



## UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

# COUNTRY UPDATE: SRI LANKA

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### USCIRF's Mission

*To advance international freedom of religion or belief, by independently assessing and unflinchingly confronting threats to this fundamental right.*

## Religious Freedom Conditions in Sri Lanka

*By Zack Udin, Research Analyst*

### Overview

Since USCIRF's 2021 [report](#) on Sri Lanka, the country sank into a severe economic crisis that precipitated a serious lack of fuel and basic necessities. As a result of this crisis and overall dissatisfaction with the government, citizens from across the country launched a major protest movement that called for systemic change in governance. This pressure forced multiple members of the Rajapaksa family and others to resign from their government positions and culminated in President Gotabaya Rajapaksa's resignation in July 2022.

In the two decades during which the Rajapaksa family controlled the country, the government engaged in and tolerated violations of religious freedom. Former President Rajapaksa and his allies in government actively [promoted](#) a Sinhala Buddhist majoritarian ideology with the support of the military and Buddhist clergy, and purposefully stoked religious tensions to [distract from](#) government mismanagement and corruption. The government also failed to adequately commit to [transitional justice](#) in the wake of the [civil war that lasted from 1983 to 2009](#), leading to further distrust of the ruling regime. As a result, religious and ethnic minorities faced violence, harassment, surveillance, and stigmatization from authorities and some segments of the Sinhala Buddhist majority population. Coupled with a general erosion of democratic norms, this violence and harassment has created a volatile environment for ethnic and religious minorities.

This country update provides an overview of religious freedom conditions in Sri Lanka in 2022. In the first half of the year, prior to the July resignation of then President Rajapaksa, religious freedom violations occurred in connection to and independent of the protests, particularly involving the Prevention of Terrorism Act (PTA), discrimination against Muslims and other religious minorities, and land disputes which threaten religious minority property. In the aftermath of the protests, authorities have harassed religious actors associated with the protest movement and intimidated minority religious communities.



## Background

The Democratic Socialist Republic of Sri Lanka is a presidential *republic* with a unicameral parliament. President Ranil Wickremesinghe serves as chief of state and head of government, having previously served as prime minister five separate times between 1993 and 2020. Under [Article 9](#) of the Sri Lankan constitution, Buddhism is afforded special status, in that the state is directed to “protect and foster” Buddhism which holds the “foremost place” within the country. The constitution also guarantees the freedom of religion or belief in subsequent articles.

Sri Lanka is both religiously and ethnically diverse. Buddhists [account](#) for about 70 percent of the population, followed by Hindus at 12.6 percent, Muslims (mostly Sunni) at 9.7 percent, Roman Catholics at 6.1 percent, other Christians at 1.3 percent, and adherents of “other” religions at about 0.05 percent. Most Sri Lankans are Sinhalese, a [majority](#) of whom are Buddhist. The second largest ethnic group, Sri Lankan Tamils, are mostly Hindu with a significant Christian minority. Following them are Muslims—traditionally called Sri Lankan Moors—who [eschew](#) formal ethnic classification. Indian Tamils and a small number of other ethnicities round out the population.

In October 2021, then-President Gotabaya Rajapaksa created a Presidential Task Force on legal reforms based on his popular slogan “One Country, One Law,” with the [stated aim](#) of formulating “one law that will bring together all the communities without being divided into as Sinhalese, Tamils, Muslims or else Buddhists,

Catholics, Hindus or Muslims.” However, he appointed to head that task force an extremist Buddhist monk Galagoda Aththe Gnanasara Thera, who is the head of the country’s leading anti-Muslim campaign group, Bodu Bala Sena (BBS). This appointment [critically undermined](#) the legitimacy of the initiative due to Gnanasara Thera’s well-known antipathy for Sri Lanka’s Muslim population. The task force submitted its final report in June 2022. The government [decided](#) not to implement its recommendations, and President Wickremesinghe subsequently [indicated](#) that his administration would not continue the initiative.

## 2022 Economic and Political Crisis

Sri Lanka is embroiled in significant economic and political crises which have altered the political landscape and the lives of its people. Years of economic mismanagement by the government— which the Rajapaksa family had [dominated](#) for many years—left the country with a [severe](#) foreign currency shortage; ballooning inflation; and a lack of fuel, medical, and food supplies for the country’s 22 million individuals. Due to the bleak economy, shortages of basic necessities, and a dysfunctional, [unpopular](#) government, citizens started a protest movement in March 2022 called *Aragalaya* (“Struggle” in Sinhala), seeking then President Gotabaya Rajapaksa’s resignation and greater accountability for corruption and economic mismanagement. The *Aragalaya* was also a rare moment of [unity](#) and [partnership](#) among Sri Lankans of diverse social, economic, cultural, ethnic, and religious backgrounds.

