By Seeni Mohamed

Concept Note on Documenting the Forced Cremation of Muslim COVID-19 Victims in Sri Lanka: Addressing Violations of Religious and Human Rights

The COVID-19 pandemic presented unprecedented challenges to global public health systems. In Sri Lanka, one of the most controversial responses was the government's decision to mandate the cremation of all COVID-19 victims, including Muslims, whose religious faith requires burial. This policy violated religious freedom and contravened international human rights norms. The mandatory cremation disproportionately impacted the Muslim community, exacerbating grief, trauma, and alienation during an already vulnerable period. Documenting this episode is crucial for ensuring accountability, preserving historical records, and amplifying the voices of affected families.

The Sri Lankan government's mandatory cremation policy disregarded the religious beliefs of Muslims, violating **Article 18 of the Universal Declaration of Human Rights**, which guarantees freedom of religion. By imposing cremation, the government undermined cultural and religious rights, deepened societal divisions, and fostered mistrust within communities. While the policy eventually faced international condemnation and was later reversed, the experiences of affected families remain largely undocumented. Without proper documentation, this chapter of Sri Lanka's history risks being erased, leaving unresolved grievances unaddressed.

The primary objective of this initiative is to document the forced cremation of Muslim COVID-19 victims in Sri Lanka. This includes compiling testimonies from affected families and stakeholders, analyzing the policy's compliance with domestic and international legal frameworks, assessing its social, cultural, and psychological impact, and providing actionable recommendations for safeguarding religious rights during future crises. Such documentation is critical for justice, reconciliation, and the long-term protection of religious and cultural rights in Sri Lanka. It will also serve as a valuable resource for policymakers, human rights advocates, and communities striving for a more equitable society.

The proposed outcome of this concept, upon practical implementation by an appointed committee, is to address the rights of the victims, their families, and the wider community through a comprehensive methodology.

This concept paper recommends avoiding submitting a research proposal that outlines the documentation methodology for the working group members as they are well aware of the issue and methodology. Given the defined purpose, the study will focus on all victims, ensuring that those involved in fieldwork are also aware of the issue and the research methods being employed. Two types of outputs are suggested:

1. A **legal documentation report** suited for court arguments, ensuring justice for the victims.
2. A **scientifically prepared report** aiming at educating national and international human rights organizations and other relevant stakeholders about the atrocity.

Alternatively, the scientific report alone may suffice, provided that attorneys confirm its utility for legal proceedings.

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The total number of forcibly cremated individuals is estimated to be approximately 300, which includes some patients suspected of having COVID-19 but not confirmed. However, tracing the names and details of the deceased is challenging, as these records have not been disclosed by the Ministry of Health, further constituting a human rights violation. To address this issue, the following data collection strategies shall be proposed:

1. Collaboration with **Amnesty International** and the **World Health Organization (WHO)** to gather official records.
2. Engagement with mosque administrations to collect information from **Grama Sevakas (GSs)** and families who lost loved ones.
3. Conducting interviews with family members of the victims to obtain testimonials.
4. When direct testimonials are unavailable, collecting affidavits from the families of the deceased as proof.

Upon approval of this concept paper, a detailed research proposal, including budget and timeline, shall be submitted if required only. The study shall focus on data collection, analysis, and preparing a comprehensive report. Following the completion of the research phase, a project proposal shall be developed to outline how the defined objectives can be achieved.

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