, [Asia: A Dangerous Sea Change in Sri Lanka](#), 29 January 2020

⁴³ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 7, 12 May 2021

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.’⁴⁴

6.1.6 The DFAT 2019 report found that: ‘Local sources allege that police and government officials at the local level, who are predominantly Buddhist, are prejudiced against religious minorities and are not responsive to instances of religiously-motivated attacks against them. Religious minorities told DFAT they were losing faith in the state’s ability to provide them with protection against Buddhist extremists, particularly at the local government level.’⁴⁵

6.1.7 Considering the Sri Lankan State’s approach to religion holistically, in his report of preliminary findings following his visit to Sri Lanka, the Special Rapporteur stated:

‘The State does not appear to impede the freedom of thought, conscience and religion or belief and the country has a long tradition of embracing religious pluralism. The choice of an individual to have, to adopt or to change one’s religion or belief is guaranteed in law in Sri Lanka and broadly conforms to international standards. However, even where the state does not impose specific restrictions on the manifestation of religion or belief, there were frequent reports of acts of intolerance from one religious community to another along with the failure of the state to protect individuals and communities targeted by such hostility.’⁴⁶

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6.2 Police treatment of Christians

6.2.1 The DFAT 2019 report found that:

‘According to sources from the local Christian community, Christians who file complaints on the basis of perceived breaches of their right to religious freedom are often victimised and blamed by law enforcement officials, and some complaints are not investigated further. Of the incidents of violence and intimidation against Christians documented by the NCEASL since 2015, nearly half involved state agents, either implicitly or explicitly, including police, village officers (grama niladhari) and Divisional Secretariats. Sources told DFAT that restrictions on Christians’ religious liberties were particularly pronounced in rural areas and that, as a result, Christians in these areas were increasingly apprehensive about being open about their faith.’⁴⁷

6.2.2 With specific regard to state treatment of Christians, the USSD 2020 IRF noted that:

⁴⁴ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 7-8, 12 May 2021

⁴⁵ DFAT, [Country Information Report – Sri Lanka](#), para 3.24, 04 November 2019

⁴⁶ OHCHR, ‘[...findings of Country Visit to Sri Lanka by the Special Rapporteur](#)’ 26 August 2019

⁴⁷ DFAT, [Country Information Report – Sri Lanka](#), para 3.44, 04 November 2019

'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.'⁴⁸

6.2.3 The same report highlighted that despite their legal right to worship, some members of Christian groups reported local authorities occasionally forcing them to stop or relocate their worship on the premise of 'maintaining community peace'⁴⁹.

6.2.4 MRGI noted in March 2018 that:

'While Sri Lankan law does not require state authorization or registration of places of worship or religious bodies, the 2008 Circular consists of an instruction issued by the Secretary of the Ministry to provincial councils and divisional secretaries that the construction of new places of worship requires prior approval of the ministry. This is widely used to support the restriction or prohibition of Christian places of worship as illegal or unauthorized. Although the 2008 Circular clearly stipulates that it is applicable to new building construction and does not have retrospective effect, it is routinely misapplied by state actors to close down churches and forbid Christian worship, even in structures pre-dating the issuing of the circular.

'The circular stipulates submission of documentary evidence by applicant religious bodies to prove their bona fides. However, it exempts "traditional religion" from this requirement. What constitutes a "traditional religion" is not explained in the document or elsewhere, allowing the various officials of relevant bodies to apply their own interpretation. The implication of a special category of "traditional religions" inevitably cements the perception that religions which are viewed as 'non-traditional' consequently lack legitimacy. This encourages discrimination against evangelical Christians in particular, extending even to evangelical denominations incorporated by Act of Parliament as far back as 1947, who are nevertheless not accepted as "traditional".'⁵⁰

6.2.5 In addition to the above, the Special Rapporteur on Freedom of Religion or Belief also reviewed the 2008 circular used by the state to disrupt religious minorities' ability to worship. He noted in the UN SR report 2020, with particular reference to Christians, that:

'Law enforcement and local government officials allegedly use the circular to discriminate against religious minority groups and curtail their right to worship. It is also used retroactively to close non-mainline churches. Since 2015, at least 57 Protestant Christian churches have been instructed to obtain registration. Evangelical Christian churches in particular continue to report pressure and harassment by local authorities to close down places of

⁴⁸ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 6, 12 May 2021

⁴⁹ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 7, 12 May 2021

⁵⁰ MRGI, [Sri Lankan Christians information page](#), March 2018

worship because they were not registered, and their prayer meetings and worship activities are also routinely denied permission to take place.⁵¹

- 6.2.6 Whilst some members of the authorities were seen to discriminate against Christian groups during 2020, the USSD also highlighted some instances of positive government practices throughout the year:

‘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.’⁵²

- 6.2.7 Whilst there have been some instances of positive steps in protecting the rights of the Christian minority, responses remain mixed. The USSD 2020 IRF report highlighted a demonstrable incident:

‘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.’⁵³

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6.3 Judicial treatment of Christians

- 6.3.1 The USSD 2020 IRF report noted in the case of the pastor of Good Shepherd Church at Sri Nissankamallapura who was instructed to cease his religious activities that, after being accused by the police 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.’⁵⁴

⁵¹ UN HRC, ‘...[Special Rapporteur on freedom of religion or belief...](#)’ para 36, 28 February 2020

⁵² USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 7, 12 May 2021

⁵³ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 8, 12 May 2021

⁵⁴ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 8, 12 May 2021

6.3.2 The UN SR report 2020 noted that:

'...received reports from the National Christian Evangelical Alliance of Sri Lanka of about 87 cases of recorded physical attacks at places of worship, in residential areas, or on pastors or members of Evangelical churches between 2015 and 2019. Only 50 cases were reported to the police, and 8 of those were brought before the courts, and there was not a single conviction of a perpetrator even though in some cases compensation had been granted to the victims. Similarly, Evangelical Christian communities have documented over 11 cases of incitement to hatred and violence against them, and about 300 instances of harassment or discrimination based on their religious identity. Of those cases that were reported to the police or brought before the courts, the result was the same, that is, there was not a single conviction.'⁵⁵

6.3.3 With specific regard to Jehovah's Witnesses' experience of the judiciary, the same report found that:

'Jehovah's Witnesses also reported that, between 2017 and 2019, they had referred to the police at least 58 cases of physical assaults, harassment and intimidation, the disruption of their worship meetings, the vandalism of their places of worship, and the refusal of permits to build places of worship. Of the 33 cases that had been brought before the courts, only 5 cases were decided in their favour and the perpetrators agreed to stop harassing them, but there has still not been a single conviction.'⁵⁶

6.3.4 In contrast, with reference to a historic case involving an attack on Jehovah's Witnesses in 2013, the USSD 2020 IRF report outlined that:

'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.'⁵⁷

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6.4 Police treatment of Muslims

6.4.1 In considering police responses to Buddhist Nationalists' treatment of Muslims, MRGI noted in March 2018 that: 'Perpetrators were rarely if ever brought before the law, despite being clearly identifiable in footage of these incidents that also shows police officers as bystanders to the violence. Inaction and apathy on the part of the state to effectively address the persecution of minorities, as well as the seeming lack of political will to control the BBS and similar organizations, suggested the tacit approval of the state.'⁵⁸

⁵⁵ UN HRC, '[...Special Rapporteur on freedom of religion or belief...](#)' para 80, 28 February 2020

⁵⁶ UN HRC, '[...Special Rapporteur on freedom of religion or belief...](#)' para 81, 28 February 2020

