



GENERAL INCORPORATED ASSOCIATION  
ASIA-PACIFIC ASSOCIATION OF  
**JEHOVAH'S WITNESSES**



THE EUROPEAN ASSOCIATION OF  
**JEHOVAH'S WITNESSES**

13 July 2022

**In behalf of**

**The Asia-Pacific Association of Jehovah's Witnesses**

**And**

**The European Association of Jehovah's Witnesses**

**Contribution for the**

**42nd session of the Universal Periodic Review**

**(January–February 2023)**

**Sri Lanka**

————— **Contact Information** —————

Contact address in Japan  
Office of APAJW:  
5-11-2-605, Mita Minato-ku, Tokyo, 108-0073  
Japan  
Tel: 81 3 4565 5250  
Email: [apajw.jp@jw.org](mailto:apajw.jp@jw.org)

Office of EAJW:  
Am Steinfels 1, 65618 Selters,  
Germany  
Tel: 49 6483 41 3802  
Email: [inboxopieajw@jw.org](mailto:inboxopieajw@jw.org)

## TABLE OF CONTENTS

ABOUT THE SUBMITTING ORGANIZATIONS.....	2
SUMMARY OF THE SUBMISSION.....	3
I. INTRODUCTION.....	3
II. ISSUES.....	4
A. Recognition as a Religion.....	4
B. Obtaining Approval to Build Places of Worship.....	5
C. Incitement to Violence Against Persons.....	5
D. Harassment by Officials.....	7
III. IMPLEMENTATION OF ACCEPTED RECOMMENDATIONS.....	8
IV. CONCLUSION AND RECOMMENDATIONS.....	9

## ANNEX

Annex 1 – Statement by H.E. Mr. Ravinatha Aryasinha, Permanent Representative of Sri Lanka to the United Nations in Geneva, 19 March 2018

## **ABOUT THE SUBMITTING ORGANIZATIONS**

**The Asia-Pacific Association of Jehovah's Witnesses (APAJW)** is a general incorporated association registered in Japan with membership in Australia, Fiji, Guam, Hong Kong, India, Indonesia, Japan, Kazakhstan, Korea, Kyrgyzstan, Malaysia, Myanmar, New Caledonia, Papua New Guinea, Philippines, Solomon Islands, Sri Lanka, Tahiti, Taiwan and Thailand.

**The European Association of Jehovah's Witnesses (EAJW)** is a charity registered in the United Kingdom (No. 1085157) with membership throughout the member States of the Council of Europe.

These associations work together to promote the protection of human rights and fundamental freedoms in various parts of the world, particularly when Jehovah's Witnesses face violations of such rights. This submission is prepared and submitted jointly.

## SUMMARY OF THE SUBMISSION

This submission to the Human Rights Council (HRC) on Sri Lanka highlights human rights issues and current failures to implement accepted recommendations by Sri Lanka during the previous Universal Periodic Review (UPR) cycle.

Jehovah's Witnesses in Sri Lanka and as a worldwide organization respectfully request the Government of Sri Lanka to:

- (1) Ensure that The Christian Congregation of Jehovah's Witnesses in Sri Lanka is registered as a Christian religion with the rights and privileges accorded to other Christian religions;
- (2) Ensure that Jehovah's Witnesses are able to build places for peaceful religious worship unobstructed by an unduly complex permit process and administrative barriers;
- (3) Ensure that the right to manifest religion or belief in worship, observance, practice and teaching is respected;
- (4) End harassment and violence against Jehovah's Witnesses by enforcement of legal protections;
- (5) Abide by its commitment to uphold the fundamental freedoms guaranteed by the Constitution of Sri Lanka and the International Covenant on Civil and Political Rights (the Covenant) for all citizens, including Jehovah's Witnesses.

