

UNITED STATES COMMISSION ON
INTERNATIONAL RELIGIOUS FREEDOM

HEARING
CHALLENGES TO RELIGIOUS FREEDOM
IN SRI LANKA

Tuesday, May 7, 2024

10:30 a.m. ET

Virtual Hearing

P A R T I C I P A N T S

USCIRF COMMISSIONERS PRESENT:

Frederick A. Davie, Vice Chair
David Curry
Stephen Schneck
Frank Wolf

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P R O C E E D I N G S

VICE CHAIR DAVIE: Good morning, everyone, and welcome to today's hearing on Challenges to Religious Freedom in Sri Lanka. Thank you to our distinguished witnesses for taking the time to join us today.

The U.S. Commission on International Religious Freedom, or USCIRF, is an independent, bipartisan U.S. government advisory body created by the 1998 International Religious Freedom Act, or IRFA.

The Commission uses international standards to monitor freedom of religion or belief abroad and makes policy recommendations to the U.S. government.

Today, USCIRF exercises its statutory authority under IRFA to convene this important hearing.

This month marks the 15th anniversary of the end of the Sri Lankan civil war and therefore an appropriate time to discuss current religious freedom challenges and opportunities in Sri Lanka.

While not a religious conflict, the decades-long civil war included central religious divisions between the predominantly Buddhist Sinhalese majority and the primarily Hindu and Christian Tamil minorities.

Sri Lanka's Muslim population was equally affected with large-scale displacement in the northern part of the country.

15 years after the war's conclusion, Sri Lanka continues to reconcile with its history of ethnic and religious violence.

In 2023 and, most recently, in our 2024 Annual Report released last week, USCIRF recommended that the U.S. Department of State place Sri Lanka on its Special Watch List for engaging in or tolerating severe religious freedom violations.

In the years following the civil war's conclusion, discrimination against religious minorities, particularly Tamil Christians, Tamil Hindus, and Muslims, have exacerbated religious tensions.

In the aftermath of attacks like the 2019

Easter Sunday bombings, the Sri Lankan government has used laws to disproportionately target and silence religious minority communities under the guise of national security and curbing the insult to religion.

Simultaneously, the Sri Lankan government has used constitutional provisions to target religious minorities' places of worship, which our witnesses will discuss in greater detail.

I now will turn the floor over to Commissioner David Curry for his opening remarks.

Commissioner Curry.

COMMISSIONER CURRY: Thank you, Vice Chair Davie, and thank you to all those here to testify.

I would like to join in welcoming everyone to the hearing and to thank our witnesses for taking the time and to offer your expertise. It's much appreciated.

I had the opportunity, along with Commissioner Schneck and some of our key staff, to visit Sri Lanka for the first time this past October.

It was truly an amazing experience to travel throughout the country, including the north and east, to meet with religious communities and leaders from all faiths, journalists, government officials, as well.

During our delegation, we also had the opportunity to visit one of the three hotels that was struck during the bombing in 2019 during the Easter season, where religious minorities were largely targeted during their Sunday services.

In total, three churches, three hotels were attacked and over 260 people died. Following these deadly attacks, authorities used the problematic Prevention of Terrorism Act, or PTA, to arbitrarily detain hundreds of Muslim men and women.

It was enacted as a temporary measure in 1979, and the PTA continues to be used by Sri Lankan authorities to arrest, search and detain individuals.

While designed to curb terrorism concerns, the PTA's broad and vague language—that's key here—

has been used with increasing frequency to target religious minorities and human rights advocates, including one of the witnesses that is testifying today, which I very much look forward to hearing.

In recent years, authorities have utilized the PTA in combination with the International Covenant on Civil and Political Rights Act, or ICCPR Act, to crack down on religious minorities.

While designated to protect religion from insult, the ICCPR Act has been largely used as a blasphemy law to silence religious minorities and curtail freedom of thought.

In 2022, for example, Sri Lankans came together to protest economic conditions in the country. Authorities used both the PTA and the ICCPR to arbitrarily arrest several Catholic priests and Buddhist monks who vocalized their disapproval with the government.

Sri Lankan authorities have also used these discriminatory laws to detain comedians, poets, lawyers and activists.

USCIRF remains particularly concerned that

the proposed amendments to the PTA, the newly proposed Anti-Terrorism Act, and the newly proposed Online Safety bill will exacerbate these types of arrests.

We're also concerned about the targeting of places of worship.

During our time in Sri Lanka, we spoke with members of the Christian community who described increasing harassment and challenges in registering churches at the local level despite no requirement by the national government.

Recent announcements by the Ministry of Buddhasasna Religious and Cultural Affairs that authorities will raid "unregistered," air quotes around that, places of worship is especially of concern and an issue that USCIRF will continue to track.

At this time, I'd like to turn the floor over to Commissioner Schneck.

Thank you so much for your time.

COMMISSIONER SCHNECK: Thank you, Commissioner Curry.

Welcome everybody. It's good to see some familiar faces here today as well.

I wanted to take a moment to discuss some observations that Commissioner Curry and I noted during our delegation to Sri Lanka last October that he mentioned.

In 2023, USCIRF conducted a delegation to Sri Lanka. Commissioners and staff had the opportunity to raise several of the concerns mentioned by Vice Chair Davie and Commissioner Curry, including the Prevention of Terrorism Act and the ICCPR Act.

We also met with a number of different religious communities in Colombo, Trincomalee, and Jaffna and were encouraged there by several interfaith efforts at the local level.

In Trincomalee, for example, our delegation was greeted by members of the Catholic Church, as well as members of the Hindu, Buddhist and Muslim communities there, to discuss interfaith efforts, including supporting the public celebration of different religious holidays.

We were also grateful for the opportunity to visit several religious sites, including Hindu temples, churches and mosques.

In recent years, however, there have been increasing incidents of land disputes involving tensions between Buddhist heritage conservation and sites that religious minorities claim as their own.

This came up in several discussions throughout our Sri Lanka visit. Different communities that we met with explained how Sri Lanka's Buddhasasana Department of Archeology—I'm sorry—how Sri Lanka's Department of Archeology, which operates under the Ministry of Buddhasasana Religious and Cultural Affairs, has worked in collaboration with Buddhist monks and local authorities to identify and preserve cultural sites throughout the country.

In some cases, this has led to the expropriation of Hindu and Muslim places of worship, which our witnesses will discuss in more detail with you today.

Thank you all very much. Appreciate the

witnesses being here today, and I'll now turn the floor over to Vice Chair Davie.

Vice Chair Davie.

VICE CHAIR DAVIE: Thank you, Commissioner Schneck.

I'd now like to briefly introduce our witnesses. Each person's full biography can be found on our website at www.uscirf.gov.

First, we will hear from Hejaaz Hizbullah, who is a human rights lawyer known for his advocacy on behalf of Sri Lanka's Muslim community that has been affected by hate speech and discrimination.

As Commissioner Curry mentioned, he was targeted and formerly detained as a result of the Prevention of Terrorism Act, or PTA.

Our next witness will be Madura Rasaratnam, who is the Interim Executive Director of the People for Equality and Relief in Sri Lanka, or PEARL.

Dr. Rasaratnam is also associate professor of Comparative Politics at City, University of London.

Her research examines ethnic and nationalist conflict with a regional focus on South Asia.

She will be followed by Mike Gabriel, the Head of Religious Liberty Commission at the National Christian Evangelical Alliance of Sri Lanka.

Our fourth witness is Shreen Abdul Saroor, who is a Co-Founder of the Women's Action Network. Through this group, she is creating a new generation of young women leaders from divergent groups who don't typically work together, such as Muslim, Tamil, and Sinhalese, to ramp up the women's movement in Sri Lanka.

