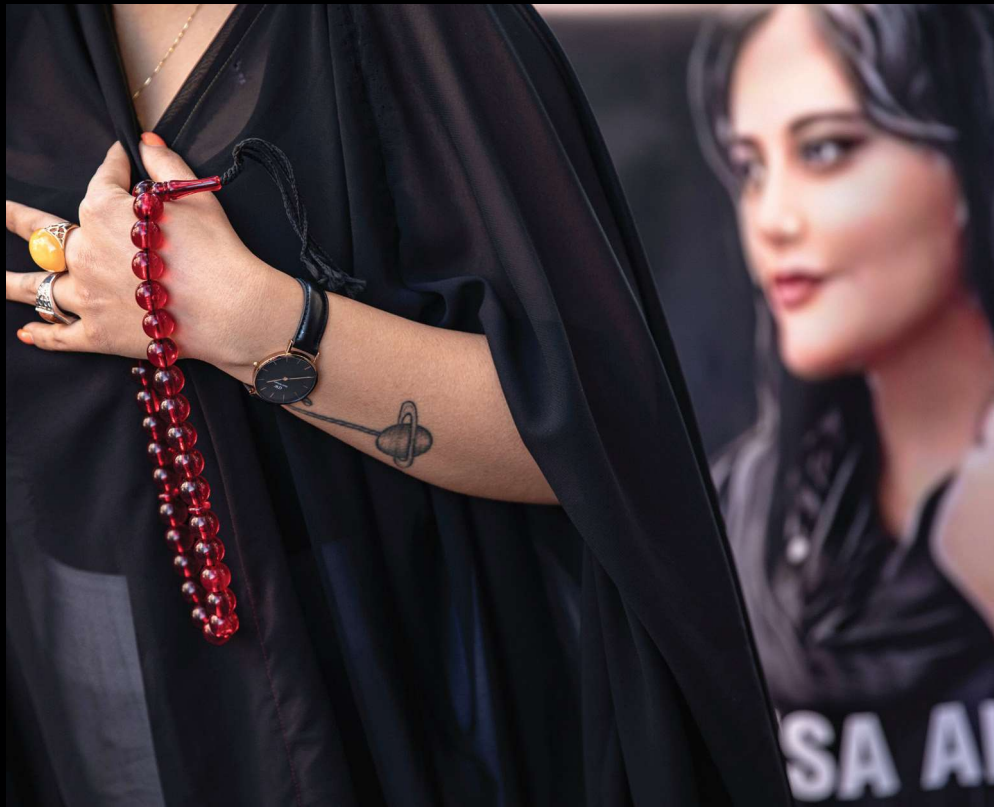


UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

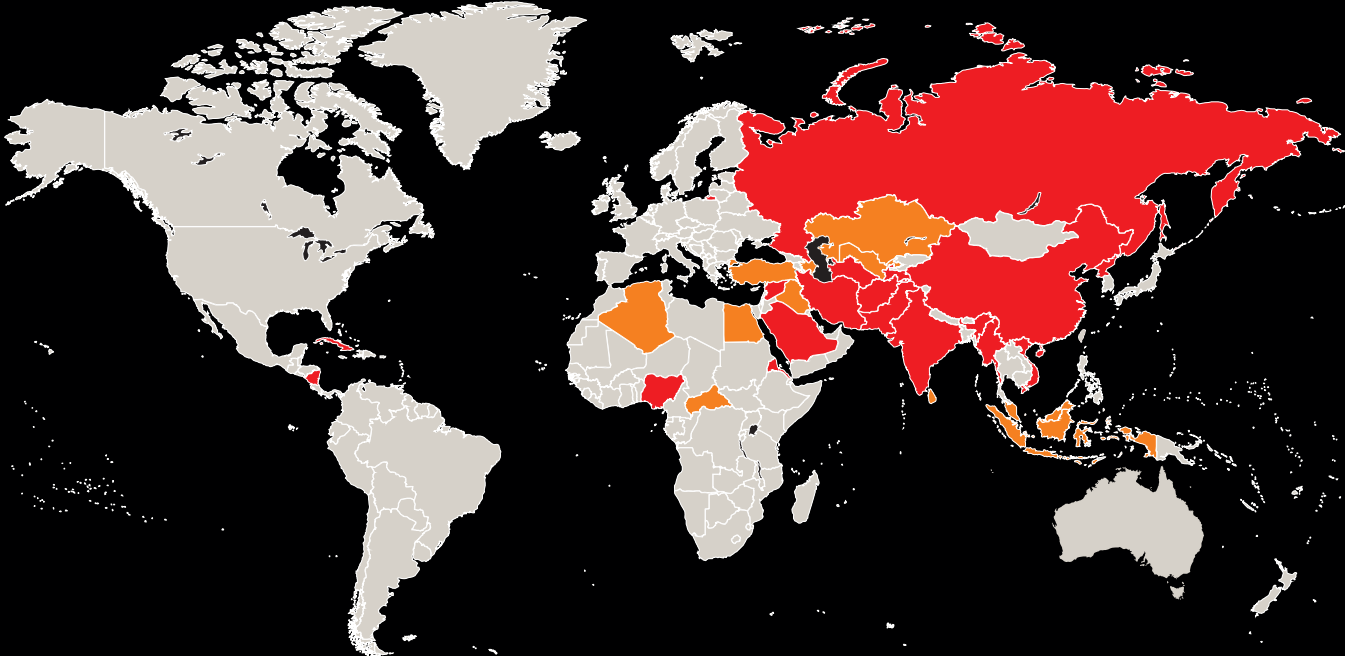
Firoozeh Soltan Mohammadi | Rooha Imani | Seyyed-Soroush Abbasi | Syeed-Amin Abbasi | Seyyed-Karam Abbasi | Nasim Kashani Nejad | Homayoun Khanlari | Nima Mahin Bakht | Sanaz Tafazoli | Shahrouz Esmaili | Nemat Pourvali | Mehr-Ali Hemmati | Hamid Gorgin | Ghadir Rahimi | Mohammad Bahrami | Seyed Fereydoun Taheri | Seyed Farhad Zalnouri | Ali Nazari | Noshad Taheri | Seyed Fariborz Shah-Ebrahimi | Farzad Rahmatnabadi | Amin Malekzade | Meraj Hemmati | Bardia Tajdini | Rashid Mohammadi | Hamid Afshari | Masoum Razavi | Naghi Rahmani | Faezeh Ranai | Seyed Foad Shah-Ebrahimi | Navid Hassanlou | Hamid Zandi Nejad | Meysam Azimi | Afshin Azimi | Seyed Shahoo Shah-Ebrahimi | Seyed Ali Dakei | Kamyab Heidari | Siavash Kaliani | Kaki Saeed Almasi | Faezeh Abdipour | Parwa Behdad | Elaheh Mohammadi | Pooya Saraf | Leili Karami | Hami Bahadori | Shayan Gholami | Shaghayegh Bahrami | Kamyar