

INSS

Institute of National Security Studies

NATIONAL SECURITY

PAPERS
2021
Volume II





INSTITUTE OF NATIONAL SECURITY STUDIES

NATIONAL SECURITY PAPERS

Volume II

Published by

Institute of National Security Studies



ABOUT THE JOURNAL

Institute of National Security Studies (INSS) explores and researches on an array of issues pertaining to the National Security of Sri Lanka. This journal is the second volume of a compilation of such valuable academic work produced by the staff of INSS during their tenure of employment at the INSS over the past few years. The aim of this publication is to build awareness on pressing National Security issues and threats, challenging Sri Lanka and proposes analysis and recommendations to decision makers and public leaders for addressing those challenges as viewed by the authors of each paper. The journal of National Security Papers will no doubt meet research needs and as such are compiled with authentic materials with quality content on various facets of National security. All papers included in this publication have already been published elsewhere either online or in printed form in Newspapers or Publications of other academic organizations and have been reproduced by obtaining the final draft sent for its initial printing by each author.



First published in December 2021

© 2021 Institute of National Security Studies (INSS)

ISBN 978-624-5534-07-4

Compiled by the Institute of National Security Studies

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Preface



The Sri Lankan threat landscape became complex after its security forces dismantled the Liberation Tigers of Tamil Eelam (LTTE) in May 2009. To address the multiplicity of threats confronting Sri Lanka, the government is raising a generation of national security professionals - both practitioners and scholars. They will

need to monitor the evolving threats confronting Sri Lanka and work with government and partners to mitigate their manifestations. Unless the security and intelligence professionals understand the dynamic and evolving threat environment, government will not be able to detect and disrupt threats. To identify and prioritise threats and respond appropriately and in a timely manner, the national security professionals should work with a range of government and civil society partners. When the threat to churches and hotels were imminent in April 2019, government did not share intelligence with the religious leaders and hotel security industry. To be effective and efficient, we need to change the mindset and thinking and develop a whole-of-government and the whole-of-nation thinking and approach to securing Sri Lanka.

Sri Lanka's premier national security think tank, the Institute of National Security Studies (INSS), is designed and developed to formulate policy options and strategies to mitigate threats. The INSS staff and affiliates delineate threats and propose options for mitigation. The INSS Sri Lanka covers a range of security threats from separatism to religious extremism, geopolitics and foreign intervention to serious and organised crime. The INSS covers issues ranging from economic sovereignty to energy, water and sustainable agriculture.

The national security papers highlight staff commentaries by reproducing the most topical challenges. The INSS staff have researched the current Prevention of Terrorism Act (PTA) and advised government on how it should be revised to combat contemporary terrorism. As protecting human rights is the best antidote against extremism and terrorism, it is vital for government to strike a balance between national security and human rights.



Writing on online falsehoods and manipulations, another analyst writes how history is distorted by LTTE front, cover and sympathetic organisations especially those located in Canada, US, UK, Europe and Australia. The international network of the LTTE that provided arms, ammunition and explosives has transformed into lobbying, litigation and law making. Having suffered military defeat in Sri Lanka, its LTTE support network active in Toronto, New York, London and Sydney falsely promote the idea that in Sri Lanka there was a genocide, war crimes and crimes against humanity. The research highlight how LTTE remnants masquerading as human rights activists provide votes and funds to western politicians to advance LTTE's separatist agendas in their legislatures from Ontario to New South Wales parliaments. The LTTE operators and supporters engage the human rights bodies to take action against Sri Lankan security forces. The forces demonstrated magnanimity when it rehabilitated 12,000 terrorist surrendees rather than prosecuted them for conducting massacres, bombings, and assassinations.

An INSS staffer discuss the importance of intelligence sharing and security assessments. With the Sri Lankan security forces at the forefront of managing the pandemic, the staff of INSS also researched facets of COVID-19. With the surge of COVID-19, the Sri Lankan military and intelligence community rose to an unprecedented challenge. Although infectious disease is neither an area INSS had experience nor expertise, its staff mapped the contribution of the Sri Lankan security forces in confronting an apex challenge. Another paper discuss how Sri Lanka can do better with the European Union post-Brexit and also likely scenarios of globalization or delocalization.

Since May 2021, INSS has revised its focus from coverage of a spectrum of threats to identifying gaps, loopholes and weaknesses in national security. National security threat monitoring by INSS and its partners has strengthened government understanding of threats. The INSS also started to build intelligence capacity to diversify skills of intelligence professionals. Starting 2022, INSS will support the Sri Lankan intelligence community to produce the second generation intelligence professional - intelligence officer 2.0.

National security threats are constantly ranked and prioritised and government is advised to allocate resources to mitigate the threats. National security daily threat updates are shared within the national security community that includes trusted partners in the private sector. In addition to enhancing the specialist



understanding of the threats, the INSS presentations and publications seek to raise public awareness. Furthermore, the INSS is developing deep expertise on two critical areas - first, the ongoing Muslim radicalisation and second, LTTE's revised strategy of lobbying, litigation and law making. These two neglected areas if not addressed swiftly will affect harmonious living and erode the image and reputation of the security forces. By releasing Zahran's farewell video, the INSS successfully debunked the political conspiracy theory by radical Muslims and unscrupulous politicians falsely accusingly military to have staged the Easter Sunday attack. In the video, Zahran said that he will stage the Easter attack to please "Allah" and his "religion". Likewise, to counter the online falsehoods and manipulations, INSS is working closely with government on a bill to deter and counter fake news. Working with the Ministry of Foreign Affairs, INSS is investing in capability development in strategic communication. In the next phase, the INSS plan plans to develop and deliver a milestone national security training course for law enforcement, military and intelligence personnel.

The INSS research has strengthened its capacity to teach, network and engage in outreach. I thank the contributors and the editors as their research and writing will influence and shape our futures.

Professor Rohan Gunaratna
Director General
Institute of National Security Studies
December 31, 2021



TABLE OF CONTENTS	Page No.
1. A SECURITY ASSESSMENT OF SRI LANKA THROUGH INTELLIGENCE SHARING <i>Hirantha Sandalu Wijesinghe</i>	01
2. COVID- 19: A Wake-up Call for South Asia <i>Ruwanthi Jayasekara</i>	26
3. COVID-19 through the perspectives of Children and Youth <i>Hiruni Jayaratne</i>	35
4. Countering Terrorism; Striking a Balance between National Security and Human Rights. <i>C L C M Patabendige</i>	48
5. Post-Brexit Opportunities: Prospects for strengthened ties between Sri Lanka and the European Union <i>Udeshika Jayasekara</i>	62
6. Post Lockdown Strategies for Sri Lanka <i>K.A.Waruni Madhubhashini</i>	71
7. Preventing online falsehoods <i>C L C M Patabendige</i>	78
8. Prevention of Terrorism Act; Striking a Balance between Conflicting Interests <i>C L C M Patabendige</i>	84
9. Waste Management during Corona Pandemic and Its Impact on Environment <i>Udeshika Jayasekara</i>	90
10. Trends in Slowbalisation: Is it Globalization or De-Globalization that Awaits Us? <i>Ruwanthi Jayasekara</i>	98



A SECURITY ASSESSMENT OF SRI LANKA THROUGH INTELLIGENCE SHARING

Hirantha Sandalu Wijesinghe

Published on Sri Lanka Military Academy Journal in December 2021

ABSTRACT

Three decades of brutal terrorism and ethnic violence which crippled Sri Lanka's economy and social structure ended in the year 2009. However, a decade of peace was shattered with the Easter Sunday attacks conducted by a religious extremist group in 2019. In the changing security context of Sri Lanka, we can foresee ethnic separatism and religious extremism being a significant security threat in the future. In order to counter these challenges and threats, a strong national security policy is deemed a prerequisite. "Intelligence" is a crucial component in strengthening the national security of a nation and intelligence sharing is a very important component as it is the first step to prevent a terrorist attack. This encourages the military and law enforcement agencies to establish a system of intelligence sharing among the intelligence community and enhance public participation in countering terrorism measures.

This article outlines stages that will establish models which may be used as a template for statewide sharing of information and intelligence in Sri



Lanka. It addresses two proposals: the development of a Terrorism Early Warning (TEW) Group and establishment of a statewide Intelligence Sharing Centre (ISC). The idea is that through effective intelligence sharing, law enforcement agencies in Sri Lanka will be able to better protect citizens' safety and, as a result, aid in terrorist prevention efforts. This study is based on qualitative data derived from secondary sources; reputed books, online journals, media reports, and existing literature. Moreover, this research which focuses on intelligence sharing includes both academic and policy implications.

Keywords –National Security, Countering Terrorism, Intelligence Sharing, Terrorist Early Warning

INTRODUCTION

According to Tzu (2002), terrorism has become a greater threat to world peace and some countries find it difficult to manage due to the destructive actions of these terrorist groups. In order to counter those challenges and threats, a strong National Security policy was deemed a prerequisite. For Sri Lanka to be secure, the policy should focus on all levels of the National Security Complex and sectors, giving special emphasis to ethnic group levels. Due to recent unresolved communal violence in Sri Lanka, some radical extremists and ultra nationalists have been encouraged to form groups resorting to violence by marginalizing moderates of the same religion or ethnicity. History has shown that the tensions are at that level due to fear of extinction and survival by ethnic groups in Sri Lanka which should be erased through a solid policy (Perera, 2020). This demands the



government to establish a system of countering such threats by introducing several models to strengthen the nation security apparatus in Sri Lanka.

Information sharing is very important as it is the first step to prevent a terrorist attack (Travers, 2021). Shared information can improve the quality of investigations as there could be vital information or a missing piece. This encourages the military and law enforcement agencies to establish a system of intelligence sharing among the intelligence community and enhance public participation in countering terrorism measures. We live in a time when aggressive types of crime, organized and multinational crime, but also imported and domestic terrorism and insurrection, have a significant impact on the national security. Accurate intelligence and emergency management processes are more vital than ever in this context and national intelligence and response systems must adapt to new challenges. To combat terrorism effectively, the military must work closely with their communities and among themselves. They must develop new techniques and collaborate with new people. This necessitates a high level of comprehension: of the threat, of communities, of analytical methods, and intelligence.

The objective of this article is to outline stages that will establish models which may be used as a template for statewide sharing of information in Sri Lanka. And provide necessary recommendations on a comprehensive framework to counter possible terrorist attacks by establishing a data-sharing network among different levels of security in the country. The idea is that through effective intelligence sharing, military and the law enforcement agencies in Sri Lanka will be able to better protect citizens'



safety and, as a result, aid in terrorist prevention efforts. This article looks into a variety of options for assisting Sri Lanka in preventing possible terrorist attacks by establishing a data-sharing network among different levels of security in the country. It will also determine an appropriate way for developing a statewide information-sharing plan and outline the particular actions required to construct an Intelligence Sharing Center (ISC). Specific solutions based on research, case studies, and best practices from throughout the country will be found, putting Sri Lanka at the forefront of terrorism prevention through intelligence sharing.

LITERATURE REVIEW

According to Travers (2021), information sharing is crucial as it is the first step to preventing a terrorist attack and central coordination is one of the most important disciplines in intelligence. However, the most common problem that exists in today's intelligence community is the lack of intelligence sharing (Field, 2009). Richard (2011) states that many countries do not have such a system for sharing intelligence gathered by different agencies at the lower levels and the absence of intelligence sharing limits their ability to prevent terrorist attacks or to have an early warning. The culture of most intelligence agencies is that they operate systems of their own that are unable to exchange information among different agencies (Hamrah, 2013).

According to Zegart (2006), inability to exchange intelligence has resulted in many intelligence failures in preventing terrorism. If the intelligence or information cannot be shared in real-time, it makes it less likely to prevent



terrorist activities. And Turner (2005), emphasized that a shared database for information collection and information sharing by a range of technologies is much needed in preventing terrorism in the current context. In the state security apparatus, different intelligence agencies gather valuable information and investigate different cases regularly (Federation of American Scientists, 1996). This information is only evaluated together at the higher levels of the government structure. The higher intelligence officials will have to focus on other nations or non-state actors, detect threats and stop them while maintaining firm intelligence efforts within the state and society at the same time. Most agencies around the world gather information in their silos and do not have any idea of what sort of information other agencies may have found on the same case, or a different person, or an incident that may have a link to the same case (Zegart, 2006). Existence of a central hub to have access to such information is very important as such network can help the intelligence community to connect the dots in processing and analyzing information (Travers, 2021). The central issue is the absence of such information-sharing network that permits intelligence agencies and law enforcement to gain access to the information in the lower circles of the security structures.

