

Legal framework

The Constitution of the Democratic Socialist Republic of Sri Lanka contains several provisions that explicitly protect freedom of religion or belief (FoRB). Buddhism is accorded a special status, however, and the state is required to protect it, though it is not the state religion.

The law recognises four religions: Buddhism, Islam, Hinduism, and Christianity, but according to a 2003 Supreme Court ruling, only Buddhism is protected by the state, not other religions, and there is no right to proselytise under the constitution.

On 16 October 2008 the then Ministry of Religious Affairs and Moral Upliftment (now the Ministry of the Buddhasasana), issued a circular titled Instruction to the Provincial Councils and Divisional Secretaries regarding the Registration and Construction of Places of Worship to regional secretaries and local governments. While the circular is not a law, as it was not passed by the legislature, it has been used by law enforcement and local government officials to target religious minority groups and their places of worship. Furthermore, while the circular only applies to constructions after 2008, attempts have been made to apply it retroactively.

A 2020 ban on domestic cattle slaughter has raised 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.

The Prevention of Terrorism Act (PTA) gives security forces sweeping powers to arrest and imprison suspects. This has led to several fundamental rights abuses including torture, arbitrary arrest and detention and repression of free speech. Several members of the Muslim minority community continue to be held in indefinite detention, having been arrested after the 2019 Easter Sunday Bombings. The PTA has also been used as a justification for the arrests of human rights lawyers and others who have criticised the government, including Hejaaz Hizbullah and poet Anhaf Jazeem.

In March 2023 the government proposed the Anti-Terrorism Act (ATA), which introduced some positive reforms, including improved access to bail; however, it still contains a broad definition of terrorism, which human rights groups fear could result in continued arbitrary detention of religious minorities. In December 2023 the ATA remained under further review, leaving the PTA in effect.

The Online Safety Act, which was passed into law in January 2024, threatens freedom of expression, including religious expression, by imposing excessive restrictions on online speech.

Political turmoil

In May 2022 Sri Lanka's prime minister, Mahinda Rajapaksa, resigned after months of protests over the country's deepening economic crisis. Turmoil began to engulf the country, following violence at a major protest site in Colombo, where pro-government supporters attacked peaceful demonstrators and police responded with teargas and water cannons. The violence quickly spread across

the country. Houses and vehicles of several pro-Rajapaksa politicians and the residence of Mahinda Rajapaksa were set on fire. A nationwide curfew was imposed but five were killed and almost 200 injured. Mahinda Rajapaksa had been asked to resign by his brother, the president, Gotabaya Rajapaksa, at a special meeting, in an attempt to appease demonstrators who had been taking to the streets in their thousands since March 2022. Protesters had been calling for both brothers of Sri Lanka's powerful Rajapaksa political dynasty to be removed from office for mishandling the economy and plunging the country into the worst financial crisis since independence. Mahinda Rajapaksa, who was president for a decade between 2005 and 2015, had reportedly been resistant to stepping down, but on 9 May submitted his letter of resignation to the president.

Amid growing economic meltdown and widespread protests, Gotabaya Rajapaksa resigned as president of Sri Lanka on 14 July 2022. Rajapaksa's office said his resignation letter had been received by the country's parliamentary speaker, after it was flown from Singapore, to where the leader had fled via the Maldives.

In May 2022 Wickremesinghe was reappointed as prime minister amidst the political crisis. Following the resignation of President Gotabaya Rajapaksa in July 2022, Wickremesinghe became acting president and was subsequently elected as the 9th President of Sri Lanka by Parliament on 20 July 2022.

The 2024 Sri Lankan presidential election held on 21 September resulted in the victory of Anura Kumara Dissanayake, leader of the National People's Power (NPP). His win signals a major shift, reflecting the electorate's desire for reform after years of political instability and economic hardship. In terms of FoRB, Dissanayake's campaign emphasised a commitment to inclusive governance. This is significant for Sri Lanka, where religious and ethnic tensions have historically fuelled discord. He aims to promote unity beyond ethnic and religious lines, focusing on reconciliation with minority communities which have faced long-standing marginalisation. His administration has also pledged to decentralise power and ensure fair representation at the regional level, potentially fostering greater autonomy and trust among these groups.