⁵⁷ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 17, 12 May 2021

⁵⁸ MRGI, [Sri Lankan Muslims information page](#), March 2018

6.4.2 With specific regard to police treatment of Muslims, the UN SR report 2020 found that:

'From April to June 2017, a series of incidents of violence and intimidation against Muslims continued to be reported in different parts of Sri Lanka, where Muslim-owned businesses, places of worship, property and homes were targeted. In November 2017, violence erupted in Gintota, where dozens of Muslim properties were damaged. Subsequently, in March 2018, a state of emergency was declared and hundreds of security forces were deployed to stop the mob violence in Digana, Kandy, Ampara and other areas in the Central and Eastern provinces. One person was killed, several were injured and over 400 properties, places of worship and vehicles were destroyed in four days of attacks. The authorities made a few arrests but those who were political figures were later released on bail.'⁵⁹

6.4.3 The Special Rapporteur observed that, following the 2019 Easter bombings: '... 2,289 people (mostly Muslims) were reportedly arrested under emergency regulations on suspicion of involvement with terrorism and subsequently charged under the Prevention of Terrorism (Temporary Provisions) Act (No. 48 of 1979) or the International Covenant on Civil and Political Rights Act (No. 56 of 2007)...'⁶⁰

6.4.4 In comparison to the initial high volume of arrests, in July 2021, the National Catholic Register, an American Catholic news source, reported that there were now only 42 suspects in the case⁶¹.

6.4.5 Since the initial state response to the 2019 Easter bombings, in April 2021, Al Jazeera reported that Rishad Bathiudeen, leader of the All Ceylon Makkal Party had since been arrested in connection:

'The Sri Lankan police have arrested a Muslim leader and member of parliament in connection with the 2019 Easter Sunday attacks that killed 279 people as pressure to speed up the investigation mounted.

Detectives took Rishad Bathiudeen, leader of the All Ceylon Makkal Party, into custody on Saturday under the Prevention of Terrorism Act (PTA), police spokesman Ajith Rohana said, adding that Bathiudeen and his brother Riyaaaj were arrested in predawn raids on their homes in Colombo. "They were arrested under the PTA based on circumstantial and scientific evidence that they had connections with the suicide bombers who carried out the attacks," Rohana said in a statement.'⁶²

6.4.6 CPIT could not find any information to suggest that further high volumes of arrests of Muslims following the attacks has continued (see [Bibliography](#)).

6.4.7 The UN SR report 2020 also noted that there had been an increase in anti-Muslim hatred and attacks and found that '...The lack of response from the authorities against this violence appears to empower the potential perpetrators to continue with their acts of hate.'⁶³

⁵⁹ UN HRC, '[...Special Rapporteur on freedom of religion or belief...](#)' para 29, 28 February 2020

⁶⁰ UN HRC, '[...Special Rapporteur on freedom of religion or belief...](#)' para 24, 28 February 2020

⁶¹ NCR, '[...Bishops Demand Answers From President, 2 Years After Easter Bombing](#)', 14 July 2021

⁶² Al Jazeera, '[Sri Lanka arrests Muslim leader over 2019 Easter Sunday attacks](#)' 24 April 2021

⁶³ UN HRC, '[...Special Rapporteur on freedom of religion or belief...](#)' para 27, 28 February 2020

- 6.4.8 The same report continued, with reference to police reaction to violence against Muslims following the Easter 2019 attacks:
- ‘Many interlocutors complained about how acts of violence were “indulged” by the silence and inaction of the authorities, as illustrated by some of the examples discussed above. Some expressed surprise and dismay that large mobs could openly and for several hours rampage through minority community neighbourhoods without hindrance or reaction from law enforcement authorities, that some of the police participated in those violent incidents or that the authorities failed to adequately protect those under attack even when some of the violence continued for several days.’⁶⁴
- 6.4.9 The DFAT 2019 report also noted that Muslims reported a lack of police action during violent clashes against the religious group, in retaliation to the Easter 2019 bombings.⁶⁵
- 6.4.10 In contrast, The New Arab, a UK-based news reporting site focusing on issues in the Middle East and North Africa reported one instance of a willingness on the part of Sri Lankan authorities to investigate and punish those involved in the degradation of Muslims:
- ‘Sri Lanka’s military launched an investigation Sunday after social media posts showed soldiers forcing minority Muslims to kneel on the streets as a punishment for flouting Covid-19 lockdown rules.
- ‘Armed troops ordered Muslim civilians to raise their hands in the air while kneeling on a road in the town of Eravur, about 300 kilometres (190 miles) east of the capital Colombo.
- ‘Local residents said they considered the order to be degrading and humiliating, while officials acknowledged that troops had no power to mete out such punishments.
- ‘The victims were on their way to two restaurants to buy food.
- “An initial Military Police investigation has already commenced after certain photos went viral depicting an alleged harassment in the Eravur area,” the army said in a statement.
- ‘It said the officer in charge had been removed and the soldiers involved ordered to leave the town.
- “The army will adopt the strictest disciplinary action against all errant army personnel,” the military added, in a rare display of willingness to investigate its own.’⁶⁶

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6.5 Judicial treatment of Muslims

- 6.5.1 In reference to police pursuit of those who had committed violence against Muslims, the USSD 2020 IRF noted that: ‘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

⁶⁴ UN HRC, ‘...[Special Rapporteur on freedom of religion or belief...](#)’ para 78, 28 February 2020

⁶⁵ DFAT, [Country Information Report – Sri Lanka](#), para 3.37, 04 November 2019

⁶⁶ The New Arab, [‘Sri Lanka investigates troops over ‘humiliation’ of Muslims](#), 20 June 2021

businesses. By year's end, the government had not fully compensated owners for property damage they sustained during the violence across North-western Province.⁶⁷

- 6.5.2 The UN SR report 2021 observed that, of the people (mostly Muslims) arrested in connection to the 2019 Easter bombings, many struggled to receive adequate legal representation:

'...As of July 2019, 1,655 had been granted bail, 423 had been remanded and 211 were in detention. Families of Muslims arrested under the Prevention of Terrorism Act claimed that they had had a hard time securing legal representation in their areas and that they had undergone significant financial hardship to hire lawyers from other areas. Most Muslim lawyers have been reluctant to appear for those arrestees in fear of reprisals. Moreover, the Special Rapporteur received reports that non-Muslim lawyers often refused to defend those detained due to "extraneous considerations". The Human Rights Commission of Sri Lanka, in its communication to the Bar Association of Sri Lanka, expressed concern over the refusal of lawyers to appear in those cases due to such considerations.'⁶⁸

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6.6 COVID-19 pandemic

- 6.6.1 The USSD 2020 IRF report outlined how the government's response to the COVID-19 pandemic was discriminatory against those of Islamic faith in relation to death and burials:

'In March, the MOH [Ministry of Health] 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."⁶⁹

- 6.6.2 The same report further outlined the government response to repeated calls for the policy to be changed:

'On April 11 [2020], 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

⁶⁷ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 9, 12 May 2021

⁶⁸ UN HRC, '[...Special Rapporteur on freedom of religion or belief...](#)' para 24, 28 February 2020

⁶⁹ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 13, 12 May 2021

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.⁷⁰

- 6.6.3 Following pressure to allow Muslims to bury loved-ones who had died of Covid-19, the BBC reported that, in February 2021, the government reversed the mandatory order to cremate the bodies of those who had died of Covid-19, 11 months after it was put in place⁷¹.

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6.7 State treatment of Hindus

- 6.7.1 The 2019 DFAT report stated:

'Local sources told DFAT that the Department of Archaeology routinely sided with Buddhist monks claiming Hindu archaeological sites in the north and east as Buddhist sites. DFAT is not aware of any organisations in Sri Lanka that systematically document violations against Hindus and, as such, cannot verify this information.'⁷²

- 6.7.2 See country policy and information note on [Sri Lanka: Tamil separatism](#) and for information on the treatment of Tamils (of whom a majority are of the Hindu faith).