### I. INTRODUCTION

1. Jehovah's Witnesses have been in Sri Lanka for 112 years. Their first recorded activity in Sri Lanka was in 1910, when they arranged for religious meetings. The Watch Tower Bible and Tract Society of Lanka (a legal corporation used by Jehovah's Witnesses) was registered on 5 August 1981. Jehovah's Witnesses enjoy a measure of religious freedom in Sri Lanka, but in recent years they have experienced increasing opposition, manifested by intimidation and physical violence, along with police inaction.
2. Problems are frequently compounded by slow legal process—one criminal trial has continued for more than 15 years. Recently, two court cases reached settlement after many years of litigation. In two other cases, it took about a decade for seven of Jehovah's Witnesses to be acquitted of fabricated charges against them.
3. Sri Lanka acceded to the Covenant on 11 June 1980.
4. Notwithstanding the international commitments of Sri Lanka, it is difficult, or even impossible, for Jehovah's Witnesses in Sri Lanka to obtain approval for building places of worship (Kingdom Halls). Local government officials refer to a non-statutory 2008 government circular issued by the Ministry of Buddha Sasana and Religious Affairs, and forward all new Kingdom Hall construction applications to this Ministry for approval. Regional authorities prevent construction of new Kingdom Halls by claiming that the Ministry's approval is required. The Ministry asserts that its approval is not required and that

the local authorities may grant the necessary approvals, leading to an impasse.

5. In some areas, Jehovah's Witnesses continue to meet for worship in rudimentary, low-cost and essentially unsuitable meeting facilities.
6. Although the current Ministry of Buddhasasana, Religious and Cultural Affairs (MOBRCA) promises a neutral policy for all religions, there has been no progress for more than two years. Jehovah's Witnesses have not been able to build a new Kingdom Hall in Sri Lanka since 2009.

## **II. ISSUES**

### **A. Recognition as a Religion**

7. Since 1998, Jehovah's Witnesses have made repeated attempts to clarify their registration situation with the Department of Christian Religious Affairs (DCA). As a Christian religion, The Christian Congregation of Jehovah's Witnesses in Sri Lanka should receive the same rights and privileges as other Christian religions. Owing to the inaction of the DCA, the matter is now pending with the MOBRCA.
8. This lack of formal registration has resulted in discrimination against individual Jehovah's Witnesses by law enforcement officers, teachers and government officials. Unverified allegations from adherents of mainstream religions are accepted unchallenged, and Jehovah's Witnesses are treated as criminals before their version of events is heard. Complaints by Jehovah's Witnesses about crimes against them result in prosecutions only after repeated personal visits to the police. We provide a selection of illustrative examples below.
9. On 27 November 2013, four of Jehovah's Witnesses in Weliveriya, Western Province, were forcibly taken to the police station because of their peaceful religious activity by a Buddhist monk and his accomplices. One of the Witnesses suffered a dislocated jaw as a result of the attack. The officer-in-charge berated the four men and humiliated them by forcing them to sit on the floor, throwing food at them and physically assaulting them. A complaint was lodged at the police headquarters, where officials were initially reluctant to record it. After almost two years, the facts were reported to the magistrates' court by the police. The monk is now the defendant in an ongoing trial, but the case has been postponed nine times since 2020, and shows little progress.
10. On 8 February 2020, one of Jehovah's Witnesses in Kadawatha, Western Province, hosted a small number of friends to watch a religious webcast in their private residence. A mob of approximately 40 individuals, including police, a Buddhist monk and a local politician (a member of the Provincial Council) arrived, threw stones at the house, forced their way inside, insulted Jehovah's Witnesses by calling them an "unrecognized" group and threatened those present. A police complaint was lodged the same day. On 16 February 2020, at the request of the police, the homeowner and her lawyer went to the police station, where the monk and more than 100 villagers were gathered. On 24 February 2020, the Witnesses learned that false complaints had been made to the police, alleging forcible conversion, propagating religion, "healing" illnesses and making disturbances due to gatherings at the house. A formal statement objecting to, and rejecting, these complaints was lodged. On 6 March 2020, the Witnesses filed an additional complaint at the Human Rights Commission of Sri Lanka. To date, three follow-up letters have been sent to the Human Rights Commission, the most recent on 3 January 2022, without substantive response.