*Aragalaya* protesters set up a makeshift base of operations at Galle Face Green, a large park in the nation's capital of Colombo. Protests continued through the summer despite the resignations of several [cabinet members](#) in April and President Rajapaksa's [brother](#), Prime Minister Mahinda Rajapaksa, in May. On July 13, President Rajapaksa fled the country and [announced](#) his resignation the next day as protesters stormed his official residence. A week later, Parliament elected as president five-time former prime minister Ranil Wickremesinghe, despite his [unpopularity](#) with the public. While the protests were largely peaceful, there were instances of [arson](#) and [trespassing](#) at the residences of several government officials. The governments under the Rajapaksa and Wickremesinghe administrations reacted to the protests with aggressive measures, such as states of emergency in [April](#), [May](#), and [July](#) which gave security forces broad powers to arrest people and allowed the president to deploy the military and the police to subdue protests. Government supporters and police attacked protesters in [multiple instances](#), causing hundreds of injuries and [several deaths](#). A day after Wickremesinghe's swearing in, police [raided and partially cleared](#) the Galle Face site using [violent tactics](#) against the protesters, including some monks. In his first speech to Parliament, President Wickremesinghe [called](#) for "unity of Sri Lankans across all ethnic communities and affirmed the place of all religions, languages, and traditions."

## Religious Freedom Issues

### Prevention of Terrorism Act and Other Abusive Regulations

The Prevention of Terrorism Act, enacted in 1979, [gives](#) Sri Lankan authorities broad powers to search, arrest, and detain individuals. While the PTA ostensibly aims to curb [legitimate](#) terrorism concerns, the law's broad language has been the catalyst for multiple religious freedom violations. Nearly [300](#) Muslim men and women remain in detention without charges in connection to the [2019 Easter Sunday](#) bombings based on a [combination](#) of the PTA, the International Covenant on Civil and Political Rights (ICCPR) Act, and/or the penal code. USCIRF [previously](#) detailed two new problematic regulations—Regulations [No. 1](#) and [No. 2](#)—which observers [say](#) employ vague language that makes it easier for the government to target members of religious communities who have not engaged in terrorism. Civil society organizations filed a fundamental rights petition with the Supreme Court against the new regulations, and

in January 2022 the Court [issued](#) an interim order to halt the use of the regulations until the end of the case.

Following years of domestic and international criticism of the law, the government [published](#) a bill in January 2022 with proposed amendments to the law, including legal and familial contact for detainees, a reduction in the period of detention, the ability of suspects to approach the Supreme Court regarding violations of their fundamental rights, and [other changes](#). However, some of the proposed amendments [do not](#) comply fully with Sri Lanka's human rights obligations. The International Commission of Jurists [stated](#) that the proposed amendments did not go far enough in addressing the worst aspects of the PTA—such as the broad and vague definition of terrorism, admissibility of confessions made without lawyers present, and lengthy pretrial detention periods—and called for a full repeal of the law.

In a case of welcome news, the Puttalam High Court in February [released on bail](#) Hejaaz Hizbullah—a Muslim lawyer and minority rights activist who has represented numerous Muslim victims of human rights violations—after he spent [nearly](#) two years in detention. Prosecutors initially accused Hizbullah in connection with the 2019 Easter Sunday attacks, but in the absence of compelling evidence, they instead charged him with "inciting racial hatred" under the PTA.

Later, authorities utilized the PTA to crack down on *Aragalaya* protesters. In August, police dispersed a protest using tear gas and water cannon and [arrested](#) three students, one of whom is Galwewa Siridhamma Thero, a Buddhist monk and organizer of the Inter University Bhikku [Monks'] Federation. President Wickremesinghe signed an order that the three men could be held for 90 days without evidence or the opportunity to seek bail. The United Nations (UN) Special Rapporteur on Human Rights Defenders [tweeted](#) in support of the three men and U.S. Ambassador to Sri Lanka Julie Chung [condemned](#) the use of the PTA against Sri Lankans expressing their views. Relatedly, USCIRF received reports that Muslims who posted supportive messages for protesters on social media were searched for, questioned, and arrested under the ICCPR Act.

