



General Assembly

Distr.: General
27 February 2019

English only

Human Rights Council

Fortieth session

25 February–22 March 2019

Agenda item 2

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by ABC Tamil Oli, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[12 February 2019]

* Issued as received, in the language(s) of submission only.



Violence against Minority Religious Groups in Sri Lanka

The Big Picture

Sri Lanka's multi-ethnic society consists of Sinhalese (74.9 per cent), Tamils (15.4 per cent), Moors (i.e. Muslims - 9.7 per cent), Burghers and Malays. There are also unrecognised minorities; the Gypsies, Veddas and those of African descent.

The 2012 census showed 70 per cent are Buddhist, 12.6 are Hindu, 9.7 are Muslims and 7.4 per cent Christian (mostly Catholic), with fewer than 7,000 from other religions.¹ In spite of this, the country's elite stubbornly portray the island state as a Sinhala-Buddhist country.

One of the first acts of the new government after independence was to disenfranchise the plantation Tamils by reinforcing Sinhala privilege and making concessions to the Tamil community resulting in deaths, expulsions, rapes, burning and lootings and consequentially a 30-year civil war.

Since the government defeated Tamil insurgents (2009) there has been little or no progress on accountability or reconciliation, review of war crimes, reduction of armed forces, social justice or the creation of an accountable and effective judicial system. As a result, there is still discrimination against the adherents of other religions.

Sinhala-Buddhist chauvinists argue that Buddhist religious sites in the north and east where the population is overwhelmingly Christian, Muslim and Hindu have been taken over and that these areas need to be reclaimed by the majority community. Christians, Muslims and Hindus are viewed as 'invaders' (i.e. alien creeds) whose 'malignant' presence have usurped Buddhism from its natural predominant. More recently Muslims have been portrayed as a group which is trying to impose its religious practices on the majority and outbreed them, resulting in periodic riots since 2013.

Setting the Scene

The consequences described above are permeating civil society and infecting educational practices, media, political practitioners, the bureaucracy, the judiciary and armed forces.

In Colombo, a prominent image of the Buddha greets visitors at the Bandaranaike International Airport, implying that they are entering a Buddhist state.

Similarly, the National Museum presents a Sinhala-Buddhist view of Sri Lanka's history and culture and little of any other religions and communities.

This mono-culturalism is embedded in the official view of Sri Lankan society. If you visit senior public servants and police officers, you will find in each office and many government buildings, a shrine to the Buddha even in towns mostly inhabited by Tamil-speaking Christians, Hindus and Muslims.

At the major rallies of the two main parties (SLFP and UNP) and their allies, the candidates in the August 2015 parliamentary were accompanied by Buddhist monks, giving them precedence and implying there is little separation between Buddhism and the state.

Buddhist temples and statues are being erected in areas where Buddhism has not been practised for at least a thousand years. This is an attempt to proclaim Sinhalese hegemony in the north and east.²

The discrimination suffered by the minority communities needs to be seen within this religious, economic and cultural context.

¹ Department of Foreign Affairs and Trade (DFAT) Country Information Report Sri Lanka. December 2015, p. 4.

² 'The Long Shadow of War: The Struggle for Justice in Post-War Sri Lanka.' The Oakland Institute. Retrieved: <http://www.oaklandinstitute.org/long-shadow-war>, pp. 25-29.

Violations against Muslims

Since the end of the civil war in 2009 chauvinist Buddhist organisations, in particular Bodu Bala Sena (Buddhist Power Force or BBS) have targeted Muslims, focusing on key religious and social practices e.g. prayer rituals, dress and the method of halal diet.

In 2013 and 2014 there were incidents that involved physical and verbal threats by Sinhalese Buddhists towards Muslims. In 2013 there were reported to be around 241 attacks on Muslims. The worst occurred in Aluthgama (June 2014), resulting in four deaths and over 80 injuries. Three of the dead were Muslims and one was a Tamil security guard. Nobody has been held accountable for these events.³

During the period November 2015 to the end of June 2016 64 attacks on Muslims were reported.⁴

In March 2018 anti-Muslim enmity flared up again around Kandy, with hundreds from the majority community attacking Muslim communities with the encouragement of Sinhala-Buddhist extremists.⁵

Violations against Christians

The National Christian Evangelical Alliance of Sri Lanka (NCEASL) has recorded 89 violations of religious freedom for Christians in 2015, 90 in 2016, 96 in 2017, and 30 in 2018.⁶ The evangelical wing of the Christian community has been a recipient of this intolerance.