As we know, terrorist financial networks have become a key component in the evolution of terrorist groups and terrorist activities. Without financing, they are unable to conduct their activities, and terrorists are involved in many illegal ways of raising funds for their cause (Warner, 2002). Such activities include drug trafficking, money laundering, theft, smuggling,



human trafficking, etc. As we see here, mainly law enforcement agencies are involved in countering such activities. On the other hand, different agencies like the Navy, Coast Guard, customs, and border security agencies are involved. Many different agencies are involved in the process and there should be an information-sharing mechanism as these kinds of activities may have a direct link to terrorism funding. Some of these agencies do not have personnel dedicated to intelligence functions. Officers in these smaller, local agencies interact with the community daily, but they now lack the tools and resources required to generate, gather, access, receive, and share intelligence information.

It's a common belief among the intelligence agencies that the culture should change from "need to know" to "need to share"(Gordon, 2017). Different agencies have a lot of information, but only a limited amount of information is being shared. In recent history, we have seen tragic events that happened due to failures in exchanging information. And the 9/11 attacks can be taken as one of the best examples, as US agencies failed to connect the dots which may have helped them in preventing such incidents (Travers, 2021).

Collins (2019) states that in order to have a successful statewide intelligence-sharing network, members of these different agencies must work together collectively with law enforcement agencies as well as defence agencies on a shared vision. Key considerations are the creation, funding, comprehensive and detailed strategy, and tactical plan while tackling several technological and policy difficulties. A state must accommodate the different information systems already in place to



successfully integrate all stakeholders, and solutions must address a wide range of information privacy and system security concerns. Compliance with state intelligence act regulations and privacy laws, on the other hand, will be a significant challenge for information sharing (Gordon, 2017).

Since 09/11 in United States, federal, state, and local governments have implemented programs to increase information sharing in order to prevent terrorism. Bajll (2009) insist that many of these projects were launched by states and communities, and they were not always coordinated with other sharing initiatives, including those implemented by federal agencies. At the same time, the Department of Homeland Security (DHS) was working on programs to improve information sharing (Bajll, 2009). Lt. John Sullivan of the Los Angeles County Sheriff's Department is widely regarded as one of the country's foremost authorities on the sharing of information through the use of terrorist early warning centers (Davis et al. 2010). According to Sullivan, the efficient and timely transmission of indications and warnings to local emergency response agencies is a critical yet challenging component of the United States' terrorist management operations (Pherson & Sullivan, 2013). Fusion centers, which are joint efforts to integrate and analyze anti-terrorist information from diverse sources, have grown in popularity as part of homeland security and overarching counterterrorism tactics. Several states, including Arizona, Colorado, Illinois, Kansas, Maryland, Massachusetts, and New York, presently run so-called fusion centers, and several others, including Missouri, are contemplating doing so (Pherson & Sullivan, 2013). The



statewide fusion center will function as a focal point for information collecting, fusion, and distribution.

In intelligence, several intelligence disciplines are used by the military to acquire information. These disciplines are broadly categorized into human intelligence (HUMINT), open-source intelligence (OSINT), and technical intelligence (TECINT). Lohman (1989) insists that out of the above human intelligence is the most important and the most valuable intelligence function. It is very accurate and timely. Human intelligence is received through interpersonal contracts built on trust. Most nations, and many private organizations, have HUMINT capabilities that they use to collect data on their adversaries and competitors. HUMINT plays an integral, if not an indispensable role within the intelligence and national security arenas. Whether it is against traditional nation-state adversaries or newer and more pronounced threats, such as terrorist or insurgency networks, or the more esoteric, like cybersecurity, the human factor remains a dominant force (Thompson, 2016). Intelligence should come from the human being. To do that, the military needs to create an environment including the civilians. Therefore, before creating an information highway, trust must be built between the military and the civilians. This strategy is known as interdependency. According to Tzu (2002), developing local civil defense protocols, is critical to state survival. Shared information from the community or can improve the quality of investigations as there could be vital information or a missing piece. According to Pherson & Sullivan (2013), a single piece of information that comes from the community can play a bigger role since



day-to-day activities that happen in society may have a connection to a terrorist network. Travers (2021) also states that, there had been many failures to happen due to the inability to connect these dots with different pieces of information gathered from the community. Dealing with currency, smuggling, money laundering, drug trafficking may have direct connections with terrorism as they may be funding sources for terrorist activities.

The Los Angeles TEW analyzes trends and identifies risks that might lead to terrorist acts in the country. Members of the TEW review media stories, information from various federal, state, and local authorities, and other open-source material to establish the reliability of the information (Pherson & Sullivan, 2013). The TEW identifies terrorist precursor events as part of its evaluation so that preventative and mitigation steps can be performed. Pherson & Sullivan (2013) also states that, in a crisis, the TEW's purpose is to offer intelligence and assistance to incident commanders, as well as provide suggestions that aid in decision making. The Los Angeles model also includes a Terrorism Liaison Officer (TLO) to help with information exchange. The TEW can interact effectively and efficiently thanks to its network of Terrorism Liaison Officers (Monahan&Palmer, 2009). In order to assist such an attempt, a TEW must interact with a fusion center at the state level. Fusion centers exemplify the idea of teamwork. Collaboration enables organizations to make the most of their existing resources and work together toward a common objective. Centers should prepare for future connections utilizing existing technology while adhering to specific requirements.



METHODOLOGY

This study is based on qualitative data derived from firsthand accounts and secondary sources from reputed books, online journals, media reports, existing literature, and academic research on this wider topic. This paper empirically analyses the exiting intelligence-sharing mechanisms and how civilians are involved in the intelligence process. The objective of this article is to outline stages that will establish models which may be used as a template for statewide sharing of information in Sri Lanka. And provide necessary recommendations on a comprehensive framework to counter possible terrorist attacks by establishing a data-sharing network among different levels of security in the country.

DISCUSSION AND OUTCOMES

This article addresses two proposals: the development of a Terrorism Early Warning (TEW) Group and the establishment of a statewide Intelligence Sharing Centre (ISC). Sri Lanka would be able to work proactively and uniformly in the prevention and deterrence of terrorism if this capability was built. A TEW in an urban region will not entirely improve statewide information exchange capabilities. Only a statewide central hub like ISC could broadcast information across the entire state.

1. The Terrorist Early Warning Group (TEW)

Gordon (2017) insists that the military must be able to gather, process, evaluate, and disseminate intelligence on potential causes of civil unrest and use that knowledge to change the operating environment. To do so, a



new way of thinking about intelligence and early warning is required, one that relies on the best of law enforcement and military techniques while also drawing on the knowledge and insight of religious leaders, retired military officers, scientific communities, academia, and social workers. The concept of TEW Group is the main suggestion we would like to make for Sri Lankan defence and law enforcement authorities to get the community involved in achieving the National Security Strategy of Sri Lanka. The TEW group is a well-structured entity that operates in an organized manner with more authority. The TEW group should be created and strengthened to reposition the agenda for state intelligence. We suggest that every town and village must have a civilian intelligence unit to be coordinated by the intelligence agencies. This will provide reliable intelligence and early warnings against terrorist threats, if well-arranged and organized.

During the 30 years of the ethnic crisis in Sri Lanka, the Sri Lankan military received support from the local communities, and their contributions to the military's successes were remarkable. However, with the emergence of religious extremism, the strategy for forming the TEW groups has to be revamped and new strategies have to be put in place. The nature of modern terrorism has taken the fields of combat too close and its asymmetrical nature makes predictability difficult, if not impossible. Members of the TEW groups are able to provide reliable intelligence as representatives of the same area as the terrorists, providing information about particular individuals or groups, suspicious activities, changes in the religious ideologies, potential attacks, which makes it easier for the



military to analyze from the root level to conduct proactive operations. Another advantage of initiating this is that these civil members are locals who know the culture of the area in which they live, and they are fully aware of the evolution of fundamentalism, radicalization, and extremism that lead to terrorism. This initiative brings intelligence to the local community from the high levels of governmental circles. Also, the state must strengthen this and expand their intelligence to the higher level and the bottom if early signs of terrorist threats can be detected and avoided. The higher intelligence officials will have to focus on other nations or non-state actors, detect threats and respond to them while maintaining firm intelligence efforts within the state and society at the same time.

Moreover, the value of information received from the local community in countering terrorism also serves as a call for thought as to why terrorists act in the way they do. Reflecting on such themes could lead to the discovery that we wouldn't be able to explain terrorism until one can completely empathize with the pain and the frustration that cause it (Stern, 2003). Gaining a better understanding of these facts could lead to appropriate actions towards fighting terrorism. The TEW group will have the capacity to provide the military with valuable information that will help them to prevent terrorism at the base level itself. Hence, this can become the human intelligence scheme applied to fighting terrorism, ensuring the security of the community as well as the state.

The TEW Group is responsible for gathering information related to any existing or perceived threats and acting as a civil intelligence unit, those who receive information from the local communities. This team may



include religious leaders, retired military officers, intellectuals, and representatives from youth and social welfare organizations within the community. These groups engage in social activities, and this enables the TEW group to identify the changes happening within society. It enables the military to obtain an early warning of any potential threat. The TEW group, which consists of different sectors of the community, can contribute in different ways to achieving the national security objectives. Their contribution may be to identify the evolution of religious ideology, provide leadership to the TEW group, coordination with the military, think tanks, knowledge of traditional and non-traditional security, creating awareness, etc. The information should be evaluated within this group before disseminating it to the authorities. Proper training and awareness programmes such as Terrorism Awareness and First Responder training should be provided to the TEW groups frequently by the military. Furthermore, in addition to terrorist threats, this group should be involved in finding other threats such as drugs and other criminal activities within their areas. Social and economic problems also need to be addressed, because these are factors that motivate vulnerable individuals to engage in terrorist activities. The TEW group should be able to identify the preconditions of terrorism in areas in which they live and monitor radical political, religious, and racial activities. The TEW group should have proper coordination and integration with the military. Collected and disseminated information should be properly stored in a secured database.

Recruitment of the members of the TEW group should be conducted under the direct supervision of the intelligence agencies with coordination of the



area law enforcement agencies. Proper recruitment and selection need to take place in order to ensure the effectiveness of operations. Moreover, the loyalty of members of this group is very important as the security of the information has to be ensured and the information shared in real-time. However, it is the responsibility of the intelligence community to verify the information received by the TEW group. Processing and analyzing the information and the dissemination have to be done in an effective manner for maximum utilization of the information received from the TEW. Furthermore, it is the responsibility of the military to provide feedback to the TEW group which they receive from the security authorities from a higher level.

Prior to Easter Sunday attack, the traditional Muslim community was able to provide reasonable information regarding this extremist group and its development. Months before the bombings, Mohamed Razik Mohamed Taslim, a Muslim social worker from Mawanella, had been at the forefront of efforts to investigate the extremists. Taslim's story encapsulates both how the country's Muslim community actively tried to stop the emergence of radical elements in their midst, and how the authorities failed to recognize repeated warning signs ahead of the Easter Sunday attacks (BBC, 2019). His information and coordination with the Criminal Investigation Department led to the raid in Wanathavilluwa, Puttalam, where a large number of explosives and chemicals were found. Moreover, a Muslim religious leader, Mufti Mohammed Rizwi, who testified before the select committee looking into the Easter Sunday attacks, said he had warned the defence authorities about the National ThawheedJama'ath in



November 2012 (Daily Mirror, 2019). Therefore, the information from this community is very important to combat extremism by obtaining information about the threat from extremists within their community.

2. **The Intelligence Sharing Centre (ISC)**

The concept of an Intelligence Sharing Center can be established in Sri Lanka as the primary and major information and intelligence dissemination center of the State among emergency agencies. The Intelligence Sharing Center will be an interface for all key IT systems to ensure seamless flows of information across disciplines. These Intelligence Sharing Centers can be established in every district of the country and will also be interlinked with state-level intelligence agencies.

Countering terrorism and religious extremism play a significant task in the national interest of Sri Lanka. More than 20 million people live in the country, which spans over 65,000 square kilometers and is home to communities from different ethnic, religious, and cultural groups. Sri Lanka's response to multiple crises demonstrates the necessity for more comprehensive coordination and planning, as well as the development of a system for measuring the amount and type of response to an occurrence. Defence and law enforcement authorities and emergency services across the country needed to work together to monitor intelligence, identify trends, and mount a response. Simple collaboration agreements are insufficient to face these threats. Responding to every threat at maximal reaction levels had become prohibitively expensive. Even if such



intelligence existed, there was no way to ensure that it reached all individuals on the response team.

As a local solution, this study suggest the formation of a district-level ISC to develop a district-wide group capable of a highly coordinated and concentrated response to terrorist attacks, based on meticulous analysis of information and intelligence and detailed planning.. This information will be shared among different intelligence agencies as well as state-level intelligence authorities. ISC is an actual physical location with dedicated staff who will gather information, analyze, process it, and disseminate it to the relevant agencies. ISCs are staffed by intelligence officers from defence and law enforcement authorities. Members from different agencies will work in the same centre.

