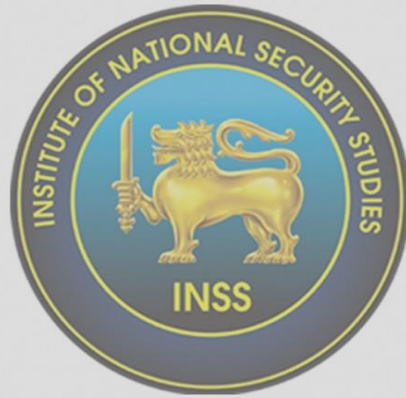


INSS

NATIONAL SECURITY

PAPERS

Volume IV





INSTITUTE OF NATIONAL SECURITY STUDIES

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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 a compilation of such valuable academic work produced by the staff of INSS during their tenure of employment 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 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.

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FOREWORD



As the Acting Director General of the Institute of National Security Studies (INSS) it gives me great pleasure in penning a few words for the 4th volume of the publication titled “National Security Papers Vol IV”. Unlike the three previous volumes which contain 10 papers each, this volume contains 20 papers written by the staff of INSS while they were serving at INSS. Therefore, this publication is unique and is a proof that more and more staff members are now encouraged and motivated to write papers, articles and commentaries elevating the status of INSS to another level.

This publication has several articles written on different dimensions of national security. Two articles pertaining to ‘Building the power of co-existence, trust and gender awareness’ and ‘water security, pandemic and climate change’ has been authored by Ms. Ruwanthi Jayasekera when she was a Research Assistance at INSS for National Institute of Advanced Studies (NIAS) and Konrad Adenauer Stiftung (KAS) and Consortium of South Asian think tanks (COSATT). Having joined INSS as an Intern (Research) in 2018 she had served at the Institute for nearly 3 years. She was also awarded with a title Honorary Associate Research Fellow considering her exceptional contribution to the Institute during her tenure at INSS. Being in the resource pool of INSS as an external member of the staff, Ruwanthi continues to contribute even today to the betterment of the institute.

Dilmini Abeyratna was a Research Assistant at INSS for a short duration of ten months and had authored two commentaries during her tenure at INSS titled ‘Energy crisis concerns’ and ‘Will flood inflation lead Sri Lanka towards malnutrition’ both which were very timely topics discussed and were included in to this volume.

Thusitha Bulathgama who is presently a Research Assistant at INSS had also written two interesting commentaries that were included in to this volume titled ‘Potential internet risks’ and ‘Organized criminal gangs in Sri Lanka and its impact on national security’. His research interests are criminology and criminal justice, gender-based violence, climate change and national security.

Joining INSS with a background in international relations, Gayanga Dias who was a Research Assistant had written her commentary on “Fortifying National Security in a Time of Crisis” explaining various challenges the country faced during the political turmoil emphasizing that both the government as well as the citizens have a major responsibility in safeguarding national security of the country.

Dwelling more on to narcotics and national security, Madushan Senavirathna who served as a Research Analyst at INSS has reiterated in his commentary that education authorities of the country need to include the negative consequences of using drugs

to secondary school's syllabuses and to increased awareness campaigns among the youth.

Having an excellent background in economics, Kalpani Gunathilake who is presently serving as a Research Assistant has elaborated on black marketeering and how it affects the economic security of the country and recommends in her commentary that more awareness should be given to the public on the subject to protect them against such threats.

Charani Patabendige who is a Research Assistant was recently promoted as an Acting Research Analyst and five of her papers have been included into this volume. She had written her papers on various facets on national security out of which one paper has been published in Royal Institute of Colombo Law Journal, two papers at the International Research Conference, General Sir John Kotelawala Defence University and one on 55th Meezan Law Journal. Charani is also an Honorary Associate research Fellow of INSS.

Dulakshi Ariyaratne, Prasansa Gunawardene and Pansilu Pussadeniya were three undergraduates from the General Sir John Kotelawala Defence University who joined INSS as interns for a period of six months to the Research Department. Dulakshi had written two articles one on "Psychological Traumas Resulting in Substance Abuse in Women" and the other on "Is Sri Lanka still the "Pedophile's Pleasure Center?". Prasansa and Pansilu had both written their commentaries on Economic security with Prasansa highlighting on social security while Pansilu on challenges to Food security.

Writing is hard even for authors who do it all the time and I take this opportunity to thank and also congratulate the authors for their hard work which will definitely have an influence over the future generations apart from strengthening the government understanding of threats to National Security.

This publication forms a valuable addition to the existing body of knowledge and is specially intended for students, military, researchers and academia in this field of national security both in Sri Lanka and overseas.



Rear Admiral Dimuthu Gunawardena,
RWP**, RSP, VSV, USP, nswc, psc, hdmc
Acting Director General

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Build the Power of Co-existence, Trust, Gender and Awareness

By **Ruwanthi Jayasekara**

Published on National Institute of Advanced Studies (NIAS), 21st of April 2020

Extremist acts emanate from deprived, suppressed and oppressed communities. The communities deprived and radicalized by extremists could feel compelled to get involved in further violent acts. Thus, communities should be closely monitored and supported to create co-existence and peace. The main reasons that lie behind extremism and radicalization are identity crisis, exposure to radical content both offline and online, political alienation and injustice, economic deprivation and social exclusion etc.

The Power of Coexistence

Building a community that can co-exist with others is the best solution for uprooting extremism from any country. Has Sri Lanka been successful in bridging the gaps and bringing the communities together post-Easter attacks?

In a visit to the East after the attacks, which was the home of the mastermind of the attacks, a Catholic Priest insisted that they have co-existed with different religious communities, but the Catholics were being betrayed and they have lost the trust since they did not inform the Catholic community about the attacks. When meeting the Muslim Federation, which is a nonpolitical body consisted of Muslim community in Kattankudy that conducts periodical meeting on every Sunday to discuss all Muslim affairs, they criticized the brutal acts of extremism that were committed by some belonging to their community. It was a shame to them, and they insisted that when propaganda was carried out by Zahran in public open spaces, they have informed the authorities and would have done the same if they had a clue about the attacks.

The community pay the price for the atrocities committed by few. This led to the loss of trust among communities, a boycott of Muslim shops, media pressure while attributing fault on the whole community of Muslims and overall alienation where many Muslims avoided other communities for some period out of fear.

Security and freedom are both imperative, and no one should compromise any, despite the community that they belong. According to the UN Counter-Terrorism Strategy, civil society engagement is vital, and that is the best possible option to uproot extremist and radicalized thoughts. Therefore, it is necessary to re-assess the progress made in bringing communities together and implement measures that can apply to all the affected and look forward to solutions.

The Power of Trust

It is always apt to learn from best practices in the region. Since the context varies, best practices could strengthen the process of thinking regionally and acting locally. The first concern should be building trust among communities. Once local beliefs and ideas are perceived, people feel less distanced and more belonging to a community that is recognized. It is necessary to address the grass root level issues and get back to them on the progress. Sharing information becomes noteworthy and successful only if it served the needs of communities as they may vary from community to community and person to person. Further research can be conducted to understand the grievances and other conditions that make them separate from others.

When implementing community engagement projects, they should be paying attention to long-term achievements. The officers engaging in community engagement and policing should be trained, and it is best to incorporate officers from various professions such as public officers, non-governmental activists, academics and media etc. Their involvement makes communities feel credible and close to each other, reducing barriers among different social levels, and this has proved successful in Kenya. It becomes an added advantage if the officers involved can speak the language of that particular community. Some discussions are being held at the community level, yet that is limited to community leaders, including religious leaders and heads of organizations. In a first-hand experience, the head of a madrasa -where Zahran was first enrolled and suspended studentship for spreading radical Islamic ideas among students -was involved in these discussions in measures to accept diversity among different communities. However, the results were limited until various layers of the community got involved.

The Power of Gender

The role of women should never be downplayed. They become the heads of the household when men either get arrested, rehabilitated or die for the sake of religion. Most importantly, they are close to the family and the first to recognize of the peculiar behaviour of family members. Promotion of dialogue among mothers, daughters, wives and their families should be supported. In Kosovo, women were the first to recognize and inform authorities when their men were amassing weapons. Therefore, women should not be discriminated based on gender, and better results can be reaped via women's engagement in decision making and policing.

The power of Awareness

Creating awareness among all the communities has always been a common agenda in countering violent extremism. Narratives of the locally radicalized, who were involved in past attacks or supported at various levels, and rehabilitated to be reintegrated into the society could be displayed with the grave consequences everyone had to undergo. This could be invigorated via building strong counter-narratives and disseminating these online, specifically among youth. The unemployed could be targeted and instill their minds with values of co-existence and later provide economic opportunities. Once awareness is created essential services for all can be ensured without discrimination.

If these actions are not taken today, Sri Lanka will become a breeding ground for more extremism and terrorism. With a history of successful defeat of LTTE, Sri Lanka has the potential to manage the threat of extremism. The communities being the grassroots is vital in achieving positive peace, and all other actions by government and other authorities become futile if the communities are not brought together. We do not need any more bloodshed in this beautiful island.



Ruwanthi Jayasekara was a Research Assistant at the Institute of National Security Studies (INSS) the premier think tank on national security established under the Ministry of Defence. The opinions expressed in this article are her own and not necessarily reflective of the institute.

Water Security, Pandemic and Climate Change

By **Ruwanthi Jayasekara**

Published on Konrad Adenauer Stiftung (KAS) and Consortium of South Asian Think Tanks (COSATT), December 2020

Water is one of the most basic elements of life. No country can maintain economic, social and political stability sans water resources. Without attention to water resources, the security of future generations in terms of water and food will be uncertain and with this fear, sustainable development will be impossible. Developed countries prioritize water management in their working affairs and are not unaware of its importance. Industry and economic growth as well as wellbeing of life are inextricably linked to a country's water resources.

Afghanistan, however, is one of the countries where about 80 per cent of its people make a living through agriculture. The growth of industry and self-sufficiency in electricity, which is linked to water resources, is still not in good shape. As a landlocked country, Afghanistan has continental dry climate. Afghan farmers attribute their crop harvest to the associated rainfalls each year. Agriculture is not possible without water, but agricultural lands are often not beside the rivers.

Afghan farmers used to look up to the sky or dig wells in dry years, however there is evidence that wells were not dependable for agricultural purposes. They are also drying up in a very short period of time. Meanwhile, safe drinking water is also not available to the majority people in the war-torn country. Hence, water management crisis in Afghanistan has caused economic instability and impacted stability and security.

The crisis of groundwater shortages in the capital Kabul has become one of the major problems. The digging of deep and arbitrary wells has put the city at serious risk of water shortages. In other provinces of the country, there is no regular system for the proper use of water resources. In such a situation, Afghanistan is still thirsty, despite possessing five water basins and enough fresh water. As per researchers, Afghanistan, with 57 billion cubic meters of water per year, uses only 30 per cent and rest 70 per cent flows to neighbouring countries.

Besides, climate change has been another contributing factor in recent years to adversely affect the water resource, primarily rivers. A number of the country's provinces are witnessing unprecedented flash floods and rainfall while most of the country's rivers have changed their patterns and temperatures have increased in the Northern provinces. Few studies related to climate change have been conducted in Afghanistan. But review of the historical trends of rainfall, groundswells, glaciers, stream flow, and snowpack will be helpful for implementing local applications for the future.

This article is, therefore, itself a pioneering study about a nation reeling under decades of conflict. It will help scientific communities, to have some information about the current water resource conditions, water security and scarcity, pandemic and public health in Afghanistan.

Water Security

Various factors have contributed to the current water management crisis in Afghanistan, the most important of which are insecurity, lack of investment, lack of specialized and experienced manpower, non-implementation of laws and regulations, dependence on foreign investments and most importantly the reluctance of government officials to draw up water agreements with neighbors.

In Afghanistan, water-related issues are always addressed through formal and informal means in urban and rural areas. In rural areas, people often prefer tribal means to address their water disputes and they refer to local village water masters, also known as Mirabs, whom they respect the most to settle their issues. However, on many occasions, water disputes and irrigation of the agricultural lands in remote areas have led to tension and enmity between various tribes.