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Section 7 updated: 24 August 2021

7. Societal treatment of religious minorities

7.1 Overview

- 7.1.1 The USSD 2020 IRF report noted that: '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.'⁷³

- 7.1.2 In a report jointly published by the International Centre for Ethnic Studies and the National Christian Evangelical Alliance of Sri Lanka (NCEASL) in 2020 entitled 'Hate Speech in Sri Lanka during the pandemic', the growing prevalence of hate crimes and incidents against religious minorities in Sri Lanka was reported:

'Sri Lanka has seen a significant escalation in ethno-religious tensions over the past 10 years. The number of incidents of hate crimes, including religiously motivated violence, and hate speech against religious minorities have grown, with Muslims and Evangelical Christians being at the receiving end of most of these incidents of violence and hate speech. While religious violence is not new to Sri Lanka, the frequency and intensity of the violence in recent years is a new phenomenon.'⁷⁴

- 7.1.3 The UN SR report 2020 noted that in Sri Lanka:

⁷⁰ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 13-14, 12 May 2021

⁷¹ BBC, ['Covid-19: Sri Lanka reverses 'anti-Muslim' cremation order'](#), 26 February 2021

⁷² DFAT, [Country Information Report – Sri Lanka](#), para 3.47, 04 November 2019

⁷³ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 15, 12 May 2021

⁷⁴ MinorMatters, ['Hate Speech in Sri Lanka during the pandemic'](#), page 3, 2020

‘There is a general perception by the victims that perpetrators of hate speech are free to continue their campaigns and cause harm without any legal repercussions. The minority communities are feeling extremely vulnerable with the constant threat of hate speech and hate crimes while they have no recourse for justice. Most of them have lost their faith in the State and law enforcement agencies after multiple traumas from the violence in Aluthgama in 2014, in Gintota in 2017 as well as in Ampara and Digana in 2018. These instances of violence include property damage, grievous injury, and death in the cases of Aluthgama and Digana. These are clear contemporary examples of hate speech and hate violence, politicising the ethnic and religious identities, targeting minority communities, in particular the Muslim community. Despite sufficient evidence available at each incident, even years after the fact, not one perpetrator has been held accountable even though the Government made a few arrests and some victims have been compensated. It is also worth noting that such violence did not exclusively target Muslims; similar violence had been committed also against the Tamils and Christians at various points in time.’⁷⁵

7.1.4 The USSD 2020 IRF report noted that, in order to create religious harmony:

‘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.’⁷⁶

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7.2 Social media and online abuse

7.2.1 The USSD 2020 IRF report stated:

‘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.’⁷⁷

7.2.2 Over a period of three months (from March to June 2020) the National Christian Evangelical Alliance of Sri Lanka (NCEASL) reviewed a number of online websites to analyse hate speech against religious minorities in Sri Lanka. 103 online posts in a mixture of Sinhalese and Tamil were analysed by the NCEASL. Of the posts, 58% of hate speech in the material they surveyed focused on attacking Muslims, 30% targeted Christians, and less than 5% attacked Tamils or Hinduism⁷⁸. Of the posts examined in Sinhala,

⁷⁵ UN HRC, ‘...[Special Rapporteur on freedom of religion or belief...](#)’ para 67, 28 August 2020

⁷⁶ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 17, 12 May 2021

⁷⁷ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 15, 12 May 2021

⁷⁸ MinorMatters, ‘[Hate Speech in Sri Lanka during the pandemic](#)’, page 15-18, 2020

79% attacked Muslims or Islam. Of the posts examined in the Tamil language, 46% attacked Christians of Tamil ethnicity and 35% attacked Muslims or Islam⁷⁹. The NCEASL found that 'Religious minorities, particularly Muslims, Christians, Tamils, and Hindus continue to be demonized on social media platforms. Many posts and comments during this three-month period reflected the disinformation, stereotypes and demonization published on social media previously.'⁸⁰

7.2.3 The USSD 2020 IRF report also outlined how social media campaigns exacerbated hatred towards religious minorities: '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.'⁸¹

7.2.4 In an article published May 2020 by the Berkley Center for Religion, Peace, and World Affairs, attacks on the Muslim community online and on social media was also explored:

'Ethno-religious divisions are evident on social media and electronic media news reporting, which propagate an anti-Muslim discourse portraying the ethnic minority community as irresponsible in its conduct in the pandemic as well as allegations of organized spreading of the virus. A group of Muslim organizations have urged the Sri Lanka Police to carry out an immediate investigation "on the continued hate mongering against the Muslim community." In their letter to the acting inspector general of police, the organizations refer to social media content that instigates religious hatred and call on the police to take urgent action to control the spread of fake news.'⁸²

7.2.5 In their 2021 World report covering events in 2020, Human Rights Watch (HRW) noted that: 'For several years, Muslims in Sri Lanka have been the target of virulent hate speech in mainstream and social media, which worsened following the 2019 Easter Sunday bombings by Islamist militants that killed over 250 people. During the early months of the Covid-19 pandemic there were calls on social media to boycott Muslim businesses, and false allegations of Muslims spreading Covid-19 deliberately.'⁸³

7.2.6 The UN SR report 2020 noted the role of online and fake news in incitement of hatred and violence against Christians:

'The role of social media in generating fear through fake news and incitement to violence was noted with serious concern by many interlocutors. Christians have been the target of fake news and online hate speech as well. For instance, in its incident report for 2019, the National Christian Evangelical Alliance of Sri Lanka referred to false rumours and violence in January 2019 against a Christian community in Batticaloa, which had been called for through Facebook.'⁸⁴

⁷⁹ MinorMatters, '[Hate Speech in Sri Lanka during the pandemic](#)', page 15-18, 2020

⁸⁰ MinorMatters, '[Hate Speech in Sri Lanka during the pandemic](#)', page 21, 2020

⁸¹ USSD, '[2020 Report on International Religious Freedom: Sri Lanka](#)', page 15, 12 May 2021

⁸² Berkley Centre, '[Implications of Covid-19 on Ethno-Religious Tensions in Sri Lanka](#)' 26 May 2020

⁸³ HRW, '[World Report 2021](#)', 13 January 2021

⁸⁴ UN HRC, '[...Special Rapporteur on freedom of religion or belief...](#)' para 69, 28 February 2020

7.3 Christians

- 7.3.1 With reference to societal treatment of Christians, MRGI noted in March 2018 that: 'Hostility towards Christians, particularly evangelical Christians, has persisted for decades. The various manifestations of this hostility, however, have evolved over time: while there is a notable decrease in violent attacks causing physical injury or property, other instances not involving physical violence – such as harassment, threats, intimidation and discrimination – persist.'⁸⁵
- 7.3.2 Christian Solidarity Worldwide (CSW), a human rights organisation reporting on religious minorities in the world noted that in a May 2020 article that the National Christian Evangelical Alliance of Sri Lanka has documented “an estimated 387 attacks or violations targeting Christians” since the “beginning of 2015 to the end of June 2019”. The same source further noted that, “The number of incidents reported to them has remained fairly even across the years. These incidents are wide ranging, including acts of physical violence, threats of violence, closure (and attempted closure) of churches, hate campaigns and propaganda, property damage and police indifference”.⁸⁶
- 7.3.3 Journalists for Democracy in Sri Lanka (JDS) reported on 17th April 2019 that:
- “Christians attending a prayer meeting at a center for the disabled were pelted with stones and burning firecrackers, by an abusive anti-Christian mob, says the Methodist Church in Sri Lanka. This latest attack on non Buddhists had been launched when devotees were celebrating Palm Sunday, a holy day for Christians [...] ‘This is not the first time,’ Bishop Perera said in a video message posted in social media. Alongside scores of Christian institutions, the Koombichchankulam center has also been a target since February [2019]”.⁸⁷
- 7.3.4 With specific reference to the experiences of Christians in Sri Lanka, the USSD 2020 IRF report detailed a decrease in societal physical and non-physical violence towards Christians in 2020 compared with 2019. It stated: ‘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.’⁸⁸
- 7.3.5 The USSD 2020 IRF report pointed to the following examples of violence against evangelical Christians in 2020:
- ‘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