31 percent of incidents involved physical attacks and harassment by the local constabulary and local government functionaries. Buddhist clergy were responsible for around 29 per cent. Others were instigated by villagers and mobs hostile to a Christian presence in the area.⁷ Some Christians have been denied the right to bury their dead in public cemeteries according to their religious rites and rituals whilst Christian school children have been coerced in government schools to observe Buddhist religious rituals.⁸

Violations against Hindus

Hindus are seen by the more extreme elements of the majority as invaders and destroyers of the Island's pristine Buddhist culture, shrines and religious practices. This view cannot be separated from the discrimination suffered by Tamil speakers, most of whom are Hindus.

At present there is a large military and police presence in the North. This has led to the harassment and intimidation of the minority community, including the rape and sexual coercion of women, especially those who are widows and wives of the disappeared. The right of Tamil speakers to publically mourn those who were killed in the civil war is denied, whilst memorials glorifying the conquest are everywhere to be seen. The armed forces are engaged in lucrative economic activities like tourism and the stifling of local communities' economic opportunities in areas where jobs are already scarce.⁹

After the civil war ended in 2009, there was a flurry of archaeological projects and the construction of Buddhist shrines, statues and temples in areas in the north and the east.

³ DFAT Country Information Report, Sri Lanka, 18 December 2015, p. 11.

⁴ Threats Intimidations and hate speech against Muslims and Christians continue to mar post-war transition to peace in Sri Lanka – new report.' Press Release, 8 December 2016.

⁵ 'Sri Lanka Legal framework on freedom of religion and actual application,' Aid to Church 2018.

⁶ The National Christian Evangelical Alliance of Sri Lanka (NCEASL), Summary Brief 2018: 'Religious freedom issues faced by minority religious groups in Sri Lanka'.

⁷ International Religious Freedom report of 2017: Executive Summary Share.

⁸ Wickremesinhe, Roshini (2016). *Confronting intolerance: Continued violations against religious minorities in Sri Lanka*. Minority Rights Group International, pp. 8 to 13.

⁹ Sri Lanka Current Issues.

Even Hindu temples are not exempt from this encroachment. In Muttur in the Trincomalee District the locals were preparing to renovate the site for a temple, but two Buddhist monks appeared and laid claim to the cleared land.¹⁰ This is a clear breach of the rich cultural, linguistic and religious heritage and the lived-religious experience of the inhabitants of the area.

Conclusion

This depressing catalogue of religious, cultural and linguistic discrimination has formed the bedrock of political, religious and economic affairs since the inception of Lanka as an independent state. These violations have taken a variety of forms: erroneous hate speeches and rumours have flooded media with little or no effort by the state to counter them; overt actions by government authorities and Buddhist monks prevent communities from practising their religion; targeting the business of the minority community as in the 1983 pogrom against the Tamils and the current riots against the Muslim community; the imposition of Buddhist practices, shrines, memorials and temples in areas where the population is overwhelmingly non-Buddhist; and lastly, a thirty year civil war with tens of thousands of deaths, war crimes and displacement of Tamil civilians. Yet there has been no questioning of the mono mindset of the Sinhala–Buddhist hegemony that chokes any discourse on healing the religious divides that have divided the nation for decades.

It is in this light I offer the following recommendations:

1. That the international community step up its commitment to restoring national reconciliation, the rule of law and accountability more concretely.
2. That the commitment made by the Government of Lanka to the above principles moves away from platitudes and is given legal, political, administrative muscle. The first step being to enact legislation based on the sections of the constitution that promise religious freedom, so that those who abuse it can be brought before the courts.
3. To make visible a more arm's-length separation of the state and religion.
4. Concrete steps must be immediately taken to reform the Constitution, abolish the executive Presidency and bring about national reconciliation.
5. The judiciary and armed forces are reformed and their actions made more accountable and transparent.
6. A more inclusive and tolerant history of the country must be disseminated and taught in schools, the armed forces, bureaucracy and politicians; a history that celebrates and make visible the multi ethnic and multi-faith country that Lanka has always has been.

International Tamil Refugee Advocacy Network (I-TRAN) Tamil Movement (Suisse) NGO(s) without consultative status, also share the views expressed in this statement.

¹⁰ International Religious Freedom report of 2017: Executive Summary Share.