Afghan government introduced "Water Law" in 2009 to help establish river basin management system as well as to address water crisis in the country, evolving ministries and independent directorates. The government also established the National Water Affairs Regulation Authority in 2019, to help improve the country's physical water-related infrastructure. But the Water Regulation Authority could not implement the water-related laws and regulations and failed to win people's trust in most of the areas. Since the country has been badly hit by insecurity arising from terrorist activities, most of the districts or rural villages have remained out of the development programmes. The central government too has been largely unable to address people's problems. This is the reason that people often prefer tribal laws and regulations over the government one.

In addition, wide-spread corruption and general distrust on the country's judiciary are the main reasons behind the non-implementation of the formal laws in the country. The villagers mostly seek the Mirab's guidance and assistance with regards to their water-related issues. However, villagers nowadays complain also about Mirabs, saying they too are corrupt and cannot stand against the warlords. The Taliban too has been preventing people from referring to the judiciary and justice organs, instead they have set up their own local courts, in a bid to weaken the government's influence in tribal areas.

In an incident in southern Uruzgan province, Taliban fighters prevented flow of water to agricultural lands, as a tool to force local people to obey their rules. Farmers incurred economic losses with the group's such move. Meanwhile due to imposed war in the last four decades, Afghanistan could not establish or construct dams as well as utilize its water resources. In recent years, since the Afghan government started to construct dams and manage its rivers, tension has risen with neighboring Iran and Pakistan, wherein the leaders of these countries made harsh comments against Afghan

leaders. To achieve economic development through better water management, Afghanistan needs Treaties and agreements on hydro resources with its neighbors.

But it is easier said than done. Afghanistan's neighbors fear that building dams would dry up their rivers one day. Pakistan has time and again prevented construction of dams on Kunar River in the east, believing that their territory would be dry if there is a dam from the Afghan side. Reaching a negotiated agreement over water distribution policies is the need of the hour. Therefore, it needs to be underscored that to achieve the goal of better water management, it is necessary to establish effective communication and coordination between different users at the local, regional and national levels.

In addition, there is also a need to establish mechanisms for consultation, regulation, mediation and dispute resolution. In this regard, the Afghan High Council for Land, Water and Environment has a key role to play and needs to consider water management-related activities within the framework of the National Water Strategy. It goes without saying that Afghan government should do more to implement the Water Law in all the basins. Relying on traditional and local way of addressing water related issues, may have some outputs, but lacks transparency and would prevent implementation of the formal laws, which were codified in accordance to international standards.

Water Scarcity

According to the United Nations, water scarcity is the main reason for internal displacement in war-torn Afghanistan. There are estimated 1.5 million people, approximately four per cent of the overall population, that are internally displaced and more than 580,000 were added in 2019 alone. The U.S. Geological Survey had earlier indicated that the groundwater level has already declined by 2.4 mm between 2012-2018, where serious droughts threatening life of the masses in Afghanistan's 22 out of 34 provinces.

But it is not to say that Afghanistan does not enjoy enough amount of water. There are five major river basins in the country — Amu Darya, Harrirud-Murghab, Helmand, Kabul, and Northern — which provide 75 billion cubic meters (BCM) of accessible water.

According to National Water Affairs Regularity Authority of Afghanistan this averages out to 3,063.1 cubic meters per capita. Meanwhile, the country's National Development Strategy has listed the present usage as 19.08 BCM – which is merely 33 per cent of total surface water. Meanwhile, due to increasing population and industrial expansion, the importance of water has multiplied. Preparing and formulating major policies to conserve and use fresh water optimally and prevent water from flowing to neighboring countries without being utilized is one of the important tasks of the government. Implementation is however tardy.

Afghanistan also imports electricity from neighboring countries worth millions of

dollars, but if its rivers are used optimally, the country will be able to export electricity. On the other hand, 85 per cent of the Afghan people are engaged in agriculture, but water shortage is currently one of the main problems before farmers, which also plays a key role in decreasing agricultural products.

Experts predict that water scarcity is now a major problem in many parts of the world due to improper use, water pollution and climate change. According to the United Nations, more than 80 countries are currently facing water shortages. Water and environmental experts cite wastewater and climate change as the main causes of water shortages in the world.

On the other hand, currently the groundwaters of some cities of Afghanistan are exposed to pollution due to non-standard constructions, non-technical burial of various types of waste and digging septic wells, of which the Kabul River is a clear example. Therefore, Afghanistan is facing water crisis due to mismanagement of its available water resources.

Climate Change and Geopolitics

Climate change is one of the most crucial challenges all over the world. Flash floods, global warming, unprecedented low and high temperatures in different parts of the world, more frequent droughts, rising sea levels, outbreak of plant diseases, depletion of the ozone layer, and melting of the ice are all due to climate change.

Research shows that normal rainfalls have been reduced; instead, heavy rainfalls, which are often accompanied by flash floods, occur more intensively in different parts of the country. On the other hand, the decrease in rain and increase in temperature in some provinces of the country, especially in the Hindu Kush region, have caused significant decrease in water in most basins that has endangered the lives of people, animals, birds and plants.

The Ministry of Water and Energy says climate change in recent years has been behind most of Afghanistan's water crisis, reporting a 62 per cent drop in rainwaters. According to the ministry, rising temperatures are also increasing the amount of snowmelt from the mountains in recent years.

As per the UN data, as cited by an article in The Diplomat Magazine published in 2018, with more than 9 million Afghans currently facing severe food insecurity, this number will drastically increase with the drought aggregating the food deficit in coming years. Afghanistan is considered one of the world's most vulnerable countries to natural disasters and climate change.

Water is a trans-boundary resource that goes beyond political borders. Afghanistan is not the only state in the region facing water crisis. Among other states, neighboring Pakistan and Iran too are facing severe water shortages. Reduction in water resources has led to conflicts in different countries. Afghanistan, too, has its share of problems with its neighbors, especially with Iran and Pakistan. The Helmand River continues to flow in Iran and the waters of the Kabul, Panjshir, Ali Shing and Ali Negar rivers

flow to Paki- stan, where thousands of acres of land in these countries are being irrigated. However, thou- sands of acres of land along these rivers inside Afghanistan suffer from severe water shortages.

Afghanistan has only one agreement with Islamic Republic of Iran that was signed in 1973, which highlights the allocation of discharge from Helmand River to Iran year- round.

Pandemic and Public Health

Clean water, sanitation and good hygiene practice- es are essential to the survival and development of communities, mainly children. In Afghani- stan, diarrheal diseases are the second most common cause of death for children under the age of five, after acute respiratory infections.

Open defecation continues to be a dangerous challenge because human waste near waterways and living environment spreads diseases quickly and puts children and their families at risk.

Ministries of Rural Rehabilitation and Development, Public Health, and Education, as well as local and international partners, have joined forces to end open defecation by 2025. They support communities to become "open defecation free" by using the "Community-Led Total Sanitation" approach, where a combination of shock, shame, disgust and pride, motivates people to build and use their own latrines.

Since Afghanistan has been mostly engaged in war on terror, proper attention has not been paid to other essential aspects such as public health. Nowadays people have been suffering from another pandemic which is H. Pylori, stemming from contaminated water.

After four decades of devastating war, the rapid increase in population and urbanization is a matter of serious concern, as construction across major cities of Afghanistan, mainly Kabul, have been without proper canalization system, where wastewater flows to the same area where people drink water. In the last couple of years, water scar- city has increased tremendously and is getting worse every day. Population growth, which tripled in the last three decades, economic development, rapid urbanization, industrialization etc. have con- tributed to the depletion of safe drinking water.

Water management sector largely remains unnoticed at the policy level and thus does not get much attention. Weak law enforcement in drinking water regulation and mitigation of the vulnerable effects of climate change has pushed the country into crises compared to other regional countries.

The effects of these crises are visible in the capital city where groundwater table successively drops down due to over exploitation of groundwater aquifers against a limit- ed recharge in return. The country's water resources are heavily dependent on rain and snowfall, whilst groundwater withdrawal is the primary source of drinking

water supply.

According to the Ministry of Urban Development Affairs, about 90 per cent residents of Kabul city have access to drinking water, but with very poor water quality. The government and other relevant agencies are slow in raising awareness on the topic. As a result, citizens are not playing their due role in safeguarding water.

In the case of Kabul, there are four major waste- water treatment plants: in Wazir Akbar Khan, Qala e Zaman Khan, Tahia Maskan and Karte-4. Wastewater treatment plants have poor infra- structure and do not have the potential to treat water. Despite this, their inefficiency can barely cover half of the population of the city.

The underground as well as surface water are contaminated. Many forms of biological and chemical pollutants are drained to the streets and canals which either infiltrates, percolates or reach the groundwater table. This eventually ends up in the Kabul River. Since Kabul River is flowing in the heart of the city, haphazard discharge of sewage from residential and commercial areas has turned it into a hub of dangerous pathogens and germs causing disease especially among the communities living and working alongside this river.



Pollution in the Kabul River

Conclusion

“Kabul be zar basha be barf ne!” goes an ancient proverb. “May Kabul be without gold rather than snow” — referring to snowmelt from the Hindu Kush Mountains, a primary source of Afghanistan’s water supply.

To recover from the aid-dependency and armed conflict, Afghanistan should have workable hydro treaties with neighboring countries and better water management mechanism inside the country. As 80 per cent of the country’s population works in agricultural sector, construction of water supply networks and management of the country’s water are of immense importance. Good management of overall water system would definitely have a positive impact on the future stability of the country. The decades-long unrest, repatriation of refugees and internal migration has caused unequal distribution of water as well as marginalization of communities. If the

government doesn't take steps to solve this issue and tackle the situation, the projected climate change scenario will further exacerbate and may trigger migration for getting safe drinking water.

Therefore, better administrative arrangement, consumer well-being, public health, and environmental protection — all need to be taken into holistic consideration and water resources sector now needs to be the topmost priority for the Afghan state.

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Ruwanthi Jayasekara was a Research Assistant at the Institute of National Security Studies (INSS) the premier think tank on national security established under the Ministry of Defence. The opinions expressed in this article are her own and not necessarily reflective of the institute.

Energy Crisis Concerns

By Dilmini Abeyrathne

Published on Ceylon Today, 14th June 2022

Today we face one of the worst economic crises since independence. Last January, Fitch Ratings downgraded Sri Lanka's Long-Term Foreign-Currency Issuer Default Rating (IDR) from 'CCC' to 'CC'. The CCC level represents substantial credit risk and a very low margin for safety while CC stands for very high levels of credit risk where default of some kind appears probable. According to the Central Bank report (2021) Sri Lanka recorded a value of -3.5 per cent for the annual economic growth rate in 2020 and the World Bank predicted an expansion of a 3.5 per cent increase in 2021 owing to significant contributions from manufacturing, construction, transport, financial services and real estate activity. However, world political instability related to the Ukraine crisis along with insufficient foreign reserves and foreign earnings blurred these expectations. The Covid-19 pandemic, fall of tourism and agriculture sectors collectively created an economic crisis in Sri Lanka. Given this context, the Government encountered problems with paying for fuel and gas stocks and created long and continuous queues next to filling stations. At this moment, the Government fights most serious battle both in terms of politics and economics.

What Happens Around the World?

Given the scarcity of foreign exchange, high inflation and rising energy cost in Sri Lanka, the ongoing military conflict between Ukraine and Russia aggravates the prevailing Sri Lankan economic crisis. According to the International Energy Agency, Russia is the largest oil exporter of natural gas fuels to the European economy and the US. However, because of the Ukraine crisis, Europe imposed trade sanctions on Russia which affected its fuel supply to the world. The Countries affected by the sanctions turned to the Middle East for supplies, the supply of which the Middle East now monopolise. Hence, the increase in fuel demands has resulted in a price increase. After the Russian invasion of Ukraine on 24 February, the Brent spot price of a crude oil barrel reached USD 105 for the first time since 2014. Sri Lanka lacks priority in its demand for fuel amidst the demands of other more powerful industrial countries. The Sri Lankan Petroleum Corporation has increased fuel prices several times depending on the depreciation of the rupee and the world market price fluctuations. At the time of writing this article, prices for petrol octane 92 have increased from 338 rupees to 420 rupees and for petrol octane 95 from Rs. 373 to Rs. 450 per litre while auto diesel and super diesel prices have hiked to Rs. 400 and Rs. 445 per litre respectively. The higher the energy price is, the sooner the cost of producing and transporting food commodities increases, giving rise to food shortages and inflation.