⁸⁵ MRGI, [Sri Lankan Christians information page](#), March 2018

⁸⁶ CSW, ‘[General Briefing: Sri Lanka](#)’, 1 May 2020

⁸⁷ JDS, ‘[Mobs attack Sri Lanka Methodist center for disabled on Palm Sunday...](#)’, 17 April 2019

⁸⁸ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 16, 12 May 2021

instances, the crowd assaulted pastors, their family members, or congregants...⁸⁹

7.3.6 In considering attacks against Christians between the years of 2015 and 2019, the UN SR report 2020 noted that:

‘... received reports from the National Christian Evangelical Alliance of Sri Lanka of about 87 cases of recorded physical attacks at places of worship, in residential areas, or on pastors or members of Evangelical churches between 2015 and 2019... Similarly, Evangelical Christian communities have documented over 11 cases of incitement to hatred and violence against them, and about 300 instances of harassment or discrimination based on their religious identity.’⁹⁰

7.3.7 The DFAT 2019 report noted that:

‘Buddhists were the perpetrators of most of the reported incidents, followed by Hindus and, to a lesser extent, Catholics against other Christian denominations. Prior to 2019, there were no reported incidents of violence or visible hostility against Christians perpetrated by Muslims. DFAT is aware of reports of Hindu and Buddhist mobs preventing Christians from burying their dead in public cemeteries in the North Central and Eastern provinces in recent years.’⁹¹

7.3.8 With specific regard to the experience of Jehovah’s Witnesses, the USSD 2020 IRF report stated that:

‘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.’⁹²

7.3.9 The UN SR report 2020 concluded that:

‘Non-Roman Catholic Christians continue to be exposed to numerous incidents of violent attack due to a suspicion of “unethical conversion” and limitations on their right to proselytize.’⁹³

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⁸⁹ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 2, 12 May 2021

⁹⁰ UN HRC, ‘...[Special Rapporteur on freedom of religion or belief...](#)’ para 80, 28 February 2020

⁹¹ DFAT, [Country Information Report – Sri Lanka](#), para 3.43, 04 November 2019

⁹² USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 16-17, 12 May 2021

⁹³ UN HRC, ‘...[Special Rapporteur on freedom of religion or belief...](#)’ para 90, 28 February 2020

7.4 Muslims

7.4.1 In his preliminary findings following his visit to Sri Lanka in 2019, the Special Rapporteur summarised the treatment of Muslims in society as follows:

‘Often, the Muslim communities... in particular faced a range of harassment and assaults. This ranges from interruption of worship, damage to places of worship, physical assaults on clergy, intimidation, mob violence towards the community or clergy, demands for registration of the... mosque and restricting the use of places of worship, the obstruction of religious rites such as those related to burial ceremonies or access to cemeteries, incitement to violence to the community and many other acts of intolerance. The Muslim communities have faced increased hostility especially after the April [2019] bombings. Prior impunity has strengthened the anti-Muslim groups. Weak and un-coordinated responses to anti-Muslim violence have seen the rise in violence and attacks on individuals and the communities in some parts of the country...’⁹⁴

7.4.2 In considering perceptions towards and treatment of Muslims, MRGI noted in March 2018 that:

‘Threats and intimidation aimed at the Muslim community include boycotting Muslim-owned shops and businesses, as well as activism to ban traditionally Muslim-owned trades such as butcher shops. The community also regularly faces discrimination in the practice of their religious beliefs. A notable example was the February 2016 report of Buddhist opposition to the expansion of a madrassa in Bandaragama where, in spite of the madrassa obtaining the necessary approval for the construction, the Divisional Secretary halted the construction in deference to the objections of local Buddhist clergy. Subsequently the police conceded that the construction was legal, but advised the Muslims to abandon the extension, stating that the police would not be able to provide security in the event of an attack. Construction of a minaret at the Jumma Line mosque (also called the Malay Military mosque) in Kandy similarly drew angry demonstrations in June 2016, led by Buddhist clergy who alleged that, once completed, the minaret would stand taller than the sacred Buddhist Temple of the Tooth in Kandy. The mosque is built on land gifted to the Malay Regiment by the British colonial administration in 1820, prior to which Buddhists claim it belonged to the Buddhist temple. Seeking to defuse a very volatile situation and the threat of possible violence, the mosque gave an undertaking to halt construction of the disputed minaret.’⁹⁵

7.4.3 The DFAT 2019 report noted that:

‘...Muslim shop owners, stallholders, mobile vendors and daily labourers in the Eastern Province have been obstructed from carrying out their daily business, leaflets have been distributed promoting boycotts of Muslim businesses, and some Muslims have been denied access to shops and transport. DFAT has also heard anecdotally that some Muslim men in the north and east have been refused night travel passes, which has prevented them from fishing. On 24 May [2019], Dr. Mohamed Shafi, a Muslim doctor in

⁹⁴ OHCHR, ‘[...findings of Country Visit to Sri Lanka by the Special Rapporteur](#)’ 26 August 2019

⁹⁵ MRGI, [Sri Lankan Muslims information page](#), March 2018

Kurunegala (North Western Province), was detained on allegations he sterilised thousands of Sinhalese women without their consent. The arrest followed a front-page story in a nationalist newspaper claiming an unidentified doctor had sterilised 4,000 women after performing caesarian [caesarean] sections. Dr Shafi was released on bail on 25 July after police found no substantial evidence against him.⁹⁶

7.4.4 With specific regard to the experience of the Muslim community in Sri Lanka, the UN SR report 2020 observed that:

‘The aftermath of the Easter bombings has seen an intensification of discrimination, hostility and violence against Muslim communities, boycotts of Muslim businesses, vigilante attacks on Muslim women’s dress codes and media hate campaigns. Despite the rejection of the extremist ideology of those involved in the attacks by Muslim political, religious and civil society leaders, members of the Muslim community have been subjected to widespread stigmatization and racist attacks. Hatred that appears to ride on conspiracy theories about Muslims and racist stereotypes has raised fears among the Muslim community, who fear for their safety and for their future in the country.’⁹⁷

7.4.5 The Special Rapporteur also observed in the same report that, as a result of the 2019 Easter bombings having been perpetrated by Islamic terrorists, ‘this has become the pretext for anti-Muslim groups to intensify incitement to hatred and violence against Muslim communities’⁹⁸ and also noted that ‘...Several mosques have also come under scrutiny by local vigilante groups. Sections of the local media, both print and electronic, continued to repeat anti-Muslim narratives, without carrying rebuttals or clarifications from individuals or groups in the targeted community.’⁹⁹

7.4.6 In contrast, the USSD 2020 report highlighted different experiences of the Sufi Muslim community throughout the year: ‘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.’¹⁰⁰

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7.5 Easter 2019 extremist bombings

7.5.1 On 21 April 2019 (Easter Sunday), suicide bombers from militant group National Thowheed Jamath (NTJ) affiliated with Islamic State killed at least 253 people and injured approximately 500 at churches and hotels across Sri Lanka, in an attack targeting those belonging to the Christian faith¹⁰¹.