Habibi | Badie Khazei | Siroos Zabih | Armaghan Zabih | Arash Zamani | Saman Khadem | Parisa Roohi Zadeegan | Niloofer Hamed | Aida Rasti | Amin Sharifi | Atash Shahkarami | Enayatollah Naeimi | Sepehr Ziaee | Payam Vali | Malihe Nazari | Joseph Shahbazian | Atollah Zafar | Fariba Ashtari | Zhila Shahriari | Elham Choubdar | Bit



Haghighi | Samiyeh Gholinejad | Neger Darabi | Mohammad Chegini | Mohammad Golbaz | Sara Ahmadi | Homayoun Zaveh | Mahboubeh Mtsaghlian | Farid Alavi | Neda Shabani | Peyman Manavi | Jamileh Pakrou | Parvan Manavi | Soroush Agahi | Kianoush Salimanzadeh | Payam Shabani | Elham Salimanzadeh | Houran Khoshnami | Fariba Kamalabadi | Mahvash Sabet | Afif Naeimi | Saeed Naseri | Hamid Naseri | Afshaneh Emami | Saman Ostovar | Saba Sabeti | Zahra Sedighi-Hamandani | Shafiq Eslami | Nima Shadpour | Nematollah Shadpour | Mostafa Khosraji | Hasan Nisr | Jome Naemi | Abdolrasoul Azari | Shahram Najaf-Tomaraei | Shahnaz Sabet | Reza Radmanesh | Mishak Manavipour | Behliah Manavipour | Hanan Hashemi | Haleh