Community Reactions

Irrespective of the general law of demand that makes higher prices follow lower quantities demanded, people are tensed at the prevailing economic downfall. The demand for fuel and gas shows the speculative nature of demand. Starting from April

the long and continuous queues beside filling stations have become a common sight because of the unpredictable nature of fuel supply. Given this context, black markets have come into operation and people are forced to accept the unbearable burden of the cost of living which is rising day by day. Unfortunately, it was recorded that several people waiting in the queues have died on the spot. And the fall of foreign reserves, rupee depreciation, and spiking debts have weakened the economy to an extent where urgent medical supplies and lifesaving drugs for newborns and other patients are unavailable. Poor families are struggling to survive and the potential purchasing power has declined irrespective of the timely paid monthly salaries.

Solutions and Recommendations for Future

The protestors gathered at Galle Face are not planning to dissolve their campaign. However, the appointment of an experienced governor to the central bank and his monetary strategies have subsided the public protests to a certain extent. There is hardly any violent incident reported recently. However, the slogans of the protest remain unchanged as they are anticipating a relief which is a highly uncertain reality in the near future. Given fuel and gas shortages, the existing stocks need sufficient consumption for essential services. Until the central bank elevates the economy to a manageable state, individual and Government expenditure over non-essential goods needs to be deducted. At present people are struggling to find fuel to cook, travel, get electricity and for the smooth functioning of the day-to-day life. Until the economy recovers, it is more efficient to encourage decisions like zero wastage, work from home, increase and reforming tax structure as the country is almost stuck between survival and recovery at the same time.



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Potential Internet Risks

By **Thusitha Bulathgama**

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We can't escape technological advancements. Digital transformation has introduced a whole new experience. Technology has permitted us to enter a digital world and given us various chances. The Covid-19 pandemic brought technology more frequently into our lives. The internet has made it conceivable for us to connect whenever we consider it necessary. Working from home by giving online courses and lectures, holding meetings via Zoom and many other digital platforms, and staying in touch with our families using video calls would have been impossible without it. In addition, to online shopping, doctor consulting and promotions also happen in this digital space now.

However, do not be blindsided; it is not all sweetness and light. Living in a virtual society comes with many risks and threats; in addition, as the digital world grows every day, people need to be educated about the potential risks of the internet. To prevent these threats, everyone in society, including the country's Government, should be aware of cybersecurity. When digitalisation was increased globally to a higher-level cyber-attack also increased proportionately. Cybercriminals use danced tools and tactics to gain access to compromise the network, disrupt operations, financial gain, steal credentials and information.

The common definition of Cybersecurity can be stated as “a discipline that covers a way to defend devices and services from electronic attacks by depraved actors like hackers, script kiddies, spammers, cybercriminals and insiders”. Most of today's professionals focus a lot on determining the best way to defend all assets, from computers and smartphones to networks and databases, from attacks. Forbes 2022 lists out numerous terrifying cyber security challenges, everything from supply chain disruption to increased smart device risk to a continued cyber security talent drought. As reported by Cybercrime Magazine, cybercrime will cost the world \$10.5 trillion yearly by 2025. Moreover, worldwide cybercrime costs are anticipated to ascend by nearly 15 per cent yearly throughout the following four years. Nowadays cybersecurity is an economic and national security crisis.

In the Sri Lankan context, increasing cybersecurity is a must. To illustrate this several cyber-attacks that happened in the past few years. The LTTE has hacked the Government's websites several times. The Easter Sunday attack created a new dimension to cyber threats. The Islamic State of Iraq and Syria (ISIS) used social media platforms to disseminate propaganda mainly through social media to Sri Lankans. Moreover, ISIS used social media sites, particularly Facebook to spread hate speech online to provoke anti-Muslim violence. Considering these facts, cybercrimes have gone beyond boundaries, and a country like Sri Lanka should follow a stringent policy for enhancing cyber security.

According to the National Cyber Security Index (NCSI), it is a global index that measures the preparedness of countries to prevent cyber threats and manage their cyber events. As per the ranking of the NCSI, Sri Lanka has advanced to the 69th position (the year 2021) from the 98th position (the year 2020) out of 160 countries. However, according to the NCIS's 2022 ranking, Sri Lanka holds the 78th position. That's a drawback when compared to 2021. What could have caused this to happen?

When analysing the reasons behind these cyber-attacks, even though the Government gives their full contribution to protecting valuable information they have, most the Government institutions' websites security with less concern for adapting protective security measures was noted, as well as usage of simple and obvious passwords. In recent years, Sri Lanka's greater dependence on critical infrastructure, industrial automation, and cyber-based control systems has resulted in a growing unforeseen vulnerability to a cyber security threat. Protecting and assuring the availability of critical infrastructure is vital to both the Sri Lankan and South Asian economies. It is therefore crucial that cybersecurity professionals address the issue.

Even more important cyber security and data protection becomes more urgent with the onset of e-Government services in Sri Lanka. The hazard of fraud and identity theft increases, in conjunction with the risk of cyber-attacks. As a result of this Sri Lankan Government has initiated the "Personal Data Protection" bill which is an appreciable milestone to protect data privacy.

Adding to this, to diminish these cyberattacks, reinforcing an effective cybersecurity strategy is of utmost importance to Sri Lanka. Implementing awareness programs for both Government and private sector officials will be an effective thing to develop their cyber security knowledge. Also, building separate cybersecurity forces in the Government sector is another effective initiative to reduce the risk of cyberattacks and uplift their knowledge. Furthermore, these awareness programs should be implemented at the university, schools, and community levels. Singapore has displayed cybersecurity notices for the public even in the lifts and public places and also provides continuous awareness for the community. In Sri Lanka, Government and private institutions can engage with each other and develop a productive strategy to increase the cybersecurity system in Sri Lanka.

Apart from these strategies, there are many things that can implement. Such as printing cyber safety posters for distribution, displaying cyber safety messages on digital screens, developing TV advertisements about cybersecurity, developing a number of cybersecurity awareness video clips for publishing on social media, etc. Another essential point is that there is a lack of human resource facilities available in Sri Lanka in the cybersecurity field. It may cause to leave cybersecurity professionals to leave the country. That's why there should be continuous improvement in this field. In view of the above, we live in a connected world, therefore, everyone in the society has an individual role to play in cybersecurity.

Cybersecurity cannot be looked at from a theoretical angle; it has to be looked at from a practical perspective. If we are facing countrywide cyber-attacks? How do we deal

with minimum numbers of human capital? Except for these things, there are many other ways to stringent cyber security in the country. In addition to the above, it will recommend considering below key areas ensuring cybersecurity and resiliency within the country,

- Develop and implement a national strategy/ roadmap for e-Government on digital transformation.
- Contribution to global cyber security;
 - Collaborate with a professional association of cybersecurity specialists in other countries.
 - Collaborate with other Governments/ exchange programs, public-private partnership.
 - Design and implement controls for the Protection of digital services, data, information, and critical infrastructure.
 - Design and implement the national-level cyber security operation/ command center.
 - Implement a Cybercrime unit and Digital forensics unit at the national level.

When closely looking at Sri Lanka's cyber security, it can be understood that there are direct threats to the country's political, economic, social, and technological spheres. It also poses absolute threats to the country's legislation, as it all requires new legislation relevant to the Sri Lankan context to be prepared for the country to face new challenges. Nowadays, since the daily routine of people is mostly revolved around the internet, especially this work from home, distance learning has become an essential thing, and with the competition that has aroused from the advancements in the technological field, it is a vital need to be apprehensive on security measures which will help to protect the Sri Lankan society as a whole.



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Fortifying National Security in a Time of Crisis

By **Gayanga Dias**

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The tragedy of attacking the non-violent protest at Galle Face Green by a mob opposing the protesters left a black mark in the records of Sri Lankan history. The situation escalated and caused a tragic moment on the 09th of May 2022 and it shattered the image of Sri Lanka further in the international context, which was already facing negative criticism with the false allegations on Sri Lanka by LTTE diaspora on human rights violations and genocide accusations. While the current crisis in Sri Lanka is the spotlight over all other situations; dark shadows of threats that can strike the country are on the rise. The Government inclusive of responsible authorities must be vigilant to confront possible threats and must advocate for tight security measures. As of now, SL is at a crossroad constitutionally, politically, economically and socially. Some countries suggest that SL is on the verge of becoming a failed state. In such a backdrop the Intelligence agencies, civil security forces, tri-forces, the responsible government authorities and most importantly the citizens have a colossal responsibility in achieving social cohesion to confront threats that can emerge amidst this crisis.

Shadows of Terrorism

Sri Lankan armed forces ended the brutality of the LTTE terrorists on May 18th 2009, opening up the country to an era of peace building and reconciliation. Although the physical threat in the Sri Lankan soil has been wiped off, the ideological threat of creating a 'Tamil Eelam' still remains intact with the LTTE international network. Given the current unstable situation, Sri Lanka must be highly concerned about its security in the context of possible acts promoting the revival of the terrorists; LTTE.

Risking the country's security further in the prevailing unstable era, on 18th May 2022 the Liberal MP at the Canadian Parliament, Gary Anandasangaree presented a motion stating that "this House acknowledges the Genocide of Tamils in Sri Lanka, and recognizes May 18th of each year as Tamil Genocide Remembrance Day". The House of Commons unanimously accepted the motion which gives the international recognition to the false news that genocide has occurred in Sri Lanka. Focus on this consequential threat has diminished due to the much greater issue Sri Lanka is facing at the moment. The international acceptance will firmly project a greater pressure on the UK and other European Union states to change their stance on LTTE. Although the current situation is critical, such threats must not be neglected and the public should be acquainted with the same.

Few weeks prior to 18th May 2022, the Indian intelligence had warned of a possible attack by the ex-LTTE to plan and attack Sri Lanka. This is another eye opener for Sri Lanka to consolidate its security aspect in the backdrop of a political uncertainty and an economic downfall.

Drugs & Crimes

The geographical location of Sri Lanka between the golden crescent and golden triangle, two main drug production regions in the world has influenced the inflow of drugs into the country. The prevailing instability of the country can provide a comfortable space for drug dealers to act within the country. However, it is appreciable that the Sri Lankan Navy triumphed in raiding many of the sea routes of drug inflow in recent history and these raids must be expanded further to curb the drug threat. In the same way, the drug networks inside the country must be dismantled.

When a state falls into instability, the criminals take advantage of the situation. Drugs, crimes and violent behaviour can intensively spring out as a result. Certainly, at some levels criminal leaders can sponsor vulnerable parties in creating further tragedies to reap the full benefits. Sri Lankans need to comprehend these influences and act accordingly to detach from them to secure the community at all levels. In a time of uncertainty, crimes can escalate drastically. This is a predictable situation for Sri Lanka and necessary steps must be taken by the civil security forces and the law enforcement authorities to swiftly monitor situations and to take necessary decisions to tackle crimes and related acts. Individuals can tend to follow criminal activities, robberies and gang formations will become a threat to human security; influencing national security. As citizens of Sri Lanka equally passing a rough patch, we all have a responsibility to act intelligently; supporting each other while demanding for efficient policies to come out from the catastrophic situation the country is facing right now.

External Intervention?

When a country is destabilised and is in a state of chaos, external interference cannot be ruled out; especially with the crucial geopolitical location of Sri Lanka. Presently, India is giving a supporting hand, hopefully in good faith. But it is a regional power and will not want a destabilised Sri Lanka posing a threat to its own national security. While China on the other hand has huge investments and is watching India's increased footprints in Sri Lanka with concern. The last thing Sri Lanka expects now is external interference in the country.

Adhering to Responsibility

Sri Lanka faced immediate challenges like the Easter Sunday attack 2019 and Covid 19 pandemic, which were direct causes escalating the current economic crisis. Today, this crisis has become a turning point in the country's economic, social and political anatomy. At this point the policy shifts are encouraged to address the issues swiftly and citizens and governing authorities need to embrace this as a positive change. In that way as a country Sri Lanka can move forward, away from the catastrophe, towards a better nation fortifying its national security.