In September 2022, the UN Human Rights Council (UNHRC) published a comprehensive report on the human rights situation in Sri Lanka. While presenting the new report, Nada Al-Nashif, UN Acting High Commissioner for Human Rights, [urged](#) the government to repeal the PTA and draft a new counterterrorism law in its place.

## Harassment of Religious Actors Participating in the Aragalaya

In late May, police arrested several Buddhist monks and activists in a move which the National Bhikku Front's spokesman *characterized* as an attempt to “punish and discourage Buddhist monks who speak out against the government.” Among those arrested included Ven. Wekandawala Rahula Thera, a human rights defender and environmental activist who was *falsely accused* of arson, assault, and destruction of public property in connection with violence earlier that same month. He was subsequently released on bail.

Catholic priest Father Amila Jeewantha Peiris was heavily involved in the protests in Galle Face. In July, a court *imposed* a travel ban on him for alleged participation in “unlawful assembly and damage to public property” during a protest in June. Later in July, police raided Father Peiris' church in the southern city of Balangoda, seeking his arrest. Authorities *claimed* he was liable to be arrested for “being part of an unlawful assembly, obstructing public employees from performing duties, criminal assault and causing hurt,” but Father Peiris maintained that he received no court order following that raid. He later *filed* a fundamental rights petition with the Supreme Court to prevent his arrest, but eventually surrendered to the court and *posted* bail.

## Discrimination against Muslims and Targeting of Islamic Practice

USCIRF's October 2021 *Sri Lanka Country Update* documented a myriad of ways in which the government and non-Muslim majority oppress Muslims, including discriminatory regulations, disproportionate targeting via the PTA, and online hate speech. Many of those challenges persisted well into the current year.

USCIRF previously *reported* that in 2021 authorities considered a ban on burqas and niqabs—types of veils worn by some Muslim women—on the basis that such clothing is a sign of “religious extremism” which affects “national security.” Though the ban has not been adopted, Muslim women *report* facing difficulty when wearing a hijab or abaya to work as public officials and when accessing public services. Fahmitha Ramees, a teacher in Trincomalee, was denied permission to teach at the Shanmuga Hindu Ladies College in 2018 because she was wearing an abaya. After filing complaints with the Human Rights Commission of Sri Lanka and the Court of Appeal, she received a letter of reinstatement from

the Ministry of Education in February 2022. However, she *suffered* threats and an *assault* upon returning to the school while wearing an abaya, and that incident sparked vocal discord among Muslims and Tamils on social media. The Ministry of Education later transferred Fahmitha to St. Joseph's College.

In August, the Ministry of Defense announced the addition of several Tamil and Muslim groups and individuals to a *list* of designated persons accused of “terrorism related activities” and/or “funding for terrorism” under the country's *United Nations Regulations No. 1 of 2012* (purportedly based on *The United Nations Act No.45 of 1968*). USCIRF received reports that some of the individuals on the list faced prior detention but are now out on bail or had their cases dismissed in court. The list includes a single mother of two who subsequently lost her job, a business owner who sits on a local-level peace commission, and Muslim poet *Ahnaf Jazeem*, Jazeem was arrested in May 2020 for a Tamil-language poetry anthology he had written three years earlier, as well as for unfounded claims of exposing students to “extremist” content. Authorities detained him without charge for 18 months until he was released on bail in February 2022. His case is still pending at the Puttalam High Court, and in the meantime, he cannot obtain a passport, access government services, or find employment as a result of his addition to the list of designated persons. Jazeem's lawyer *maintains* that he has “no connection to a terrorist [organization] and is not funded by any such group.”

Such lists represent intimidation tools, demonstrating that authorities continue to surveil and harass members of religious minority communities. The government also closely monitors the affairs and finances of Muslim organizations, especially those that receive foreign donations, and inclusion on the list portends the freezing of assets and bank accounts. Such surveillance particularly impacts Muslim organizations dedicated to the alms-giving pillar of Islam, known as *zakat*; for example, groups wishing to donate money to the families of PTA/ICCPR Act detainees must inform the Terrorism Investigation Division in order to do so.

USCIRF *reported* that the Sri Lankan Ministry of Defense previously decreed that all imported Islamic books are subject to review and will only be released following approval from the Ministry to protect against “terrorism.” Reports indicate that this practice is ongoing and affects all reading material with Arabic script, Quranic translations, and Islamic education. In 2020, the Ministry

of Education withdrew from circulation several Islamic exercise books used in classrooms to remove allegedly “extremist” passages, but it has not returned or replaced the books. This year, the same ministry has recalled Islamic textbooks for several grades after the discredited Presidential Task Force for “One Country, One Law” raised *concerns* over “objectionable words” and claimed “they might contain ideas of extremist ideologies.”