However, it remains to be seen how effectively these promises will translate into action. Addressing deeply rooted divisions and curbing nationalist rhetoric will be essential to ensuring long-term progress on the right to FoRB for all in Sri Lanka, and to promote social harmony under Dissanayake's leadership.

Violations against religious minorities

Sri Lanka's 30-year ethnic civil war ended in 2009, however there are ongoing challenges to unifying the country's diverse ethno-religious population. Ethno-religious tensions have been fuelled by Buddhist nationalist groups since 2012. Crimes are committed in an environment of impunity, and the Christian and Muslim communities are discriminated against, intimidated and attacked largely with impunity.

Police officers frequently fail to protect minority communities and, in some cases, actively participate in FoRB violations. Research by the National Christian Evangelical Alliance Sri Lanka (NCEASL)¹ indicates that state actors, particularly the police, are the main perpetrators of violations against religious minorities.

In addition, despite positive statements made by senior government officials affirming the government's commitment to FoRB and non-discrimination, violations against minority Christian, Hindu and Muslim communities have continued.

Muslims

The Muslim community has faced decades of suspicion and distrust. Many Sinhalese-Buddhist nationalists fear a rapid rise in the Muslim population, which would turn them into the dominant ethno-religious group. These tensions were further exacerbated after the 2019 Easter Sunday bombings, in which over 250 people were killed in an attack perpetrated by a little-known local Islamist group called National Towheed Jamath (NTJ).

The attacks led to anti-Muslim violence in Northwestern 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.

Religious intolerance towards Muslims predates the 2019 Easter Sunday attacks. Many propagators of hate speech play on economic factors, suggesting that all Muslims are successful businessmen.

Christians

One of the factors driving intolerance towards Christians is fear of expansion via proselytism. Similar to the narratives surrounding the fear of the expansion of the Muslim population, Sinhalese-Buddhist nationalists perceive proselytism as a threat to their dominance.

Registration of places of worship continues to be a challenge particularly for Christian churches. To date, there is no law requiring registration, but the Ministry of Buddhasasana and regional state bodies continue to demand proof of registration with, or approval from, the Ministry of Buddhasasana, for churches to function. This has resulted in several churches having to shut down. In addition, regional state bodies have also demanded that churches obtain approval from a purported Sasarakshaka Balamandalaya (roughly translated as a 'power force protecting the Sasana'), which typically comprises Buddhist monks.

A 2016 report by Minority Rights Group identified structural discrimination against Christians in Sri Lanka, characterised by the reactions of state officials to violence against Christians, which ranged from condoning illegal acts to refusing to record complaints.² At the ministerial level of government, there is a refusal to acknowledge the violence experienced by the Christian community. Forty-three incidents of religious violence and intolerance were reported against Christians in Sri Lanka in 2024.

Evangelical Christian churches face increasing pressure to register or risk closure, despite no legal basis for mandatory registration. The process is opaque and inconsistently applied and is based on a circular issued in 2022 by the Ministry of Buddhasasana.

Social media

Social media in Sri Lanka has a significant influence on the spread of misconceptions and misinformation surrounding religious minorities. For many, Facebook has become a dominant platform for ethno-nationalist groups. During the 2020 parliamentary election, online anti-Muslim propaganda was aimed at Muslim candidates. The January 2025 announcement by Meta Chief Executive Officer Mark Zuckerberg that the company was ending the use of independent fact-checkers on Facebook, Instagram and Threads is likely to exacerbate this.

Human rights groups continued to report authorities monitoring expression on social media. In November 2023, however, the Sri Lankan Supreme Court determined that Section 3 of the Sri Lanka's International Covenant on Civil and Political Rights (ICCPR) Act of 2007 should not be interpreted as criminalising blasphemy, including in online contexts. It cited the case of Ramzy Razik, a Muslim man who was detained for five months without charges in 2020 for writing a Facebook post expressing his views of challenges faced by Muslim communities.

Civil society surveillance and freedom of expression

Sri Lanka was ranked 127 out of 180 countries in the Reporters Without Borders 2020 World Press Freedom Index,³ with arbitrary arrests of journalists continuing. Authorities used the COVID-19 pandemic to justify a further crack down on freedom of expression, ordering the arrest of anyone who criticised officials for their handling of the COVID-19 response.