Each and every nation faces threats; only their contexts differ. The field of national security safeguards a state against such threats. National security protects not only citizens but also a vast array of subject areas such as economic, social, political, environmental, energy, terrorism and extremism aspects etc. One of the core responsibilities of national security is to identify potential dangers and readying the

right response in order to protect its citizens. To achieve national security, government as well as the citizens have a major responsibility. The government has the responsibility to make rational decisions in policy making in order to control the current crisis and the public unrest due to the issues by providing them necessary concessions.

The public needs to act responsibly to stop the eruption of violence and to maintain a peaceful society in dire times like this. Violence will only pamper threats like terrorism, extremism, drug inflow and crimes to grow, creating further chaos in the country. Hence, it is the responsibility of every citizen to act rationally and emerge as a crisis free nation.



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Contemporary Nature of the Narcotics Threat

By Madushan Senevirathna

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Drug menace is an apex threat to Sri Lanka. Unlike many other classical threats, it attacks several dimensions including social, health, individual and economics affecting detrimental to national security. Being an island nation located between two principle sites (Golden Crescent and Golden Triangle) for opium production and distribution, Sri Lanka is easily discovered to global and regional drug menace. However, the state has achieved great victories in eradicating the war of drugs in the most recent past. Since the sphere of narcotics is becoming more complex and diversified in the current context, Sri Lanka needs to advance its competence and operations in order to conquer the drug menace.

The collapse of Afghanistan caused the narcotic threat to spread to a huge extent in the region. Drug traffickers of Afghanistan went out of control and they strengthened their links with traffickers of the other countries of the region. The intention of the traffickers is earning huge profits. In order to make this a success they tend to produce and traffic low-cost consignments at laboratories in Afghanistan and Pakistan. “The single most significant problem was seen as the trafficking of heroin from India for local consumption” Since Heroin being an expensive drug in production and distribution, traffickers have tended to switch to Crystal Meth in flow of trafficking (Ice Drug) as it costs low in production and distribution. “In April 2020, the Sri Lanka Navy seized 605 kilograms of Crystal Meth and officially detected that the place of origin of these consignments was Makran coast in Pakistan.” In addition to Heroin and Crystal Meth, Cannabis, Hashish, Cocaine and LSD drug are rapidly spread out among the society.

As Sri Lanka is experiencing an ongoing economic crisis and social protests, the government and law enforcement authorities concentrate to control the prevailing situation. This might cause less focused operations in the drug menace and traffickers may use this opportunity to increase their presence. Further, dealers have switched to social media applications (WhatsApp, Messenger, Telegram) to keep their communications sealed. Since the legal regime does not sufficiently address the threat posed by social media, drug dealers infiltrate the legal regime of the country. These two factors demonstrate that the country is a vulnerable state in the context of narcotics threat.

When compared to the previous decades, Sri Lanka achieved an excellent progress in eradicating the threats from narcotics. “The militarization of drug control has accelerated since the November 2019 election of President Gotabaya Rajapaksha, whose election manifesto prioritized eradication of the drug menace.” Unlikely previous times, the armed forces and the Sri Lanka Police discovered massive consignments of Heroin, Hashish, Crystal Meth and many other drugs and eventually confiscated. This proved that the militarization of drug control has resulted in

destroying the operational capabilities of drug producers, traffickers and dealers. Nonetheless, they are still struggling in detecting new approaches to maintain the drug menace in Sri Lanka. Especially, through enhancing their communication competence in cyber and digital platforms. Even though Sri Lanka has achieved excellent progress in drug control, country has to further fulfil the some of requirements in order to make a drugs free society.

Sri Lanka has to execute immediate actions in amending necessary provisions of the present law to an extent where all possible gaps and loopholes are disappeared. Further it is imperative to develop the competence of intelligence officers in cyber and digital platforms in order to identify the technologically advanced activities and new approaches in the context. Since youth awareness is nil on drugs and narcotic context, education authorities of the country need to include the negative consequences of using drugs to secondary school's syllabuses. This will keep adolescents and youth educated on violence, health complications and economic issues that can be resulted due to drug usage. The right awareness on drugs may keep them out of curiosity in testing them and this will have a positive impact in the process of preventing the menace. It is noticed that Sri Lanka is greatly defeating the drug menace; however, the country needs to do many more operations to root out the threat completely.



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How Black Marketeering Affects Economic Security

By **Kalpani Gunathilaka**

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Sri Lanka is facing an unprecedented economic crisis since the Covid-19 pandemic. According to the views of economic experts, arbitrary tax cuts in 2019, imposing a ban on chemical fertiliser imports and the switch to organic fertiliser in November 2021, large money printing, the Easter Sunday bomb attacks in April 2019, the Covid-19 pandemic and the Russia-Ukraine conflict have had a major impact for the prevailing crisis.

Black Marketeering during the Crisis

During the crisis, consumer exploitation can be seen as having a huge adverse impact on the economy and the people. Consumer exploitation consists of different forms such as fake advertisement, substandard products, high prices, adulteration, under-measurement, black marketeering, duplicate goods, lack of after-sales service and lack of information. Black marketeering is one of the main forms of consumer exploitation. A 'Black market' is created where goods and services are exchanged illegally without complying with government laws and regulations. Usually, a 'Black market' is created mostly for essential commodities such as rice, coconut, fuel and gas. When there is a high demand in the market for a certain product, wholesalers and retailers conceal the product without selling it. Then, an artificial shortage is created for that product and as a result, customers try to buy the product at a higher price as they need it. At that point, a black-market price is created for the product in the market.

How the Black Market took Hold

As it happens in every crisis, black marketeering raised its head in the face of this crisis as well. Accordingly, traders made a concerted effort to pretend that a huge scarcity existed than the prevailing scarcity of goods in the market until a black-market price was created. In recent times, this was evident with regard to cement. The price of cement rose to a maximum due to traders concealing stocks. Most traders in rural and suburban areas were selling cement at black-market prices due to an artificial supply shortage. The same fate has befallen rice today. Rice prices have risen to unaffordable levels due to stocks of rice being concealed by mill owners. The situation is similar with gas, fuel, and medicine as well. But, unlike rice, there is an actual shortage of gas, fuel, and medicine in the market due to the shortage of foreign exchange reserves in the country.

Selling at more than Approved Rates

Even in this situation, many cases are reported of some traders selling gas and fuel to consumers at prices much higher than the approved market price. The biggest issue that everyone is talking about these days is the black market for fuel. It is reported that a liter of diesel was sold for around Rs 2,500 and a liter of petrol was sold in the range of Rs 600-1,000 in the last month. Even though the price of fuel has come down to some extent at the moment, there are those who are ready to buy fuel at higher prices rather than wait in queues and spend time. Some people have fuel stocks by continuously keeping their vehicles in the queue. Similarly, there are people who purchase fuel by paying employees working in petrol sheds and then resell it to consumers at inflated prices. In order to control this situation, the pilot project of The National Fuel Pass QR programme was implemented by the Government from 21 July across the island.

Effect of Black Marketeering on Economic Security

According to the International Labour Organization (ILO), Economic security is composed of basic social security defined by access to basic needs infrastructure pertaining to health, education, dwelling, information and social protection, as well as work-related security.” Simply put, it means the ability of individuals, households, and communities to sustainably meet their basic needs such as food, clothing, shelter, education, healthcare, livelihoods, and social protection. Generally, people in a society are classified according to income into rich, poor, and middle-class people. When there is black marketeering in any economy, the poor and middle-class directly feel the impact. That is because the rich buy whatever they want even at a black-market price but the poor and some from the middle-class are not financially capable to buy goods at exorbitant prices. Consequently, they fail to meet their needs. Then, it creates a massive threat to economic security.

Currently, Sri Lanka is facing an enormous threat in terms of economic security due to black marketeering in fuel, gas, medicine, rice, and other basic commodities. When traders conceal goods that are in high demand and pretend that there is a huge shortage of such goods in the market. This artificial shortage creates an adverse impact on the economy and people’s lives. As a result, people are under severe social and psychological pressure due to not being able to fulfil their needs. It raises various national security issues in the country in addition to economic security issues.

Measures against Black Marketeering

The Government finds it difficult to control black marketeering because it does not happen in the open. However, the Government must impose price controls for rice, fuel, gas, medicine, and other essential commodities with the support of the Ministry of Trade. The Consumer Affairs Authority should make sudden raids on traders where traders are suspected of engaging in black marketeering and institute legal action against them to protect consumers and ensure their economic security. Furthermore,

it is necessary to increase awareness among the public regarding black marketeering and the actions that could be taken against it. Awareness programmes in this regard are vital. Maintaining an efficient and effective reporting system for consumer complaints is also necessary to control black marketeering which will then ensure economic security.



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The Need to Recognize Islamist Extremism as a Threat to Annihilate Islamophobia

By C. L. C. M. Patabendige

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Abstract

Easter Sunday Attack 2019 was an unforeseen tragedy in the country where it ruthlessly killed many people. The devastating circumstances gave rise to Islamophobia, which was in existence insignificantly even prior to the Easter Sunday attack. Islamophobia can also be regarded as an emerging threat in the Sri Lankan context, which results in the breach of the rights of Muslims. Likewise, the uprising Islamist extremism has become a major threat internationally as well as domestically. Due to Islamist extremist activities, it is evident, of the presence of a fear factor in the general community. Unless Islamist extremist activities are eliminated, annihilating Islamophobia will be unfeasible. Therefore, the research problem sheds light on the matter of need to eliminate Islamist extremism to annihilate Islamophobia. The research has attained the objectives and answered regarding Islamist extremism, Islamophobia the breach of the rights of Muslims in Sri Lanka and Islamist extremism as a major cause behind Islamophobia. Research is limited to the Sri Lankan context. Research has utilized secondary sources such as scholarly articles and reports to arrive at conclusions. It has gathered primary data by a survey to get the perspective of the public. Therefore, research has a mixed approach, as it is quantitative as well as qualitative.

Keywords: *Breach of rights of Muslims, Islamist extremism, Islamophobia, Sri Lanka*

Introduction

Sri Lanka has a population of 21.8 million. Ethnic Sinhalese constitute 75 per cent of Sri Lanka's total population, with Tamils at 15 per cent, followed by Muslims at 9 per cent. The Sri Lankan Muslim community is scattered across the island with the majority (62%) living outside of the north and east of Sri Lanka where the Sinhalese predominate, and with about 38% of the Muslim population living in the Tamil-dominated north and east. In a context where census taking has become politicized, it is noteworthy that Muslims have become a majority in the Ampara District of Eastern Province, which is part of this region (Department of Census and Statistics–Sri Lanka, 2007). Sri Lanka is a multi-cultural, multi ethnic and multi religious. Therefore, it is no doubt that violence can occur any time. Controversies occur due to the nuances; however, it is those nuances, which makes the country special.

Sri Lanka was on the verge of celebrating ten years of non-violence aftermath of the gruesome war between the government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE). However, Easter Sunday Attack 2019 shattered the national security of the country in a split second. Islamist extremism is an existing threat in

the world. At present, it has become an emerging threat in Sri Lanka, which was there even before to the Easter Sunday, but not in a great scale. As a result of Islamist extremism and other factors, “Islamophobia” came into existence. It is crystalline that there is a plethora of reasons behind Islamist extremism. Reasons including Islamist extremism, radicalization, politicization and extremist ideologies, which is against the sacred true Islam. The research depicts Islamist extremism as a key reason that makes annihilation of Islamophobia an uphill task. Research has also recommended the steps that can be utilized to annihilate Islamophobia.

Research Methodology

The research problem was the necessity to recognize Islamist extremism as a threat to annihilate Islamophobia. In order to gather information and arrive at conclusions for the research, research has utilized both qualitative and a quantitative perspective. Research has used both primary as well as secondary sources. In addition to the secondary sources available such as books, journal articles, proceedings and reports, research has used primary sources including legislation. Proving the necessity of primary data to reach findings, information from an online survey consisting of hundred random individuals were collected. This way, research has attempted to quantify the societal perception.

Furthermore, the research method used is a mixed-method, which is both Qualitative and Quantitative. According to Creswell and Plano Clark (2007: 5) “Mixed methods research, is a research design with philosophical assumptions as well as methods of inquiry. As a methodology, it involves philosophical assumptions that guide the direction of the collection and analysis of data and the mixture of qualitative and quantitative data in a single study or series of studies. Its central premise is that the use of quantitative and qualitative approaches in combination provides a better understanding of research problems that either approach alone.” The objective of utilizing a mixed-method was, to get a broad-based knowledge. In addition to the available literature in the research field, the societal perception was extracted to quantify the results. This way, research was able to reach conclusions and recommendations.

