

**PREPARED FOR THE HOUSE OF COMMONS SUBCOMMITTEE ON
INTERNATIONAL HUMAN RIGHTS**

SUMMARY OF EVIDENCE. BRIEFING ON THE HUMAN RIGHTS SITUATION IN SRI LANKA

Meeting: Thursday, 13 June 2019

INTRODUCTION

On 4 June 2019, the Subcommittee on International Human Rights of the House of Commons Standing Committee on Foreign Affairs and International Trade (the Subcommittee) heard testimony from two witnesses in relation to religious liberties in Sri Lanka. The Subcommittee's meeting was held in the aftermath of bombings of multiple churches and other sites across Sri Lanka which took place on Easter Sunday 2019.

The Subcommittee granted the witnesses' request to appear *in camera* and to withhold their names or identifying information from publication.

SUMMARY OF EVIDENCE

A. Persecution and Attacks on a Religious Minority

Witness One, a Christian, described her experience of religious persecution against her community in Sri Lanka. She also described an incident of religious-based violence in which she and her family were impacted. Witness 1 briefly recounted the response from Sri Lankan law enforcement to the incident in question.

B. Religious Liberty in Sri Lanka after the Civil War

Witness Two, a lawyer and religious liberty advocate, described the situation of religious liberties for minority groups in Sri Lanka, particularly since 2009, when the civil war came to an end.

1. The Muslim Community

Muslims have experienced campaigns of hate speech and anti-Muslim propaganda. Such campaigns often stem from social media. The campaigns have resulted in hundreds of incidents of intercommunal violence since 2012. One 2014 incident in Aluthgama, as well as a 2018 incident in Digana, left hundreds of Muslim-owned businesses destroyed. In the aftermath of the Easter Sunday bombings, episodes of violence have escalated. Witness Two noted that extremists have set out to "punish" the whole Muslim community for the deeds of a small group. Witness Two described attacks on mosques and Muslim-owned businesses in the Northwestern province and the Gampaha districts of Sri Lanka. After the Easter Sunday bombings, wearing the niqab or burqa have been prohibited by executive order.

2. The Hindu Community

Most Tamils are Hindu. As a result, persecution against Hindus should be viewed through a political and ethnic lens. Buddhist statues have been erected in Hindu places of worship, sometimes with the approval of government officials responsible for archeology.

3. The Christian Community

Violent incidents against the Christian have diminished in recent years. Since 2015, approximately 40% of incidents against Christians amounted to threats or intimidation. In 42% of the cases, local government officials have been involved. The most prevalent form of persecution over the last two years has been the closure of churches and prayer meetings by mobs who threaten worshippers with physical assault.

Witness 2 noted that Evangelical Christians face additional discrimination. For example, when Evangelicals file complaints with police, they are often implicated as a party that has “breached the peace.”

C. Impunity

The perpetrators of religiously motivated violations in Sri Lanka regularly circumvent the process of law. Witness Two explained that even in cases where charges are laid, the judiciary has often proved to be biased. For example, courts often pressure victims to settle cases rather than providing verdicts against perpetrators. Even in cases of property destruction, physical assault, verbal assault and mob attacks, perpetrators have rarely been brought to justice.

Witness Two noted that since the election of the new government in 2015, the judiciary has become slightly more independent. Nevertheless, a bias persists against claimants in human rights cases. The witness noted the importance of recognizing that Sri Lanka is in a phase of transitional justice. As such its government should ensure respect for principles of judicial accountability, for peace and reconciliation, and the implementation of truth commissions.

D. Regulations Targeting Religious Minorities

Witness Two explained that religion, as well as ethnicity, are intertwined with politics in Sri Lanka and have been used as tools to gain votes and as election propaganda. The witness explained that state officials have taken part in religious discrimination and have failed to take proper action when religious freedoms are violated.

Invoking a Circular issued by the Ministry of Buddha Sasana and Religious Affairs in 2008, local government officials have demanded the registration of minority religious groups despite the Circular not being founded in law. Witness Two explained that the Circular has been used by law enforcement to discriminate against religious minority groups and their places of worship and to close churches arbitrarily. This has occurred, notably, for Evangelical Christians and Muslim communities, with 33 incidents recorded in 2015, 24 in 2016, 23 in 2017, and 28 in 2018.

The Circular was contested by a Muslim group in a case before the Supreme Court in 2016, the court ruling that the Circular held legal authority. Witness Two explained that although there are previous court decisions stating that regulations cannot be interpreted as law, the above-mentioned decision has played a role in entrenching the regulation through precedence. Witness Two stressed that the Government of Sri Lanka should cancel the Circular.

Witness Two explained that the failure to recognize Evangelical Christians as a whole in Sri Lanka is also closely linked to the Circular. Evangelical Christians are not recognized by the state, are refused state benefits, and are unable to perform any kind of religious activities without registering with the state.

In 2015, a Christian Affairs Ministry was created yet the ministry only recognizes Roman Catholics and not Evangelical Christians. Although certain Roman Catholic clergies work closely with Evangelical Christians on human rights issues and religious liberty, the Cardinal is unsupportive of Evangelical hardships related to registration. Moreover, there has been no dialogue between religious groups with respect to raising the issue of registration with the government of Sri Lanka.

Witness Two recommended that the Government of Canada advocate against the Circular and request that the Government of Sri Lanka discontinue its application.

E. Social Media

Witness Two explained that social media has been used for both good and bad in Sri Lanka. In providing an example of its negative use, the witness noted that it had systematically been used for campaigns targeting religious minorities.

F. Inter-faith Dialogue

Religious leaders and organizations in Sri Lanka have come together, to a certain extent, to combat extremism and repression. Witness Two noted that religious communities have adopted an inclusive approach of helping one another with, for example, documenting incidences or with advocacy work. Religious leaders have also taken steps towards reconciliation, as well as fostering reconciliation within their own communities.

Still, Witness Two noted that such efforts have only been made by a minority. The witness suggested that inter-religious conflict in Sri Lanka persists because of a lack of dialogue and a belief of entitlement amongst the majority population. Witness Two stressed that there needs to be more dialogue and more peace initiatives.