The ISC's mission is to analyze the strategic and operational intelligence needed to respond to and counter terrorism, as well as protect the communities of their territory. The ISC can keep track of trends and analyze threats in the respective areas that could lead to terrorist attacks. Members of the ISC assess media reports, information from the TEW groups, information from the state level intelligence agencies, municipal agencies, and other open-source data to determine the accuracy of the information. The ISC identifies terrorism precursor events as part of its assessment so that prevention and mitigation steps can be made.

The ISC also defines processes for identifying and distinguishing credible threats that necessitate a reaction, as well as determining the appropriate level of response. This also saves resources when responding because



more comprehensive information is available for launching an appropriate degree of response rather than sending a full scale response. State-level intelligence authorities can collaborate with a wide range of partners to counter violent extremism, including these ISCs and the TEW groups. Through their everyday operations, which include receiving, analyzing, and sharing threat information, ISCs play an essential role in fighting violent extremism and protecting local communities. ISC's, as data analysis hubs, are important in helping frontline personnel know the local consequences of national intelligence by adapting national security threat information into a local context and assisting frontline personnel in understanding terrorist and criminal threats they may encounter in the field. ISC's also report threats and difficulties they encounter in their areas to the state-level authorities, which allows the authorities to better support local initiatives.

Study recommends the following as the main mission focus of ISC:

- Establishing grassroot level intelligence and analytic capabilities in the local environment so that the local community can understand the importance of national intelligence by customizing national threat information into a local context.
- Delivering timely, comprehensive, and reliable threat analyses to state and local partners, including:
 - Identified weaknesses in the area, as well as trends or patterns in criminal and terrorist operations.



-
- Terrorism, signs of violence and early warning
 - How to report suspicious activity to the appropriate law enforcement officials.
 - Other danger mitigation efforts, such as preventive measures or preventive acts, are also recommended.
- Sharing information with state level decision-makers to aid in resource prioritization in the face of identified threats.
 - Providing intelligence with the TEW groups and local partners to assist frontline staff in their community engagement initiatives, such as raising awareness of potential dangers in their neighborhoods.
 - Conducting programs to facilitate information flow between the ISC and the TEW groups as a strategy for forming partnerships between both entities.

Intelligence sharing between different intelligence agencies and the TEW groups is enabled through the ISC. This type of network allows law enforcement intelligence units to share information with the military intelligence community while allowing the latter to share information with local law enforcement, and vice versa. As a result of ISC, different intelligence agencies who work at different levels can share information. If further developed, ISC can be a well-prepared entity that will detect potential sources of attacks, offer courses of action, and provide ongoing



intelligence support and technical assistance to the military because of its expertise with this large store of information.

Furthermore, there are several technical requirements when establishing an intelligence-sharing network. State-wide IT systems need to be developed, and such systems should have the ability to query and retrieve information from relevant information systems of other relevant intelligence and government agencies. ISC should have the capacity to electronically pass on the information and digital records from one agency's information systems to another agency's information systems. Also, networking is very important and members of ISC should get notifications on critical events, actions, and transactions on a case, person, or event. When investigations are being conducted, ISC members should have the ability to discover agencies that have information concerning a specified individual; to ascertain or confirm the identity of an individual and link identity to documents, decisions, and other official actions and the current legal status of an individual.

Moreover, Artificial Intelligence (AI) is expected to be particularly useful in intelligence due to the large data sets available for analysis. In this capacity, AI is intended to automate the work of human analysts who currently spend hours sifting through drone footage for actionable information, potentially freeing analysts to make more efficient and timely decisions based on the data (Gonzales et al., 2014). According to Morgan et al. (2020), the Central Intelligence Agency alone has around 140 projects in development that leverage AI in some capacity to accomplish tasks such as image recognition and predictive analytics.



Sharing information can disrupt, deter, or lessen an act of terrorism or a simple criminal activity, which is the most basic measure the government can do to safeguard its citizens. A state must make every effort to assist law enforcement officers with more detailed information about prospective suspects or incidents. Providing statewide access to the multiple criminal justice databases with hundreds of thousands of accused aliases and case information is a crucial step towards protecting the public from potential threats of terrorism.

CONCLUSION

No doubt that the information obtained from civil society or human intelligence is more essential than it was necessary to introduce policies to deal with the most important part of countering terrorism. The main role of intelligence is to assist the leadership of the state in statecraft and human intelligence plays a vital role in it. However, controlling the quality of the intelligence received by the community is a very challenging task and trickier than the other means of collecting information. So, the military must be cautious when processing human information into intelligence as outcomes are not determined with mathematical precision. According to Tzu, "just as water, which carries a boat from bank to bank, can also be the means of sinking it, so reliance on human intelligence, while producing great results, is frequently the cause of utter disaster."

The intelligence community needs to improve its capabilities for domestic intelligence. It is recommended that the information be supported in a real-time manner by local and state agencies. The weakness in terrorist



prevention is a failure of present operating systems to correctly gather, evaluate and disseminate information and access to databases. Using current technology and statewide intelligence-sharing networks, information exchange may significantly lower the risk of terrorism. Implementing an information-sharing enterprise could potentially assist defence and law enforcement authorities to avert a terrorist attack by compiling information from many sources and delivering that intelligence to the appropriate public safety personnel. This guideline or model could be utilized as a template for national information sharing by existing policies and strategy options.

Defence and law enforcement agencies should continue to encourage the implementation of these systems while developing an information exchange plan, which will improve functionality and serve even more responsibilities. In order to meet the needs and requests of the intelligence community and other stakeholders, the policy recommendation expands the network for information exchange. The statewide Intelligence Sharing Center will function in the background to support all intelligence and information exchange in the state, with a major emphasis on national defence challenges. When necessary, intelligence will be shared across disciplines through the systems of the Intelligence Sharing Center. Moreover, there must be a consistent and systematic set of measures in place to assess the success and/or failure of ISCs. Future studies should examine the existing military intelligence paradigm and present notion of information sharing in Sri Lanka, as well as whether or not the country's existing systems of public participation in sharing of intelligence have been successful.

Further research on logistical and technological arrangements for an effective intelligence sharing mechanism has to be conducted.



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COVID- 19: A Wake-up Call for South Asia

Ruwanthi Jayasekara

Published on Bangladesh Institute for Peace and Security Studies (BIPSS) in 2020

States have been in a competition and rivalries against each other to gain more and more power. The process has become more sophisticated with the development of digital technology, with the concept of security getting expanded from traditional to non-traditional security matters. With the situation of a Black Swan^[1]- the COVID-19 pandemic, the world has been knocked over without a single bullet fired. Black Swan events such as the pandemic “will not appear very often in the evidence, but the failure to find them in a small sample does not mean they occur as infrequently”. A non-traditional security issue has challenged the security apparatus of the world and will continue further. When observing the world responses to battle the pandemic, there seems to be another trend where the global shift of power from west to east has been apparent. South Asia has managed to flatten the curve better than the most powerful states in the West. Even though the pandemic originated in China, the USA has become the epicenter of the pandemic and United Kingdom, Italy, Spain and France have entered the list of more than 20,000 deaths.^[2]



South Asia is comprised of developing countries with a population of 1.9 billion and accounted for 3753 deaths. (as at 14 May 2020). There seems to have triple constraints when curtailing a pandemic, which consist of economic impact, political impact and the social impact. The west has tried to balance all these constraints while ensuring the freedom for all human beings. In contrast, South Asians have always been known on the emphasis of right to life. In states like Sri Lanka, the priority in contingency plans have always been the human factor, the significance of survival with zero tolerance for deaths, with strict measures of lockdown strategies including closure of educational institutes, parks, movie theatres, strict social distancing, travel bans and finally halting all passenger arrivals. Most importantly, military involvement was visible in many countries. Their role has never been limited to traditional security apparatus, but more indispensable in non-traditional security apparatus that has posed direct threats to national security. This has helped many South Asian countries to flatten the curve and battle the pandemic, however with drastic impact on economy.

Multilateralism in the age of De-Globalization

When South Asia has been able to set examples to the rest of the world, specifically Nepal with zero deaths, the pandemic has reminded us of our South Asian identity. However, there seem to invoke many questions. Are we in an era where states try to strengthen multilateralism? Or are we in an era where states prefer stepping out? Most of us have kept trust on multilateralism to come into play with a solution, whenever a global crisis



takes place. However, the US as the norm maker shifted the paradigm to a de-globalized world, withdrawing from Trans- pacific Partnership (TPP), Iran nuclear deal and most recently openly declaring to halt funding to the World Health Organization (WHO). This has made some forgotten the significance of multilateralism. In contrast, Modi has set an example of strengthening multilateralism despite living in the age of de-globalization via South Asian Association for Regional Cooperation (SAARC) which was followed by Non-Alignment Movement (NAM) with the rest of the countries lending hands in the course of fighting against COVID-19. According to the Article 1 of the SAARC Charter, objectives of the association are “to promote the welfare of the people of South Asia to improve their quality of life, to contribute to mutual trust, understanding and appreciation of one another’s problems, to promote active collaboration and mutual assistance in the economic, social, cultural, technical and scientific fields”[3]. A pandemic had to remind us the foundation, upon which the states pledged to integrate regionally when states used to value globalized trends. It is necessary to have a mind to strengthen regionalization and if this becomes successful, South Asians can teach a lesson to the world, on the importance of multilateralism and create a shift back to a globalized world. On the other hand, The Bay of Bengal Initiative for Multi- Sectoral Technical and Economic Cooperation (BIMSTEC) on which South Asians believes to play a more proactive role and more efficient and successful than other existing regional organization, remains silent. Even though BIMSTEC has expanded its scope towards public health, the organization hasn’t been able to



collaborate towards a regional plan of action to contain the spread of the pandemic, at least via dialogue.

The revival of perceptions is necessary for the revival of the regional organizations. It is time to view regional organizations as a window of opportunity rather than another economic entanglement and burden. Organizations like SAARC was hibernating since 2014 and it was cooped up, confined and was in a lockdown long before the world has decided to go to a lockdown as the last resort. Was this due to influence of developed countries like US and UK trying to detach from multilateralism? However, there is a current platform to initiate dialogue on the issue of pandemic. SAARC went on to establish an Emergency fund of 15 million. Keeping numbers aside, the states have taken some effort at this point, which should be applauded.

Many Opportunities or Challenges?

Multilateralism is never a tranquil journey specially in a de-globalized world, when the West sets norms on shifting away with a focus on the domestic situation. The pandemic has further pushed us to a de-globalized world with closed borders and protectionist measures and made us realize our potential, innovation and significance of rich natural resources, which has gone unrecognized due to dependence on other countries to fulfill our needs. The region is home to hectares of arable land and agricultural products, in which the demand has augmented each day. When lockdowns posed direct barriers to industry and services sectors, the agricultural sector seemed less affected. When the states began closing borders, self-



sufficiency was the last resort. This has created an opportunity to invest more on local market, while incentivizing agricultural products to cater all local needs and more for the purpose of exportation. Alarming, the increase of demand in agricultural products would lead the communities towards increased need of water and water sharing. This highlights a need to reuse water and effectively manage available resources, reassess the existing legal arrangements of water treaties such as Indus and Ganges which could be monitored via regional organizations such as SAARC and BIMSTEC in order not to create water wars.

World Bank described South Asia as the fastest growing regions in the world but unfortunately dropped its performance far below the potential^[4]. The Economist has identified the emerging financial markets considering public and foreign debt, cost of borrowing and reserve cover and many stands in peril. Sri Lanka ranks 61 out of 66 countries and Bangladesh ranks 9, India ranks 18 and Pakistan 43^[5]. Economic agreements such as SAFTA was established to “to promote and enhance mutual trade and economic cooperation among Contracting States”^[6] and BIMSTEC is in the rounds of negotiation to establish an FTA with special emphasis on economic measures such as Para tariff barriers and sensitive lists. Unfortunately, the economic integration in the region has only accounted to 5% of GDP. Even though there have been states like India with neighbourhood first strategy, has not been able to be the fraternal role to its immediate neighbours. This is one of the major reasons which led to the creation of vacuum and extra-regional states like China were given an opportunity fill the vacuum in South Asia with financial assistance,



especially investments and loans in Sri Lanka, Pakistan, Bangladesh and Nepal etc. Adding to this, the west has remained as major trading partners, despite Free Trade agreements. Nonfunctioning of global supply chains have created economic shrinkages in the developing countries even more, directly affecting industry and services.

Moreover, poverty alleviation has come to the forefront of the developing countries, posing a question on death of hunger vs death of pandemic, due to long lockdowns in effect. No one should be given a choice between life and livelihoods, as both are basic human needs. As many south Asians were primarily focusing on survival, the social impact in the triple constraint, governments have worked on giving stimulus packages and Modi announced nearly 266 USD almost equal to Pakistan's GDP.[7] There is an urge to create an economic model with solid short term and long-term goals, keeping in mind to incorporate strategies to overcome from debt trap. Pandemic had made us aware of the financial capabilities and had hit us hard to realize the necessity of investments than loans.