Results and Discussions

Islamist Extremism in Sri Lanka

Unlike LTTE, Sri Lanka did not witness Islamist extremism on a greater scale. It was after the Easter Sunday Attack 2019 where “a series of bombs ripped through churches and hotels in Sri Lanka on Easter Sunday, killing at least 290 people and injuring hundreds”; terrorism, violence, disharmony and radicalization escalated. Even before the Easter Sunday attack there were cases reported which was not given due attention and investigations were left without closure. (Sri Lanka attacks: The family networks behind the bombings, 2022), states that, “the clues were there in mid-January, when Sri Lankan police stumbled upon 100kg (220lb) of explosives and 100 detonators, hidden in a coconut grove near the Wilpattu national park, which is a remote wilderness in Puttalam district on the west coast of the country. Police were investigating attacks on statues of the Buddha by suspected Islamist radicals

elsewhere in the country. Four men from a newly formed "radical Muslim group".

There is a plethora of reasons behind Islamist extremism. One reason is religious radicalization. The preaching is of extremist ideologies which is not the true Islam was also criticized by Muslim religious leaders vehemently. Even though, religious leaders and communities in the North and East complained and warned about reviving Islamism extremism in Sri Lanka, authorities did not consider it. (Sri Lanka attacks: On the day of Easter Sunday 2019, series of coordinated bomb blasts were taken place. "Mohammed Zahran Hashim, a radical preacher from Kattankudy blew himself up at the Shangri-La Hotel [who] was the master mind of the attack. According to, (Sri Lanka attacks: The family networks behind the bombings, 2022) "Hashim's father sent him to a religious school for his education. Nevertheless, he soon started questioning the teachers, saying they were not following "true Islam". He was kicked out of the madrassa but continued his religious studies on his own and later started preaching challenging the established practices of local mosques." If, the authorities identified the threat beforehand neither Islamist extremism will come into picture and nor will the Islamophobia have escalated.

As per, (Manoharan, Chatterjee and Ashok, 2021) "Political instability in the country... [which was a] perfect distraction from the core security and development issues", is a reason for the Islamist extremism. The result was a massive security failure, which resulted in failing national security and losing the public faith in the government. Another factor for Islamist extremism is communal dissonance. In addition to inter communal dissonance, "the international jihadist network also fostered radicalization process in the island's Muslim community." According to, (D'Souza, Bashar, Ramachandran and Gunasingham, 2022), IS-linked propaganda magazines in South Asia, such as the Sawt al-Hind (Voice of Hind), continue to glorify the 2019 Easter Sunday to attract followers from around the region. ..IS boasted about how the Sri Lankan militants involved "have ignited the flames of jihad by inflicting carnage on the Crusaders."

According to the survey results (See figure 01) for the question on 'Do you believe there is a tendency of Sri Lankan Muslim youth being radicalized aftermath of the Easter Sunday Attack? 38% selected 'yes' as the answer, 36% were indecisive. Finally, 26% chose 'no' as the answer. As per the results, indecisiveness hints of a fear factor, which government needs to address vigorously. Another reason, which facilitated Islamist extremism, is, terrorist financing. According to (Sri Lanka attacks: The family networks behind the bombings, 2022)" In its early years, the NTJ managed to secure donations from overseas, particularly from the Middle East, India and Malaysia. The money helped the group to build its own mosque close to the beach in Kattankudy." Moreover, (BBC news Sri Lanka attacks: The family networks behind the bombings, 2022) stated the process began nearly three decades ago. The Wahhabi brand of Islam attracted the young and it also had financial backing from abroad," said Mazook Ahamed Lebbe, an official from the Federation of Mosques in the eastern town of Kattankudy."

In accordance to the survey (See figure 02) 85% was of the view that, Islamist extremism is an international threat, 11% chose 'maybe' and 4% chose 'no'. All 85

% were non-Muslims. This depicts the fear factor in non-Muslims. For the question, “Do you recognize Islamist extremism as a domestic threat in Sri Lanka?” (See figure 03), 70% picked ‘yes’, 20% chose ‘maybe’ and 10% chose ‘no’ as the answer. In light of the findings, it is of utmost importance to prevent and mitigate Islamist extremism. On the other hand, it is also pivotal to mention the victimization of Muslims. Due to Islamist extremism, guilt free Muslims undergo Islamophobia, which is detrimental. Thus, ‘Islamist extremism’ has become a popular concept, which is inherently evil towards Muslims.

As cited by (Imtiyaz, 2019), Professor Amir Ali, an Islamic scholar and an academic at Murdoch University says “Sri Lankan Muslims are self-alienating. Disturbingly though, that seems to be the case, at least among some segments; especially those in Muslim enclaves in the East. When an influential minority of the community seeks a unique religious identity by alienating themselves from the mainstream society, they are bound to seek solace in the stricter form of an alien variety of religion that challenges their hitherto held local values. Several years back in Aluthgama, there were sectarian clashes among Muslims who were divided by this invasive ideology.” Due to that reason, exclusivism should not be allowed. Instead, inclusivism needs to be promoted. The rationale behind negating exclusivism is, exclusivism leads to the feeling of superiority, which ends up the individual being less empathetic.

Islamophobia and the Breach of the Rights of Muslims in Sri Lanka

According to, (Awan and Zempi, 2020) Working definition of Islamophobia, which is recommended to be adopted by the United Nations as a working definition of Islamophobia is, “A fear, prejudice and hatred of Muslims or non-Muslim individuals that lead to provocation, hostility and intolerance by means of threatening, harassment, abuse, incitement and intimidation of Muslims and non-Muslims, both in the online and offline world. Motivated by institutional, ideological, political and religious hostility that transcends into structural and cultural racism which targets the symbols and markers of a being a Muslim.”. According to the survey conducted to determine whether Sri Lanka is facing Islamophobia, the derived results were, 62% of the majority, believed that Sri Lanka is facing Islamophobia, 29% chose ‘maybe’, 9% of the sample has chosen ‘no’. (See figure 04) This indicates, that Islamophobia is emerging in Sri Lanka and has not yet well established. This also finely depicts and warns the government and governments to come on potential and existing threats. Looking at the Sri Lankan context, especially after the Easter Sunday Attack resulted in anti-Muslim campaigns such as attempting to ban burqas, boycotting Muslim businesses. The situation has further escalated causing Muslim business to shatter due to Covid 19 pandemic. In the devastating time when we are supposed to help each other and treat equally, this discriminatory behavior is unacceptable. It is no doubt that Sinhala extremists’ groups are spreading hate and creating mistrust. Some Muslims are declared and viewed as guilty even without a proper hearing. This breaches natural justice.

According to the Sri Lankan Constitution 1978, Article 9, "The Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the State to protect and foster the Buddha Sasana, while assuring to all religions the rights granted by Articles 10 and 14(1)(e)". Therefore, rights of Muslims should not be

breached. Chapter III of the constitution gives an array of fundamental rights. Accordingly, Article 10 states, "Every person is entitled to freedom of thought, conscience and religion, including the freedom to have or to adopt a religion or belief of his choice". Article 11 states that 'No person shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.' Section 12(1) all persons are equal before the law and are entitled to the equal protection of the law. Section 12(2) of Sri Lanka's Constitution states that "no citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds." Further, 12(3) mentions that "No person shall, on the grounds of race, religion, language, caste, sex or any one of such grounds, be subject to any disability, liability, restriction or condition with regard to access to shops, public restaurants, hotels, places of public entertainment and places of public worship of his own religion". Article 13(4) states that, "no person shall punish with death or imprisonment except by order of a competent court". The fundamental rights mentioned in chapter III explicitly states that they should not be breached. Therefore, breaching the rights is discriminatory. Discriminatory acts against Muslims therefore should not be entertained.

There are limitations placed on certain fundamental rights by the Article 15(7), "The exercise and operation of all the fundamental rights declared and recognized by Articles 12, 13(1), 13(2) and 14 shall be subject to such restrictions as may be prescribed by law in the interests of national security, public order and the protection of public health or morality, or for the purpose of securing due recognition and respect for the rights and freedoms of others, or of meeting the just requirements of the general welfare of a democratic society." Due to those reasons an extremist, terrorist and a radicalized person will be deprived of rights mentioned in 15(7), including interests of national security. Furthermore, Directive Principles of States Policy in its 27(5), mentions that "The State shall strengthen national unity by promoting co-operation and mutual confidence among all sections of the People of Sri Lanka, including the racial, religious, linguistic and other groups and shall take effective steps in the fields of teaching, education and information in order to eliminate discrimination and prejudice". Thus, it is important to prevent Islamophobia. Measures should be adopted to foster harmony among different ethnicities.

Article 18 of the International Covenant on Civil and Political Rights, states that "everyone shall have the right to freedom of thought, conscience and religion... to manifest his religion or belief in worship, observance, practice and teaching.". Therefore, hindering the religious freedom is inexcusable. Moreover, Article 27 states "minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language." Therefore, rights of the Muslims should not be deprived of their rights. Sri Lanka has adopted and ratified the ICCPR Act by International Covenant on Civil and Political Rights (ICCPR) Act, No. 56 Of 2007. Accordingly, the Sri Lankan states 3(1) "No person shall propagate war or advocate national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence." Thus, Islamophobia must be prevented.

Islamist Extremism as a Major cause behind Islamophobia

When perusing findings related to Easter Sunday Attack 2019, it is clear that 'Islamist Extremism' is the main reason. Same as rights of Muslims are breached due to Islamophobia on the other hand rights of other ethnicities were breached as well as threatened due to Islamist extremists. All the rights afore mentioned is applicable to other religious communities and it is clear that none of the rights should be breached, however, subjected to the limitations. The conducted survey gave multiple causes which results in Islamophobia. Participants were able to choose multiple options. (See figure 04) Significant, findings derived were, the occurrence of Easter Sunday Attack 2019, which majority selected 75%. The next main cause was Islamist extremist activities, 69%. Both findings prove that, Islamist extremism as the prominent reasons. However, several other factors were given including, politically motivated reasons, 59%. Fourthly, 56% chose discriminatory laws as a reason. The fifth factor was Arab influence over Islam, 42% where rest only gave a minor count. This social perception highlights the gruesome reality of Islamist extremism. Therefore, elimination of Islamist extremism will be an uphill task but it will result in harmony.

Research then further analyzed whether Islamist extremism is a key cause. (See figure 05) The result was, the majority of the sample agreed with the fact that Islamist extremism is a key cause resulting in Islamophobia. 68% agreed, while 21% chose 'maybe'. The individuals that have chosen 'maybe' can be ascertained as neutral, however comparatively. On the other hand, 11% selected 'no' and they were Muslims (See figure 06). This portrays the importance of reconciliation. The fear factor present in non-Muslims are derived due to Islamist extremism, which is a key reason. Therefore, it is utmost importance to prevent terrorism, extremism and radicalization. Thus, it is crystalline that all are victims in the present context. It is not only majority of non-Muslims who face fear due to Islamist extremism, but also Muslims who are criticized and generalized as extremists.

Easter Sunday attack was the recent, ruthless, terrorist and extremist activity, which escalated Islamophobia. For that reason, survey gave the respondents the opportunity of selecting reason/ reasons behind the Easter Sunday attack. (See figure 07) Accordingly, majority of the respondents chose lack of responsibility of the government, National security failure and Islamist extremism. The percentages are, 76%, 72% and 64% respectively. One of the noticeable findings were the lack of responsibility of the government and national security failure. This displays, the government's failure in analyzing current and prospective threats, preventing and eliminating them. For the reasons mentioned, it is evident that Islamist extremism is a key factor, which causes Islamophobia. Various steps can be utilized to eliminate Islamophobia by preventing violence.

Conclusion

After analyzing the data gathered by the survey and by perusing the literature available, it is clear that Islamist extremism is a domestic as well as an international threat. Islamist extremism has resulted in Islamophobia, which Sri Lanka faces without a doubt. Non-Muslims fear Islamist extremism and the situation escalated with the Easter Sunday attack 2019. On the other hands Muslims are victimized because, majority of them are not extremists and guilt free. Out of the causes

discussed in the paper, Islamist extremism is a key cause for Islamophobia. Therefore, in order to annihilate Islamophobia, it is pivotal to eliminate Islamophobia and prevent the breach of rights of Muslims.

