

Introduction

Despite the end of a prolonged 30-year ethnic civil war, Sri Lanka's challenges to unify its diverse ethno-religious population has been plunged into further uncertainty as ethno-religious tensions fuelled by Buddhist nationalist groups since 2012. Crimes are committed in an environment of impunity, and continue to discriminate against, intimidate and attack Muslim and Christian communities. For the Muslim community, the decades long suspicion and distrust was further exacerbated after the Easter Sunday attacks in 2019.

Targeted violence towards Christians, driven by fear of proselytism was frequently reported under the Mahinda Rajapaksa administration. Online hate and fringe localised church attacks continue to take place with minimal police assistance.

Sri Lanka's religious communities' risk being on a collision course that will fundamentally threaten the peace and security of the nation, which will pose further challenges to a successful transition to justice.

Social media

Social media in Sri Lanka has a big influence on the spread of stereotypes and misconceptions surrounding religious minorities. Online hatred is high, and includes examples such as a photo of Muslims setting alight an effigy of a Buddhist monk in Myanmar, warning that it could happen in Sri Lanka (10,000 shares), and a post calling for the killing of Rohingya Muslims (9,000 shares).

For many, Facebook has become a dominant platform for ethno-nationalist groups. It is often the medium of choice for those seeking news and those disseminating real or fake stories.¹

The rapid spread of rumours and the government's reaction of blocking social media following the 2018 Kandy riots, the 2019 Easter Sunday bombings and violence in the North Western Province in May 2019, demonstrate this is an issue across Sri Lanka. It is important to note that whilst social media is the preferred means of spreading hate, it is not the cause of inter-religious tensions.

Social media is frequently used by Buddhist nationalist groups and individuals to create a climate of intolerance, making it easier to mobilise people when they want to. In February 2018 false rumours were spread on Facebook

about a seizure of 23,000 sterilisation pills from a Muslim pharmacist in Ampara in the Eastern province of Sri Lanka.² It was rumoured that the pills were being put in the food of Sinhalese customers to ensure the dominance of Islam. The next day a customer in a Muslim-owned restaurant found a lump in his food. He asked one of the owners in Sinhalese if he put sterilisation medicine in his food. The owner, who did not understand Sinhalese, and was unaware of the rumours, replied in broken Sinhalese, "Yes, we put?" thinking that the customer was correctly identifying the object as a lump of flour. A mob which had gathered during the complaint beat the owner, destroyed the shop and set fire to the local mosque.

During the 2020 parliamentary election, online anti-Muslim propaganda was aimed at Muslim candidates, propagating the dangers of "Muslim expansionism," with calls to ban Islamic symbols or institutions and boycott on Muslim owned businesses. A notable example is Madu Madhawa Aravinda, the candidate from Podujana Peramuna (SLPP), who in a series of interviews which were shared widely on Facebook and YouTube, said that the Muslim community supported the cause of Zahran Hashim, one of the 2019 Easter Sunday attackers, and that they would cast their votes based on such views.³

2008 Circular

Although Sri Lankan legislation does not require the registration of religious places of worship or any religious body, the Ministry of Religious Affairs and Moral Upliftment (presently the Ministry of Buddha Sasana) issued a Circular on 16 October 2008 concerning the construction of new places of worship. The Circular has been used by law enforcement and local government officials to discriminate against religious minority groups and their places of worship, and to close churches forcibly and arbitrarily.

Violations against religious minorities

From the beginning of 2015 to the end of June 2019 a local monitoring group has documented an estimated 387 attacks or violations targeting Christians. 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.

¹ Centre for Policy Alternatives. *Consumption and Perceptions of Mainstream and Social Media in the Western Province*. 28 January 2016. pp. 41. <https://www.cpalanka.org/full-report-consumption-and-perceptions-of-mainstream-and-social-media-in-the-western-province/>

² *The New York Times*, 'Where Countries are tinderboxes and fb is a match', 21 April 2018