Gholami | Gholamreza Keyvanmanesh | Melika Qaragozlu | Soori Babaei Chegini | Hayedeh Ram | Fardin Naddafian | Zhila Sharafi Nasrabadi | Negar Ighani | Shaghayegh Khaneh-Zarin | Samin Ehsani | Hiwa Yazdan Mehdi Abadi | Mitra Bandi Amirabadi | Amin Zolfaghari | Morteza Mashhood Kari | Ahmad Sarparast | Ayub Pour Rezazadeh | Seyyed Sadrullah Fazeli Zare | Yusef Mehrdad | Sahba Farnoush | Shakila Monfared | Parizad Hamidi Shafagh | Noushin Jafari | Monireh Arabshahi | Saba Kord Afshari | Yasaman Ariani | Zeynab Jalalian | Farid Zirgi Moghaddam | Ataollah Melaki | Roya Melaki | Atieh Salehi | Areezu Mohammadi | Nasim Ghanvatan | Mehrallah Afshar | Arash Rasekhi | Maral Rasti | Mahnaz Jan Nesar | Sakineh Behjati | Hadi Rahimi | Alireza Nourmohammadi | Ameen Khaki | Milad Goudarzi | Abdolreza Ali Haghnejad | Ardeshir Fanaian | Mohammad Nouri | Sina Dehghan | Behnam Eskandarian | Kasra Nouri | Mostafa Abdi | Mohammad Sharifi Moghaddam | Saeed Soltanpour | Milad Davardan | Farhang Sahba | Anoush Rayeneh | Ali Sani | Afshin Bulbulan | Marjan Davari | Zaman Fadaei | Farhad Fahandezh | Abdolrahim Kouhi | Amanollah Balochi | Abbas Dehghan | Adel Naimi | Youcef Nadarkhani | Golrokh Ebrahimi Iraee | Mahsa Amiri

2023 USCIRF RECOMMENDATIONS



■ COUNTRIES OF PARTICULAR CONCERN

- | | | | |
|-------------|-------------|--------------|--------------|
| Afghanistan | India | Pakistan | Turkmenistan |
| Burma | Iran | Russia | Vietnam |
| China | Nicaragua | Saudi Arabia | |
| Cuba | Nigeria | Syria | |
| Eritrea | North Korea | Tajikistan | |

■ SPECIAL WATCH LIST COUNTRIES

- | | | | |
|--------------------------|-----------|------------|------------|
| Algeria | Egypt | Kazakhstan | Turkey |
| Azerbaijan | Indonesia | Malaysia | Uzbekistan |
| Central African Republic | Iraq | Sri Lanka | |

KEY FINDINGS

In 2022, religious freedom conditions in Sri Lanka continued on a worrying trajectory. The Sri Lankan government targeted the rights of religious minorities, particularly Muslims and Hindus, by using problematic legislation, engaging in discrimination against them, and instigating land disputes intended to expropriate their property. Authorities harassed and imprisoned religious actors associated with the protest movement in 2022 (*Aragalaya*, or “Struggle” in Sinhala) and intimidated members of minority religious communities. Muslims who posted supportive messages for protesters on social media were identified, questioned, and arrested under the International Covenant on Civil and Political Rights (ICCPR) Act. During the year, Sri Lanka faced an [economic](#) and political crisis resulting in a lack of basic necessities. The *Aragalaya* called for accountability for corruption and economic mismanagement, leading to the [resignation](#) of then President Gotabaya Rajapaksa in May and the [election](#) of former Prime Minister Ranil Wickremesinghe as president in July.

The 1979 Prevention of Terrorism Act (PTA) [gives](#) Sri Lankan authorities broad powers to search, arrest, and detain individuals. Nearly [300](#) Muslim men and women remained in detention without charges in connection to the [2019 Easter Sunday](#) bombings (a series of coordinated “bomb blasts that ripped through churches and luxury hotels” that killed over 200 people) based on a [combination](#) of the PTA, the ICCPR Act, and/or the penal code. The PTA and the ICCPR Act (designed to [incorporate](#) the international treaty into domestic law) often are used to restrict freedom of expression among minority groups. Authorities also utilized the PTA to crack down on *Aragalaya* protesters. In August, police dispersed a protest using tear gas and water cannons and [arrested](#) three students, including 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 [expressed](#) support for the three men. The government [released](#) Siridhamma Thero on bail in December.

The government published proposed amendments to the PTA in January, but experts [assessed](#) that the amendments [did not](#) go far enough in addressing the worst aspects of the act. In September, the UN Human Rights Council (UNHRC) published a report on the human rights situation in Sri Lanka. Nada Al-Nashif, then UN Acting High Commissioner for Human Rights, [urged](#) the government to repeal the PTA and draft a new counterterrorism law in its place.

The Sri Lankan government discriminated against Muslims and targeted the practice of Islam. 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 [UN Regulations No. 1 of 2012](#). The list included 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](#). Organizations included on these kinds of lists often have their assets and bank accounts frozen. Inclusion on such lists is used to intimidate different communities and disproportionately targets religious minorities. The government also closely monitored the affairs and finances of Muslim organizations, particularly those that receive foreign donations. Such surveillance 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 to do so.

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, Qur’anic translations, and material related to Islamic education. The Ministry of Education recalled Islamic textbooks for several grades after the discredited Presidential Task Force for “One Country, One Law” raised [concerns](#) over unspecified “objectionable words” and claimed “they might contain ideas of extremist ideology.”