Recommendations

In order to derive, realistic recommendations respondents were given the liberty to choose multiple factors that might facilitate to annihilate islamophobia. (See figure 08). 74% chose revisiting laws by amending or repealing them or strengthening laws, 55% chose community engagement by way of de- radicalization, 46% chose rehabilitation of terrorists, 70% mentioned Public awareness, 46% chose convicting terrorists and 67% chose preventing hate speech and false speech, 66% preventing terrorist financing, 52% mentioned creating a knowledge sharing platform among government agencies and private entities and 56% chose monitoring social media and penalizing hate speech. In addition, it is also imperative to monitor and regulate madrassas and ensure inclusive education. This will be a good strategy to prevent polarization. Finally, yet importantly, preventing Sinhala extremism and Buddhist extremism is imperative to accomplish nonviolence.

Tables and Figures

Figure 01

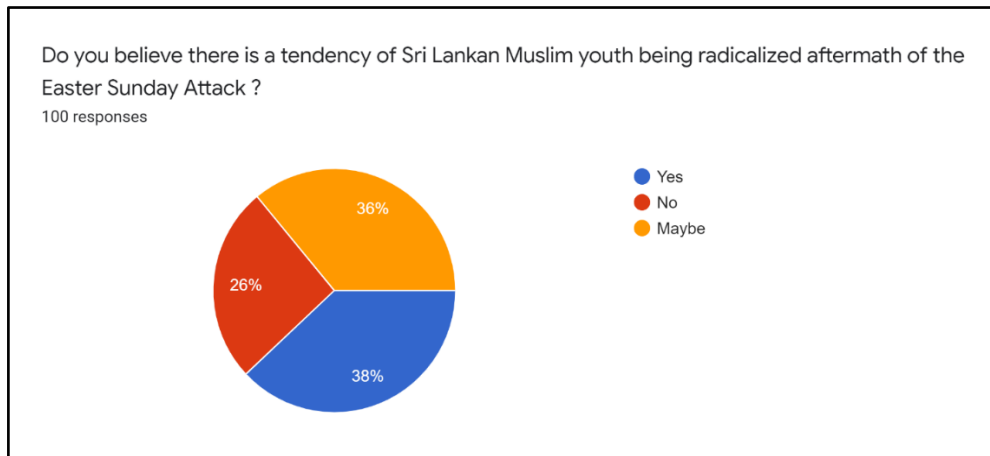


Figure 02

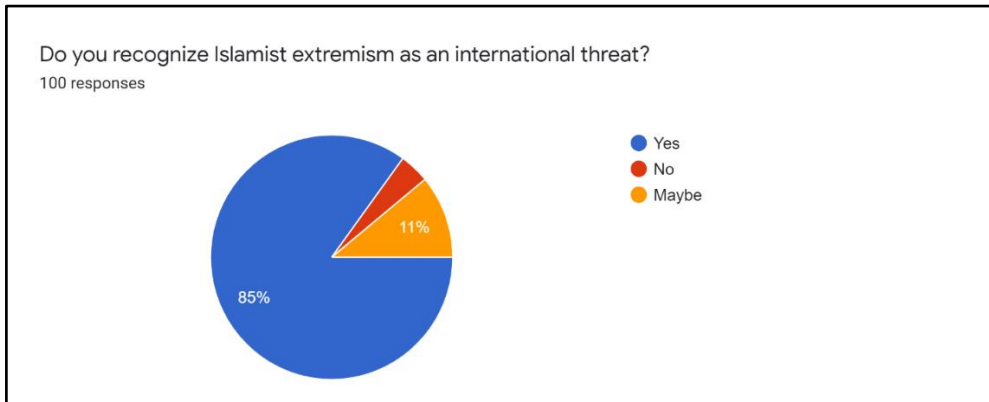


Figure 03

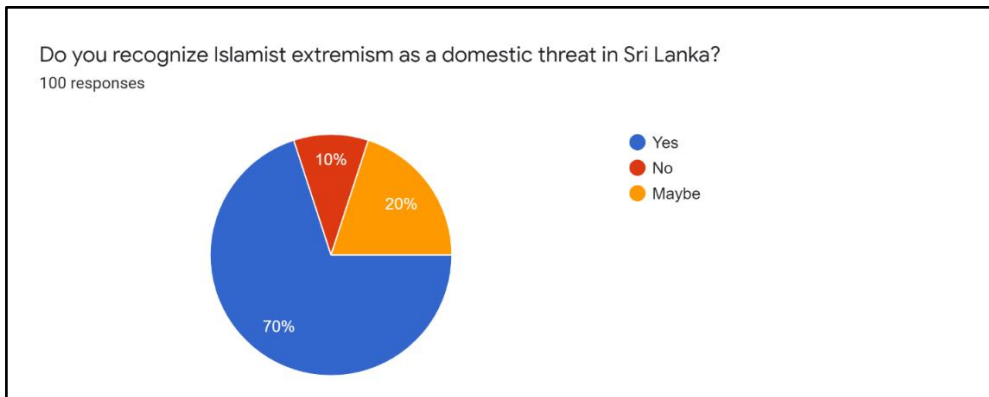


Figure 04

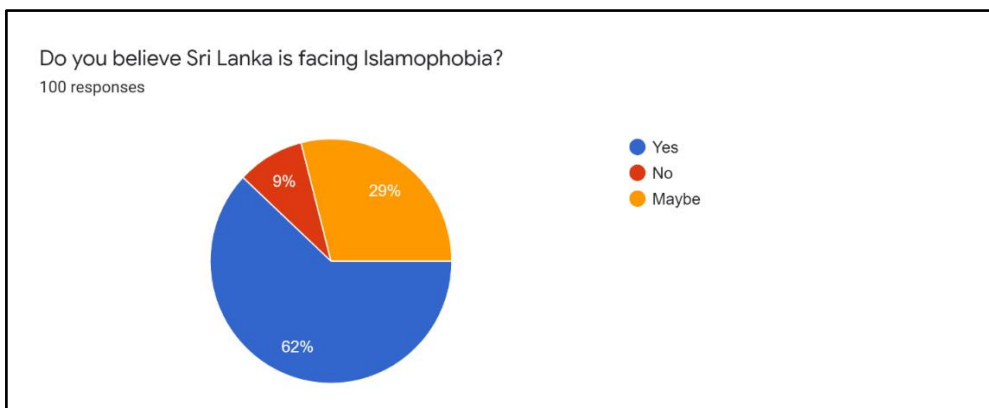


Figure 05

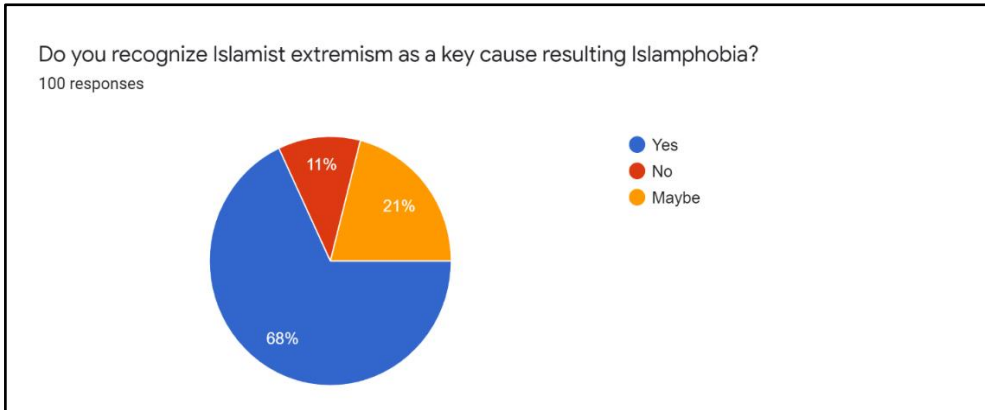


Figure 06

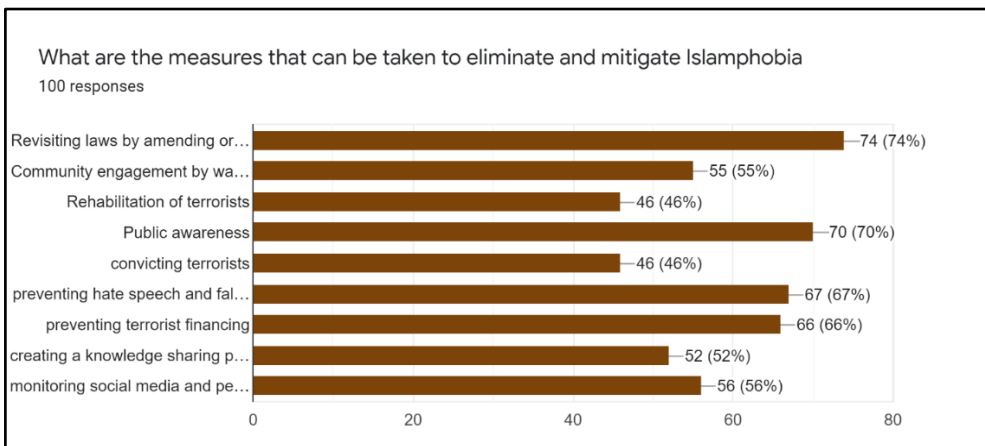


Figure 07

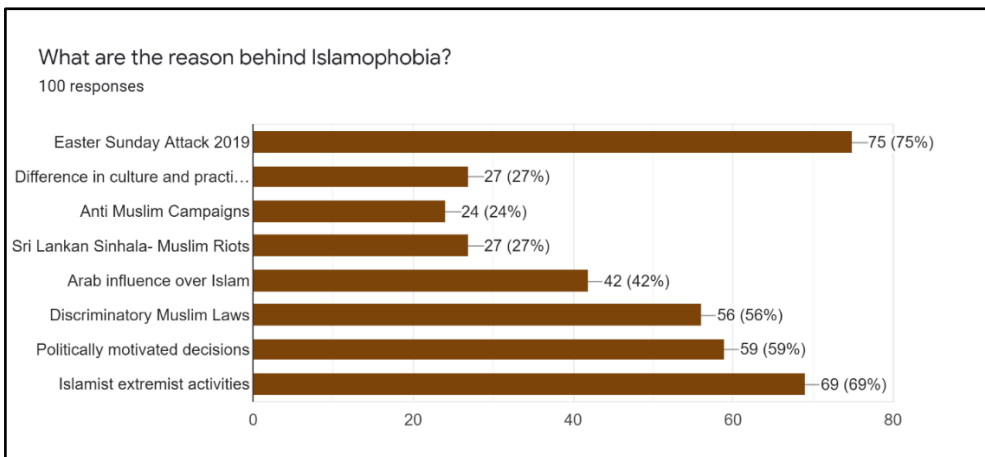
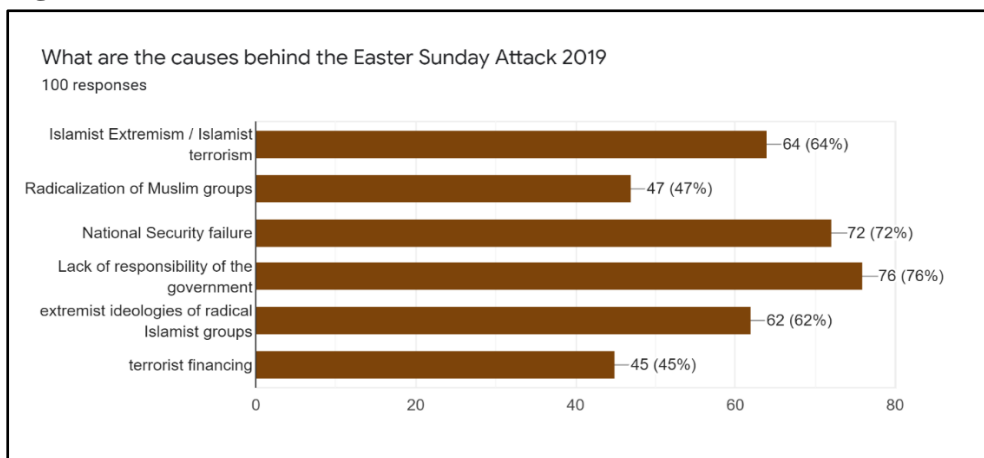


Figure 08



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Sri Lankan Perspectives on “Fighting the Lie”; Criminalizing Online Falsehoods

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Abstract

In ancient times, war was wholly militaristic and physical in nature, where troops protected borders. However, at present war has changed from physical space to virtual space. Social media is the biggest platform utilized by extremists, terrorists, profit and politically motivated individuals to attain illegal motives. Disinformation, misinformation, falsehoods, online manipulations and hate speech have become apex threats to Sri Lanka’s national security. The research problem is the need to criminalize online falsehoods. The research methodology utilized is non-doctrinal research, which is also known as socio-legal research. The rationale behind non-doctrinal research is, to seek answers from a multi-disciplinary approach. The paper goes beyond legal analysis and also looks from a national and strategic security perspective. The research will shed light on what are online falsehoods, Sri Lanka’s experiences as a victim of online falsehoods, laws relating to online falsehoods, freedom of expression and the gaps, lacunae and weaknesses prevalent in the laws curbing online falsehoods. Further, the research will evaluate the Singapore’s Protection from Online Falsehoods and Manipulation Act 2019, for purposes of comparative analysis. The Paper has identified the necessity to introduce legislation to criminalize online falsehoods. Consequentially, the paper has provided a plethora of recommendations on preventing and mitigating online falsehoods.