It takes time to gradually commence general routine and this will lead to unemployment and non-payments of salary would lead to relative deprivation, which could lay the foundation for more radicalization and extremism in South Asia. It has been proved that financial support by terrorist organizations is a motivation for people to become easily radicalized. Global Terrorism Index has considered "intentional act of violence or threat of violence by a non- state actor" as terrorism and



Afghanistan ranks 1, Pakistan 5, India 7, Bangladesh 31, Nepal 34, Sri Lanka 55, Bhutan 137 and this should be given more serious attention.^[8] The recent Kabul attacks in Gurudwara and in maternity hospital have proven the world, how inhuman the terrorists could be. Authority should monitor radical and extremist related activities, in the same manner how the asymptomatic patients are being traced and monitored.

In 2017, the highest health expenditure per GDP in South Asia was recorded from Afghanistan with 11.78% and 9.03% in Maldives, 5.55% in Nepal, 3.81% in Sri Lanka, 3.53% in India, 3.19% in Bhutan, 2.9% in Pakistan and 2.27% in Bangladesh^[9]. India with a population of 1.3 billion which is more than 6 times larger than the population of rest of the South Asian neighbors. Yet, India's allocation for health is only higher than Bhutan, Bangladesh and Pakistan. When observing the Health Index, Sri Lanka ranks 73, the best in South Asia. India ranks 135, Bhutan 136, Bangladesh 142, Maldives 143, Nepal 145, Pakistan 146 and Afghanistan.^[10] This draws our attention to the need of reforming the existing health systems and reprioritizing resource allocations. Sri Lanka has a good history traditional Ayurvedic medicine and some other countries like India and Bhutan. If these sectors are reformed and incentivized by governments, ayurvedic medicine could create a good avenue of income. In long term this could be amplified to medical diplomacy, which could be an attraction for many tourists from the west. It is time that South Asians reconsider a new economic model that could



promote priority areas such as medical diplomacy and strengthen and secure the economy.

Technological advancement remains another domain to explore to South Asians. The pandemic made us cease physical interactions not only with other states, but also with our own state, village and even neighbourhood. The platform was enabled virtually thanks to digital systems and the need to invest on digital governance was felt than ever before. States like Singapore has already in the process since the time of launching a digital government to bring citizens, businesses and public officers to a single platform in order to raise digital capabilities to pursue innovation, integrate services around citizen and business needs, strengthen integration between policy, operations and technology, operate reliable, resilient and secure systems and co-create with citizens and business by facilitating adoption of technology.[11] States like India, Nepal have paid attention to digital frameworks and possess the finances, skill and innovation to mass product digital equipment that become indispensable. India and Nepal can lead less integrated South Asia to a virtually integrated South Asia.

Conclusion

As South Asians have decided to cooperate via dialogue, there's a possibility to gradually regain trust amongst each other. However, it will not be easy to strengthen multilateralism in a de-globalized world, if more states join the trend of the US and the UK. Yet, pandemic has given us an opportunity to re-asses relations of each state and act promptly and

sufficiently when necessary. It is important to note that earlier South Asians were both less integrated and less self-sufficient. Thus, this pandemic is a wakeup call for us to be more self-sufficient and be better integrated or remain the same, yet with better relations with states at an individual level. South Asia has passed the COVID 19 test of humanity with flying colours but, we are yet to explore the possibilities of a quantum jump in economy. New strategies will be in need for South Asia to set an example to successful regional organization and some areas of attention could be agriculture, technology and medical diplomacy. If successful, these would make us once again the fastest growing region in the world in the long term. It is better late than never.



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COVID-19 through the perspectives of Children and Youth

Hiruni Jayaratne

Published on Daily Financial Times on 09th July 2020

“This is the greatest test that we have faced since the formation of the United Nations” (UN Secretary-General, United Nations)

A coronavirus was subsequently identified as the pathogen and was temporarily named the 2019 new coronavirus. The pandemic is moving like a wave-one that may yet crash on those least able to cope. This new virus and disease were unknown before the outbreak began in Wuhan, China in December 2019. According to the World Health Organization, this virus can be characterized as a pandemic and it originates in Wuhan as an epidemic and dramatically converted into a pandemic. This new virus spreads to every continent around the world except Antarctica.

Under the visionary and able leadership of the President of Sri Lanka, government was meaningful in controlling this pandemic successfully. Active involvement of health and defence professionals while adapting strategies resulted to mortality rates being considerably lower than other countries.



Children and COVID-19

Children are the most precious assets of the country. They will be tomorrow's youth and future leaders. They were high risk and became victims of this pandemic. This is a universal crisis for all children and the impact will be lifelong. All children, of all ages and in all countries are being affected, both directly and indirectly. However mortality rates of children and youth due to this virus were considerably low but they faced many issues during this pandemic.

According to UN Secretary-General three specific dimensions of children are most likely to be negatively and positively impacted by COVID-19.

Advantages

This pandemic has hit on children's lives indirectly and it has massively disrupted educational pathways for children. Education must be a top priority in society. But due to this pandemic, access to education has become much harder to process, but critically important to ensure no child losses the opportunity to fulfill their potentials. Ministry of Education started online-learning programmes for schools since three months and as a result –the traditional way of learning tutorials and teaching sessions have been converted to an alternative learning method. Some are debating that a relatively brief period out of school may have a, lasting negative impact on children. The more serious concern is that when schools close for such a long period, many children will begin to forget what they already know. But through the online sessions children tend to be more independent and self-learning than before. As a result of this new lifestyle,

children are more creative and innovative. Here are some examples of new creations by children around the world.

Children draw silly faces on empty egg shells, fill them with soggy cotton wool balls and add the cress seeds.



Figure 1-Otis with his cress heads (Image: Manchester Evening News)

Children used boxes, bottles, tubes, or whatever that is found to suit their imagination at home and to make their very own robot



Figure 2-Ronnie with his robot Silver EFox (Image: Manchester Evening News)

Milk bottle elephants by recycled plastic milk bottles



Figure 3-(Image: Manchester Evening News)

During this period the parental care has been more than ever before and they act as teachers as well. Love and affection from parents are considered important during this pandemic. Children are now adapting to this new life and engaging with the self-exercising, planting, painting, singing, cooking and other curricular activities during their leisure. A new TV channel aimed for school children has been initiated and this could be a safe way for opening fulltime education in the future.

Disadvantages

These E-learning facilities were only affordable to the children of selected segment and children of poor families were severely affected due to the lack of internet facilities. Long term school closures, economic distress, and poverty are likely to force some children to drop out from schools and liable to fall into child labor or child pornography. There are reported instances where child abuse and all kinds of domestic abuse are dramatically increased throughout the pandemic. Under the shadow of COVID-19 children's online screen time skyrocketed. Children are spending more time on the internet and it provides valuable opportunities to learn, play and socialize with friends but also it increases the risk of

being exposed to online predators that seek to abuse children. Growing digitalization magnifies children’s vulnerability to harm.

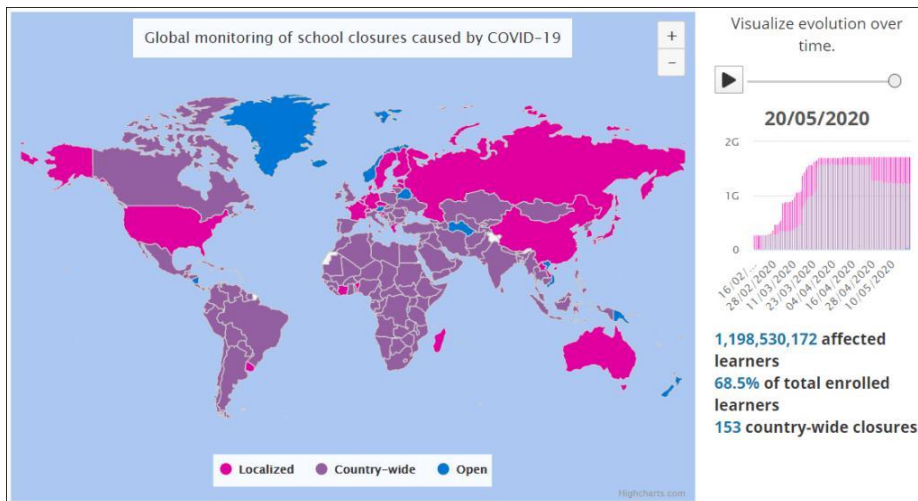


Figure 4 – Global monitoring of school closures caused by COVID-19,
Source: UNESCO

From their academic success to their social skills, nutrition, and mental health, the pandemic is a crisis for every child. This global health crisis has affected not only the education but also their meals. According to the (WFP) ²“Many children were fed by their schools, during this period and they were more vulnerable and suffered from malnutrition and other diseases”

According to the Regional Director of Southern Africa, “2.8 million children in South Africa are no longer receiving these vital school meals”. Simultaneously, this has led to increase in other diseases for children due to this pandemic. But the World Food Programme together with UNICEF³



and WHO⁴ is working on delivering formal educational materials and meals directly to those children who are affected.

During these lockdown periods, parents are also suffering from a loss of control, anxiety, and depression due to losing their jobs and running into financial difficulties. Though they are supposed to work from home, children could be isolated and felt neglected. These can directly impact on children's mental and psychological health.

Youth and COVID-19

Youth are an asset and building blocks of a country. Their intelligence and energetic work will take the country on a pathway to success. Young generations are researchers, activists, innovators, and communicators. Voices of the youth can help decision-makers to ensure the safety and Sovereign of the country. Young people are the other group of victims that impacts by this pandemic. But young inventors took this as a challenge and they introduced new thoughts and experiments to the country. Private sector and the government partnering with young people to launch new projects to support their communities is one example. Young people act as torchbearers of the sustainable development of the country. The young generation normally working to mitigate and address the impacts of this pandemic and they are organizing some campaigns to raise awareness and supporting others and saving lives through safeguarding human rights. They used to live in a normal life but now they adapt for a new normal life.

Youth innovations for an ongoing pandemic around the world

1. Hashim, who launched a mass literacy program in Francophone Africa called Arayaa, teamed up with a consortium of health-related content producers to organize a Tweet chat about how to keep safe against COVID-19



Figure 5- A graphic shared in Hashim's #AgirContreCOVID19 Twitter Chat to stop misinformation.

2. Microgreen kit producer Hamama is helping people grow green produce at home



Figure 6-(grow green produce at home- Microgreen kit producer - Hamama)

3. A solar-powered face mask developed by Budhdhi Nadeesha Thennakoon and the “Puzzle Innovations”



Figure 7- (covid-19-pandemic-an-ideal-opportunity-for-innovation)

4. Virus Testing Booth made by Sanjaya Sri Nawarathne and the team from Matale.



Figure 8- (covid-19-pandemic-an-ideal-opportunity-for-innovation)

5. A team of engineering students guided by Dr. Lilantha Samaranyake from the Department of Electrical and Electronic Engineering, Faculty of Engineering, University of Peradeniya

restored a set of ventilators that were not at the working condition and handed them over to the ministry of health.



Figure 9-(covid-19-pandemic-an-ideal-opportunity-for-innovation)

This global health crisis impacts severely on children and youth but both groups adapt to this ongoing situation and they feel that this is a kind of a lesson to their lives to transform from normal life to a new normal life. While no one can say how long the crisis will last, ‘Going back’ to the way we were before COVID-19 is not an option. New thinking will be required to adapt to the new normal life post-COVID-19. Covid-19 can be an opportunity to rethink important to give ourselves time to grieve what we have lost and once we have allowed grieving, there will be more space to start embracing our New Normal.

Here are some tips to adjust you to the new normal.

Allow yourself to grieve the “Old” Normal

Writing about your experience – be it your thoughts, feelings, what you’ve done, anything-(Journal your experience)

Social distancing does not mean social disconnecting, In the new normal you can still connect with family and friends – (stay connected in different ways)

Give yourself a break

“We cannot re-write the chapters of history already past, but we can learn from them, evolve, and adapt. The new normal may even be a better normal, certainly a different normal” (Mark Pingle, founding director of MORExcellent)

Above youth innovations and creations by children mark a point on everyone to rebuild, rethink, and refresh. Priority should be given to both of these categories because they are the assets and future leaders of every country. Governments of every nation should take actions on the difficulties faced by children and ensure their safety and security not only during the pandemic period but also in the post-COVID-19. Immediate government measures are required to ensure that children and youth have access to good food, receive protection against abuse and neglect, have continued access to physical and mental health services, and safe surfing of the web. Policies also need to support parental employment since it is a key to fighting poverty.



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Countering Terrorism; Striking a Balance Between National Security and Human Rights.