Surveillance, intimidation, and detention of religious minorities continued in 2023, under the premise of national security concerns. As of August 2023, 21 detainees were on remand under the PTA, and 25 individuals were serving prison terms on terrorism charges. In April three detainees who had been held in pretrial detention for 14 years were released after determining that their confessions had been

1 <https://www.nceasl.org/>

2 Minority Rights Group (MRG), 'Confronting intolerance: Continued violations against religious minorities in Sri Lanka', 2016 <https://minorityrights.org/app/uploads/2024/01/mrg-rep-sri-lan-dec16.pdf>

3 Reporters Without Borders, 'World Press Freedom Index: Entering a decisive decade for journalism exacerbated by Coronavirus', 2020 <https://rsf.org/en/2020-world-press-freedom-index-entering-decisive-decade-journalism-exacerbated-coronavirus>

coerced. In June 2024 human rights organisations and international lawyer associations expressed concerns about witness intimidation and coercion in PTA trials, specifically Hejaaz Hizbullah, who was detained for 20 months before being charged and ultimately granted bail in 2022.

Recommendations

To the government of Sri Lanka:

- Immediately repeal the Prevention of Terrorism Act (PTA) and the Online Safety Act in line with international human rights standards.
- Meaningfully engage with civil society and other stakeholders to substantively revise the Anti-Terrorism Bill and bring it fully into line with Sri Lanka's international human rights obligations.
- Remove the 2008 Circular on construction of places of worship, and the 2022 Circular on the mandatory registration of churches.
- Take every step to end widespread hate speech and acts of impunity based on ethno-religious grounds and actively promote a pluralistic society.
- Prosecute those responsible for perpetrating hate speech and targeted violence against religious minorities promptly.
- Provide training on human rights to the Sri Lankan police.
- Take steps to improve reconciliation and social cohesion among the different ethnic and faith groups.
- End state surveillance, harassment and intimidation of human rights defenders, lawyers, journalists and civil society groups.
- Establish an independent accountability mechanism with adequate powers and resources to investigate and prosecute law enforcement officials for offences committed under Sri Lanka's penal law to ensure criminal accountability.
- Resolve land disputes over sacred sites and take decisive action against individuals and groups inciting and carrying out ethno-religious violence and land grabs.

To the government of the United States:

- Urge the government of Sri Lanka to implement the above recommendations in their entirety
- The State Department should place Sri Lanka on the Special Watchlist for FoRB violations in line with the recommendation from the US Commission on International Religious Freedom (USCIRF)
- The Ambassador-at-Large for International Religious Freedom and USCIRF commissioners should request an

invitation to visit Sri Lanka with unhindered access to all parts of the country.

- Deny US visas to government officials responsible for serious FoRB violations, including former President Gotabaya Rajapaksa, former Prime Minister Mahinda Rajapaksa, former Minister of Irrigation Chamal Rajapaksa, and former Minister of Youth and Sports Namal Rajapaksa.
- The State Department should engage with the new government of Sri Lanka and representatives of all religious groups to inform its annual religious freedom report on the country.
- Reinstate or allocate new funding to support FoRB and other human rights in Sri Lanka in order to strengthen local civil society efforts to promote FoRB and counter FoRB violations, which have been weakened due to abrupt funding freezes and cuts.

To the United Nations and Member States:

- Urge all relevant UN mechanisms, including the Office of the High Commissioner for Human Rights (OHCHR), the Special Procedures and Treaty Bodies to include the right to freedom of religion or belief in their monitoring and reporting on Sri Lanka, addressing the specific vulnerabilities and violations faced by religious or belief communities and those seeking to defend them.
- Support the OHCHR in its work towards progress in reconciliation, accountability and human rights in Sri Lanka, as mandated by the UN Human Rights Council in its resolution 51/1.
- Encourage UN Special Procedures to request country visits to Sri Lanka, and ensure that members of civil society can freely meet with them without reprisal.
- Publicly condemn all reprisals against members of civil society who engage with the UN and other international organisations on matters relating to human rights in Sri Lanka and support the establishment of a safe environment for human rights lawyers, human rights defenders and other civil society actors to carry out their work.
- Urge the government of Sri Lanka, at every appropriate opportunity, to make the reforms highlighted in the recommendation section above 'To the government of Sri Lanka'.

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