<https://www.nytimes.com/2018/04/21/world/asia/facebook-sri-lanka-riots.html>

³ Hashtag Generation, 'Sri Lanka: Social Media and Election Integrity', 2020

https://drive.google.com/file/d/1qQKubeK1HtAtom3J5v2BKoQ5hToH9m_a/_view

The 2019 Easter Sunday Bombings, in which over 250 people were killed when terrorists targeted churches and hotels across the country, have further de-stabilised ethnic-religious relations in the country. Islamic State claimed responsibility for the attacks, but reports indicate that they were perpetrated by a little-known local Islamist group called National Towheed Jamath (NTJ). In the aftermath of the attacks, IS leader Abu Bakr al Baghdadi expressed praise for the perpetrators in a video message replete with jihadi symbolism, raising concerns that this could galvanise further action in Sri Lanka and elsewhere. Allegations that the Sri Lankan authorities received prior warning of the attacks but failed to act are highly concerning and require investigation.

In the wake of the attacks, a spate of anti-Muslim violence ravaged the North Western province and the Gamapal district. Nationalist Sinhala-Buddhist mobs attacked Muslim homes, mosques and businesses in apparent retaliation for the bombings, resulting in the death of one person. In some cases, police and security officials have been accused of being complicit in these attacks and refusing to intervene and mitigate the damage caused.

Religious intolerance towards Muslims pre-dates the 2019 bombings. Many propagators of hate speech towards Muslims play on economic factors, suggesting that all Muslims are successful businessmen. Responses to this include Halal boycotts and repeated attacks and destruction of Muslim businesses.⁴ Many Sinhalese-Buddhist nationalists also fear a rapid rise in the Muslim population which would turn them into the dominant ethno-religious group. In July 2019, Gnanasara Thero, General Secretary of the Bodu Bala Sena (BBS), called for the creation of a Sinhalese government, and for politicians to let Buddhist monks combat Islamist extremism, claiming that "It's our responsibility because this is a Sinhalese country. We are the historical owners of this country."⁵

Those who attempt to defend or speak out for religious minorities are also subject to persecution. In June 2017, a prominent human rights lawyer quoted a research on violations targeting Christians during a television interview. He was consequently threatened with

disbarment unless he retracted his comment and apologised within 24 hours.

In his visit to Sri Lanka in 2019, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Voule, heard accounts of and witnessed plain clothes intelligence officers and military personnel conducting surveillance on members of civil society, individuals, and NGOs, in an effort to create a climate of intimidation. Mr Voule was informed that security and intelligence officers frequently enter NGO offices, submitting members to questioning.⁶

Recent developments

COVID-19 and civil society surveillance

The COVID-19 pandemic has had profound impact on religious minorities across the country. Since 31 March 2020 government COVID-19 guidelines have required all those who die of the virus to be cremated. This practice goes against the tradition of the Muslim community, whose religious rites require individuals to be buried in an individual grave and infringes on their right to manifest their religion or belief. In some cases, cremation even occurred when a person had not died of the virus.

The policy contradicts World Health Organisation guidelines on the virus, as well as the recommendations of an 11-member panel created by the country's own Ministry of Health. In April 2020, the policy was criticised by four UN Special Rapporteurs,⁷ and it has also been criticised by the legal fraternity, who have raised the issue with the Supreme Court.⁸

COVID-19 has also exacerbated intolerance towards religious minorities. In March, hostility towards Christians on social media after a pastor from Switzerland visited Sri Lanka and subsequently tested positive for COVID-19. The Chief of the Sri Lankan Army, who also heads the COVID-19 Task Force, even blamed the pastor for spreading the virus to the northern province of the country on mainstream media. Muslims have also been portrayed as carriers of COVID-19, including in a viral video clip of a prominent news anchor and the current Minister for Agriculture suggesting they are vectors of the disease.

⁴ Minor Matters, 'The Challenge for the Muslim Community after the Recent Communal Violence in Sri Lanka', 7 March 2019 <http://www.minormatters.org/en/blog/the-challenge-for-the-muslim-community-after-the-recent-communal-violence-in-sri-lanka>

⁵ Reuters, 'Hardline Sri Lankan monk calls for Buddhist Sinhalese government', 7 July 2019. <https://www.reuters.com/article/us-sri-lanka-buddhist/hardline-sri-lanka-monk-calls-for-buddhist-sinhalese-government-idUSKCN1U2078>