And our final witness is Alan Kennan, who is the International Crisis Group's Senior Consultant on Sri Lanka.

He has lived and worked in Sri Lanka for extended periods and holds a Ph.D. in political theory.

Thank you all for being here.

Mr. Hizbullah, you may begin your

testimony.

MR. HIZBULLAH: Firstly, thank you for inviting me to participate on this webinar hosted by the U.S. Commission on International Religious Freedom on the challenges to religious freedom in Sri Lanka.

On March 28, 2024, the High Court of Colombo sentenced Galagoda Atthe Gnanasara thereo to four years rigorous imprisonment for insulting Islam for a statement made by him in 2016.

Gnanasara thereo was the "poster boy" literally and metaphorically of the Bodu Bala Sena, a very hardline extremist Sinhala Buddhist group.

And, in fact, it was Gnanasara thereo's statements and work that motivated me to commence my work as a minority rights advocate in 2012 in my capacity as an attorney at law.

Whilst the conviction of Gnanasara thereo is in many ways an unforeseen development, it might be seen by some as a victory for religious belief.

In fact, this is not the case, and the very prosecution and conviction of Gnanasara thereo

demonstrates some of the more deeply problematic issues that Sri Lanka faces in terms of religious belief and religious freedom and the use of the law, especially laws such as the PPA and the ICCPR.

First and foremost, Gnanasara thero was prosecuted not under the PPA or under the ICCPR, but under the penal code Sections 291, which are very old blasphemy laws.

So it's in the very selection of the law to prosecute Gnanasara thero and in the particular offense or incident that he was selected for prosecution, that it is problematic because he was selected for something whereas there were instances, there are many instances of actual violence being incited by Gnanasara thero for which he was not prosecuted for, where there were actual violations of religious belief and religious freedom by Gnanasara thero for which he was not prosecuted.

One such example was the incident in 2012 where the attack on the Dambulla mosque, where on a Friday a large group of Buddhist monks walked into

the Dambulla mosque and prevented congregation prayers and wanted the mosque to be removed.

Similar such incidents have occurred in [?], in Colombo [?] where a mosque was set on fire. On those incidences, there has been no prosecution of anybody.

And the prosecution also highlights the stark reality or the stark distinction between the way the law is weaponized against minority communities.

For example, as has been noted already, the PTA and the ICCPR are being used repeatedly targeting minority community members for prosecutions.

I have two examples. One is the case of Ahnaf Jazeem, a poet, and Ramzy Razik, both of whom were arrested under the PTA and ICCPR respectively.

Ahnaf Jazeem spent almost two years in custody. The facts—Ahnaf spent two years in custody, and, of course, he was acquitted and he was discharged from High Court proceedings.

Now, the charges for which Ahnaf was

prosecuted for do not in any way come near to what Gnanasara there is accused, strong evidential material is available for.

So, this is where the religious freedom issues really crop up in Sri Lanka. Sri Lanka has also enacted recently, not enacted, but has lined up for enactment the Anti-Terrorism Act, and also recently enacted the Online Safety Act, which all have the potential to seriously curb the freedom of expression and also have the potential to be used and to be abused to target selected groups of persons, which will really very likely be minority community speakers and minority community members who speak on behalf of those communities.

Also on the question of religious freedom, we also see the case of what happened after the aftermath of the Easter Sunday attacks where Muslims faced severe restrictions on religious freedom.

A mosque in Mahara was closed down. Muslim women faced restrictions on their attire. School girls had problems going to school in

Islamic attire.

Restrictions were placed on the importing of Islamic books and copies of the Quran and even Islamic TV channels have been banned. These restrictions have not been entirely removed.

Although the public discussion based on the investigations with regard to Easter Sunday refute the original assertion that widespread radicalization of Muslims was the cause of the attack, the community still remains treated as a radicalized community and in a suspicious manner.

Also, the issue about the failure of the law to apply equally to communities is also seen in the case of the forced cremation of Muslim Covid-19 victims. Despite the existence of clear scientific evidence that the burial of Covid-19 victims does not lead to spreading of the virus, Muslim Covid-19 victims are forcefully cremated.

After intense local and international outcry, Muslims were allowed to bury their dead, but only in selected burial grounds in the Muslim town of Oddamavadi.

The issue became too hard to ignore and thereafter the government admitted that it had made a mistake, and yet to date no one has faced any consequences for their actions.

The experts whose opinions were the basis on which the forced cremation took place remain in their positions and even getting promotions. There are zero consequences.

So a key challenge to religious freedom in Sri Lanka is (a) the weaponization of laws against minority communities, the non-application of laws for those who commit freedom of religion violations against minority communities, and also the sense of there is no acceptance within the state of government with regard to the need to guarantee religious freedom from minority communities.

And this is particularly in the case of educational opportunities. Yesterday, Muslims, Sri Lanka started its GCE O Level, ordinary level examinations, where girls were attending the examinations in their hijab. Of course, I do not have any reports of girls being prevented from

attending the exam in their hijab, but, of course, this is a usual and ordinary occurrence, and every year we have cases where girls are prevented from attending, participating at the examinations, attending hijab, and this is a problem.

So there is a culture, there is no culture of acceptance of the rights of minority communities to practice their religion.

And, finally, to conclude, as has been already noted, the key problem with regard to Sri Lanka is the fact that it's not really religious conflict, as such, because whilst the country is divided really on religious lines, the country is also divided on ethnic lines, as well, and there is a convergence of those ethnic divisions along religious lines.

So you're identified as a Sinhala Buddhist or a Tamil Hindu or a Tamil Christian, and this can be clearly seen in the Mullaithivu Kurunthurmailai incident, where there is a refusal to accept the existence of a group of Tamil Buddhists who might have existed and practiced.

So these are my thoughts on the issue of religious freedom in Sri Lanka. Thank you.

VICE CHAIR DAVIE: Thank you, Mr. Hizbullah, and we will now turn the floor over to Ms. Rasaratnam for her comments.

MS. RASARATNAM: Okay. Thank you, everyone.

I'm very pleased to be here and to share my thoughts. Let me just put the timer on so I don't do the typical academic thing just talking too much.

So, yeah, thank you, everyone, and thank you for this opportunity.

So, as Vice Chair Davie mentioned, this is the 15th anniversary of the end of the war, and that's kind of a critical event in Sri Lanka's history. So I just want to say a bit about that, and some of the issues that we see in relation to religious freedom in Sri Lanka because the fundamental factors that drove the war remain unresolved and the kind of effort, sort of cataclysm of violence that marked the end of the

war also remains unresolved.

So just to sort of describe sort of the scale of what the end of the war meant, between January and May 2009, subsequent UN reports estimate that between 40 and 70,000 Tamil civilians were killed in an area known as the Bami [ph]. Indiscriminant bombings, starvation, and humanitarian blockades marked the end of the war.

The late bishop of Mannar, Rayappu Joseph, has said that 142,000 people remain unaccounted for as a result of that violence.

Now, that kind of context has not been addressed and has not been resolved, and what it has done, it has expanded so, as Commissioner Curry mentioned, the PTA, which was brought in as a temporary measure, and was intended to be used primarily against Tamil separatists, has now been expanded in scope, and it's being used to police dissent of all kinds.

So in the context of religious freedom is part of the context of the war, and why we see this continuation of problems is because the drivers of

the conflict [?] none of those things have been resolved.

So my kind of key point is that one of the ways that I would understand it as activist, as a scientist, is to think of Sri Lanka as a kind of religious and militarized ethnocracy.