⁹⁶ DFAT, [Country Information Report – Sri Lanka](#), para 3.32, 04 November 2019

⁹⁷ UN HRC, ‘[...Special Rapporteur on freedom of religion or belief...](#)’ para 23, 28 February 2020

⁹⁸ UN HRC, ‘[...Special Rapporteur on freedom of religion or belief...](#)’ para 27, 28 February 2020

⁹⁹ UN HRC, ‘[...Special Rapporteur on freedom of religion or belief...](#)’ para 25, 28 February 2020

¹⁰⁰ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 17, 12 May 2021

¹⁰¹ BBC, ‘[Sri Lanka attacks: What we know about the Easter bombings](#)’, 28 April 2019

7.5.2 The DFAT 2019 report assessed that:

‘There are no reliable statistics on attacks on Muslims and Muslim places of worship. Incidents against Muslims have increased since the Easter Sunday terrorist attacks. Sinhala Buddhist nationalist groups have engaged in a sustained campaign of hate speech against Muslims in recent years, which remains ongoing. Following the Easter attacks, Muslims have been the subject of discrimination and vilification, and some non-Muslims hold the Muslim community collectively responsible for the events of 21 April 2019. With the exception of the anti-Muslim violence of March 2018 and May 2019, attacks on the Muslim community have been of a low-level nature.’¹⁰²

7.5.3 The DFAT 2019 report highlighted the State response including the extreme measures and special powers invoked in response to the bombings, which lapsed on 22 August 2019: ‘Countrywide Emergency Regulations were introduced on 22 April 2019, in response to suicide and other bombings perpetrated by local Islamic extremists. The Emergency Regulations gave the military police powers, including the ability to arrest suspects without a warrant, impose roadblocks and curfews, and limit public gatherings (see Security Situation, Muslims and Christians). They lapsed on 22 August 2019...’¹⁰³

7.5.4 The DFAT 2019 report also noted that Muslims have faced reprisal attacks as a result of the extremist bombings:

‘The Muslim community has been the subject of reprisal attacks, including physical assault and property damage, since 21 April 2019. Known reprisals have occurred in the Western (Negombo, Gampaha, Kalutara), North Western (Puttalam, Chilaw, Kurunegala) and Northern (Mannar) provinces. In the most serious incident, on 12-13 May, scores of Muslim-owned businesses, mosques, houses and vehicles were targeted by Sinhalese mobs in several towns and cities across North Western Province, including Chilaw, Puttalam and Kurunegala. Many properties were torched and destroyed or badly damaged (450 in Kurunegala District alone, according to local contacts). One Muslim businessman was killed. The government declared a countrywide curfew and blocked social media in response to the unrest, to prevent the circulation of videos and posts inciting violence against Muslims. More than 100 people were arrested in connection with the violence, including high-profile Sinhalese Buddhist nationalist Amith Weerasinghe. The HRCSL expressed concern that the authorities did not do enough to stop the attacks...

‘The events of 12-13 May 2019 were the most serious case of anti-Muslim violence since 6 March 2018, when the government declared a 10-day countrywide State of Emergency and temporarily blocked instant messaging applications and social media platforms in response to clashes between members of the Sinhalese Buddhist and Muslim communities in Kandy (Central Province). The unrest was triggered by reports of a Sinhalese man being assaulted by a group of Muslims following a traffic accident (the Sinhalese man later died of his injuries). Despite the deployment of high

¹⁰² DFAT, [Country Information Report – Sri Lanka](#), para 3.40, 04 November 2019

¹⁰³ DFAT, [Country Information Report – Sri Lanka](#), para 5.5, 04 November 2019

numbers of military and police and extended curfews, violence continued in several towns around Kandy until 7 March 2018, and four people (two Muslims and two Sinhalese) were killed and dozens injured. A total of 280 people were arrested in relation to the violence, including Amith Weerasinghe (Weerasinghe was released on bail on 1 November 2018).¹⁰⁴

- 7.5.5 The UN SR report 2020 noted that there was: ‘...a serious deficit of trust and an increase in tensions among ethno-religious communities, particularly following the Easter bombings and the subsequent mob violence targeting Muslim communities.’¹⁰⁵

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7.6 Hindus

- 7.6.1 In reference to the treatment of Tamils (a majority of whom are Hindu) MRGI noted in March 2018 that:

‘...While land rights and access to justice are central elements in the country’s efforts at reconciliation, Tamil culture and freedom of expression have been marginalized, particularly after decades of repressive policies by the Sri Lankan government that saw religious practices prohibited and heritage destroyed. These problems persist to this day, with continuing militarization, displacement and Sinhalization in minority areas, reflected in the construction of Buddhist shrines and victory monuments that affirm Sinhalese control.

‘Rights violations include the taking over of land for Buddhist religious sites, the emergence of Buddhist symbols and places of worship in minority areas – in some cases where no Buddhists resided – and the denial of Tamils access to Hindu places of worship and cultural sites.’¹⁰⁶

- 7.6.2 See country policy and information note on [Sri Lanka: Tamil separatism](#) of June 2021 and [The Report of a Home Office fact-finding Mission to Sri Lanka](#) of January 2020 for further information on the treatment of Tamils (of whom a majority are of the Hindu faith).

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Section 8 updated: 24 August 2021

8. Interfaith marriages

- 8.1.1 The DFAT 2019 report noted that:

‘There are no official data on the incidence of interfaith/interreligious marriage in Sri Lanka. Anecdotal evidence suggests that, while it occurs, particularly in urban areas, interfaith/interreligious marriage is not common overall. Sri Lankans are encouraged to marry from within their own religious community. While it is common for families to disapprove of interfaith/interreligious marriages, this does not generally manifest itself in physical harm to mixed couples or their children. Sources told DFAT that interfaith/interreligious marriage was more likely in the southern parts of the

¹⁰⁴ DFAT, [Country Information Report – Sri Lanka](#), para 3.35, 3.37, 04 November 2019

¹⁰⁵ UN HRC, ‘...[Special Rapporteur on freedom of religion or belief...](#)’ para 21, 28 February 2020

¹⁰⁶ MRGI, [Sri Lankan Tamils information page](#), March 2018

country (including Colombo) than in the north and east. State – rather than religious – law governs most mixed marriages.’

‘Marriage between Christians and Hindus is more common than any other kind of interfaith marriage in Sri Lanka. Sinhalese Buddhists sometimes marry Christians. Sri Lankan Muslims are more likely to marry Christians than members of other faiths. A non-Muslim wishing to marry a Muslim must convert to Islam and raise any children as Muslim. DFAT is aware of reports that such conversions are sometimes symbolic. The BBS [Bodu Bala Sena] has in the past raised concerns over marriages of Buddhist women to Muslim men, couched in terms of Muslim expansionism within Sri Lanka. Within the Muslim community, social stigmas attach to those who marry outside the faith...’¹⁰⁷

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Section 9 updated: 24 August 2021

9. Buddhist nationalism

9.1.1 The UN SR report 2020 noted that:

‘The Special Rapporteur has...observed the tendency of some Buddhist religious leaders to instigate hatred and division among the population in Sri Lanka by invoking nationalist sentiments among people by politicizing ethnic and religious identity. Similarly, political parties have used ethno-nationalistic rhetoric in Sri Lanka, using the popularity of the “Sinha Le” as a powerful tool to mobilize the public...

‘In 2012, Bodu Bala Sena, a Sinhalese Buddhist organization was created. It became influential within a short time and received much media attention. It claimed to have been created to protect the Sinhalese and Buddhism and to draw attention to the threats allegedly faced by the Sinhalese race in the face of globalization, flagging that they might become a “global minority”. The organization alleged that there was a growing international Islamic presence in the country and that the Muslim population’s expansion posed a threat to the Sinhalese community’s status as the country’s majority. It also instilled fear among the Sinhalese population by referring to the possible domination by some 60 million Tamils in southern India. Bodu Bala Sena managed to heighten the polarization of the communities through identity politics...