Keywords- *Freedom of expression, Laws, Online falsehoods, Social Media, Sri Lanka, Singapore*

Introduction

At present, determining what a fact is and what is fake has become an arduous task. The reason is, that social media is the biggest information-sharing platform. In past, information/ communication was penned or inked, heard or watched, but now, the readers and spectators are able to interact and interpret. Therefore, it is crystal clear that war has changed from a physical aspect to an online space. As a result of wide availability, cost efficiency, productivity and technical capability, social media has become eye candy, yet deceiving for users. Social media has become the lifeblood of information-sharing platforms. As much as it caters for the day today’s needs, on the other hand, social media intrudes on personal space and results in privacy violations at certain points. Content created, generated, modified and disseminated online does not end the way it started. There might be additions, omissions, alterations or fabrications to a part or whole of the content. Disinformation, misinformation, false information, manipulations and hate speech are challenges that any country face. Due to these reasons, determining what to believe and what not to believe is strenuous.

Sri Lanka is a victim of online falsehoods and this was witnessed in many situations. For example, during the Covid-19 pandemic, the death toll was fabricated, boycotting of Muslim businesses aftermath of the Easter Sunday Attack in 2019, fake intelligence alerts as to the recovery of bombs as well as misinformation, disinformation and hate speech campaigns were conducted by LTTE and its international networks are such examples. Even though online falsehoods are a national security menace to Sri Lanka, Sri Lanka does not have separate legislation to criminalize online falsehoods. Nonetheless, there is legislation such as the 1978 Constitution, Penal Code, Prevention of Terrorism Act (PTA), Police Ordinance and their regulations. Further, Computer Crimes Act 24 of 2007 to curb terror content, yet they are inadequate in the digitalized world.

In light of these circumstances, it is high time to criminalize online falsehoods, which are committed in numerous ways. Many countries including Singapore have already introduced legislation to criminalize online falsehoods. Therefore, a separate Act has become a key requisite in criminalising online falsehoods. Nonetheless, it is crucial to ensure freedom of expression of individuals will not be unjustly and arbitrarily threatened.

Methodology

The research problem is to identify online falsehoods as a threat to Sri Lanka's national security and the need to criminalize it. To explore answers, researcher has perused domestic laws related to fake news and interpretations of it. Further, researcher has debated the sufficiency of laws and whether the said laws are strong enough to curb fake news. In the end, researcher has concluded that it is imperative to have a legislation criminalizing falsehoods and manipulations, however, enabling room for freedom of expression through healthy dialogue. To sustain the argument, the researcher has looked into Singapore's jurisdiction. Therefore, to adduce answers, reach objectives and provide recommendations, researcher has utilized a non-doctrinal approach. The methodology is also known as socio-legal research. As mentioned by (Dahiya, 2021), "non-doctrinal research takes a multi-disciplinary approach towards legal research. It employs methods and information available from other disciplines to make a comprehensive approach towards law." The rationale behind embracing a non-doctrinal research methodology is to look beyond the law. The research not only looks into the letter of law but also its practical implementation from a multidisciplinary approach. This research is aided and supplemented by legislation, which is a primary source. In addition, research has used secondary sources such as books, journal articles and proceedings to enhance credibility and analysis.

Analysis

Online Falsehoods

Online falsehoods have become threats to Sri Lanka's national security. As per, (Pal, 2019), "Online falsehood encompasses the phenomenon whereby unfounded and unverified online messages leave behind their digital footprint in the form of texts, pictures or videos on the Internet.... such dubious messages are often mistaken as

facts, and in turn cause people to take actions that they would not have taken otherwise.” The “false” content takes many facets. Falsehood is sometimes synonymously defined as disinformation or misinformation. However, when analyzing falsehoods, disinformation as well as misinformation, cannot be separated. Disinformation is the deliberate dissemination of false or misleading content. On the other hand, Misinformation refers to false or misleading content disseminated without knowing the information to be false. In addition, Online Rumors are any unsubstantiated content circulating online.

Lessons Learnt

According to, (the Ministry of Communications, Information, and the Ministry of Law, 2018) Green paper, “the Euromaidan protests were characterized as an unlawful seizing of power by forces supported by the West. Second, they sought to characterize the regime in Ukraine as “fascist”. The supposed ultimate goal of these dual narratives was to “destabilize Ukraine psychologically and to advance a conviction that the country is a failed state” In contrast, in the Czech Republic and Slovakia, it has been suggested that misinformation campaigns were conducted to create the impression that the US seeks to dominate the world, and that the future holds only conflict.” Same as in the West, Sri Lanka too has its fair share in the game of falsehoods. Soon after the Easter Sunday Attack in 2019, Muslims were seen as suspects and were subjected to communal violence by hateful, degrading and insulting comments on social media, which resulted in boycotting Muslim businesses. The covid-19 death toll is another fine example, in which authorities had to reiterate the truth to the public and prevent unnecessary controversies. Another example is LTTE and its international networks. The Sri Lankan government successfully defeated the militaristic aspect of LTTE and ensured the rights of all Sri Lankans, irrespective of ethnicity, religion or language. However, LTTE, its international networks and front, cover and sympathetic organizations of LTTE are accusing Sri Lanka of committing genocide, human rights violations, humanitarian law violations, causing intergenerational trauma and snatching away the Tamil Homeland. LTTE especially uses Twitter and Facebook pose all these allegations via social media. These fictitious allegations are hazardous to the country as repeating a lie makes the lie believable. As a result of these repeated allegations Italy, Canada and the European Union have passed laws, resolutions and memorandum of associations against Sri Lanka such as Canada’s Genocide Education Week Act, 117th US Congress Resolution 413 and 46/1 Resolution.

Laws

Sri Lanka does not have separate legislation, unlike Singapore, to combat and mitigate online falsehoods. However, there are other statutes, which address the issues, nonetheless, realistically; these laws are inadequate when looking at the digital environment.

Sri Lankan Constitution 1978

According to the Sri Lankan Constitution, the supreme law of the country “national security” takes precedence. As per 15(7), “The exercise and operation of all the fundamental rights declared and recognized by Articles 12, 13(1), 13(2) and 14 shall

be subject to such restrictions as may be prescribed by law in the interests of national security, public order and the protection of public health or morality, or to secure due recognition and respect for the rights and freedoms of others, or of meeting the just requirements of the general welfare of a democratic society. For this paragraph, “law” includes regulations made under the law for the time being relating to public security. 14(1) a, b, c, g and h are subjected to restrictions. Article 14. (1) states that “Every citizen is entitled to – (a) the freedom of speech and expression including publication; 14(1)(a) shall be subject to such restrictions as may be prescribed by law in the interests of racial and religious harmony or concerning parliamentary privilege, contempt of court, defamation or incitement to an offence.

Freedom of speech, expression and publication are essential rights in any state. Sri Lanka being a country, which is democratic, government, is duty bound to respect public opinion and allow healthy dialogue and constructive criticism. Nonetheless, engaging in misinformation, false information and falsehoods to deceive the public, manipulate, enrage and incite unrest and violence should not be tolerated. The rights enshrined in the Constitution are focused on the betterment of people, and the rationale behind limiting freedom of speech, expression and publication is in light of public interest, and racial and religious harmony.

International Covenant on Civil and Political Rights (ICCPR) Act and Act No. 14 of 1995

Section 3 of the Act states that, 3(1) No person shall propagate war or advocate national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, further, 3(2) states that, every person who— (a) attempts to commit; (b) aids or abets in the commission of; or (c) threatens to commit, an offence referred to in subsection (1), shall be guilty of an offence under this Act. (3) A person found guilty of committing an offence under subsection (1) or subsection (2) of this section shall on conviction by the High Court, be punished with rigorous imprisonment for a term not exceeding ten years. (4) An offence under this section shall be cognizable and non-bailable, and no person suspected or accused of such an offence shall be enlarged on bail, except by the High Court in exceptional circumstances.

The section is vast in scope. Yet, it is insufficient when relating to digital platforms. For instance, “propagating war or advocating national, racial or religious hatred that constitutes incitement to discrimination” on social media is an easy task. This was finely depicted in the aftermath of the Easter Sunday Bombings in 2019, where Muslims were viewed as terrorists and faced hatred from social media. As a result, (The New Indian Express, 2019.) reported, “The blockade of Facebook and WhatsApp has been imposed from midnight following violent incidents between the minority Muslim and majority Sinhalese communities, officials said. The resultant effect of anti-Muslim campaigns on social media resulted in ethnic unrest leading to boycotting of Muslim businesses. This showcases the gravity of online falsehoods which have endangered the national security of Sri Lanka.

Police Ordinance

According to section 98, “Any person who shall spread false reports with the view to alarm the inhabitants of any place within Sri Lanka and create a panic shall be guilty of an offence, and be liable to a fine not exceeding two hundred rupees, or to imprisonment, with or without hard labour, for any period not exceeding twelve months; and if he shall be convicted a second time, or shall persist in the offence after warning to desist, he shall be liable to corporal punishment not exceeding twenty lashes.” However, this Ordinance is also inadequate to curb online violence. Falsehoods happen in various ways such as, through posts, videos, pictures, vlogs, blogs or stories. Therefore, it does not always professional at the outset. Irrespective of nature, the predicament is disastrous. Therefore, it is high time to involve stringent laws to criminalize online falsehoods.

Penal Code

According to, Section 120 of the Penal Code “Whoever by words, either spoken or intended to be read, or by signs, or by visible representations, or otherwise, excites or attempts to excite feelings of disaffection to the State, or excites or attempts to excite hatred to or contempt of the administration of justice, or excites or attempts to excite the People of Sri Lanka to procure, otherwise than by lawful means, the alteration of any matter by law established, or attempts to raise discontent or disaffection amongst the People of Sri Lanka, or to promote feelings of ill-will and hostility between different classes of such People, shall be punished with simple imprisonment for a term which may extend to two years, or to excite the People of Sri Lanka to attempt to procure by lawful means, the alteration of any matter by law established, or to point out to their removal matters which are producing or have the tendency to produce feelings of hatred or ill-will between different classes of the People of Sri Lanka.

Explanation one of this section is noteworthy. Accordingly, “It is not an offence under this section by intending to show that the State has been misled or mistaken in measures or to point out errors or defects in the Government or any part of it, or in the administration of justice or to excite the People of Sri Lanka to attempt to procure by lawful means, the alteration of any matter by law established, or to point out to their removal matters which are producing or have tendency to produce feelings of hatred or ill-will between different classes of the People of Sri Lanka.”. therefore, constructive criticism and error-free expression are not curbed by Penal Code. Even though this section criminalized falsehoods to an extent, it is still insufficient to prevent and mitigate online falsehoods.

Computer Crimes Act

As per, section 6 (1), “Any person who intentionally causes a computer to perform any function, knowing or having reason to believe that such function will result in danger or imminent danger to— (a) national security; (b) the national economy; or (c) public order, shall be guilty of an offence and shall on conviction be punishable with imprisonment of either description for a term not exceeding five years. This section deals with the online aspect; however, it is still limited in scope, it does not criminalize institutes and cooperations.