So, on the one hand, in the constitution, it does guarantee freedom of belief, freedom of association, but on the other hand, the constitution also, you know, directs the state and agencies of the state to protect and foster Buddhism.

And it's the effect of these agencies of the state to keep powerful, really powerful agencies, overwhelming agencies now, like the military and the security forces more broadly, to kind of ensure the supremacy of Sinhala Buddhism as the dominant group that drove the conflict in the first place and that continued to drive these tensions that we're seeing.

So, and it takes different forms, so as previous, as Hejaaz Hizbullah mentioned, in the

north and east, you can see this in terms of [?] Sinhalization or Buddhisization.

The illustrative example that was previously mentioned is Athi Ayan temple on Kurunthurmailai hill, where, and here the repertoire is instructive, the repertoire of dispositions is instructive.

So this had been customarily in the recent past, at least, and longer, a site of Hindu worship. But in 2018, it was then invaded by a group of Sinhala Buddhist activists and monks who started constructing a Buddhist temple.

When the Tamils resisted, they took the issue to the local magistrate's court. The local magistrate issued an order to stop the construction of the Buddhist temple.

Then what happened is a government minister along with the security forces, along with the activists, came back to the site and forcibly built a temple, and the people who previously worshipped there, the Tamil Buddhists, were no longer allowed access to the site and a Buddhist

monk also started cultivating the fields around that area.

The Tamil magistrate, then, who issued the interim stay order, was also then forced to flee the island in September 2023 because of threats to his life.

So you can see that whatever the constitution may contain, how things work out in practice are, you know, very much kind of shaped by this reality of what I would call religious and militarized ethnocracy.

That's the way the state functions. And this is not just in that site, one site alone. There are others where similar tactics are ongoing at the present moment—in Thayiddi in Jaffna, in Batticaloa, in Mayilathamadu, in Neeraviyadi, in Mullativu, and Paralai Murugan Temple in Jaffna also kind of similar things started.

That last temple I mentioned, I visited it several times as a child. So that kind of havoc works in the north-east, and then you also have this atmosphere of the majoritarian entitlement and

threats that have, since particularly since the end of the war, that has expanded to target Muslims and Christians that has been detailed by, have been detailed by the other experts who are here today.

And so I kind of want to draw your attention to the final thing which I think speaks to the extent to which this is really something very institutional and deep in the state, and something that should be a cause for concern, and something that should be addressed with some urgency.

So another kind of important religious figure in Sri Lanka, Cardinal Malcolm Ranjith, has recently made some very kind of candid and deeply disquieting accusations against Sri Lankan political and military leaders.

He's called for an international investigation into 2019 Easter Sunday attacks, and he's made some extremely disquieting allegations saying that, you know, there was security forces and senior political collusion with those attacks, and these attacks were an attempt, a false flag

attempt, to secure the presidential victory of Gothabaya Rajapakse.

These allegations have been supported by a documentary, BBC, not BBC, sorry, Channel Four documentary, British documentary, that was aired in August 2023, in which a whistleblower alleged that senior politicians and security force officials had close contacts with the militants who carried out the attacks.

Extremely disquieting attacks, allegations in the way in which the war was conducted, the use of paramilitaries, the use of disappearances, the security forces, you know, having dark sites, and operating across the island. These accusations are not particularly surprising, but what we see is that because of that fact, context of the war, the factors that drove the war, the outcomes, none of that has been addressed.

It just perpetuates and carries on and expands and expands and expands, and has repercussions beyond the north and east and beyond Tamils.

And so what these accusations suggest is that powerful Sinhala leaders are willing to use deadly false flag attacks to incite religious violence as a means of advancing this ethnonationalist agenda, which is protecting and fostering a particular type of state that has, that, you know, is the sort of the driver of the conflict itself and the driver of many of the events that are being discussed in this group today.

Again, let me stop there. Thank you.

VICE CHAIR DAVIE: Thank you so much for your comments.

We're now going to turn the floor over to Mr. Gabriel. Mr. Gabriel.

MR. GABRIEL: Vice Chair, and members of the Commission, thank you for this opportunity to testify today regarding religious freedom challenges faced by the Christian community in Sri Lanka.

My name is Mike Gabriel, and I'm representing the National Christian Evangelical

Alliance, or NCEASL as it's commonly known.

The NCEASL, with a history of more than 70 years, is the largest representative body for evangelical Christians in the country.

Now with regard to religious demographics, the Christian community in Sri Lanka comprised of Roman Catholics, who make up 6.2 percent of the population; and Protestant Christians, who are approximately 1.4 percent of the population.

And as noted by Dr. Rasaratnam, constitutionally, Buddhism holds a privileged position under Article 9, with the state tasked to protect and foster the Buddhasasana while guaranteeing religious freedom to all citizens under Article 10 and Article 14(1)(e) of the constitution.

But saying that, state policy and practice have historically been majoritarian in nature, and this has resulted in systemic discrimination against ethnoreligious minorities in Sri Lanka.

Now since the end of the civil war in 2009, NCEASL has documented several incidents of

discrimination, intimidation, and violence, which actually highlights the entrenched and chronic nature of religious freedom violations against Christians in the country.

Furthermore, perpetrators of such violence, as Hejaaz also noted, often evade justice, and as seen in the case of the Sunday attacks in 2019, five years on, despite numerous committees and commissions of inquiry appointed by the government, the truth behind the attacks and the extent of the conspiracy still remains shrouded in ambiguity.

And with regard to impediment to religious freedom, administrative restrictions imposed by the state, such as the Circular 2022 issued by the Ministry of Buddhasasana and Religious Affairs, have particularly posed significant challenges to the religious freedom of Christian communities.

The Circular in extremely broad language mandates the registration of new places of worship, effectively requiring state approval for Christian religious activities.

We believe this undermines constitutional guarantees for religious freedom and nondiscrimination in Articles 10, Articles 12, and Articles 14(1)(e) of the constitution.

And a more recent analysis of incidents concerning demands for registration of churches indicates that actually registration is frequently exploited by the authorities as an intimidation tactic and a pretext to disrupt Christian worship activity in specific areas.

Churches are so often demanded by authorities to register or discontinue their worship activities. And in some instances, we've also seen the authorities hinder churches with parliamentary incorporation, a higher form of registration, from carrying out religious worship services.

And also, in a recent development, the Department of Christian Affairs have now specified plans to legislate a mandatory system to register Christian places of worship in the country.

And following this, in a following

development, and as noted by Commissioner Curry in his comments, as well, in March 2024, the Minister of Buddhasasana Religious and Cultural Affairs announced that steps will be taken to raid unregistered religious centers involved in religious conversions.

And also Christian churches, especially in rural areas, are regularly visited by law enforcement officials, including members of the intelligence apparatus, who question churches about their activities, including their membership and finances, as part of what churches deem a culture of surveillance on religious, on minority places of worship in the country.

And now with regard to the use of the law to curb religious freedoms and particularly free religious expression, the past year, and Hejaaz spoke about this quite a bit, there's a series of arrests, which included a Christian pastor under Sri Lanka's notorious ICCPR Act, on allegations of insulting religions.

While all those arrested are currently out

on bail, the continued weaponization of laws, such as the ICCPR Act, has been a cause of concern, especially in the context where the government has now passed an Online Safety Act, which is likely to serve as another legal tool at the government's disposal to suppress free expression online.

And apart from this, sporadically, Christian parents also face discrimination in seeking admission for their children to public schools, some schools disregarding legal obligations to admit Christian students in keeping with legislation such as the Assisted Schools and Training Schools Act.