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Published on Ceylon Today on 20th July 2021

Abstract— *Domestic, as well as international audience, criticizes the prevention of terrorism Act. The provisions of PTA is regarded as discriminatory, breaching human rights law as well as fundamental rights. However, the purpose of PTA is to ensure national security by combating terrorism. Therefore, it is imperative to strike a balance between the interests of national security and Human rights. The research is library-based research, which is also known as doctrinal research. It has used existing sources to arrive at conclusions. Both primary sources and secondary sources are equipped. The paper discusses the strengths and weaknesses of the PTA. The Act itself has inconsistencies as well as lacunas, which is detrimental to national security. The paper addresses the drawbacks accordingly, proving the necessity of upholding national security whilst adhering to international standards and protecting human rights. Consequently, the paper has provided an array of recommendations.*

Keywords— *National Security, Human Rights, Terrorism*



I. INTRODUCTION

The Prevention of Terrorism Act came into effect in 1979 as a temporary measure. ‘Modelled on South Africa’s apartheid-era legislation and laws that the British used against Irish militancy, the PTA became a permanent law in 1982.’ Ever since enactment, Act received criticism over appreciation. The objective of the Act is *‘to make temporary provision for the prevention of acts of terrorism Sri Lanka, the prevention of unlawful activities of any individual, group of individuals, association, organization or body of persons within Sri Lanka or outside Sri Lanka and matters connected therewith or incidental thereto.’* The Act has strengths as well as weaknesses. Simply stating, Act obstructs terrorism and extremism by protecting national security. The laws relating to emergencies such as laws on detention and examination of suspects facilitates the justice process by paving the way to criminalize the acts of perpetrators. Nonetheless, there are controversial provisions in the Act which is detrimental to human rights. These provisions created unrest in the international audience. The often-cited claims by countries are the vast powers bestowed on the minister, coerced confessions, the deprivation of the right to a fair trial and prolonged detention period.

II. METHODOLOGY

The research is doctrinal research, which is also known as “knowledge building research”. Research has been aided by primary sources as well as secondary sources. Primary sources such as domestic and international legislation and secondary sources such as books and journal articles are equipped.



III. DISCUSSION

A) *Legal standards*

1) *International legal regime:* Sri Lanka is a state party to International Covenant on Civil and Political Rights (ICCPR) as well as the Convention against Torture and other Cruel Inhuman Degrading Treatment or Punishment. Both conventions recognise the right to life. Article 4(1) of ICCPR states that *'Even when there is a state of emergency, where states may derogate from certain other rights, such derogation must be temporary and only what is strictly required by the exigencies of the emergency'*. Therefore, the use of force should reciprocate the threat posed by terrorists. As Sri Lanka is a country that has ratified the aforementioned conventions, the government is duty-bound not to breach the rights. This depicts the need to strike a balance between conflicting interests. National security must be preserved in the meantime human rights should be preserved abiding with international standards.

2) *Domestic legal regime:* The Constitution of the Democratic Socialist Republic of Sri Lanka, the supreme Law of the country protects persons. Article 11 is an absolute right, which cannot be infringed. It states that *'no person shall be subjected to torture or cruel, inhuman or degrading treatment or punishment'*. Therefore, even a perpetrator, suspect, accomplice or bystander must not be subjected to torture during detention or at any time. Article 12, 13 (1), 13(2) and 14 are subjected to restrictions as stipulated in Article 15(7). Article 12 states on right to equality of all persons. Article 13(1) states that *'no person shall be arrested except according to the procedure established by law. Any person arrested shall be informed of the reason for his arrest.* Article 13 (2) states that *'every*



person held in custody, detained or otherwise deprived of personal liberty shall be brought before the judge and shall not be held in custody, detained or deprived of personal liberty. Article 14 is on freedom of speech, assembly, association, occupation. Nonetheless, the mentioned rights are limited *‘in the interest of national security, public order and the protection of public health or morality, or to secure due to recognition and respect for the rights and freedoms of others, or of the meeting the just requirement of the general welfare of a democratic society.* This explicitly displays the significance of national security where fundamental rights will be restricted to preserve national security.

B) Strengths and weaknesses

1) Strengths: The problem arises whether PTA is exclusively adverse. In reality, PTA serves as the platform to penalise criminals and attain justice. This was seen during Easter Sunday Attack 2019 as well as during conflicts with Liberation Tigers of Tamil Eelam (LTTE). The Act vests power in the police to search premises, seize goods and detain the suspects. The Act Penalizes terrorism, deters terrorism, combats future terrorism and terrorist-related activities. Terrorism is not defined in the Act, some scholars argue on behalf of inclusion of the definition to the terrorism while some find it as limiting the scope of the Act. Irrespective of the prevalent debate, the Act is on condemnation of all acts of terrorism regardless of circumstances, forces that committed them, location, time, and method of execution.

In cases of Money Laundering as well as in terms of terrorist financing early detention of the perpetrator is essential. Even though detention law is



subjected to controversy, there exists an array of advantages. Revealing the motive behind the crime, accomplices to the crime, mode of committing the crime will be revealed by the suspect with time. Due to complicated relationships with fellow criminals, suspects will seldom disclose the terror ties. Detention is imperative to examine the suspect and identify the web of violence. Nevertheless, the prolonged detention period of the PTA was subjected to criticism especially in the recent European Parliamentary Resolution. Declining the allegations as a whole is not a prudent choice. Special care and attention are needed to premises of detention; the place of detention must not be a harbour of violence where human rights, as well as fundamental rights, are contravened. Hence, detention centres must be free from police brutality. In addition, the government is duty-bound to ensure human rights.

2) *Weaknesses:* PTA provides immunity for the government if deemed to have been acting in good faith or fulfilling an order under the Act. Therefore, if police in the detention centres act violently, but use the argument of performing duties perpetrators becomes a victim of violence and rendering justice becomes a failure. To put it simply, powers vested in the police must not be exploited.

Even though the law is specifically intended to prevent terrorism, many people with no connection to terrorism or terrorist groups or connection by coincidence can be arrested under the Act. PTA is in favour of the police. Due to this reason when there is a need to detain a person police tend to use the PTA. In such circumstances, all the assets and money of the suspects will be seized and travel bans will be imposed. Nevertheless, if



the person is a suspect who was subject to prolonged detention without committing any offence, the damage done to the person will be irreparable. Therefore, investigation of the case, examination of witnesses, documents and evidence must be flawless.

As per PTA, the Minister is given broad powers to make regulations. 'Violent extremist religious ideology Regulations No 01 of 2021 on March 2021 expanded the PTA allowing for two years of detention without trial for causing *'religious, racial, or communal disharmony or feelings of ill will between communities to be 'rehabilitated' at 'reintegration centres'*. This restricts freedom of expression and association with no right of appeal in courts and therefore is detrimental to human rights as well as civil liberty. Thus, it is crucial to ensure nonviolence in place of detention and strike a balance between conflicting interests.

C) Lessons learnt

1) LTTE

Sri Lanka endured a three-decade war with one of the world's notorious terrorist organizations LTTE, which is proscribed by many nations. Even aftermath of gaining peace there is a revival of violence. LTTE international networks, as well as LTTE sympathetic organisations, are alleging Sri Lanka of having committed 'Tamil Genocide'. The allegation must not be taken trivially. It is important to combat the recent trend of the spread of terrorism in social media. The mechanism to address such an issue is by way of PTA. The recent arrest cases of youth spreading hate



speech via Tik Tok, Facebook are a fine example of the necessity of PTA. Individual liberty is important, however association, engagement and assembly should not promote violence and terrorism.

2) *Easter Sunday Attack 2019*: 'Easter Sunday's devastating jihadist bombings killed more than 250 and injured roughly twice as many. The attack was a huge security failure in Sri Lanka, which resulted in irreparable damage. This affirmed the necessity of having strict national security laws. Relaxation of rules relating to national security became a mockery with the Easter Sunday attack. It also proved that violence could be reoccurred. Islamic extremism is an emerging threat in the world. Sri Lanka being a multi-ethnic, multi-cultural and multi-religious country is vulnerable to violence. Therefore, national security must not be traded at any cost. The burden is on the government to strike a balance between conflicting interests whilst abiding with international standards.

3) *The European Parliament resolution*

The European Parliament resolution of 10 June 2021 for Sri Lanka, in particular, the arrests under the PTA (2021/2748(RSP)) was passed with an overwhelming majority. The European parliamentary resolution warned against the removal of GSP Plus. GSP plus removes imports duties from products coming into the EU market from vulnerable developing countries. Irrespective of the fact the resolution is not binding we cannot exclusively negate its impact. In reality, it is authoritative. The loss of GSP plus will be injurious to Sri Lanka's economy. For that reason, Sri Lanka cannot take the warning trivially. National Security is paramount;



therefore as a sovereign country imposing strict laws is essential at times. However, the challenge lies in balancing civil liberty with national security. It is important to consider amending discriminatory as well as arbitrary provisions in PTA for the betterment of human rights.

IV. CONCLUSION

As discussed it is crystalline that Act has both flaws as well as strengths. Passive acceptance of allegations by other countries will not be a prudent choice. However, the way towards success is accepting flaws and mending mistakes. When paying attention to other countries it is evident that there are countries with strict national security laws. Switzerland is such a country with wide powers vested in the police. The rationale behind imposing strict rules is to ensure the safety of the majority of citizens. PTA's rigidity became the mechanism to implement laws and to penalize perpetrators during times of terror in Sri Lanka. It is due to the Act, Easter Sunday perpetrators as well LTTE terrorists were imprisoned. It is the Act that paved the way to detain and investigate extremists who were a threat to national security. Therefore, repealing the Act is futile as well as inappropriate. Nevertheless, it is important to accept the bitter truth, which is, Act has provisions, which needs to be revisited imminently. For example, rights including the right to a fair trial must be addressed leading to an effective remedy, access to health care and access to loved ones must not be taken as insignificant requests. On the other hand, Act must include mechanisms to identify and counter modern threats. In a nutshell, Act needs revisiting, the Act is archaic and it does not provide mechanisms of redress to novel threats.



V. RECOMMENDATIONS

Prevention of terrorism cannot be achieved overnight; it is a lifelong challenge that is subjected to change. Terrorists change their patterns as well as strategies to spread violence and extremism. Therefore, imminent steps must be taken to prevent offences.

1) *Revisiting provisions:* The Act does not cover ‘Civilian deaths’ it only covers special personnel. This is a major lacuna in the Act. It is pivotal to prevent coerced confessions. A threat, intimidation, violence must not be allowed to elucidate confessions as it breaches human rights.

2) *Cyber command:* Threat patterns should be constantly monitored to prevent threats by foreseeing them. For this, it is essential to be vigilant 24/7. The presence of security personnel and intelligence service provides a remarkable role. Yet, in modern-day warfare, social media is used as a platform to promote terrorism and extremism. By examining the hate speech, false news and misinformation disseminated online, the government can prevent violence beforehand by notifying relevant authorities. Cyber command with the affiliation of the Ministry of Defence and relevant ministries can counter threats by presenting counter-narratives as well as impeding upcoming physical violence to preserve national security. Therefore, it is essential to respond to novel trends of terrorism.

3) *Interagency platform:* It is pivotal to share knowledge and expertise between ministries as well as institutes. Furthermore, maintaining a repository of information to counter-violence will be prudent. Seeking assistance from foreign countries, accessing knowledge and human



resources will aid the security process. The platform must go beyond exchanging knowledge it should facilitate training as well as research and development. Grooming a responsible and capable officer is an investment to the nation.

4) *Rehabilitation process:* Penalizing the terrorist or the religious extremist who incited hatred and violence will not end the vicious cycle of terror. It is important to take a step beyond. Reintegration of perpetrators into society is imperative. Therefore, perpetrators must be directed to rehabilitation. It is also crucial to ensure rehabilitation centres are free from torture. One of the significant factors is the need for a follow-up mechanism to ensure the ex-terrorist or the extremist is de-radicalised.

5) *Detention centres:* The PTA must have assurance, that detention centres are not a harbour to share information and tactics of terrorism and radicalize themselves, nor should it be a place where perpetrators are abused. There must be a monitoring mechanism to guarantee nonviolence. As police are bestowed with wide powers, it is crucial to ensure that police will not exploit the powers and infringe the rights of the criminals.

6) *Protection of human rights whilst upholding national security:* The major challenge the government is posed with, is balancing the conflicting interests. National security is essential and should not be traded at any cost; on the other hand, in the name of national security human rights must not be violated. The government needs to strike a balance between the two conflicting interests without derogating any of the concerns while adhering to international standards.



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Post-Brexit Opportunities: Prospects for strengthened ties between Sri Lanka and the European Union

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Published on Daily FT on 14th September 2020

Introduction

The United Kingdom (UK) formally left the European Union (EU) on 31st January 2020 and is now in a transition period till 31 December 2020 during which certain agreements such as trade and freedom of movement with the remaining EU27 (henceforth EU) are discussed and finalized. The EU and the United Kingdom are important economic and diplomatic partners of Sri Lanka. Four years on from the Brexit referendum, the future relationship between the UK and EU however remains unclear. It is therefore of strategic importance for Sri Lanka to tap into the opportunities presented through the re-alignment of economic and diplomatic relationships in Europe and to develop a stronger relationship with the remaining EU member countries.