## **B. Obtaining Approval to Build Places of Worship**

11. Jehovah's Witnesses have experienced insuperable difficulties in obtaining approval to build Kingdom Halls. Local government officials refer to a 2008 government circular issued by the then Ministry of Buddha Sasana and Religious Affairs. The process is not transparent and is applied inconsistently, with approval generally dependent on the consent of mainstream religious bodies.
12. As a result, even when Jehovah's Witnesses have been present in an area for several years, approval to build a Kingdom Hall is denied owing to purported and unfounded concerns about religious disharmony. Consequently, Jehovah's Witnesses had to meet for worship in private homes. This resulted in opposition from neighbours, religious leaders or the local community, and some peaceful meetings for worship were disrupted and halted. MOBRCA, which as currently constituted is now responsible for all religions in Sri Lanka, has voiced concerns over Jehovah's Witnesses meeting in private homes for peaceful religious observances. Owing to the opposition faced, currently no meetings are held in private homes. This has resulted in some Jehovah's Witnesses being obliged to travel for several hours to attend a meeting at a Kingdom Hall.
13. By way of example, in May 2016, in Digana, Central Province, a Buddhist monk and some 10 accomplices aggressively disrupted a peaceful religious meeting in a private home and threatened those present. Between 25 and 30 attendees, including women and children, felt compelled to discontinue the meeting and leave the area. The monk was charged with trespassing and making threats, but the prosecution is still pending.
14. In 2015, the Chilaw, North Western Province, local council rejected an application by Jehovah's Witnesses to build a Kingdom Hall in Madampe, stating: "Approval cannot be granted as this can cause religious disharmony in the area." A complaint was filed with the Human Rights Commission of Sri Lanka but Congregation Trustees were informed on 8 November 2021 that the case had been closed because "compliance with existing law does not constitute a violation of fundamental rights".

## **C. Incitement to Violence Against Persons**

15. As of 1 April 2022, 28 cases of violence are pending with the courts but with little or no hope of remedy or conclusion for the 92 individual victims. Some of these cases have been pending for nearly a decade. A number of illustrative examples are set out below.
16. On 23 March 2013, two of Jehovah's Witnesses in Gampola, Central Province, were peacefully sharing their religious beliefs. A Buddhist monk assaulted one of them and forced him into a Buddhist temple where two monks further assaulted him. The police took no action against the monks, and one officer said to the victim, "If you had come to my house, I would have slit your throat". The Witnesses filed a complaint. Although one of the monks faces charges in the magistrate's court, nine years have passed, and as yet there have been no consequences to deter such assaults. The delays and inaction have caused the victims considerable distress.
17. On 2 October 2013, three female Jehovah's Witnesses in Kottawa, Western Province, were peacefully sharing their religious beliefs when they were accosted by a mob led by Buddhist monks. The women were tied to a tree with a rope for more than one and a half hours, while being physically and verbally assaulted. They were then tied together, made to hold up placards and led along the streets.

18. When the matter was taken to the police, the monks who led the mob stormed the police station and abused the officers on duty. The Witnesses remained in a cell at the police station overnight for protection, and the following morning they were taken before the magistrate on false charges of trespass and insulting Buddhism. They filed a complaint against the perpetrators, and on 29 June 2018, the magistrate ordered that the perpetrators be arrested and produced in court. The police made no effort to identify the perpetrators and, despite identification being made later, no immediate action ensued. This incident was widely broadcast in mainstream media, causing embarrassment and shame to the victims and their family members.
19. On 10 March 2020, the police summoned both parties to the police station in order to compile a report for the attorney general (AG). The complainants clearly explained they were not willing to settle the case, and on 23 October 2020, the accused were brought to court and bailed.
20. On 1 April 2022 the magistrate first stated that an AG's report had not been received and set 5 August 2022 as the next date. When the defence lawyer requested details of the AG's reply, the magistrate examined the record and stated that the AG had already directed the release of the accused monks. No reason was given.
21. This incident violates article 18 of the Covenant (freedom of religion) along with articles 7, 9 and 14. The police delayed detailed investigation, and after eight years the case is still pending. The victims suffer age-related health difficulties, and the constant inconclusive hearings and frequent delays seriously impact on their physical and emotional well-being.
22. On 11 November 2017, in Yatiyantota, two families of Jehovah's Witnesses had lunch at a restaurant after engaging in voluntary religious activity. When they left, a mob led by a Buddhist monk verbally abused them. A member of the mob attacked one of the male Witnesses with a club. Another Witness suffered injuries that caused him to lose his eyesight temporarily. The Witnesses complained to the police, and a prosecution was initiated against the monk and two accomplices. The monk filed a counter-complaint in the same court, alleging that the Witnesses were "propagating" their religion, and charges of insulting another religion were brought against them. As of 6 May 2022, the AG had not responded to the case, and it was adjourned until 4 October 2022. The report from the AG has now been pending for more than three years.
23. On 17 November 2017, while two male Jehovah's Witnesses were peacefully sharing their beliefs in Bandaragama, two Buddhist monks and three accomplices accosted and attacked them. One of the Witnesses was hospitalized as a result. On 5 March 2019 the defence lawyer petitioned the judge to disallow admission of the prosecution's video evidence. Four and a half years later, on 19 May 2022, the judge allowed the video evidence, and the trial has been listed to begin on 1 September 2022.
24. On 27 September 2018, in Wattedagama, four male Jehovah's Witnesses were peacefully sharing their religious beliefs when a passing Buddhist monk stopped and falsely accused one of them of videoing him. The monk gathered a mob and physically assaulted the Witness, seizing his phone and religious publications. The victim, who was 67 years old at the time, was hospitalized for five days. The monk also assaulted another Witness for trying to intervene.