And despite occasional judicial intervention, these violations persist, and it underscores the complicity of public officials in religious freedom violations in the country.

So I think in conclusion, it's important that the Sri Lankan government is urged to, firstly, pursue a clear, transparent, streamlined, and voluntary registration process for places of worship that allows Christian churches the option

to seek legal personality for various operational and functional purposes.

Secondly, I think it's important to urge them to publish the complete findings of previous inquiries into the Easter Sunday bombings and to establish an independent investigation into the attacks, while also arresting the prevailing culture of impunity concerning violations of religious freedom.

And finally, I think it's also important to urge the government to support initiatives to build religious freedom literacy among state officials, with a specific emphasis on law enforcement and sub-national state actors.

And I would stop at that. Thank you.

VICE CHAIR DAVIE: Thank you.

And now we will turn the floor to Ms. Saroor. Ms. Saroor, your comments, please.

MS. SAROOR: Good morning, Vice Chair, and the commissioners, and warm greetings to my colleagues.

Thank you very much for this opportunity.

Today, my testimony will focus on freedom of religion or belief and Muslim women's rights activities struggle in Sri Lanka.

Piety within religion is often visibly expressed through women's gatherings and rituals with their bodies, clothing, and through control of women's reproductive ability. All play a central role in shaping the politics of religious identity, particularly the post-war context and the post-Easter attacks Sri Lanka.

In the Eastern province, where I'm sitting, there have been allegations against Muslims of abducting young Tamil girls to marry them, fueling tension between Tamil and Muslim minority communities, and leading to ostracization of couples who cross community lines in relationship and marriages.

Following the 2019 Easter Sunday attack, Muslim women in Sri Lanka found themselves fighting for their right to wear cultural attire, safety in public space, mobility, and freedom of association.

They also became targets of the draconian

PTA that everybody talked about with many working now tirelessly to secure the release of the members detained under this law.

Out of the nearly 2,000 Muslims who have been arrested after the Easter attack, about 300 men, women, children, were held in detention under PTA for long period.

It was the women who were at the forefront to get them released and are continuing the struggle for the release of remaining 25 men in prolonged detention.

Similarly, when the government imposed a racist policy of Covid-19 forced cremation, it was the women who mounted the campaign against by petitioning the Human Rights Commission, the Supreme Court, and appealing to the international community, including the Secretariat of the Organization of Islamic Cooperation and the UN Human Rights Council.

Despite facing challenges, these women have been at the forefront of advocating for their rights and the rights of their community members.

The Muslim Marriage and Divorce Act, hereafter I'll mention as MMDA, enacted in 1951 in Sri Lanka, has been a point of contention, as it codifies customs common among Muslims, and it's administered through a system overseen by a male only 'Quazi'.

The implementation of this law has led to the marginalization and discrimination of Muslim women and girls as it legitimizes unconditional polygamy, child marriage, and teenage pregnancy.

Efforts to reform MMDA have been ongoing since 1980s, with the recent progress in getting cabinet approval for reforms.

However, some influential but chauvinist individuals within the community are resistant to change, spreading falsehoods that the remaining—sorry, reforming of MMDA would abolish Muslim personal law all together.

This resistance stems from cultural, not religious, sources, and reflects a reluctance to empower women and to retain the undue male advantages.

It is critical to advocate for more inclusive and rational approach to religion and cultural practices that values individual freedom, diversity, coexistence, and tolerance.

Criticism against Muslim women's rights activists often stem from attempts to discredit or pressure them into abandoning their advocacy efforts.

These activists play a vital role in addressing women's issues within the Muslim community and mobilizing for broader community struggles.

The intersectionality of gender and religion shapes experiences of safety and fundamental freedoms for Muslim women, highlighting the need for gender-sensitive approach to protect and promote their rights.

State action or inaction can either uphold or permit violations of these rights to persist.

In response to the increased trend of Islamophobia, following are the recommendations:

It is essential to push back against

discriminatory practices and policies targeting Muslim community, in this context:

Reject the government's cynical use of the Easter Sunday attack to promote unwarranted counterterrorism frameworks that will further persecute minority communities;

Demand repeal of the PTA and reject the proposed ATB; and

Condemn the use of ICCPR Act of 2007 to prosecute minority communities. Everybody mentioned this.

At the same time, recognize that fighting Islamophobia does not mean renunciation of women's rights. Recognizing and supporting the demands of Muslim women's rights activists who have been fighting over 40 years to reform MMDA is fundamental.

Call on the government of Sri Lanka to respect and enforce its obligation under CEDAW and other human rights instruments.

Thank you very much.

VICE CHAIR DAVIE: Thank you for your

comments as well.

And we'll now turn to Mr. Keenan for his comments. Mr. Keenan.

MR. KEENAN: Thank you very much to the commissioners and the staff for inviting me, and it's a pleasure to be here in this virtual space with a lot of people I know and respect. So thank you very much for the opportunity to talk.

In my longer written presentation, I discuss briefly some of the conflicts in the north and the east over temples, over sort of holy spaces, holy places that Madura mentioned briefly.

In this presentation, I want to make some more general points that touch on that and touch on kind of the roots or the causes or the factors behind religious violence in Sri Lanka.

So with regard to the temple disputes in the north and the east, I think these need to be seen as part of the, as a delayed effect of a long-term project of rediscovering and protecting Buddhist heritage in the north and the east, initiated by nationalist monks before the end of

the war and inaugurated as soon as the Tamil Tigers were forced out of the Eastern Province in 2007.

The project later received state sanction through a presidential task force established by Gothabaya Rajapakse in 2020, and while that task force has ceased to function, monks continue to work closely with the archeology and forest departments and the military and the police to establish Buddhist sites that they claim have been allowed to decay or have been actively destroyed over the past centuries.

The ongoing project of reestablishing or establishing, depending on your perspective, Buddhist temples across the north and the east needs to be understood also as part of a long-standing state-backed project to break the contiguity of the territory of the northeast, or north and east, see by Tamil nationalists as a continuous stretch of land that constitutes the Tamil homeland.

This project poses, the counter-project also poses a long-term threat more generally to the

Tamil-speaking, whether Hindu, Christian or Muslim, character of the northeast or north and east of the island.

The process of claiming land as "belonging" to Sinhala Buddhists is allowed to continue in part because of the lack of clear or consistent action from the president and senior government officials.

Their reticence to intervene strongly is likely due to the president's short-term political need to maintain the support of the Buddhist clergy and military, as well as his and others' awareness of the power of the ideological deep structures of Sinhala Buddhist nationalism, rooted in religious narratives and fostered by religious institutions, by social separation between groups, by state power, and by political expediency.

Any effective response to the current wave of temple building in the north and the east would need to develop a more precise understanding of the extent and sources of support for Buddhist nationalist networks, which include and rely on

significant sectors of the military and state bureaucracy, especially the archeology department, as well as politicians.

At a deeper level, advocates of religious freedom and religious pluralism need to develop a better analysis of and responses to the cultural insecurities that help drive Buddhist nationalism.

For lasting change, one would need to build a critical mass of monks, willing to work within the Buddhist Sangha to develop a different, more accommodating, narrative of Buddhism, away from seeing it as perpetually under siege and at risk of disappearing. This is a daunting task.

Now with regard to factors behind, behind interreligious violence, I'd just like to say that while so far none of Sri Lanka's current sites of religious tension have boiled over into serious violence, the threat of escalation is ever present, particularly in a year that could have multiple, highly-charged elections.