⁶ UN HRC, 'Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association', 5 May 2020 <https://undocs.org/en/A/HRC/44/50/Add.1>

⁷ ForB in Full, 'For Sri Lankan Muslims, the coronavirus isn't the only thing they're hoping to see the back of in 2021', 4 January 2021 <https://forbintfull.org/2021/01/04/for-sri-lankan-muslims-the-coronavirus-isnt-the-only-thing-theyre-hoping-to-see-the-back-of-in-2021/>

⁸ Colombo Telegraph, 'Forced Cremations A "Tremendous Jolt" To The Muslim Community: Sumanthiran Interview On ABC', 3 February 2021 <https://www.colombotelegraph.com/index.php/forced-cremations-a-tremendous-jolt-to-the-muslim-community-sumanthiran-interview-on-abc/>

The authorities have also used the pandemic to crackdown on freedom of expression, with the police and Central Investigation Department ordered to arrest anyone who criticised officials for their handling of the COVID-19 response.

The erosion of accountability

On 5 August 2020, the Sri Lanka Podujana Peramuna (SLPP), led by Mahinda Rajapaksa, secured a two-thirds majority in Sri Lanka's general election, taking 145 of 225 seats in parliament. The SLPP's victory followed the 2019 presidential election of Mahinda's brother, Gotabaya Rajapaksa. The two brothers face allegations of war crimes and crimes against humanity for their role in the ending of the country's long civil war, following findings from a UN report in 2015.⁹ There are genuine concerns that the authoritarian rhetoric employed by the Rajapaksa brothers. The 20th Amendment to the Constitution, which was passed on 22 October 2020 gives the President far-reaching powers, removing the independence of the organs of state. Civil society groups are concerned that this will serve to embolden Buddhist extremists across Sri Lanka, to the detriment of religious minorities.

On 27 January 2021, the UN High Commissioner for Human Rights Michelle Bachelet remarked in a report¹⁰ that the "failure of Sri Lanka to address past violations has significantly heightened the risk of human rights violations being repeated."

Anti-cattle Slaughter Law

In September 2020, the Sri Lankan cabinet approved Prime Minister Mahinda Rajapaksa's proposal to ban domestic cattle slaughter. There are concerns that this law could lead to an increase in vigilantism against religious minorities, as has been observed in parts of India where similar laws exist.

North and Eastern Provinces

There emergence of Hindu nationalism, inspired by the Rashtriya Swayamsevak Sangh (RSS) in India has seen fringe groups attacking church meetings, hate speech, death threats and opposition to burials. Conversely, Hindu temples are being demolished and replaced by Buddhists temples. The Presidential Task Force for Archaeological Heritage Management in the Eastern Province headed by the Ministry of Defence has been responsible for approving

the excavations and demolition of Hindu archaeological sites. Although two thirds of the population in the province is made up of Muslims and Hindus, the Task Force is comprised entirely of Sinhala representatives, and is absent of Hindu, Muslim and Christian representatives.

Recommendations

To the government of Sri Lanka:

- Guarantee the right to freedom of religion or belief in its fullness for all religious minorities as per its stated international obligations.
- Remove the 2008 Circular on construction of places of worship and ensure that it is not misused to intimidate members of religious minorities.
- Bring an end to widespread of hate speech and acts of impunity based on ethno-religious grounds and actively promote a pluralistic society.
- Promptly and impartially prosecute those responsible for perpetrating hate speech and targeted violence against religious minorities.
- Take measurable steps to hold to account social media networks accountable for harmful content, which polarises society.
- Actively establish mechanism to increase accountability, providing training on key human rights areas to the Sri Lanka police.
- Take effective measures to improve reconciliation and social cohesion among the different ethnicity and faith groups.
- Immediately end State surveillance, harassment and intimidation of human rights defenders, lawyers, journalists and civil society groups.
- Conduct impartial investigations of allegations of all international human rights violations and ensure accountability.

⁹ UN Human Rights Council, 'Report of the OHCHR Investigation on Sri Lanka' 16 September 2015
<https://www.refworld.org/docid/55ffb1d04.html>

¹⁰ OHCHR, 'Sri Lanka on alarming path towards recurrence of grave human rights violations – UN report', 27 January 2021
<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26695&LangID=E>