25. Initially, the Wategama police were reluctant to cooperate, and the victim had to wait for nearly seven hours until his lawyer called and insisted that the complaint be recorded. The matter came before the Teldeniya Magistrates' Court for an initial hearing on 16 October 2018. On 12 November 2020, the complainant was ill and unable to attend. The trial was then adjourned until 10 June 2021, and then further adjourned owing to Covid-19 travel restrictions. The monk lodged a counter-complaint alleging that the victim had assaulted him, and the victim was subsequently charged with assault. At a Mediation Board hearing held on 8 December 2019, neither party agreed to settlement, but the trial has not yet concluded. On 25 February 2021, the evidence-in-chief of the Buddhist monk, Prosecution Witness No. 1, was completed.
26. The complainant subsequently died without receiving a remedy. In the last few months of his life, he could not attend hearings because of ill health. This caused him emotional distress because he was not afforded the opportunity to demonstrate his innocence.
27. On 27 February 2019, in Polonnaruwa, two of Jehovah's Witnesses were about to leave the home of a woman who had been studying the Bible with them after one of their regular religious discussions. A chief Buddhist monk approached them and berated them with abusive language, profanity and threats, and physically assaulted one of the Witnesses. A police complaint was lodged the same day, and an inquiry was held on 28 February. The case was referred to court two years later, on 17 February 2021, when a compact disc containing video footage of the incident, which had been made available to the police shortly after the incident was provided to the defendant.
28. On 17 March 2019, in Rakwana, a monk, accompanied by a mob, approached four female Jehovah's Witnesses who were returning home after peacefully sharing their religious beliefs. The monk and his mob verbally abused them and attacked them with a cane. When three of these women boarded a bus to exit the area, the monk announced to the passengers that they were "religious propagators" and he assaulted them. Later, when one of the women went to her motorbike, she was stopped by the monk. His companions took her religious literature, burnt it and threatened that she would face the same, or worse, if she returned. One of the Witnesses was hospitalized for two days owing to her injuries.
29. After this incident, the monk and mob located another group of four of Jehovah's Witnesses, forcibly took literature from their bags and severely assaulted all of them. Two of the Witnesses were hospitalized because of their injuries. Complaints were made by two different individuals respecting this incident. On 2 December 2020, the judge listed the case for trial. On 3 March 2021, counsel for the Witnesses requested permission for CDs containing video footage of the incident to be produced. His request was granted, and the next hearing was set for 9 June 2021. On the day, the case was not heard. On 15 September 2021, consideration was further postponed owing to an island-wide curfew. On 2 March 2022, the judge ordered that the trial commence at the next hearing. Forty-five days before that hearing, which is listed for 12 October 2022, the CD containing the video evidence is to be lodged in open court.