Now when considering the challenge of preventing interreligious violence in Sri Lanka,

there are two basic truths to keep in mind. Now some of these have been referred in passing by the previous speakers. But I just want to bring them out more clearly.

First, the pervasive and institutionalized impunity for state violence and crimes is a key factor.

The fact that no one in Sri Lanka is ever punished for any ethnic or religious violence or state violence emboldens conflict entrepreneurs, both within the state and outside. And means the threat of violence is ever present.

So while things are quiet for now, the fact that no one has been held accountable for any of the waves of violence increases the risk that the anti-Muslim or anti-evangelical project could be reactivated if it seems politically useful to those in or close to power and also this more recent sort of anti-Hindu project.

Now this brings us to the second basic truth: state backing or at least tolerance is always needed for any serious interreligious or

inter-ethnic violence in Sri Lanka.

This was true in the decades of periodic anti-Tamil rioting and pogroms that began in the 1950s and eventually led to full-scale war in 1983.

This has also been true in the almost decade of violent anti-Muslim campaigning.

Interreligious and inter-ethnic violence are almost never spontaneous local events but rather need active support from the police and local and often national politicians and government officials.

Now, more surprisingly, state support also increasingly appears to have been a factor in Sri Lanka's sole case of Islamist violence against other communities.

The 2019 Easter bombings were Sri Lanka's deadliest terrorist attacks ever. They were also the first-ever attack by Muslims against, against other communities on religious grounds.

The basic facts aren't disputed. A small band of Salafi Islamist men based in the Eastern Province carried out coordinated suicide bombs at

two Catholic churches, one evangelical church, and a series of hotels in Colombo. 270 people were killed and more than 500 were injured.

However, what looked at first like a relatively straightforward case of Islamist political violence now appears to have been much more complicated.

First, because evidence clearly indicates that the members of the National Towheed Jamaat, who carried out the attacks, were radicalized by the preceding years of state-sanctioned Buddhist nationalist violence and hate speech against Muslims, even as the targets or attacks of their counter-attacks were Christian, not Buddhist.

And second, and most worrisome, increasing evidence has emerged that indicates significant state involvement in the attacks.

This includes military intelligence officials intervening to allow and possibly to actively facilitate the attacks, as well as them actively preventing police investigations from exposing this support and from uncovering its

alleged political motivation.

In this interpretation of events, the objective was to generate enough fear of Islamist violence that Sinhala voters would support the candidacy of Gothabaya Rajapaksa in the presidential election in November 2019, running on a security and anti-Muslim agenda.

This is exactly what happened. Now, it's worth noting all those allegedly who participated in the plan have denied any involvement.

While there is an ongoing and very slow-moving criminal trial of about two dozen Muslims accused of mostly peripheral involvement in the attacks, there has been no punitive or disciplinary action taken against senior officers and officials who were found guilty of negligence by both the presidential commission of inquiry and the parliamentary select committee.

And there has been no credible independent investigation into allegations of military intelligence complicity in the attack despite evidence emerging from senior former police

officials and well-placed high witnesses.

The international community, including those 14 governments, including the U.S. government, whose citizens were among the 270 murdered in the attacks, should support the Catholic Church's call for an independent international investigation or at least an investigation with significant enough international involvement to be credible.

The need for stronger international support for justice for the Easter bombings is another reason for continued monitoring of Sri Lanka's human rights situation by the UN Human Rights Council, even after the current council resolution expires this September.

Human Rights Council and with it the Office of the High Commissioner for Human Rights remain essential tools for both justice and conflict prevention in Sri Lanka.

Thank you very much, and I look forward to any questions you might have and to an interesting conversation.

VICE CHAIR DAVIE: Thank you. And thank you all for your comments.

We will now actually turn to questions. I'll ask the first one, and then I will pass it to Commissioner Wolf, and then we'll follow up with our other commissioners.

So in addition to the U.S. government perhaps calling on and supporting a full investigation and holding accountable those involved in the Easter bombing, what other ways can the U.S. government support freedom of religion or belief in Sri Lanka?

And I'll open that up to any of our guests who would like to answer that question.

MS. RASARATNAM: Maybe I can jump in on that. So the U.S. has been, has led and has supported efforts at the UN Human Rights Council to follow up investigation and some form of accountability. I think those should be continued because, as I mentioned in my comments, and the testimonies here have said, it's really about a lack of accountability that is now entrenched and

imbedded in the state.

And any time there is sort of progress for Sri Lanka towards something else, to sort of remove this threat, this ever-hanging present threat of the possibility of violence being mobilized against any particular group, if that happens to be the politically sensible and salient thing to do, is there must be some form of accountability that will band together this process.

So I would say, yes, I would say that the U.S. government should support the Cardinal's calls for international involvement and support with clear and transparent investigation into the appalling event of Easter 2019 and also maintain those efforts in relation to 20--

VICE CHAIR DAVIE: Thank you.

Ms. Saroor.

MS. SAROOR: So the ADB on the table, it is also coming in the name of the Muslims being so radicalized. Previously, the Sri Lankan government tried to bring in an addendum to PTA saying they want to do de-radicalization of these 300 odd

people because they arrested without any basis or anything like that; right?

Even some of the cases that we filed in Supreme Court, the intelligence department came and told us if you withdraw the fundamental rights obligation, we'll let go these people in the administrative—

So we had to barter. Irrespective of the torture, three of the 300 people died in prison. So in that context, it is very, very important that U.S. pay close attention to the counter-terror framework that Sri Lanka is working.

And it is also very interesting, in the last few, at least few months, the Sri Lankan government has been passing laws with minimum number of parliamentarians.

Now recently they passed rehabilitation bureau bill with 17 members of Parliament; right? So once it passed, passed because Sri Lanka does not have post-judicial review.

So we had that window of going to supreme court, and last time was they brought in the ADB

and then they withdrew. So they have been doing this, bringing it and withdrawing it, and then the fear that the Sri Lankan government one fine day slowly pass it with very simple majority so the U.S. has to pay close attention to ADB.

Thank you very much.

VICE CHAIR DAVIE: Thank you. Any other comments on that question?

Yes, Mr. Keenan. And you're on mute, Mr. Keenan. Mr. Keenan, you're on mute.

MR. KEENAN: Sorry about that classic mistake.

I don't want to make a specific recommendation, but I'm just thinking more generally in terms of how the U.S. government frames its interventions and engagement in Sri Lanka.

I think two related things need to shift in order for the issues that all of the panelists, including myself, have raised about, you know, impunity, lack of accountability, politicization of religious tensions by many governments, current and

past.

In order to address those, I think the government, the U.S. government needs to take, I think they've trapped themselves a little bit in their relationship with the current government by being so concerned with supporting economic stability in Sri Lanka—which is a worthy goal—that they've been very soft, much softer on this government for its human rights abuses and sort of more authoritarian tendencies than they would have been on previous governments, including those headed by one of the Rajapaksa brothers.

And more generally I think it's also a result of the, I think, overemphasis or allowing the question of China and resisting sort of Chinese incursion and Chinese expansion of power to over-determine U.S. policy, and we see that I think in other parts of the world.

But in Sri Lanka again it means that the U.S. government is less actively critical of the government for things it would have been critical of other governments.

And also, less actively I think encouraging other states in the European Union and other influential states to raise these issues.

So when I was recently in Colombo, a lot of people were telling me that, except for occasional tweets and occasional statements, no governments really are speaking out about these issues, no Western governments or other influential governments who previously might have been.

So I think there needs to be a more fundamental shift towards an openly challenging and critical position by the U.S. government vis-à-vis human rights abuses, including those related to religious freedom.

VICE CHAIR DAVIE: Great. Thank you.