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Include Sri Lanka on the Special Watch List for engaging in or tolerating severe violations of religious freedom pursuant to the International Religious Freedom Act (IRFA);
 - Direct U.S. Embassy officials to urge the Sri Lankan government to repeal or significantly reform the PTA and other laws that disproportionately affect religious and ethnic minorities; and
 - Advocate for the full implementation of UNHRC [Resolution 51/1](#) to promote reconciliation, accountability, and religious freedom and other related human rights in Sri Lanka.
- The U.S. Congress should:
- Hold public hearings highlighting religious freedom conditions in Sri Lanka and U.S. policy toward Sri Lanka.

KEY USCIRF RESOURCES & ACTIVITIES

- **Country Update:** [Religious Freedom Conditions in Sri Lanka](#)
- **Podcast:** [Troubling Signs for Religious Freedom in Sri Lanka](#)

Background

The Democratic Socialist Republic of Sri Lanka is a presidential [republic](#) with a unicameral parliament. President Wickremesinghe serves as chief of state and head of government, having previously served as prime minister for five separate terms between 1993 and 2020. Under [Article 9](#) of the Sri Lankan constitution, Buddhism is afforded special status. 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. Members of the next-smallest ethnic group are traditionally called Sri Lankan Moors, who are mostly Muslim and [eschew](#) formal ethnic classification. Also included are Indian Tamils and a small number of other ethnicities.

Land Disputes

The Ministry of Defense heads the Task Force for Archaeological Heritage Management in the Eastern Province and works in [collaboration](#) with the Archaeological Department, security agencies, 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 formerly no](#) Buddhist populations, leading to fears that the program is transforming the region’s demographic landscape.

The National Christian Evangelical Alliance of Sri Lanka (NCEASL) documented several incidents involving the appropriation of Hindu temples between January and August, ranging from the removal of Hindu flags at a temple by unknown persons to erecting statues of Buddha on Hindu temple sites. In June, 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. Government authorities filed a motion asking for the court to reconsider the 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.

Muslim Marriage and Divorce Act

The [Muslim Marriage and Divorce Act](#) (MMDA) governs marriage, divorce, and other family law matters for all Muslim Sri Lankans and

is [based](#) on Shari’a law, Islamic legal practice, and local customs. The MMDA established a tax-funded Muslim judge (*Quazi*) court system, including a Board of Quazis and an Advisory Board. Muslim couples can only marry under the MMDA.

Observers argue that the MMDA is discriminatory toward Muslim women and is in [violation](#) of domestic and international human rights law, as it does not provide them with the same rights and protections afforded to women in other religious communities in Sri Lanka. The MMDA does not require a woman’s consent before the registration of a marriage, allows for unilateral divorce by the husband without giving the same right to the wife, presents bureaucratic hurdles to women seeking divorce that are not required for men, and allows the arbitrary provision for wife and child maintenance by a *Quazi*, among [other](#) problematic practices. Additionally, the MMDA lacks a minimum age for marriage, providing *Quazis* the ability to permit marriage of a girl younger than 12 years old, despite common law requiring an age minimum of 18 years old.

Harassment of Religious Actors Participating in the Aragalaya

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’s church in the southern city of Balangoda, seeking his arrest. Authorities [claimed](#) he was liable for “being part of an unlawful assembly, obstructing public employees from performing duties, criminal assault and causing hurt.” Father Peiris later [filed](#) a fundamental rights petition with the Supreme Court to prevent his arrest, but he eventually surrendered to the court and posted bail.

Key U.S. Policy

The United States is Sri Lanka’s largest export market, accounting for [almost](#) 25 percent of Sri Lankan exports. U.S. policy toward Sri Lanka has [historically](#) focused on “supporting Sri Lanka’s democratic institutions, encouraging economic development, and promoting human rights.” In December, the U.S. Department of State announced nearly \$240 million in new U.S. government assistance to [support](#) Sri Lanka during its acute economic crisis.

In May, the State Department [twice condemned](#) violence against *Aragalaya* protesters and expressed concern about state of emergency declarations, which “can be used to curb dissent.” In a June call with then Prime Minister Ranil Wickremesinghe, U.S. Secretary of State Antony J. Blinken [affirmed](#) “the United States’ commitment to the Sri Lankan people during this challenging time and the importance of supporting reforms that address the concerns of all Sri Lankans, including on democratic governance and human rights.” U.S. Ambassador to Sri Lanka Julie J. Chung [condemned](#) the use of the PTA against Sri Lankans expressing their views.