‘Moreover, Bodu Bala Sena launched a vigorous anti-Muslim campaign and spread inaccurate information to incite hatred against Muslims. For example, at a public meeting in Kandy on 17 March 2013, a spokesperson for the organization stated that the Qur’an ordered Muslims to spit three times on meals offered to non-Muslims. While on 12 April 2014, the General Secretary of Bodu Bala Sena falsely attributed to the Qur’an the concept that “Thaqiya” allowed Muslims to defraud people of other faiths and acquire properties and wealth of non-Muslims by cheating them.’¹⁰⁸

¹⁰⁷ DFAT, [Country Information Report – Sri Lanka](#), para 3.48-3.49, 04 November 2019

¹⁰⁸ UN HRC, ‘...[Special Rapporteur on freedom of religion or belief...](#)’ para 63-64, 28 February 2020

- 9.1.2 With specific reference to Buddhist Nationalists' targeting of Christians, the MRGI noted in March 2018 [prior to the Easter 2019 bombings] that:

'The historical perception of Christianity as a tool of Western colonialism, perpetuated by ardent Buddhist nationalists in the years following independence, has led to Christians – particularly evangelical denominations – being viewed by many as a suspicious "other" and a threat to Buddhism and Sinhala culture. Propaganda-driven attacks on religious minorities gained momentum in the 1980s, targeting Protestant Christians.

'These incidents intensified with the emergence of Buddhist nationalist movements such as the SUCCESS (Society for Upliftment and Conservation of Cultural, Educational and Social Standards) movement, formed by prominent Buddhist clergy and laity in the 1990s, and the Jathika Hela Urumaya (JHU) in December 2003. Buddhist nationalists used accusations of proselytization to stoke animosity towards evangelical Christians. The JHU subsequently positioned itself as a political party, championing the establishment of a Buddhist nation and the introduction of laws prohibiting religious conversion, inciting further intolerance against the country's Christian community. That year also marked a significant increase in violent attacks against Christians, with 2004 recording the highest number of attacks to date. During the past 20 years, there have been over 900 documented incidents against Christians, including targeted killings of Christian clergy, physical violence and extensive destruction of places of worship and property.'¹⁰⁹

- 9.1.3 With specific reference to Buddhist Nationalists' treatment of Muslims, MRGI noted in March 2018 that:

'...While the end of the conflict enabled some displaced Muslim communities to return to their homes, Buddhist nationalists have become increasingly active in their dissemination of anti-Muslim propaganda through a range of public platforms, including social media. This wave of Buddhist nationalism was impelled by groups such as the Bodu Bala Sena (BBS), Sinhala Ravaya, Ravana Balaya and others. Sporadic acts of violence and discrimination targeting Islamic places of worship have been recorded from 2009 onwards by various sources, the most notable being the 2012 attack on the Masjidul Kairiya mosque in Dambulla by a large mob which claimed that it had been illegally constructed on sacred Buddhist land. Following the violence, the then Prime Minister and Minister of Religious Affairs D.M. Jayaratne ordered the 50-year-old mosque to be relocated.

'However, the worst incidents of violence targeting the Muslim community in recent years were the mob attack on the Masjid Deenul Islam mosque in Grandpass in 2013 and rioting centred around Aluthgama in 2014 – widely attributed to BBS instigation, through inflammatory anti-Muslim rhetoric uttered at a public rally just before violence erupted. The violence in Aluthgama left four dead, many injured and displaced, and significant property damage.'¹¹⁰

- 9.1.4 MRGI also noted in March 2018 that:

¹⁰⁹ MRGI, [Sri Lankan Christians information page](#), March 2018

¹¹⁰ MRGI, [Sri Lankan Muslims information page](#), March 2018

'Religious hate campaigns have subsequently extended to the Muslim community, a key target of ethno-nationalist violence since the end of the conflict. In 2013, for example, Buddhist nationalists launched campaigns to ban halal products and face coverings such as the hijab. Muslim women faced harassment for their dress where in some instances veils were pulled from individuals. The anti-Muslim riots in Aluthgama in June 2014, as well as violent attacks on Christian churches, including a church in Kottawa in March 2013 and two churches in Hikkaduwa in January 2014, were marked by the visible leadership of Buddhist clergy aligned with various newly formed Buddhist nationalist groups. Notable is the Bodu Bala Sena (BBS), founded in 2012, which later formed a political wing (Bodu Bala Peramuna) and contested the 2015 parliamentary elections. Sinhala Ravaya and Ravana Balaya are other prominent groups active during this period.

'Anti-minority campaigns by these groups have included vicious propaganda, protest rallies and demonstrations, violent attacks on places of Muslim and Christian worship as well as the economic boycott of Muslim-owned businesses and halal products. These groups have operated with impunity, often in the presence of law enforcement officers.'¹¹¹

9.1.5 MRGI continued:

'Fear-mongering is employed frequently by nationalist groups including hate speech against Muslims constructed around warnings of Islamic terrorism, Islamic State of Iraq and Al-Sham (ISIS) and the threat of Muslim dominance and expansion. Thirty per cent of incidents of hate speech address the spread of Islam and Islamic religious practices – for example, the BBS in December 2015 called for the banning of the Qur'an in Sri Lanka for the sake of national unity. Other broader issues underlying hate speech are objections to the Muslim presence and influence on Sri Lankan society, politics and culture, calls for economic embargos and conflict over land rights (as demonstrated in the resettlement of Muslims in Wilpattu and the issue of 'traditional' ownership of land, particularly near Buddhist sacred sites such as Kuragala).'¹¹²

9.1.6 The UN SR report 2020 noted that:

'In 2015, the "Sinha Le" campaign started with a poster campaign that carried an image of the lion taken from the national flag along with the words Sinha (lion) in yellow and Le (blood) in red. This was a reinterpretation of the national flag by removing the two coloured strips – saffron and green – representing the Tamil and Muslim communities. It became apparent that the campaign was designed to provoke ethnic tensions, notably targeting Muslims and minority communities. These posters and stickers appeared in social media, public spaces and on three wheelers and other private vehicles. On 2 January 2016, the words Sinha Le were sprayed across several gates and walls of Muslim-owned houses in Nugegoda. A few days later, Sinhale Jathika Balamuluwa announced its formation at a media briefing to "safeguard the identity of the Sinhala people and to regenerate the supremacy and pride of the Sinhala people". Some observers noted that

¹¹¹ MRGI, [Sri Lankan Muslims information page](#), March 2018

¹¹² MRGI, [Sri Lankan Muslims information page](#), March 2018

the “Sinha Le” campaign and a few other extremist groups, such as Mahasen Balakaya, the Nawa Sinhale National Organization and Sinhala Ravaya, were closely aligned with what was being promoted on similar pages and websites of Bodu Bala Sena groups.’¹¹³

- 9.1.7 The USSD 2020 IRF report noted that: ‘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.’¹¹⁴
- 9.1.8 The same report also outlined that: ‘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.’¹¹⁵
- 9.1.9 The USSD 2020 IRF report noted in reference to state monitoring of religious minorities that: ‘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.’¹¹⁶
- 9.1.10 The DFAT 2019 report outlined that: ‘...The events in Kandy followed a smaller incident on 27 February 2018 where Buddhist nationalist groups perpetrated arson attacks against Muslim-owned residences, shops and a mosque in Ampara, Eastern Province. Rumours that a Muslim restaurant was mixing “sterilisation drugs” in its food to make Sinhalese women infertile triggered the attacks. Social media aggravated both the Kandy and Ampara incidents...’¹¹⁷
- 9.1.11 The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, who visited Sri Lanka in July 2017, noted that “the lack of reaction from the Government to incidences of incitement to hate speech and racism, and attacks on minorities, including Muslim places of worship, in what is perceived by Tamils and Muslims as “Buddhist extremism”, increases the deeply engrained sense of injustice felt by these minority communities, and increases Tamil national sentiments”¹¹⁸