I'm going to turn to Commissioner Wolf to see if you have questions. Commissioner Wolf.

COMMISSIONER WOLF: Thank you very much, Vice Chair Davie.

The last speaker sort of covered it. One, let me thank all the witnesses. I learned a lot and appreciate it very much.

Has there been a congressional delegation out in Sri Lanka lately?

MR. KEENAN: I don't know. Someone based in Sri Lanka should probably answer that more. I don't remember one. There have been various senior State Department officials who have come, but I don't know of any congressional delegations recently.

VICE CHAIR DAVIE: Mr. Gabriel, you are next, and then we'll go to Mr. Hizbullah. And you somehow are still on mute. It says that you are not on mute, but we can't hear you.

Mr. Gabriel, somehow—now there you go. I think we've got you now. Go ahead.

MR. GABRIEL: Oh, dear. Sorry about that.

I think just to, based on what Alan said, we haven't have a congressional visit as such, a delegation visit, but we've had senior U.S. state government officials visit us and discuss religious freedom, including the USCIRF last year.

VICE CHAIR DAVIE: Right. Thank you.

Mr. Hizbullah.

MR. HIZBULLAH: Yeah. I want to say the same thing. I don't think we've had congressional visit.

VICE CHAIR DAVIE: Thanks.

Commissioner Curry, do you have any follow on questions?

COMMISSIONER CURRY: Yes.

COMMISSIONER WOLF: I'm sorry--

VICE CHAIR DAVIE: I'm sorry. Go ahead, Commissioner Wolf.

COMMISSIONER WOLF: Excuse me. If I could just add one.

One, I think, then, you ought to ask a congressional delegation to come out, at least one or two, maybe a Republican and a Democrat, to come out and kind of see.

We hear very little about Sri Lanka here back in the United States, perhaps with what's taking place with regard to Russia and Ukraine and Gaza and different things.

But the media really has not covered this so I think it would be helpful to have a

congressional delegation, bipartisan, to come and visit and see and experience.

Secondly, what countries have the most impact? I have one other question after this so I'll ask them both together. What other countries have the most impact on what's taking place, they were involved and speaking out?

What countries have an impact there in your country?

VICE CHAIR DAVIE: Please, Mr. Hizbullah, and feel free, any of you, to open your mike and respond. Mr. Hizbullah.

MR. HIZBULLAH: Yeah. So India has obviously been a country of great influence to Sri Lanka, and from a religious freedom perspective, from a Muslim religious freedom perspective, it has been very worrying because India under the BJP government has adopted a very hard line anti-Muslim sentiment.

And so we do see or we have reports of the RSS operating in Sri Lanka and also taking up certain positions with regard to certain issues

publicly against Muslims.

So that is one country that is very influential in Sri Lanka, and the economic crisis that the country is facing has allowed India to walk in as an economic, as a helper, and also that has resulted in India also being able to be politically influential with certain geographically sensitive locations being allowed for Indian investments, et cetera. So India is certainly an influential country.

Second, China, or at least they're jostling for the first-place is China. China was influential in Sri Lanka, I think, when the Rajapaksas were in power.

We don't see China being so visibly influential now, and they, of course, I think the third most influential—I think the other Sri Lankan panelists can correct me—is the U.S., and we see the U.S. also quite visible in the level of to the extent to which they interact with the government on important issues, with the IMF, et cetera.

COMMISSIONER WOLF: Okay.

VICE CHAIR DAVIE: I think Ms. Saroor might have an answer to Commissioner Wolf.

COMMISSIONER WOLF: Okay.

MS. SAROOR: Just very quickly, yes, U.S. is becoming a key player in Sri Lanka with regard to not only various other issues, but also economy. So it's very important that because the governance issue is covered in the IMF, the agreement, and there it has been extremely difficult for us to bring in the ForB violation so it could be helpful for the U.S. to play that role.

In addition to that, Japan has been the major donor to Sri Lanka, and Japan is now playing key role in the reconciliation process there now, driving factor of the truth commission. That is one of the transitional justice processes. So maybe that's one place that we can also ask for some kind of influence on the ForB related issues.

Thank you.

COMMISSIONER WOLF: Okay. Thank you. Thank you very much. I appreciate it. Thank you again.

VICE CHAIR DAVIE: Thank you, Commissioner Wolf.

We'll turn to Commissioner Curry. Do you have any follow-on questions?

COMMISSIONER CURRY: Yes. Thank you, Vice Chair Davie.

I agree with Commissioner Wolf's observation that a congressional visit would be important. I say that because, speaking only for myself, I was in Sri Lanka about four or five days before I even could really understand all of the complexities.

It is a very complex and beautiful, wonderful place, as relates to this.

I have a couple of questions. I have several questions, but I'll note that others do as well. So I want to just jump in on a couple of them.

There is this idea behind registrations but it also relates to some of the significant property issues that really is the, might be seen as like a weaponization of laws, rules, the

opaqueness of the system.

As regards to registering Christian churches, for example, what would seem to in this modern age be a very practical thing, which you would maybe post on a website and have a process you go through, is not on a website. It's not clear. It's not required, but if you don't have it, you can be shut down, arrested, harassed, et cetera. The process is the persecution in some way.

Mr. Gabriel, this is, in my view, a very significant issue because if you have people who are, lack somewhat some sophistication or that are fearful of getting into the system, it really has a stifling effect.

How do you prioritize this issue of registration and the opaqueness of the, maybe intentional opaqueness of the system in Sri Lanka for churches and religious groups?

MR. GABRIEL: Thank you, Commissioner Curry, for that question.

I think for the Christian community in Sri

Lanka, registration has been the number one concern when it comes to religious freedom. And as fully mentioned, the opaqueness of the process, in particular, as it stands right now, has been the main concern.

We've had many churches who have been visited by local authorities and asked to register with the local authority, but when they do go to the local authority, sometimes there is no process to do it, and they are sent back saying there is no system to register.

But they continue to get harassed by the law enforcement, or police, more particularly, and then at times you also have intelligence officials who visit them some time and from time to time.

So in such a situation, it's been very difficult for churches, and particularly in the absence of a clear process, clear guidelines on how to go about it, and the very opaqueness of the law being kind of weaponized against them.

Just to give you an example, we had a church just a few months ago who was asked by the

police to register, and when they went to the authority, obviously they couldn't register. There was no process, and they were sent back.

And then the police continued to harass them, and, in fact, even told the neighbors that they should, they should record the people who are coming to the church and inform the police if there are people who are visiting the church who are not members of the family.

So, in such instances, many churches have been forced to now even, you know, meet online or stop services entirely.

VICE CHAIR DAVIE: Mr. Hizbullah, you had a response as well?

MR. HIZBULLAH: Yeah. I mean Muslim mosques have been registering for a very long time. I think from the 1950s. So the problem is not really going in and registering.

Of course, the Muslim mosques have been registering with the Muslim Religious and Cultural Affairs Department, and I'm sure similar, similar, similar practices are there with the

interreligious, for the religious, particular religious department, registering the places of worship.

But the new regulations, what they really do is that you need to go and register with the Buddhasasana Ministry, and the result of that is that it opens it for objections by other communities, and that's where the problem is.

It's not a mere case of registering, but it's also the fact that you open yourself up for other communities to object to your registration.

So if you want to establish a church, you might be rejected. Your registration might get rejected on the basis of an objection coming from the monk in the near-by temple.

COMMISSIONER CURRY: Thank you for that.