This blog aims to give an overview of Sri Lanka's relations with the EU in the post-Brexit period and to identify how Sri Lanka can going forward strengthen ties with the EU. First, this blog identifies the current economic ties with the EU and secondly analyses why Sri Lanka can benefit from deeper linkages with the EU. Thirdly, it highlightspolicy initiatives to further links with the EU.

Current Relations between Sri Lanka and the EU

Diplomatic ties between the EU and Sri Lanka have grown closer during the last few years, with high-level institutional dialogues having taken place regularly between Colombo and Brussels. The EU-Sri Lanka Joint Commission seeks to build an equal partnership between the EU and Sri Lanka by discussing bilateral and multilateral matters such as economic and development cooperation.

Germany, Poland, the Netherlands, and Denmark are currently sharing *military ties* with the Sri Lankan Army. In the post Brexit period, most of the EU member countries have already announced to strengthen military ties with Sri Lanka to secure their spot in the Indian Ocean and to benefit from Sri Lanka's strategic position.

The EU and Sri Lanka are closely interlinked economically. Said *economic ties* however leave room for deeper integration. Sri Lanka alongside other developing countries has historically benefited from the EU's Generalized Scheme of Preferences (GSP) since its inception in the 1970s. This scheme reduces import duties from products entering the EU market in exchange for Sri Lanka abiding by international values and



principles, including labor and human rights. In 2010 Sri Lanka lost access to the GSP+ scheme due to the non-effective implementation of the UN human rights conventions but regained access in 2017.

The EU is by far the biggest export market for Sri Lanka. In 2019, the country exported goods worth USD 2.2bn to the region (22% of total exports to the world) and imported goods worth USD 1.7bn from the EU (8% of total imports from the world). Out of the EU member countries, Sri Lanka boasts a trade surplus with 17 member countries. In terms of total trade, Sri Lanka's largest EU trading partners are Germany (25%), Italy (23%), France (13%), Belgium (10%) and the Netherlands (7%).

Sri Lanka shares Bilateral Investment Treaties (BITs) with a variety of EU countries including France, Germany, Denmark, Finland, Sweden, Czechia, the Netherlands, Romania and Italy. In 2018, Sri Lanka received US\$ 90 million Foreign Direct Investment (FDI) from the EU¹, accounting for 5.6% of total FDI received. In comparison, India and China accounted for a 65% share respectively; highlighting Sri Lanka's potential to attract additional FDI from EU member countries.

Tourism has long been an important element of Sri Lanka's economy, delivering substantial foreign exchange and employment opportunities for the country. Sri Lanka received roughly 712,600 tourist arrivals from the Europe in 2018 (50.8% of total tourist arrivals), with Germany being the largest source market with 6.7% of total tourist arrivals. About 300 Sri



Lankans have immigrated to Europe in 2017, with the majority being “skilled” workers.

In terms of *knowledge exchange and cooperation*, the EU and Sri Lanka engage through a variety of science and education exchange programs such as ‘Horizon 2020’, the largest science and research program in the world; the ‘Erasmus Plus’ exchange program and other capacity building programs. What is more, Sri Lankans have been awarded a series of EU scholarships and the EU has supported ‘Colombo scope 2019’, a platform for local artists in Sri Lanka.

Over time, the EU has provided important development and humanitarian assistance to Sri Lanka. As such, EUR 40 million are provided to finance the capacity development of local authorities, EUR 30 million are granted to strengthen poor communities and develop, EUR 30 million is allocated for the modernization of the agriculture sector, whilst another EUR 15 million is provided for building institutional capacities and reducing language barriers to strengthen reconciliation efforts during the post Brexit period. In addition, the European Investment Bank (EIB) allocated EUR 50 million to improve and expand sewage networks in Colombo.ⁱ Against the COVID-19 outbreak and its significant health economic and social impact on Sri Lanka, the EU has provided a EUR 22 million grant to the country.ⁱⁱ

Why Should Sri Lanka Strengthen Ties with the EU?

The EU is the largest economy in the world, comprising 27-member states with diverse cultures, economies, and societies. It is the world's largest



trading bloc and leading trader of manufactured goods and services.ⁱⁱⁱFurther, the EU is one of the most open economies in the world and remains committed to free trade, with the average applied tariff for imported goods being comparatively low relative to other federations (e.g. NAFTA, MEROCSUR, ASEAN.)^{iv}, emphasizing Sri Lanka's opportunity to benefit from deeper economic integration with the EU. Sri Lanka can also benefit from the EU's globally recognized standing as a science and knowledge hub and collaborate with the EU through targeted exchange programs. Other areas for cooperation comprise trade related assistance projects and financial aids programs.

Strengthening Ties with the EU

In order to strengthen ties with the EU, it is important to increase Sri Lanka's presence in the region by adding to the already established 11 permanent diplomatic missions in the EU. These missions should engage in Sri Lanka's Economic Diplomacy program and have access to personnel with good business knowledge, soft skills and fluency in prominent European languages such as German, Italian, Spanish and French. Currently, linguistic differences between Sri Lanka and EU countries impede bilateral commercial ties. Therefore, it is essential to develop language capacity and cultural awareness in Sri Lanka by providing specific training to students.

To enter and remain competitive in the European market, Sri Lanka needs to transform into a financial, technological, and economic hub in the Indian Ocean. To do so, Sri Lanka needs to improve the business environment for



investments, encourage innovation, produce high-quality goods, move towards sustainable production concepts, improve the quality of infrastructure services in the country, and enhance the efficiency of cross-border procedures.

Designing and implementing a coherent trade strategy alongside promoting the National Export Strategy (NES) industries will help Sri Lanka strengthen its economic linkages with the EU. NES seeks to improve firms' abilities to export and compete in foreign markets, empowering the emergence of new export industries and services beyond the traditional export industries of apparel, tea, gems and rubber.

Sri Lankan companies should move forward by implementing sustainable production concepts such as green production and organic production. Sri Lanka should produce high quality products, whilst following ethical practices. Small and Medium Enterprises need to be encouraged to work more efficiently. Moreover, Sri Lanka should address infrastructure deficiencies with regards to roads, air travel, and marine transportation.

Further, Sri Lanka loses GSP+ scheme access in 2023, increasing the relative prices of Sri Lankan exports to the EU. Therefore Sri Lanka needs to make sure that preferential rates are provided post 2023.

Additionally, and to boost inbound tourism, Sri Lanka should develop better air connectivity and promote the island as a favorable tourist destination.

Conclusion

Brexit and the spread of COVID-19 trigger countries to rethink their current linkages with other partners in the world. The EU is one of Sri Lanka's major and longstanding development partners. Sri Lanka has the potential to leverage on its existing ties with EU nations for deeper integration, also helping the island country to navigate the uncertainties associated with the global COVID-19 pandemic. Additionally, Sri Lanka should also seek to extend ties to non-EU member countries such as Norway and Switzerland to diversify its economic and diplomatic ties, thereby spreading systemic risk. In this regard, a well-coordinated approach and policy directive is required by the Sri Lankan government and associated authorities.



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Post Lockdown Strategies for Sri Lanka

K.A.Waruni Madhubhashini

Published on Daily FT on 22nd July 2020

When the outbreak started, it began to beat the Sri Lankan economy, well-being and prosperity by several means such as declining economic growth, limiting people to people relationship, restrictions on travelling between districts and banning of gatherings. Though the new coronavirus started spreading at the end of November 2019 in Wuhan, no one can predict when the pandemic will end. Therefore a “post-COVID world” is a far cry from healing the whole world from COVID-19 and it is necessary to change our lifestyles and live along with it until the situation becomes normal. Hence, we are entering into a “post lockdown world” instead of “post COVID world” as we are still experiencing the worst from the pandemic in certain countries and we need to live with such a threat. In the present context, Sri Lanka is endeavoring to tackle the pandemic by a strategy of 3T (Testing, Tracing and Treatment) as an operational and exit strategies¹.

Commencing from 26th of May, the island-wide curfew was partially removed after a two-month-long lockdown period and it was completely removed on 28th of June. Due to the outbreak, the stock market and global



trade has been on the decline and it has directly impacted major economic sectors including travel, tourism, manufacturing, apparel and textiles, construction and engineering, retails and consumer, banking and finance, goods and service industries. The pandemic has created a huge decline in economic activities and it is predicted that a recession will happen which will be worse than the global financial crisis in 2008. This has directly impacted the economic downturn in Sri Lanka. The tourism sector has been drastically affected and Sri Lanka needs more strategies to increase the downturn of the aftermath.

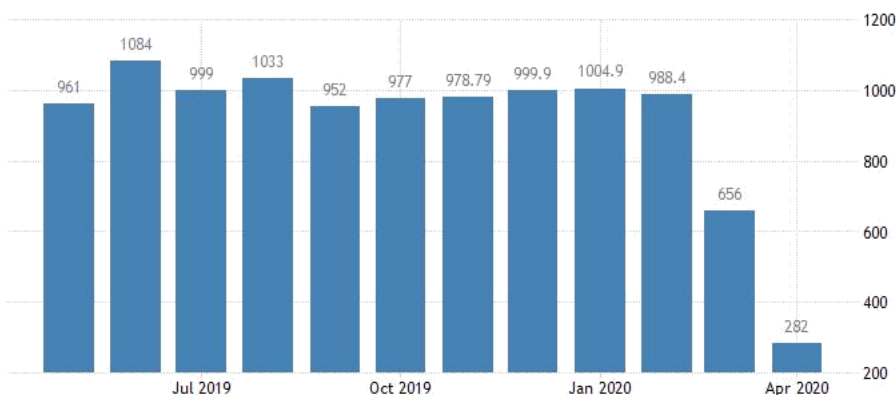


Figure 1:- Exports in Sri Lanka decreased to 282 USD Million in April from 656 USD Million in March of 2020.
SOURCE: TRADINGECONOMICS.COM | CENTRAL BANK OF SRI LANKA

Source: -<https://tradingeconomics.com/sri-lanka/exports>

Aimed at controlling the pandemic, the government enforced a strict strategy for detection and identification of contacts, quarantine, travel restrictions and isolation of houses /small villages etc, which has so far been successful in confining the epidemic to only a few identified clusters. The most important strategy in the post lockdown period is to avoid a spike of new cases. So far Sri Lanka has repatriated immigrants from 75



different countries around the world. According to the health reports significant amount of immigrants were tested for COVID- 19 and being positive. Therefore the priority should be adhering to guidelines given by the health authorities such as maintaining social distancing even it is difficult to maintain with limited resources and infrastructure facilities in Sri Lanka. Several industries in the country have scaled-down operations due to the aftermath of coronavirus, but now it is high time to restart all the industries with a new hope to advance their capabilities in a more strategic way. Especially these industries should focus on surviving to thriving with remained opportunities from post lockdown.

During the lockdown period, the most popular word among the society was “self-sufficiency”. When the slowbalised² world expands, the minds of the people should concentrate to make the best out of available resources and capabilities of their advanced technologies rather than focusing on global level. In Sri Lanka, it is possible to have improvements in agriculture to secure the food security which will create another major job opportunity for the unemployed. As per the specialists “a mix of macroeconomic, structural, pro-poor and climate-friendly economic

Policies are required to build a post-COVID-19 Sri Lankan economy”³. Therefore Sri Lanka should focus on long term and short term strategies to overcome the economic downturn. As a result of trade and economic downturn, global demand for most of Sri Lanka’s export products and services will probably stagnate in considerable amount. Hence, Sri Lanka should focus on its export market opportunities in available market conditions such as exporting health infrastructure production.



It would be a wise and possible strategy for Sri Lanka's exporters and tourism companies to seek all ways to maximize local revenues by attracting local tourists into their destinations. In here Sri Lanka could focus on medical tourism and safe tourism where the Turkish Culture and Tourism Ministry has been experimented as an initial step to develop and protect the tourism industry. By then agricultural exporters can focus on local consumers, apparel exporters can modernize their production lines to supply personal protection equipment (PPE), uniforms and other local clothing needs. Sri Lanka needs to more focus on domestic production and local innovation including goods, service and industrial sector. Most of the infrastructure development projects had stopped while the country was maintaining a curfew situation and this is a high time to renew the infrastructure facilities by utilizing those mechanisms.

