

LST REVIEW

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**REFLECTING ON REPORTS OF THE UNITED
NATIONS SPECIAL RAPPORTEURS ON
EXTRAJUDICIAL, SUMMARY OR ARBITRARY
EXECUTIONS AND FREEDOM OF
RELIGION OR BELIEF**

LAW & SOCIETY TRUST

CONTENTS

Editor's Note

i - ii

**CIVIL AND POLITICAL RIGHTS, INCLUDING
THE QUESTION OF DISAPPEARANCES AND
SUMMARY EXECUTIONS**

*Report of the United Nations Special Rapporteur
On Extrajudicial, Summary or Arbitrary Executions,
Philip Alston - MISSION TO SRI LANKA
(28 NOVEMBER TO 6 DECEMBER 2005)*

01 - 22

**CIVIL AND POLITICAL RIGHTS, INCLUDING
THE QUESTION OF RELIGIOUS INTOLERANCE**

*Report of the United Nations Special Rapporteur
on Freedom of Religion or Belief
Asma Jahangir - MISSION TO SRI LANKA
(2 MAY TO 12 MAY 2005)*

23 - 42

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they had been expelled have to some extent been confirmed. Nevertheless, many difficulties remain in terms of land issues and Muslims are still very reluctant to go back in the present conditions.

98. Besides this particular issue, Muslims complain about the behaviour of the media towards their religion. They claim that, on a regular basis, the Muslim community or their religion is depicted in a very wrong or negative way. Moreover, while they usually take advantage of a right to reply, their statements are allegedly never published.

4. Minority groups within the Muslim community

99. Representatives of a Sufi group in Batticaloa met with the Special Rapporteur and told her about the difficulties they had suffered for 25 years. Between 1979 and 1982 their mosque was burned three times, and more recently, in September 2004, Muslim organizations allegedly incited a mob which destroyed the mosque used by 32 Sufi families. The attack went on for seven days. Shortly afterwards, a fatwa was pronounced against their leader, declaring him an *ixfidel*. It was subsequently withdrawn under the condition that the Sufi leader would give up teaching Sufism.

100. In another incident, members of the Tharikathul Mufiheen society, a religious movement based on Islam but rejected by mainstream Muslims, reported to the Special Rapporteur that in October 2004 in Kattankudy, their place of worship and the residences or properties of some of their members were allegedly attacked by a mob of approximately 500 people lead by Muslim organizations. The properties were either destroyed or set on fire and several members of the society were injured. The police arrested eight alleged perpetrators who were later released on bail. Meanwhile, some mainstream Muslim organizations continued to threaten the members of the society to force them to abandon their belief. As the police reportedly failed to provide protection to the victims of these attacks, they had to flee and find refuge in Colombo. Since then, they have not been able to return to their properties because of continued threats and the absence of appropriate measures by the authorities.

101. As in other countries, the Ahmadiyyas community's main difficulty is that its members are not recognized as Muslims by mainstream Muslims. As a result, they are also not recognized as Muslims by the authorities, which are under strong pressure from Islamic leaders, and face many obstacles in the exercise of their right to freedom of religion. The Ahmadiyyas cannot build a proper place of worship. Instead, they have a community centre in Negambo that they use for worship. Burials are particularly difficult because members of their community are refused access to Muslim cemeteries. They do not enjoy any form of tax exemption and they cannot offer long-term residence status to their foreign missionaries. In their daily life, Ahmadiyyas are also the object of insults by the Muslim population and Ahmadiyya children attending Muslim schools are rarely accepted.

102. Finally, women's groups complained that there was a constant pressure on Muslim women by their community leaders to dress "modestly" and to preserve "Islamic social values". The Special Rapporteur was not, however, presented with actual cases, policies or laws that discriminated against Muslim women. She is therefore not in a position to draw any conclusions on this subject.

5. Others

103. The Special Rapporteur was informed that Sri Lanka did not offer any legal framework for those citizens who do not believe in any religion. In this regard, the obligation to follow religious education

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