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Section 10 updated: 24 August 2021

10. Criminal justice system effectiveness and avenues of redress

10.1 General police effectiveness

- 10.1.1 In considering Sri Lanka’s criminal justice system, the UN SR report 2020 noted that:

¹¹³ UN HRC, ‘...[Special Rapporteur on freedom of religion or belief...](#)’ para 66, 28 February 2020

¹¹⁴ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 2, 12 May 2021

¹¹⁵ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 9, 12 May 2021

¹¹⁶ USSD, [2020 Report on International Religious Freedom: Sri Lanka](#), page 9, 12 May 2021

¹¹⁷ DFAT, [Country Information Report – Sri Lanka](#), para 3.37, 04 November 2019

¹¹⁸ UN HRC, ‘...[Special Rapporteur on the promotion and protection...](#)’ para 55, 14 December 2018

“...Some interlocutors also expressed concern about perceived bias in the way the police addressed complaints. This was particularly the case when the assailants were members of the majority community. Many complained that either the police failed to register and investigate complaints they had raised, or the police would act in a punitive manner for complaints raised against them, while failing to take similar measures when they were the target of attacks. Many also complained that the police were generally unsure about how to act in responding to infringements of the law by Buddhist monks. Some blamed politicians for influencing law enforcement, citing examples where politicians were allegedly involved in pressuring the police to release persons arrested following violent attacks.’¹¹⁹

10.1.2 The DFAT 2019 report noted that:

‘Sri Lanka has no laws or government policies that hinder access to state protection on the basis of religion or ethnicity. All citizens have access to avenues of redress through the police, judiciary and the HRCSL. In practice, these avenues may be limited by linguistic barriers and by a lack of resources. Some Tamils in the north and east lack confidence in police and security officers and may therefore be less likely to use these avenues to seek redress.’¹²⁰

10.1.3 In reference to the judiciary, the DFAT 2019 report outlined that:

‘The judiciary operates largely independently, particularly at the higher levels. The Supreme Court and the Court of Appeal stood up strongly during the 2018 constitutional crisis, and asserted their commitment to judicial independence and the rule of law in the face of political pressure. Yet major shortcomings persist. The judicial system is overburdened and lengthy legal procedures, large numbers of detainees, and a limited number of qualified police, prosecutors and judges combine to create long delays. In the north, a shortage of Tamil-speaking judges and court interpreters contributes to delays in many cases. The average length of time between the commission of a serious criminal offence and the conclusion of the trial and appeal process is 17 years. There continue to be some reports of corruption in the lower courts.

‘In general, Sri Lankan law does not prescribe sentencing guidelines so judges have broad discretion to determine a sentence, depending on the facts of the case. In addition to custodial sentences, judges can issue fines or order suspended sentences, community service or probation. In practice, a lack of resources limits access to effective legal protection and redress for victims of crimes in Sri Lanka, irrespective of religion or ethnicity.’¹²¹

10.1.4 Considering the police, the USSD Overseas Security Advisory Council (OSAC) outlined in their Sri Lanka 2020 Crime and Safety Report that:

‘...Although emergency services personnel answer the number 24 hours a day, police responsiveness may vary. Although there are allegations of corruption and politicization of security services, the Sri Lanka Police Service (SLPS) is becoming increasingly professional, specifically in its specialized

¹¹⁹ UN HRC, ‘...[Special Rapporteur on freedom of religion or belief...](#)’ para 78, 28 February 2020

¹²⁰ DFAT, [Country Information Report – Sri Lanka](#), para 5.1, 04 November 2019

¹²¹ DFAT, [Country Information Report – Sri Lanka](#), para 5.16 – 5.17, 04 November 2019

units. However, police officers often lack resources/training, especially at the lower ranks... Response time varies and can be lengthy depending on the type of incident; response to traffic-related incidents can be inefficient.’¹²²

10.1.5 The USSD 2020 Human Rights report, in summarising information and events covering 2020 noted that:

‘Significant human rights issues included: unlawful killings by the government; torture and cases of cruel, inhuman, or degrading treatment or punishment by government agents; arbitrary arrest and detention by government entities; arbitrary and unlawful interference with privacy; restrictions on free expression and the press, including unjustified arrests of journalists and authors; widespread corruption; overly restrictive nongovernmental organization laws; interference with the freedom of peaceful assembly and freedom of association; serious acts of corruption; lack of investigation of violence against women; trafficking in persons; crimes involving violence targeting members of ethnic minority groups; crimes involving violence against lesbian, gay, bisexual, transgender, and intersex persons; and existence or use of laws criminalizing same-sex sexual conduct. Police reportedly harassed civilians with impunity. The government took steps to investigate and prosecute some officials who committed human rights abuses.’¹²³

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10.2 General complaints procedures

10.2.1 The Report of a Home Office fact-finding Mission to Sri Lanka of September 2019 published January 2020 noted that: ‘The Attorney General’s Department told the FFT that people can lodge complaints using a special e-mail and telephone number... Representatives from CID stated that complaints regarding police procedures can be made directly to the Inspector General and CID HQ every Friday, but a person is also able to lodge a complaint at any time at their local police station.’¹²⁴

10.2.2 The DFAT 2019 report noted that:

‘Sri Lanka Police maintains a separate unit to deal with internal disciplinary action. Police officers are not well paid, and individual officers reportedly engage in petty corruption, such as taking bribes instead of issuing traffic fines, to supplement their income. In 2018, the Sri Lankan Government raised the basic police salary by up to 40 per cent. There are several measures in place for the public to make complaints to the police, including directly to the officer-in-charge at local stations, the public complaints department or via the internet. A ‘Tell IGP’ (Inspector-General of Police) service allows members of the public to elevate their complaints if no action is taken at local police stations. Complaints can be lodged in Sinhala, Tamil or English on a free call number or through a dedicated website. The public can also lodge complaints with the 64 Police Commission, which investigates complaints against individual police officers and against the

¹²² USSD OSAC, [Crime and Safety Report: Sri Lanka 2020](#), 28 April 2020

¹²³ USSD, [2020 Country Reports on Human Rights Practices: Sri Lanka](#), page 2

¹²⁴ Home Office, [Report of a Home Office fact-finding mission to Sri Lanka](#), para 7.5.1, January 2020

police force as a whole. Official statistics on the uptake of this service are not publicly available.