I mean if it's, I'm relating to a story that, you know, where I spent about three-and-a-half hours with the California Department of Motor Vehicles line being moved from one to the next. But if it's anywhere near as frustrating—I'm sure it's more than that—it needs to be resolved.

The other question I have is for Mr. Hizbullah. Your story, in particular, from what I recall of it, is particularly difficult for me because it seems as though you have been targeted because you're defending religious minorities, that there is this chilling effect by attacking the person—and I think a lot of people understand the critical role of defense attorneys to, that there's a proverb that I believe in which says that every story is believed, but then there's another side.

And until you hear that other side, you don't really know the story. So this is a critical part of a free society, and yet they seem to be targeting you.

As your case, do you see other patterns like this where they're targeting those that defend religious minorities or people of a like category?

MR. HIZBULLAH: As far as a lawyer being targeted for religious freedom issues, I think I was the first. But lawyers have been targeted and have been retained for their political views throughout the history of Sri Lanka.

But why was I targeted? Why is it happening now, is because, and I think, Ma-am I pronouncing the name—Madura, Madura, Madura highlighted, is that Easter Sunday was a project to establish a particular type of state, and that particular type of state had a particular religion and a belief and an ideology, and also it selected Muslims as the enemy of choice, the target of choice that's going to the other. The "other" that they chose were the Muslims.

And so in order to fit into that narrative, they needed to also start targeting Muslim minority rights advocates, and I think that's where my arrest played a very, very important role.

I was, I was, I was the evidence of the head of intelligence to the presidential commission on the Easter Sunday attacks, has now been made public. It was secret. It was confidential, not given to the public, but as a result of parliamentary debate, it's public.

And I was put forward as the main

mastermind of the Easter Sunday attacks. It's completely—but I'm not even—I've not been accused of it in a court of law, but this was the narrative.

This was the story that they were trying to spin. So, so a defense attorney being sort of a minority rights advocate being targeted for religious reasons. I think, I'm sure the other panelists, Shreen might be able to help me, but from my knowledge, I'm the first, and that's because of the current trend that we are taking in Sri Lanka where there is less ethnicity and more religion.

Thank you.

VICE CHAIR DAVIE: Thank you.

Mr. Gabriel, you were going to respond?

MR. GABRIEL: Yes, just adding to what Hejaaz mentioned, I think the NCEASL, in particular, some followers in 2017 faced, because of the work that they did on documenting religious freedom violations had to face interrogation, and some even had to leave the country because of the

threats that they faced at that point.

So there have been previous incidents as well where lawyers who have, at least in our case, who are engaging on religious freedom cases of Christians, who have kind of spoken publicly about the number of incidents or the documentation of religious freedom violations affecting churches and Christians who have been targeted by law enforcement.

VICE CHAIR DAVIE: Thank you.

Commissioner, I'm sorry. Ms. Saroor.

MS. SAROOR: Can I add one more to what Hejaaz talked about?

Ramzy Razik, he's an online kind of activist, online social media activist, so the very Buddhist monk that Hejaaz talked about when he said the reason for the suicide bombing of people, Muslims, blowing themselves up, Ramzy Razik took on to the social media and talked about that we have to use, counter these kind of hate speech, using the social media, but he framed it in certain ways so the Sri Lankan intelligence took him under the

ICCPR Act so he, I mean activities of such nature is also like when you—when there is hate mongering on the Muslim community, when they tried to explain or defend, and they are being arrested, and put under ICCPR.

VICE CHAIR DAVIE: Mr. Keenan.

MR. KEENAN: Yeah. Just to add another basic sort of bit of background, going backwards, of course, there's a long history of human rights activists, some of whom may have been lawyers, but who were targeted for repression, arrest under the PTA.

Our friend, our mutual friend, Ruki Fernando, is a prime example, but going back in history further than that.

But also I think all these examples we're coming up with are further reason to be very worried about the Online Safety Act, which was passed earlier this year, which is so expansive in its powers and so nebulous in what constitutes an untruth that the government can go after you for having said on social media, that basically all of

us, including us here in this room, are potentially liable for unfalseness, for false statements from the government's perspective.

So I think everybody is quite worried that we could be seeing, at least there's a threat of a much more expansive attack on dissenters, activists, lawyers, religious people who speak up for any number of potential issues. So I think there's reasons to be worried on that front.

VICE CHAIR DAVIE: Thank you.

Commissioner Curry, anything else?

COMMISSIONER CURRY: No. I know there are other questions, but thank you so much. Fascinating, very important issue.

VICE CHAIR DAVIE: Thank you.

Commissioner Schneck.

COMMISSIONER SCHNECK: Thank you, Vice Chair Davie, and I too would like to take a moment to thank all of the witnesses. This has just been, I mean in so many ways, eye-opening and even after the visit that Commissioner Curry and I and staff made to Sri Lanka last October, I continue to be

surprised with some of the things that you've said today have done.

My question is a fairly broad question. A number of the witnesses have indicated that a kind of religious nationalism associated with the Sinhalese Buddhist majority is in some ways exacerbating these challenges to freedom of religion or belief.

I wonder if any of the witnesses might like to speak to that directly? Is there a weaponization of religion that's occurring in Sri Lanka? And if so, why? What's the rationale behind it as you might see it?

VICE CHAIR DAVIE: Ms. Saroor, your mike is open. Feel free to comment.

MS. SAROOR: So I mean this has been happening for a very long time, but because of the pre-conflict, you know, like we didn't see how all the religious hatred towards the minority community, minority religious community, was piling up.

So after the end of the war, the Sri

Lankan government started very overtly, very quickly attacking the minority groups. So that's why the elections are very important, but Alan pointed out, because every time there is elections, the Sinhala politician in their efforts or their attempt to appealing to Sinhala nationalist vote, they vilify the religious minorities.

So that this is, this, there is a growing trend and also there is a growing trend of almost I would say like [?] is already in Sri Lanka, and then there is also lots of emotion running with the Muslim community as well.

So with all those things, this is going to go on a very, very wrong direction. So this is very important that the country's leaders, political leaders, need to be very careful.

Already, in the Tamil community, there is also because of the extreme [?] influence, that the Tamil community, the Tamil's community in the north and in the east, is now even looking at Christian, Catholic, Hindus; right? So that is also divided now, right now, as we speak.

Even the political party is falling apart, and alliance is falling apart. So this is what we see as escalating. Apart from, there is a systematic way of Buddhisization of this country, and there is that fear that Sri Lanka, the [?] Buddhism. This is the only country, and the communities are trying to take over, and there is allegations that the Muslims are multiplying and we are going to take over the country and all those things.

So the leaders come up with these things in order to gain vote and they will also bring in people like Gnanasara. They say this Gnanasara there was a puppet of Gothabaya Rajapakse. So they create these puppets, and right now I'm sitting in Batticaloa. There are two very [?] monks who are trying to attack communities. These [?] in this case, the [?] land has been taken.

There is a Buddhist monk, who is like, you know, really fighting, physically fighting and hitting people. So this is going to increase. I mean this is unlike [?] Buddhism.

The Buddhism that you all know is different, but what we are practicing is totally different. Political leaders are going to use this. So it is weaponizing for political advantage.

Thank you.

VICE CHAIR DAVIE: Let's go to Ms. Rasaratnam now.

MS. RASARATNAM: Thank you.

I mean I just want to add that I would caution against saying that the religious element is new; right? Because, you know, my sort of reading on Sri Lanka is that it's a kind of religious nationalism, Sinhala Buddhism, that's been the driving force in Sri Lankan politics since independence.

And so Buddhism has always been there. Now it's not that it was so submerged, necessarily submerged during the kind of the conflict, still ongoing conflict with effectively Tamil separatism.