#### **D. Harassment by Officials**

30. Since the terrorist attacks in April 2019, there has been heightened surveillance of Jehovah's Witnesses at places of worship and at their national offices, through repeated enquiries and requests for information. Enquiries have been made by local police and intelligence officers requesting information about the Board of Directors of the Watch Tower Bible and Tract Society of Lanka, lists of meeting places and the whereabouts of specific adherents. Individual Jehovah's Witnesses around the island have also been identified and questioned, including

persons involved in ongoing court cases, and those who have hosted private religious gatherings in their homes.

31. In some cases, police officers have pressed individuals for information on names, addresses and National Identity Card (NIC) numbers of persons who attend religious meetings. In one case, an officer warned that if these details were not provided, an entry would be made in the report that those concerned were not being cooperative. The constant surveillance and enquiries have created a chilling atmosphere impinging on Jehovah's Witnesses' freedom to worship.

### III. IMPLEMENTATION OF ACCEPTED RECOMMENDATIONS

32. Following the previous UPR review cycle in 2017–2018, Sri Lanka supported 177 out of the 230 recommendations made by member States, and made 12 voluntary pledges, stating that due note had been taken of the remaining recommendations.<sup>1</sup>
33. The continuous denial of registration of Jehovah's Witnesses in Sri Lanka, the denial of building permits for places of worship and the impunity with which harassment and violence from the community in general and law enforcement officers are tolerated appear to be in contradiction with the following recommendations:
34. New Zealand recommended that Sri Lanka should accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. (A/HRC/37/17, para. 116.4)
35. The Philippines recommended that Sri Lanka should work with the development partners to facilitate the implementation of the National Human Rights Action Plan. (A/HRC/37/17, para. 116.20)
36. Thailand recommended that Sri Lanka work to ensure that all government agencies and relevant stakeholders are fully aware of the National Action Plan for human rights and effectively implement it for the benefit of all people, especially the most vulnerable groups in the society. (A/HRC/37/17, para. 116.23)
37. Senegal recommended that Sri Lanka do more to combat all forms of discrimination, with a focus on vulnerable groups. (A/HRC/37/17, para. 116.32)
38. Uruguay recommended that Sri Lanka adopt measures to strengthen the legal framework with the aim of eliminating all forms of discrimination against minority groups in society, based on ethnicity, gender, caste or any other ground. (A/HRC/37/17, para. 116.36)
39. Namibia recommended that Sri Lanka take concrete measures aimed at preventing and punishing the perpetrators of hate speech and incitement of violent attacks against ethnic and religious minorities. (A/HRC/37/17, para. 116.42)
40. Australia recommended that Sri Lanka investigate all attacks and hate speech against members of religious minorities, prosecute perpetrators and take steps to prevent reoccurrence. (A/HRC/37/17, para. 116.43)

---

<sup>1</sup> Statement by H.E. Mr. Ravinatha Arysinha, Permanent Representative of Sri Lanka to the United Nations in Geneva, 19 March 2018

41. Italy recommended that Sri Lanka strengthen efforts to protect freedom of religion. (A/HRC/37/17, para. 116.97)
42. The United States of America recommended that Sri Lanka hold accountable perpetrators of harassment and violence against members of religious minority communities. (A/HRC/37/17, para. 116.102)

#### **IV. CONCLUSION AND RECOMMENDATIONS**

43. Jehovah's Witnesses in Sri Lanka and as a worldwide organization express concern about the failure to register them as a Christian religion in Sri Lanka, the denial of building permits for places of worship and the harassment and violence perpetrated against them by the community in general and by law enforcement officials when exercising the freedom of religion or belief that is guaranteed by the Constitution of Sri Lanka and by the Covenant. They respectfully request the Government of Sri Lanka to take the necessary steps to:
  - 1) Ensure that The Christian Congregation of Jehovah's Witnesses in Sri Lanka is registered as a Christian religion with the rights and privileges accorded to other Christian religions;
  - 2) Ensure that Jehovah's Witnesses are able to build places for peaceful religious worship unobstructed by an unduly complex permit process and administrative barriers;
  - 3) Ensure that the right to manifest religion or belief in worship, observance, practice and teaching is respected;
  - 4) End harassment and violence against Jehovah's Witnesses by enforcement of legal protections;
  - 5) Abide by its commitment to uphold the fundamental freedoms guaranteed by the Constitution of Sri Lanka and the Covenant for all citizens, including Jehovah's Witnesses.