

Prof. Channa Jayasumana  
Acting Minister of Health  
Suwasiripaya  
No. 385, Rev. Baddegama Wimalawansa Thero Mawatha.  
Colombo 10, Sri Lanka

19 February 2021

TG Ref: TG ASA 37/2021/002

Dear Minister Channa Jayasumana,

## VIOLATION OF THE RELIGIOUS RIGHTS OF MUSLIMS IN SRI LANKA

I write to request your attention to a serious injustice against the minority Muslim community in Sri Lanka. Amnesty International is very concerned that the government has implemented a policy of mandatory cremations for people who have died or are suspected of having died from COVID-19, despite Ministry of Health guidelines, in 2020, originally permitting both burials and cremations. This is in spite of guidance from the World Health Organization (WHO),<sup>1</sup> Government-appointed expert groups, and other expert bodies, sanctioning both cremations and burials for COVID-19 victims.

According to Islamic principles, burials are an essential part of a person's last rites. As such, the act of cremation is expressly forbidden in Islam, and forced cremation is therefore an unjust and unnecessary infringement of the religious rights of Muslims.

The government of Sri Lanka has not been able to provide sufficient justification for the limitation that has been placed on the religious rights of Muslim communities to bury COVID-19 victims. The government's chief epidemiologist, Dr Sugath Samaraweera, claimed that burying COVID-19 bodies would "contaminate ground drinking water";<sup>2</sup> however, this contrasts with WHO guidance, which expressly states both cremations and burials of COVID-19 victims can be carried out. Additionally, State Minister of Primary Health Care, Epidemics and COVID Disease Control, Sudarshini Fernandopulle, speaking in Parliament, expressly confirmed that the virus causing COVID-19 cannot spread through water.

The forced cremation of Muslim victims of COVID-19 is in contravention of both domestic legislation and international human rights law and practice. The Constitution of Sri Lanka, particularly Articles 10 and 12, expressly protects the freedom of religion, and from discrimination based on religion. Furthermore, the International Covenant on Civil and Political Rights (ICCPR), to which Sri Lanka has acceded, clearly sets out that every person has the freedom to follow religious practices.

We urge the government to rely on the international guidelines set out by public health experts such as the WHO, and the recommendations of the expert committee appointed by the Ministry of Health (headed by Professor Jennifer Perera), whose reports clarified that burials should be permitted. We call on the government of Sri Lanka to amend the Quarantine And Prevention Of Diseases Ordinance to permit both burial and cremation, and bring an end to the discriminatory policy of forced cremation of those who have died or are thought to have died of COVID-19.

Yours sincerely,

David Griffiths  
Director of the Office of the Secretary General

<sup>1</sup> WHO, Water sanitation hygiene, Disposal of dead bodies in emergency conditions, [www.who.int/water\\_sanitation\\_health/publications/tech\\_note8/en/index1](http://www.who.int/water_sanitation_health/publications/tech_note8/en/index1).

<sup>2</sup> BBC, *Coronavirus funerals: Sri Lanka's Muslims decry forced cremation*, 5 July 2020, [www.bbc.com/news/world-asia-53295551](http://www.bbc.com/news/world-asia-53295551)