



On 16th October **2008**, the Ministry of Religious Affairs and Moral Upliftment (presently the Ministry of Buddha Sasana) issued a **Circular** addressed to the heads of Divisional Secretariats and local government bodies concerning **new constructions of places of worship**.



Religious groups are **not legally required to register with the State** to engage in religious activities or to establish their places of worship.



The Circular outlines a requirement for any potential constructions of places of worship to **first seek approval** from the Ministry, even though this is not a legal requirement.

Circular

Constitution

Every person is entitled to **freedom of thought, conscience and religion**, including the freedom to have or adopt a religion of his choice [Article 10].



An **application form** attached to the Circular requires the relevant public authority to provide his/her reflections on the matter, including whether the proposed construction could potentially hinder religious harmony in the area.

Circular

Constitution

Every citizen is entitled to the freedom, either by himself or in association with others, and either in public or private, to **manifest his religion or belief** in worship, observance, practice, or teaching [Article 14(1)(e)].



It stresses that permission for construction must not be granted without explicit approval from the Ministry, and instructs the relevant authorities to take steps to **halt** any activities carried out without such permission.

Circular

Constitution

Any restrictions on the exercise and operation of fundamental rights must be **prescribed by law** [Article 15(7)].



This Circular has been utilised by law enforcement and government officials with **prejudice**, against minority religions and their places of worship.

Circular

Constitution

The State is obliged to ensure the **full realisation of the fundamental rights and freedoms** of all persons [Directive Principle 2(a)].



On 28th June 2017, the Supreme Court of Sri Lanka delivered a judgement (SCFR 92/2016) concerning the construction of a Madrasa. The Court held that the Petitioners had not complied by the requirements of the 2008 Circular and that the Circular could be **defined as a law**.

Circular

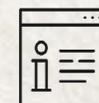
Constitution

The State shall **promote mutual confidence and ensure equal opportunity** for all people of Sri Lanka, regardless of religion, race, sex, language, or caste [Directive Principles 27(5) and 27(6)].



A letter dated 12th September 2017 sent by the Ministry of Buddha Sasana under RTI stated there was **no legal requirement** for places of religious worship to register with the Ministry.

Right to Information



22 reported incidents of **violations** against Christians in 2017 involved the use of or reference to the Circular.

Circular

Constitution

No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any such grounds [Article 12(2)].