During initial months of the COVID-19 pandemic, the government mandated the cremation of those who died from COVID-19, including Muslims for whom the practice is religiously prohibited. When authorities allowed for the resumption of burials, they only *designated* a remote island nearly 200 miles away from Colombo for the burials. On a positive note, Health Director-General Asela Gunawardena lifted that requirement in March 2022, *announcing* that families are able to bury their loved ones in the cemetery of their choosing.

### Persecution of Christians

As of August 2022, the National Christian Evangelical Alliance of Sri Lanka (NCEASL) had documented 53 incidents of persecution against Christians, including acts of discrimination, threats, intimidation, violence, hate speech, and property damage. Christian advocacy groups have *noted* that Buddhist nationalists consider Christianity to be a product of Western colonialism that threatens the Buddhist identity of Sri Lanka. Pastors and churches have faced calls from Sri Lankans, including Buddhist monks to cease religious activities.

A 2008 ministerial circular, introduced by the Ministry of Buddhasasana, Religious, and Cultural Affairs, *requires* all religious groups to receive permission to register and construct new places of worship. The ministry later ruled in 2018 that the circular only applies to Buddhist religious sites. Despite that ruling, Christians have faced harassment from law enforcement regarding registration of church buildings.

In March, a mob of 600 people, including about 60 monks, forcibly *entered* the premises of the Mercy Gate Chapel in Amalgama to demand that the church cease all religious activities. They threatened the pastor with death if worship activities continued, and two persons in the mob assaulted a congregant. Local police informed the mob that there was no legal basis on which to close the

church, but the monks refused to leave until they could inspect the building. The pastor initially refused, but after the police chief assured the pastor that no harm would be done, the monks were allowed to enter and question the pastor about activities in the church. The mob left the premises shortly thereafter. In the weeks that followed, authorities and villagers joined in repeatedly demanding that the pastor stop worship services and warned him that violence could occur if he did not stop his activities.

### Land Disputes

There has been a marked trend in recent years of land disputes in the north and east of the country involving tensions between Buddhist heritage conservation or forestry protection and sites that religious minorities claimed as their own. The Ministry of Defense heads the Task Force for Archaeological Heritage Management in the Eastern Province and works in *collaboration* with “the Archaeological Department, Mahaweli Authority, Forest Department, Wildlife Department, police, military and Buddhist clergies to identify archaeological monuments and facilitate the repair or construction of Buddhist sites.” In some cases, this collaboration has led to the expropriation of Hindu and Muslim sites where *there were no* Buddhist populations, leading to fears that the program is transforming the region’s demographic landscape.

NCEASL documented several incidents involving the appropriation of Hindu temples between January and August of this year, ranging from the removal of Hindu flags at a temple by unknown persons to the erection of Buddha statues on Hindu temple sites. In June 2022, Buddhist monks and the Sri Lankan Army attempted to *dedicate* a new Buddhist shrine in Mullaitivu despite a 2018 court order prohibiting any new building in the area. The same court ordered the removal of new structures in July. Mullaitivu Police, the Attorney General’s department, and the Department of Archaeology filed a motion asking for the court to reconsider that latter order, arguing that the new structure was meant to preserve archaeological materials and that demolishing the building would create interreligious tensions. That same day, a judge revised the previous order, specifying that the building could remain but that no further construction could take place.



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### Conclusion

Religious and ethnic tensions remain persistent and pervasive in Sri Lankan society. Before Gotabaya Rajapaksa's resignation, his government's promotion of Sinhala Buddhist majoritarianism had contributed to an increasingly hostile environment for the country's religious and ethnic minorities in which religious freedom violations often occurred with impunity. Both before and after his resignation, problems persisted in 2022 through the enforcement of the Prevention of Terrorism Act, discrimination against Muslims and other religious minorities, and land disputes that threaten religious minority property. However, a [hope](#) has also taken hold among many Sri Lankans that the diverse and intersectional nature of the protest movement at this historic moment may offer Sri Lankans an opportunity to facilitate "greater equality, participation, and democracy" and address longstanding concerns regarding the treatment of minority communities.

USCIRF will continue to monitor religious freedom conditions in Sri Lanka and advocate for freedom of religion or belief for all Sri Lankans, majority and minority alike.

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