The COVID-19 has highlighted the social inequality and the disproportionateness of public well-being. This is the real issue that is wrapping up inside of the society and gradually came out as only a positive outcome. People have realized that there will not be permanent anarchy in the world order and power capabilities will depend not only on the military or economic development but with the domestic capabilities to protect their people. While using the internal strengthens to minimize the weaknesses of the economic sector due to the repercussions of the unforeseen enemy, Sri Lanka needs to pay attention to secure human security of the nation. When it comes to transportation as a basic need of the people, government and responsible authorizes have to take a proper monitoring system and provide enough transport services to the people by



implementing required rules and regulations. Further, Sri Lanka could introduce new methods of transportations instead of using public transportations. Since maintaining the social distancing is essential to mitigate the spread of coronavirus from people to people, limiting public transportation would not be the effective response. While increasing public transportation government can encourage people to use alternative methods of transportations such as cycling. Cycling would be most attractive and healthy solution for maintaining appropriate social distancing and it will create another major attraction for tourist arrivals and their entertainment. It is the responsibility of the government to facilitate people for better public well-being. Hence, it is required to have a well-organized and proper communication system in every sector.

Focusing on digitalization would be another wise strategy to maintain social distance while improving the efficiency of all services. Nowadays with the new normal situation, people are using digitalized mechanisms to facilitate their day to day life activities all over the world. Sri Lanka needs to move forward by introducing digital tools to facilitate their services and digital literacy level should be increased by using public and private institutions. There are multiple technological tools that are engaging with the society like zoom, meet and cisco to maintain continuous communication with people from all over the world. We can use these technical tools to make people's lives more comfortable and convenient. Furthermore, e- governing, e-trade, and e-money would be the profoundly enhanced instruments in the society to steer up and regulate in a direction that is more beneficial to dealing with the world as post lockdown

strategies in Sri Lanka. It is time to regulate the digital platform which is more effective to maintain social distancing while continuing the good health practices to prevent the spread of the global pandemic.

Even though the international order will not be the same as what it was, multilateralism would be the best option to survive to thrive with cooperation and coordination among the countries. Sri Lanka should not focus on aligning with one particular country but non-aligned foreign policy practices need to be practiced when engaged with foreign relations. Since Sri Lanka is already in a debt crisis, it should not rely on loans and consider developing on the available resources that we have with us. To strengthen the government, public officers and grass root level officers need to be more efficient in doing their duties and responsibilities. According to the WTO Director-General Roberto Azevêdo; this crisis is first and foremost a health crisis that has forced governments to take unprecedented measures to protect people's lives to secure human security. Therefore we all have the responsibility as Sri Lankans without any discrimination to accelerate the plunged economic integration and assist to mitigate the possible post lockdown threat of COVID-19.



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Preventing online falsehoods

C L C M Patabendige

Published on Ceylon Today on 04th January 2022

The Government successfully defeated the ruthless LTTE terrorists and safeguarded the rights of Sri Lankans. Irrespective of the victory, Sri Lanka is now accused of a Tamil Genocide. The fictitious claim by the LTTE diaspora is growing in domestic as well as international contexts.

To convince the world, The LTTE diaspora has now transformed their strategy to information warfare. The new war is equally important to the militaristic war. It reaches a wider audience, as war can happen at your fingertips. The problem arises through whether we, as a country, are ready to mitigate and prevent the information war that we are facing, keeping in mind the financial constraints, bureaucracy and archaic laws that hinder us.

Threats happen in several ways. This includes 'Misinformation', which is the spread of false or mistaken information. 'Fake News', which is fabricated information or news that is non-verifiable through sources, facts or quotes. 'Disinformation', which is information created to deceive, lie or support, either an individual's or a social/political group's agenda. In addition, 'Hate speech' is any form of expression through which speakers intend to vilify, humiliate, or incite hatred against a



group or a class of persons based on race, religion, skin colour sexual identity, gender identity, ethnicity, disability, or national origin.

Moreover, there are various modes of distribution of terrorist propaganda. For example, terrorists use publicly-available anonymous proxy servers such as Tor to access the [darknet], combined with money transfers through cryptocurrencies such as Bitcoin, leaving few traces and making online surveillance and digital forensics highly complex.

They also use secure mobile devices with cutting-edge encryption technology and a variety of mobile applications for encrypted chat such as Telegram or Signal, [which] provide safe ground for internal coordination by terrorists while avoiding communication interception by law enforcement. Finally, the popular method utilised by terrorists is the use of pseudo accounts.

The terrorist content shared online is a threat to national security. Results are, the public is intimidated, they are convinced of bogus claims, they are radicalised, they become extremists, they become facilitators of terrorism and some of the individuals may be recruited as terrorists. On 24 December 2021, the Transnational Government of Tamil Eelam (TGTE) came, together with other Tamil entities, to lobby the United States (US) Congress. TGTE, with other entities, congratulated Ambassador Julie Jiyoon Chung on her appointment as the US Ambassador to Sri Lanka.



The organisations in the US that joined TGTE are the Federation of Tamil Sangams of North America (FeTNA), Ilankai Tamil Sangam, Tamil Americans United Political Action Council, United States Tamil Action Group (USTAG) and World Tamil Organisation (WTO). In their congratulatory message to the Ambassador, they have mentioned a ‘veritable existential threat of Tamil People’ in Sri Lanka. They have made several requests in the congratulatory message, which are,

1. An internationally conducted and monitored Referendum that allows people living in the north-eastern region of the island of Sri Lanka (Northern and Eastern province) before 1948 and their descendants to find a democratic, peaceful, permanent, and political solution that meets Tamils’ aspirations.
2. An interim International Protection Mechanism in the north-eastern region of the island.
3. The Repeal of the Sixth Amendment to the Sri Lankan Constitution.
4. The referral of the situation in Sri Lanka to the International Criminal Court concerning genocide, crimes against humanity and war crimes, and legal action against Sri Lanka before the International Court of Justice under the Convention on the Prevention and Punishment of the Crime of Genocide and the Convention against Torture.

This congratulatory message depicts the seriousness of online falsehoods. This was widely disseminated in social media, resulting in distrust, doubt and unrest in the community. Moreover, this is an attempt



to obstruct the friendly relationship of Sri Lanka with the United States of America. The reality is, these requests are inequitable, malicious, as well as unsubstantiated. If escalated, this can even lead to a geopolitical issue. The conduct of the TGTE, which is proscribed by the Gazette Extraordinary Notification No 1758/19 of 15 May 2012, in light of UNSCR 1373 displays a threat to Sri Lanka's national security.

One of the main challenges Sri Lanka has had to face when countering the national security threats by online falsehoods is the argument of the 'Freedom of Expression'. The LTTE international networks strategically use this claim to defend their heinous actions. The same stance is utilised by LTTE organisations that are front, cover and sympathetic in nature. It is important to understand that national security and public interest always take the upper hand.

The right to freedom of expression is enumerated in Article 14(1) (a) of the Constitution as, "Every citizen is entitled to the freedom of speech and expression including publication". Nonetheless, Article 15 (2) states, "The exercise and operation of the fundamental right declared and recognised by Article 14(1) (a) shall be subject to such restrictions as may be prescribed by law in the interests of racial and religious harmony or relation to parliamentary privilege, contempt of court, defamation or incitement to an offence." Therefore, the State must disallow online hate speech and other such crimes by taking necessary imminent action.

There are numerous ways to recognise online falsehoods such as, recognising the 'authority' as to who is the author and where did the



item originate from. Another point to be taken is ‘accuracy’; information that is accurate and free from errors is considered more reliable. [The question is] are there links to other resources to back up the claims that one source is making? ‘Objectivity’ must also be taken into account to check if the information is presented with the least amount of prejudice or personal bias.

Is it an opinion or is it trying to sell you something? Finally, ‘Timeliness’ is a helpful factor, which refers to when was the information first published. Is the content you are looking at up-to-date or the website updated regularly, or is it old and made to look like new information?

To sum up, it has become evident that LTTE international networks utilise information warfare to promote the allegation of Tamil Genocide against the Sri Lankan Government. Therefore, it is crucial to counter online falsehoods immediately. Furthermore, terrorists use ‘freedom of expression’ as an excuse to spread hatred, misinformation, extremism and radicalization on online platforms. Freedom of expression is important and must be cherished. However, it should not be a weapon against national security. Therefore, the state is duty-bound to uphold laws to safeguard national security.

To deter, as well as combat online falsehood threats, the Government can adopt numerous measures. Monitoring online platforms and recognising terrorist-run accounts are important. It is crucial to report terrorist content after notifying the intelligence and police officials. In addition, it is imperative to prosecute and convict the terrorists. The said conviction

should not only be limited to detention but also to de-radicalisation and rehabilitation of the perpetrators. There should be a follow-up mechanism in the aftermath of serving the jail term or in the aftermath of the rehabilitation process.

It is pivotal to educate the public on online falsehoods and measures to be taken if such action is noticed or reported. Improving computer literacy and strategic capability to fruitfully identify and rebut false claims disseminated online is a prudent mechanism that can be used to counter online falsehoods. Furthermore, the creation of an inter-agency platform consisting of the technology industry, government, civil society and academia to share information and expertise to counter terrorist and violent extremist activities on online platforms will be praiseworthy.



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Prevention of Terrorism Act; Striking a Balance between Conflicting Interests

C L C M Patabendige

Presented at International Research Conference 2021, General Sir John Kotelawala Defence University on 10th September 2021

Prevention of Terrorism Act (PTA) came into effect in 1979 as a temporary measure during the conflict with The Liberation Tigers of Tamil Eelam (LTTE) and it was later made permanent in 1982. Since the enactment of the PTA, it was criticized as a brutal piece of legislation. The criticism of PTA is not only by locals but also by other nations. The Act has both strengths and weaknesses. The challenge concerning the PTA is to balance individual rights and national security interests meanwhile adhering to international standards.

The European Parliament resolution of 10th June 2021 on the situation in Sri Lanka, in particular, the arrests under the Prevention of Terrorism Act (2021/2748(RSP)) was alarming. “Resolution passed with an overwhelming majority in the European Parliament [which] will exert pressure on the European Commission, the executive branch of the



European Union which is responsible for determining which countries get Generalized Scheme of Preferences Plus”. Irrespective of the fact that resolution is not binding we cannot exclusively negate its impact. In reality, it is authoritative. The loss of GSP plus will be injurious to Sri Lanka’s economy. On the other hand, there are discriminatory provisions in PTA, which are pointed out in the resolution. As per the resolution, PTA should be repealed as police have broad powers to search arrest, and detain civilian suspects. It further states that there are human rights violations of detainees by torture, sexual abuse, forced confessions, and systematic denial of due process. It is pivotal to protect human rights and uphold rule of law whilst deterring violence.

There are flaws in PTA; it infringes constitutionally vested rights including freedom from right to be free from torture, arbitrary arrest, detention and punishment, and the right to a fair trial. Certain Fundamental rights can be restricted in the interests of national security and public order. Therefore, human rights must not be breached. Another drawback in the Act is, coerced confessionary statements elucidated by suspects, which is against the law. The burden vested on the accused to prove he is not guilty is criticized immensely. Government is duty-bound to balance civil liberty and national security interests. It is crystalline that national security, which is the security of the majority, must always take the upper hand when compared to one individual. Nevertheless, the challenge is to strike a balance.



The loopholes in the Act fail the purpose of the Act. The Act does not define terrorism as resulting in vagueness. As per PTA, the minister is given the power to make regulations. Regulations No. 01 of 2021 on 9 March 2021 expanded the PTA allowing for two years of detention without trial for causing ‘religious, racial, or communal disharmony or feelings of ill will between communities to be “rehabilitated” at “reintegration centres”. Such prolonged detention is unreasonable, if the person is innocent it is an irremediable injustice done to the person. It is imperative to PTA to ensure rehabilitation and reintegration centers are not a platform of violence. The PTA must have assurance, that detention centers are not a harbor to share information and tactics of terrorism and radicalize themselves, nor should it be a place where perpetrators are abused. There must be a monitoring mechanism to guarantee nonviolence.

The problem arises whether PTA is exclusively adverse. The strictness of law when searching terrorists and terrorists suspect, seizure of goods comes handy in times of terror. However, the hurdle is to achieve nonviolence in the meantime to preserve human rights. Combating terrorism cannot be achieved overnight. Terrorism does not always appear from weapons and bullets. Modern warfare is now heading towards information, where extremists, as well as terrorists, are using and manipulating, fabricating, concealing information. This is severe than traditional warfare where the results are seen after a long duration by then the situation is irreparable. It goes beyond traditional warfare where humans are killed and property is destroyed; here the mind game is strong it encroaches past, present as well as future. Usage of social media is vast



and information can be disseminated easily with less cost. With the usage of social media such as Twitter, WhatsApp, Tik Tok, and Facebook by extremists, as well as terrorists, they can gather people unlike in the past where ideologies will be preached in gatherings. Therefore, PTA must have laws to penalize offenders who use hate speech, false information to promote extremism and terrorism.