It's that, you know, the Tamil identity has been primarily cultural and linguistic rather

than religious. But the Buddhism has always been there; right?

So the kind of justifications for, you know, needing to ethnically transform the north and east, the justifications for, you know, for colonization of the north and east, the justification for the pogroms against Tamils, the justification for the conflict, the violence, and the conflict against Tamils always drew on Buddhism; right?

It always drew on Buddhist [?] mythologies of the [?], the idea that the island as a whole was given to the Sinhalese people to preserve and foster Buddhism, and if there are Tamil settlements in the north and east, well, it's because they were [?] invaders who were coming from South India to take over the island.

So I think it's, you have to kind of connect what's going on to the ways in which, you know—in academia, we think of conflict as productive, not in good way, but it produces things.

So that conflict produced a certain type of very militarized, very kind of ethnicized state of enormous military in [?] terms, but is Buddhist in its ethos.

You know that had kind of, you know, there's kind of a limit to how much you can do to the Tamils. There are very few left, and we've taken over who they have. So you turn to other people; right?

And you need to find new victims. So I would caution against seeing this as somehow distinct. I think the religion has always been there, and it's always been a kind of, it's been central to the way in which Sri Lanka has developed since independence.

VICE CHAIR DAVIE: Thank you.

Mr. Gabriel.

MR. GABRIEL: I think just to add to what Shreen said in terms of existential threats that the majority community, in particular, experiences in Sri Lanka, apart from that, I think this entire human complex [?] would say that Sri Lanka is a

Sinhala Buddhist country has been at the root of issues and religious tensions.

And this has been something that has in one sense been constitutionally enshrined also since 1972.

Sri Lanka's first constitution guaranteed Buddhism the foremost place. And since then, state policy and practice has been majoritarian. And apart from this, we've also seen a sense of exceptionalism in the sense of Buddhist monks, in particular, have enjoyed a sense of impunity.

And it's only recently that they've been able to speak about these issues publicly, and there's been in one sense at least to some degree a public discourse on religious freedom issues in the country.

For example, NCEASL has been documenting religious freedom violations for the past three decades. So it's been a problem that has been there, and it's been very much entrenched and part of our social fabric.

VICE CHAIR DAVIE: Mr. Hizbullah. And

you're on mute, Mr. Hizbullah.

MR. HIZBULLAH: Sorry about that.

So I echo the comments made by the other panelists as well, and I agree that although we did not see it as a religious conflict, the ethnic conflict was a religious, at least an effort on the part of a religious group for domination.

While it was not seen as an ethnic, religious conflict was because the enemy was not framed on the basis of religion, but as an ethnic group.

But in the 1990s, I think Mike will agree, that that's the time I think when evangelicals were being targeted with the early 2000, the anti-conversion bill, et cetera.

So 1990s was, I think, when the Christian minority, especially evangelical churches, were being targeted with violence.

But after the end of the war, the Muslims became the target. I think that was a project, a convenient project, that you have a lot of support from across the board, India, and the West would

support an Islamophobia project, an anti-Muslim project, and that would justify militarization, keeping draconian laws, and the huge defense budgets, and also that was the selling point of the Rajapakse government.

Easter Sunday was supposed to be the sort of the, sort of the pedestal on which they were going to sort of springboard themselves up to another level of, another level, but unfortunately the poor economic management on the part of Gothabaya Rajapakse sort of drown that project.

But we see it again with Gothabaya releasing his latest book saying that I was thrown out by Christians and Muslims, and his assistant coming in saying the Muslims came to kill Gothabaya when they came to his house.

So these, as to why is it a religious conflict, I think that's, that's what sells, and Sri Lanka has had this—Sri Lankan voters, as Shreen said, that this is the only country care about the Buddhism, et cetera, et cetera.

These have been themes that have bought

votes, that have been bases on which people have been able to win elections. So that's what we're seeing now, and best example is Gothabaya's latest book where he says Muslims chased me out.

Thank you.

VICE CHAIR DAVIE: Thank you.

Commissioner Schneck, any additional questions?

COMMISSIONER SCHNECK: No other additional questions. Let me close again by thanking all of the witnesses.

This has just been terrific. Given the upcoming elections, and based on your answer to my last question, you know, I hope that the government does as much as possible to minimize interreligious tensions in the months ahead.

Thank you all.

VICE CHAIR DAVIE: Thank you.

With just the little bit of time we have left, let me do one question to Mr. Gabriel, and then we'll conclude for the day.

Given your monitoring, are there any areas

or districts where you see any positive steps being taken to protect the rights of religious minorities?

MR. GABRIEL: I think that's a difficult question to answer in terms of specific areas where there has been positive steps. Unfortunately, I could answer in the contrary, areas where there have been, you know, intensification of issues, but unfortunately, it's difficult to pinpoint and say that in particular areas there have been improvements when it comes to religious freedom.

But, particularly, I think it's important to highlight that in the north and east, in particular, there has been an intensification of tensions, and maybe that's something that we didn't speak too much about also.

But we've seen the rise of Hindu extremism, which has been a cause of concern for Christian churches, particularly in north and east, where we talk about the Hindu issue and in the place of worship, we've also seen a rise of Hindu extremist groups, particularly [?], offshoots of

the RSS, aided and abetted by their counterparts in the India.

So I know that was not the question, but I had to mention that.

VICE CHAIR DAVIE: Understood.

Yes, Mr. Keenan.

MR. KEENAN: Yeah. I just wanted to piggyback on that and also kind of connect up with something that Shreen was saying, just to kind of draw a couple of things together.

What Mike was just referring to, I think, suggests that almost in reaction, like sort of a dialectic between majoritarian identity politics from Sinhala Buddhists has begun to create or feed into a counter-reaction.

We've seen to some degree that among Muslims, I think this was a part, a theme in Shreen's presentation, that there is, for a lot of other reasons, including global dynamics, the kind of developments, almost like a Muslim nationalism, or a Muslim identity politics of sort of, in part, in defense against pressure that they got from

Buddhists and more generally from the state, but you can also begin to see that in among Hindus.

And I think what you now have the possibility for is not simply, as was just discussed, sort of the question of who, of which group will be targeted by sort of the Sinhala nationalist project with state backing, but also the potential of conflict between sort of the smaller groups, the minority religious groups, in their more kind of aggressive, defensive identity, i.e., Hindu attacking sort of tensions between Tamil Hindus and Tamil Christians, tensions between sort of more nationalist or tough, you know, Hindu groups and Muslims.

Potential alliances between Hindu groups and Buddhist groups against both evangelical Christians and Muslims seen as a threat to what the Indian government likes to talk about, likes to discuss, the civilizational connections between Buddhism and Hinduism.

And I think there's a lot of very worrisome elements that we could be kind of not

going beyond the space where you just have sort of the state attacking some kind of minority group of whichever seems most politically useful to ones where there could be a multiplicity of potential violence and tension.

VICE CHAIR DAVIE: Great. Thank you.

All of that leads clearly to the fact that we need to from USCIRF continue our efforts in working with you all to monitor and address issues of religious freedom or belief, or the lack thereof, in Sri Lanka, particularly for religious minorities.

Unfortunately, that's all the time we have for today. I want to thank you all again, all of our witnesses, for your crucial testimony. I also want to thank the audience for joining us today.

Many thanks to fellow commissioners and staff for both being present and helping to launch this hearing and the work that everyone does every day on behalf of freedom of religion or belief around the world.

So thank you, and this hearing is

adjourned. Thank you so much.

[Whereupon, at 12:00 noon, the hearing was
adjourned.]