‘The Assistance to and Protection of Victims of Crime and Witnesses Act (2015) established the National Authority for Victim and Witness Protection, and a Victims of Crime and Witnesses Assistance and Protection Division within the police. Domestic and international civil society groups have raised concerns about the Act with respect to the appointment process for the National Authority, and the lack of independence of the Division from the police hierarchy, which could lead to conflicts of interest in cases of victim and witness intimidation by police.’¹²⁵

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10.3 Human Rights Commission Sri Lanka (HRCSL)

10.3.1 With reference to the scope and reach of the HRCSL, the DFAT 2019 report noted that:

‘The Human Rights Commission of Sri Lanka (HRCSL) was established by an Act of Parliament in 1996 with a mandate to investigate alleged violations of fundamental rights, advise the government in formulating laws and policies that comply with international human rights standards, and promote human rights awareness across the country. The HRCSL has unfettered access to places of detention and makes regular prison visits to monitor the welfare of detainees. The HRCSL has some capacity to undertake independent investigations, but does not have prosecutorial powers (it can refer cases to the Attorney-General for prosecution). The HRCSL has a head office in Colombo and 10 regional offices across the country, including in the Northern and Eastern provinces. It publishes quarterly reports in Sinhala, Tamil and English on the number of complaints received and resolved. Complaints can be lodged with the HRCSL in Sinhalese, Tamil or English. The HRCSL received 5,614 complaints in the period January-September 2017, 2,015 of which had been resolved as at January 2018. Many complaints allege discrimination in school admissions and public sector promotions, but complaints also allege torture, threats, monitoring and harassment, arbitrary arrest and detention, and inaction by government entities, including the police. The role of the HRCSL in overseeing the detention of individuals suspected of terrorism would be strengthened under proposed new counter-terrorism legislation currently before parliament. This legislation remained in draft form at the time of publication and may be subject to amendments...’¹²⁶

10.3.2 In respect of the proposed counter-terrorism legislation referred to in the DFAT 2019 report, a Human Rights Watch article published subsequently, in January 2020 reported that: ‘The cabinet of President Gotabaya Rajapaksa announced on January 4, 2020 that it would withdraw a proposed replacement law, reneging on pledges to the United Nations Human Rights Council (UNHRC) and the European Union.’¹²⁷

¹²⁵ DFAT, [Country Information Report – Sri Lanka](#), para 5.12-5.13, 04 November 2019

¹²⁶ DFAT, [Country Information Report – Sri Lanka](#), para 2.5.4, 04 November 2019

¹²⁷ Human Rights Watch, [Sri Lanka: Repeal Abusive Counterterrorism Law](#), 10 January 2020

10.3.3 Considering the effectiveness of the HRCSL, DFAT’s 2019 report noted:

‘The Global Alliance for National Human Rights Institutions downgraded the HRCSL to Status B accreditation in 2007 for not being fully compliant with the Paris Principles, the international standard for national human rights institutions. The HRCSL was downgraded over concerns about its independence including in the appointment of commissioners. The HRCSL has since made strong gains in consolidating its independence, and was assessed as being fully compliant with the Paris Principles and granted Status A accreditation in May 2018. The 19th Amendment to the Constitution in 2015 strengthened the independence of the HRCSL by removing the president’s discretion to appoint members (the Constitutional Council now recommends appointments). The capacity of the HRCSL has also improved with the appointment of new commissioners with legal, academic and UN experience. But resource constraints remain an ongoing challenge, hindering the HRCSL’s ability to respond to complaints in a timely manner and fulfil its mandate to ensure new laws are human rights-compliant. Sources told DFAT the government did not always consult the HRCSL adequately in the drafting of legislation, despite its mandate.’¹²⁸

10.3.4 The USSD Human Rights Report covering events in 2020 noted that:

‘The HRCSL has jurisdiction to investigate human rights violations. The HRCSL consists of five commissioners and has divisions for investigations, education, monitoring and review, and administration and finance. The HRCSL accepts complaints from the public and may also self initiate investigations. After an allegation is proven to the satisfaction of the commission, the HRCSL may recommend financial compensation for victims, refer the case for administrative disciplinary action or to the attorney general for prosecution, or both. If the government does not follow an HRCSL request for evidence, the HRCSL may summon witnesses from the government to explain its action. If the HRCSL finds the government has not complied with its request, the HRCSL may refer the case to the High Court for prosecution for contempt by the Attorney General’s Department, an offense punishable by imprisonment or fine. By statute, the HRCSL has wide powers and resources and may not be called as a witness in any court of law or be sued for matters relating to its official duties. The HRCSL generally operated independent of and with lack of interference from the government.’¹²⁹

10.3.5 The Report of a Home Office fact-finding Mission to Sri Lanka published January 2020 noted that the HRCSL has branches throughout the country¹³⁰.

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¹²⁸ DFAT, [Country Information Report – Sri Lanka](#), para 2.55, 04 November 2019

¹²⁹ USSD, [2020 Country Reports on Human Rights Practices: Sri Lanka](#), page 24, 30 March 2021

¹³⁰ Home Office, [Report of a Home Office fact-finding mission to Sri Lanka](#), para 7.5.1, January 2020

10.4 National Police Commission (NPC)

10.4.1 The Report of a Home Office fact-finding Mission to Sri Lanka published January 2020 noted that the National Police Commission has branches throughout the country¹³¹.

10.4.2 The 2019 DFAT report noted:

‘The police and the National Police Commission have authority to inquire and act upon allegations of torture involving police officers. In practice, police officers against whom complaints have been lodged are typically transferred and seldom suspended from service. From January to November 2017, disciplinary action was taken against 33 police officers, and one officer was dismissed for assault and torture. The Supreme Court has jurisdiction to hear and determine complaints of fundamental rights violations, including torture, but judgements can take many years. Complainants have difficulty gaining access to the Supreme Court, as it sits only in Colombo and legal costs can be prohibitive.’¹³²

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Section 11 updated: 24 August 2021

11. Internal Relocation

11.1 Freedom of movement

11.1.1 In considering an individual’s ability to move around Sri Lanka, the DFAT 2019 report outlined that:

‘The constitution provides for freedom of movement for all Sri Lankan citizens, and no official restrictions apply to internal relocation.

‘In 2011, a fundamental rights petition lodged in the Supreme Court ended the military’s forced registration of residents in Jaffna and Kilinochchi (Northern Province). The military no longer compels registration of Tamils living in the south.

According to the 2012 census, 18 per cent of Sri Lankans were born in a different district from their current residence. The census reported the top five districts to which people had internally migrated were Colombo (Western Province), Gampaha (Western Province), Kurunegala (North Western Province), Puttalam (North Western Province) and Anuradhapura (North Central Province). Internal relocation during the war has left large Tamil and Muslim communities in the south. Relatively few of the 35,000 Sinhalese who left their homes in the north during the war have returned, mainly because of better job prospects in the south. Many Sri Lankans, including from the north and east, have relocated to Colombo for economic reasons.

There are no official barriers to internal relocation. In practice, an absence of family connections or a lack of financial resources can limit internal relocation options. An absence of Sinhala language skills can act as an additional barrier to internal relocation for those Sri Lankans for whom Sinhala is not their first language. Continued military occupation of private

¹³¹ Home Office, [Report of a Home Office fact-finding mission to Sri Lanka](#), para 7.5.1, January 2020

¹³² DFAT, [Country Information Report – Sri Lanka](#), para 4.27, 04 November 2019

land, difficulties establishing title to land, and uncleared land mines or unexploded ordnance also complicate internal relocation, particularly in the north.’¹³³

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¹³³ DFAT, [Country Information Report – Sri Lanka](#), para 5.2.6 – 5.2.8, 04 November 2019

Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal Context
 - Constitution
 - Penal Code
 - Other legal rights
 - Proselytising and conversion
- Religious demography
 - Breakdown
 - Ethnicity and geographical location breakdown
- Societal treatment of religious minorities
 - Overview
 - Social media and online abuse
 - Christians
 - Muslims
 - Hindus
- Sinhala Buddhist Nationalism
- Inter-religious relations
 - Easter 2019 extremist bombings
 - Interfaith marriages
- State treatment
 - Overview
 - Police treatment of Christians and Muslims
 - Judicial treatment of Christians and Muslims
 - State treatment of Hindus
 - Covid-19 pandemic
- Religious minorities participation in the political sphere
- Avenues of redress against police and judicial mistreatment / inaction

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Version control

Clearance

Below is information on when this note was cleared:

- version **2.0**
- valid from **26 August 2021**

Official – sensitive: Start of section

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