PTA must be in line with international standards. Sri Lanka is a state party to the International Covenant on Civil and Political Rights (ICCPR), as well as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Both these conventions advocate rights including the right to life. Counter-terrorism law must be sensitive enough not to breach international standards. Rule of law must be preserved by the criminal justice system. Article 4(1) of the ICCPR is noteworthy; it states that even in such a declared state of emergency, where states may derogate from certain other rights, such derogation must be temporary and only what is strictly required by the exigencies of the emergency. In essence, it suggests the importance of rights, which is enshrined in the constitution and the need to prevent their infringement.

The warning on removing GSP plus cannot be taken mildly, that does not mean that we have to hold heartedly and passively accept all the changes suggested by the international community. Thus, the way towards success is accepting flaws, mending mistakes. Do we have to repeal the PTA as a whole? The answer is no, the rationale is Sri Lanka underwent terrorism and fought a war and regained peace, it was during war and aftermath of war the Act became assistance to penalize the perpetrators, without the



said Act we will never be able to penalize the terrorists, nor we will achieve freedom. When looking at countries like Switzerland, the counter-terrorism law grants police enormous powers in the interest of national security.

With that when we move on to the harsh reality, the Act has discriminatory provisions and needs revisiting. The right to a fair trial must be addressed leading to an effective remedy; prolonged detention without a reason must not be tolerated. Access to health care, access to loved ones must not be taken as insignificant requests. Most importantly, Act needs to include rehabilitation, as a measure to combat terrorism, as penalizing is insufficient; reintegrating a person is a prudent choice as it gives a second chance to the victim. Furthermore, it is important to de-radicalize the perpetrators of terrorism to ensure peace in society by prohibiting the revival of terrorism. Most importantly, it is imperative to be sensitive to new threats such as acts of terrorism by social media, which is discreet and harmful.

The unforgettable lesson Sri Lanka learned is from the Easter Sunday Attack, which was inexcusable, is the security failure of the country that resulted in irreparable damage. This reiterates the point of significance on national security, which means national security must always get due to recognition and national security, cannot be taken simply. It is high time to revisit the Act as we have an old Act that does not address modern threats and requirements. Therefore, it is appreciated to take a step back, accept the mistakes, and mend them. In essence, national security must be given

priority whilst adhering to international standards, rule of law, and international human rights law is mandatory.



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Waste Management during Corona Pandemic and Its Impact on Environment

Udeshika Jayasekara

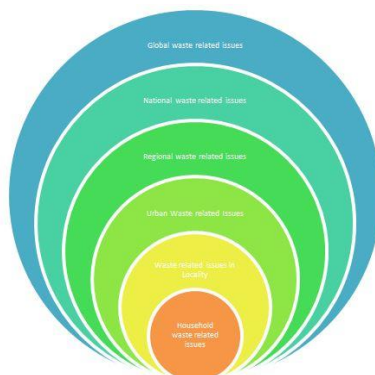
Published on Colombo Telegraph on 21st September 2020

Corona Pandemic creates additional challenges in waste management, especially in developing countries. Inadequate and inappropriate handling of healthcare waste may have a significant impact on the environment and serious public health consequences. Healthcare waste management includes waste separation at source, handling at source, collection, transportation, recycling, and final disposal. Developing countries that may already lack proper healthcare and waste management practices due to technical, operational, and financial limitations particularly become more vulnerable during the pandemic, with its new risks and challenges, creating additional burdens for both local and national governments.

Waste and Healthcare Waste

Waste originates from our minds first. Waste becomes hazards only due to social negligence and carelessness. Waste starts its journey from the demands of our societies and it spreads from a household to a global environment issue step by step as follows.

Figure 01: Levels of waste related issues



According to the WHO guideline reports (WHO, 2014; WHO, 2017), healthcare waste includes all the waste generated within health-care facilities, research centers and laboratories related to medical procedures.

Figure 02: Classification of healthcare waste



Source: WHO, (2014)



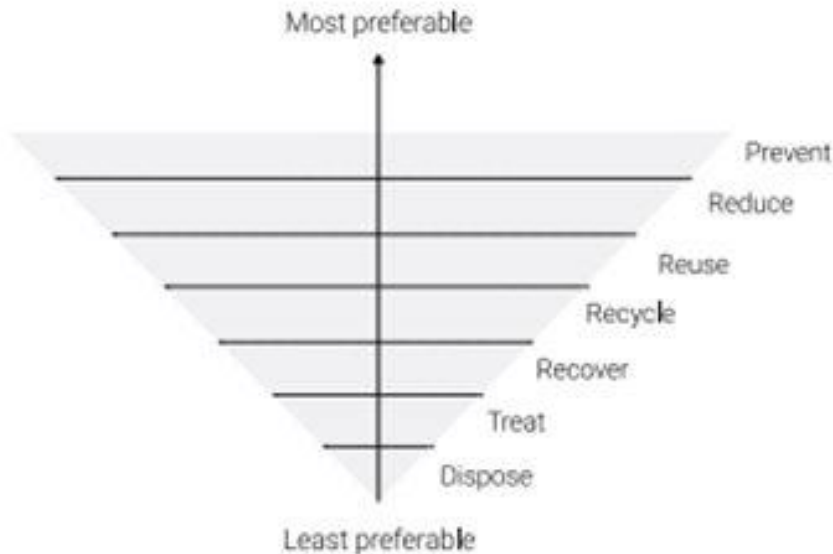
Issues regarding waste management during the pandemic

The waste collection services are disrupted due to shortage of workers because of the virus, lack of safety at their work, safe handling of household waste where citizens have fallen sick with the coronavirus, increased quantities of healthcare waste to handle, and lack of securing safe management of waste from collection points to recycling or treatment facilities. Thus, developing countries and cities while simultaneously fighting against COVID-19 against its spread, they are also challenged with preventing risks to the environment and human health including those of waste workers caused by COVID-19 related waste.

Waste Management

The local level waste management system requires specific precautions, operations, and management practices under the COVID-19 pandemic. Thus, Proper waste management of healthcare waste needs to be based on 3R principles (Reduce, Reuse, and Recycle). According to the waste management hierarchy, the better practice of healthcare waste management initially should aim to avoid or recover as much of the waste as possible, rather than disposing of it by burning or burial. Waste can use by recycling them or producing innovative creations as dressing materials, brooms, arts and crafts, etc.

Figure 03: Waste Management Hierarchy



Source: WHO, 2014

Responsibility of waste management

Householders must make maximum effort to minimize their wastage. Households are advised to follow the instructions given by the local authority and public health officer. The households that live in the self-quarantine places with COVID-19 positive cases or people who are thought to be infected are guided to separate their waste into a minimum of three categories as Kitchen and food waste (organic waste), Non-biodegradable waste, and Healthcare waste. This makes the waste management process much easier. Waste collection workers shall be supplied with an adequate amount of hand sanitizers and cleaning agents



to wash their hands each time they pick up special waste from a quarantine place and special work wear such as overalls, masks, gloves, shoes/boots, and an apron or disposable work clothing must be given to them. They should be properly instructed, trained, and monitored. Collection crews should be instructed to minimize their contact with the external environment during the collection of special wastes, maintain social distance during their house to house collection activities., The special waste collection vehicle shall be disinfected at the final disposal site right after unloading the waste and all waste generated from quarantine centers shall be treated as infectious waste and waste management should be done separately and carefully.

Although, the main focus on healthcare waste management goes to the decision-makers and practitioners in governments, and private sector, development agencies, academics, and think tanks that are involved in developing countries.(consider revising sentence as you have started with ‘although’) For effective healthcare waste management, it requires cooperation and interaction at all levels. When considering the context of Sri Lanka, in March 2020 the Government of Sri Lanka formulated the “Interim guideline for the management of solid waste generated by households and places under self-quarantine due to Corona Pandemic”. The interim guideline is prepared in line with the current solid waste management policy, regulation, and standards. Establishment of a national policy and a legal framework, training of personnel, raising public awareness by organizing E- workshops, symposiums, seminars, and support for the local entrepreneurs to come with innovative ideas are

essential elements of a successful healthcare waste management system. The young generation also should come forward with creative ideas and women too must be given priority in local, national, international level waste management programs to prove themselves and have the highest managerial potentialities from household to international.

Figure 04: Hierarchy of the regulatory and institutional framework for healthcare waste management



Source: WHO (2014)

On the other hand, industrial waste, was significantly reduced during the pandemic period, especially in developed countries. NASA has produced satellite images stating that due to the quarantine orders there was a positive reduction of air pollution than before. Hence, there are pros and

cons, but anyhow countries should try to reduce their negative impact on environmental security.



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Trends in Slowbalisation: Is it Globalization or De-Globalization that Awaits Us?

Ruwanthi Jayasekara

Published on Nepal Institute for International Cooperation and Engagement (NIICE) on 27th September 2020

The world has become a global village with trade in goods and capitals, global supply chains, less cost for transportation, more travel around the globe and more and more complex interdependencies. Until 2010, every state leader was committed to achieve common good for the world in international platform. It created a spark among the economists, when it was noted that the world has undergone a paradigm shift from globalization to slowbalisation, which possesses the evil potent of shifting towards de-globalization. A de-globalized world will push forward more and more egocentric leaders with ultra nationalist policies and it is needed to accept that de-globalization will never be an answer. In 2018, there was a reduction of 20 percent Cross border investment by multinational companies. The US, as the norm maker fueled the trend taking it towards de-globalisation, led by a surge in tariff between the US and China. This was further visible in withdrawal from multilateralism, such as the US withdrawal from Trans- Pacific Partnership (TPP) and Iran nuclear deal and most recently openly declaring to halt funding to the World Health Organization (WHO). Most of these are to ensure prominence to the citizens. Travel bans and protectionist measures further strengthened this.



Does this mean that nationalism is the new normal? In the era of COVID-19, there remains a question if ultra-nationalism is the answer to relations in a post COVID-19 world. And the answer is – No. Ultra-nationalism is a greater calamity than the pandemic. The US has proved how they have become the epicenter of the pandemic and ultra-nationalism has failed. It is inhuman to segregate people of their colour, religion or citizenship and refuse granting medical treatment on time, stimulus packages and access to food etc. It is necessary to keep in mind that we live in a world of complex interdependencies and ultra-nationalism leads to strategic decoupling and this fails. Joseph Nye has clearly indicated that the US can't secure themselves by acting alone. This was very much proven by a non-traditional health issue, crossing borders and surrendering the whole world. It is disastrous to accelerate towards a de-globalized world as this would lead to global issues always being ignored like climate change or terrorism. There's no possibility that states can stand alone. Even in the search for a vaccine for COVID-19, it is compulsory that the whole world have access to it, if not this will re-spill over to each and every state.

However, COVID-19 was a lesson to many states, that they learnt to rely more on self-sufficiency and cope up with the situation. States have now got used to domestic production and incentivize local level innovation with the existing potential. This is a good sign for states individually. Therefore, it is unlikely that the states will get back to general routine with the rest of the world, unless more incentives are given to secure multilateralism and be assured of protectionism at abrupt situations like these. This is a game of politics for the leaders of the states, to prove the citizens if they can handle a black swan event like the COVID-19. In this regard, this becomes test of leadership for the presidents and prime ministers and thus, they will tend to take protectionist measures either to secure the authority or the state.



What is possible in an era of globalization? There seems to have three evident facts. States will be persuaded to create deeper links with regional organizations. At times, it is crisis that makes us realize of the existing potential of the regional blocs. SAARC could be taken as one such example that revitalized the role of multilateralism within the region. It is time for hibernated blocs like SAARC to come to common ground despite ongoing tensions and differences. However, the success of this could result in implying if South Asia has further moved towards a de-globalized world or remain stronger, with the need of a better integrated and globalized world.

Second, natural resources will be recognized with more value. Even though, states that possessed oil thought that they would be the emerging best markets, they ended up being at the most financial peril. A pandemic taught them that rich sources like oil is of no value in a world without consumption. Yet, resources like water will never be lacking the demand, despite traditional or non-traditional global crisis. In terms of agriculture, the need for water will increase and the unmet needs will accelerate to a level of water war. This will be visible in South Asia, with growing need for agricultural products and a history of water disputes.

Third, this will lead towards further competition among states. Kishore Mahbubani believes that western domination will come to an end. However, many perceive the fact that first Asia will be a place of hegemonic power rivalry between China and India. Second, China will not easily be accepted to play the lead in the international system, due to prevailing aggressive nature and autocratic or semi autocratic state governance. The West will always stand for right to privacy. Adding to this, the US will never retreat easily and cold war tensions will continue more aggressively. Therefore, strategic competition will prevail and developing countries that have so far remained neutral will have to be clear with their stance in terms of foreign relations.

With all these, it will be an interesting world to live in. We will be stepping in to a world of economic shrinkages and foreign policy shifts. Slowbalisation was evident since 2010 and yet, we are still in the first phase of de-globalization. There's still time and it is a choice of globalization or de-globalization. Multilateralism can still play the role and prove their validity and prominence if leaders try to realize the urge of a global solution to a global crisis.



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