Other Jurisdictions

As stated by, (Silverman,2018) Belarus and Kenya enacted laws that enable the government to prosecute people who spread false information, German hate-speech legislation, known as NetzDG, includes the requirement that platforms must remove “unlawful” material within 24 hours after been notified.

Singapore’s Protection from Online Falsehoods and Manipulation Act 2019 (POFMA)

This Act seeks to prevent the electronic communication of falsehoods, in addition to safeguarding against the use of online platforms for the communication of such falsehoods. According to POFMA, it focuses on statements of fact, defined as statements, that a reasonable person seeing, hearing or otherwise perceiving would consider as representations of fact. However, the Act is not intended to cover opinions, criticisms, satire or parody. This means, Act only penalizes deliberate harmful content. As per communicating a statement which that person knows or has reason to believe that it is a falsehood, and the communication of that falsehood in Singapore is likely to be prejudicial to Singapore’s security, be prejudicial to public health, public safety, public tranquility or public finances, prejudicial to the friendly relations of Singapore with other countries, Influence the outcome of a presidential election, general election, by-election or referendum, incite feelings of enmity, hatred or ill-will between different groups of persons; or diminish public confidence in the government. As per POFMA if the content is recognized as a falsehood, Correction Direction, Stop Communication Direction, Targeted Correction Direction, Account Restriction Direction, Disabling Direction and a General Correction Direction is issued as deemed fit. More importantly, POFMA’s constitutionality was questioned as to whether it breaches freedom of expression. Court of Appeal of Singapore in 2021 held that the Act is constitutional, and it does not breach the right to freedom of speech under Article 14(1) (a) of the Singapore Constitution.

Conclusion and Recommendations

It is clear that online falsehoods have become a threat to Sri Lanka’s national security. Due to that reason, to fight the online war, to prevent and counter the misuse of online accounts it is prudent to introduce a separate legislation to criminalize online falsehoods. The legislation should not criminalize satire, parody or constructive criticism. Act should have specific appeal procedures and calibrated remedies. This will ensure transparency of the sources generated and disseminated online as they will be error-free. The Act will also safeguard the privacy of users by preventing fabrication and falsification of information. It is important to instill media as well as information literacy in the public including journalists to spot fake news and debunk them.

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LTTE and Disinformation; Is Sri Lanka Ready to Win the Intangible War?

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Abstract

In past, war was purely militaristic. However, at present, there is a shift in warfare strategy from the battlefield to online. Disinformation is one of the key ways utilized by extremists, terrorists and political and profit-driven individuals to manipulate the public. Disinformation is deliberately misleading and manipulative narratives or facts. Sri Lanka is a victim of disinformation. Even though, the Sri Lankan government militarily defeated the Liberation Tigers of Tamil Eelam (LTTE) its international networks remain intact. LTTE and its international networks are engaging in disinformation accusing Sri Lanka of committing genocide, human rights violations and international humanitarian law violations. The resultant effects of these false and fictitious claims have resulted in ethnic unrest and Sri Lanka's guiltlessness is questioned in the eyes of other countries. As a result, countries including, Canada and Italy have passed laws, memorandum of associations and resolutions against Sri Lanka. For those reasons, Sri Lanka's sovereignty, territorial integrity and political independence are threatened. Therefore, the research problem is to inquire whether Sri Lanka is ready to fight disinformation committed by LTTE and its international networks. Research has utilized a qualitative approach, where existing sources are critically analyzed. Research is supplemented by both primary and secondary sources, primary sources such as legislation and secondary sources such as books and journal articles. The research looks into disinformation, its repercussions, Sri Lanka's predicament, international responses, gaps and lacunas to combat and minimize disinformation. In the end, research has identified Sri Lanka's lack of confidence and expertise to fight disinformation and consequentially, research has provided recommendations.

Keywords: *Crimes, Disinformation, Falsehoods, Information war, LTTE, Sri Lanka*

Introduction

(Tekwani, 2006) mentions that, "security has been [Traditionally] defined as military defence of territory, within a state system whose chief characteristic is a security competition based upon (primarily military) power. This concept has evolved in recent years to include, apart from the conventional military and political issues, a variety of economic, social and environmental issues, broadly defined under the umbrella of non-traditional security." Where in past, "terrorism" was regarded as purely a militaristic threat for national security, at present, it has shifted to non-traditional security setting "and in the current global environment is a pre-eminent issue of concern". At present, warfare strategy has been shifted to virtual space where

war is fought online.

Information warfare is widely used by terrorists, extremists, politically and profit-driven individuals to attain their illegitimate objectives. As mentioned by, (Church,2000) “The new warfare has variously been labelled "Cyberwar", "Information Warfare", "Network Centric Warfare", "Information Operations" and "Command & Control Warfare" (C2W). Labels aside, nobody has presented an accurate model of what the new warfare will be. The result is that concepts, doctrine and definitions are lacking, so MOEs cannot possibly be developed. Indeed, no quantifiable definition of the term "Information", itself, has been”. Nonetheless, terrorists use the internet to fight a war. The Internet has become a necessity in our present context. It goes beyond information sharing as it is wholly digitalised. The imperativeness and closeness of the internet to human life, itself has made the internet a vulnerability to humans. The reason is, the internet has become a haven to commit crimes, and promote propaganda, hate speech, false news, disinformation and other such acts. “Cyber terrorism includes, hacking, spamming, unleashing of viruses, invasion of databases and critical infrastructures linked to the Internet, theft of identity, and assorted crime for profit perpetrated online, the Internet exposes key vulnerabilities of individuals, corporations and nations.”. However, terrorists go beyond spamming, hacking and phishing, they are now deliberately manipulating content and creating division in the community. Social media is a tool used by terrorists to wage an information war. (Weimann, 2015) mentions that, “Increasingly, terrorist groups and their sympathizers are using predominantly Western online communities like Facebook, Twitter, YouTube, Myspace, and Instagram, as well as their Arabic equivalents. Counterterrorism expert Anthony Bergin says that terrorists view these youth-dominated websites as recruitment tools "in the same way a paedophile might look at those sites to potentially groom would-be victims", terrorists' most important purposes online are propaganda, radicalization, and recruitment. “The rationale and success behind using social media are it is cost-effective, hard to track, widespread and digitalized.

Sri Lanka is a country, which still suffers terrorism irrespective of militarily defeating LTTE. “Liberation Tigers of Tamil Eelam (LTTE), guerrilla organization [headed by Velupillai Prabhakaran] that sought to establish an independent Tamil state, Eelam, in Northern and Eastern Sri Lanka. (Marks & Brar, 2016) mentions, “Until recently, Sri Lanka was the homeland of an illicit power structure unlike any other. The Liberation Tigers of Tamil Eelam (LTTE) was an insurgency that privileged terrorism as a method of action yet ultimately fielded land, air, and sea regular forces, rounded out by powerful special operations and information capabilities. LTTE grew in capacity until it was capable of forcing the government to agree to a February 2002 cease-fire and the de facto existence of a Tamil state, or Tamil Eelam. Nevertheless, this victory of sorts produced a host of unforeseen consequences leading to the July 2006 resumption of hostilities. The result, in May 2009, was complete military defeat of the insurgency.” As much as vanquishing of militaristic aspect is commendable, the growing soft threat of online terrorism cannot be left unnoticed. As per, (Samarakoon, 2011) “Lankan government was more successful in getting the LTTE banned in 30 countries including the US and members of the EU, Canada and India.

This was a major offline victory. The diplomatic means of the government became more helpful in getting the attention of the world powers to curb the LTTE.” Yet, regardless of massive efforts by the Sri Lankan government, LTTE and its international networks remain intact and they have been capable of infiltrating parliaments, passing laws and lobbying.

LTTE engages in “Disinformation”. According to (Innes, 2020), “Disinformation can be defined as “deviant information.” For where information is imparted to enhance awareness, insight, and understanding, disinforming communications blend intent and action to distort, deceive, and dissemble”.(Bayer, 2019) states ‘disinformation’ and ‘propaganda’ to describe phenomena characterised by four features, namely that: ‘designed to be false or manipulated or misleading (disinformation) or is content using unethical persuasion techniques (propaganda); has the intention of generating insecurity, tearing cohesion or inciting hostility, or directly to disrupt democratic processes; is on a topic of public interest; and often uses automated dissemination techniques to amplify the effect of the communication” . (Innes, 2020) further defines, disinformation as, “Deliberately misleading public communications have been found embedded within a number of information, interference, and influence operations and campaigns, authored and amplified by a range of state and non-state actors, variously targeting: significant democratic events, such as the 2016 US presidential election; “anti-vaxxer” narratives, that have significantly reduced “herd immunity” for highly infectious diseases such as measles; fuelling inter-ethnic conflicts in geo-political “hot-spots” such as Syria; and climate change denial conspiracies” LTTE’s disinformation campaign is mainly run in Twitter, Instagram and Facebook, in addition to web sites. (Kimmage, 2021) states, “Islamic State (IS) [has] produced a great deal of high-quality content that allowed it to craft a particular narrative and project an image of power The group also enjoyed greater freedom of online movement at the time, which made its content and contacts more readily accessible to potential recruits. Today, IS propaganda production is far more difficult. In addition to losing its “caliphate,” the group now operates in a more hostile social media landscape, making the content it does produce far less accessible.”

LTTE, even though has not reached wide spreads as much as ISIS has achieved which is mentioned afore, LTTE’s disinformation campaigns have been more solid and detrimental to Sri Lanka and have successfully tainted the country’s image. The main disinformation allegations levied on Sri Lanka are, Genocide, Human rights law violations, Humanitarian law violations, Causing inter-generational trauma and the Loss of the Tamil Homeland. As (Bala, Mytili 2015) state “Conflict-generated diasporas, including Tamils, Irish, Kurds, Armenians, Liberians, and others, are now able to serve as vocal transnational advocates, shaping post-conflict transitional justice agendas. While these new roles may help broker peace, scholars have also questioned whether conflict-generated diaspora groups, motivated by identity politics, may play a destabilizing role”. Even though, “Many human rights and civil society organizations express deep discomfort with affiliating with groups linked to the LTTE and want to avoid any appearance of whitewashing LTTE crimes, which included suicide bombings, disappearances, child conscription, ethnic cleansing, and targeted killings” LTTE and its international networks have been capable of

legalizing their claim on 'genocide'. The laws, memorandum of associations and resolutions, which are resultant effects of LTTE's disinformation campaign, will be discussed late in the paper. Therefore, the real question remains as to whether Sri Lanka is capable of negating those fictitious claims. Given the technical capacity, information literacy and diplomatic ties in the country, Sri Lanka needs a much more stringent strategy to negate the disinformation campaign of LTTE.

Methodology

The research problem is to; inquire whether Sri Lanka is ready to fight disinformation committed by LTTE and its international networks. To achieve solve the problem; research has utilized a qualitative approach, where existing sources are critically analyzed. According to, (Creswell, 2012) "qualitative research is a means for exploring and understanding the meaning individuals or groups ascribe to a social human problem. The process of research involves emerging questions and procedures...making interpretations of the meaning of data". In addition, (Yilmaz,2013), states that "qualitative research is "an emergent, inductive, interpretive and naturalistic approach to the study of people, cases, phenomena, social situations and processes in their natural settings to reveal in descriptive terms the meanings that people attach to their experiences of the world" (Bhandari, 2022) states that, Qualitative research involves collecting and analysing non-numerical data (e.g., text, video, or audio) to understand concepts, opinions, or experiences. It can be used to gather in-depth insights into a problem or generate new ideas for research. The research has gone beyond a traditional phenomenon. The research looks at an aspect of terrorism beyond a traditional approach. The research looks into, how LTTE and its international networks engage in disinformation campaigns, which is a seldom-discussed fact. To do that research has completely relied on existing sources, however, has looked beyond the traditional scope and has discussed possibilities Sri Lanka might face. Research is supplemented by both primary and secondary sources, primary sources such as legislation and secondary sources such as books and journal articles were utilized.

Results and Discussion

Online Terrorism

(Samarakoon, 2011) states that, in fact as Curran, Concannon and McKeever (in Janczewski and Colarik 2008: 03) have pointed out, "LTTE became the world's first terrorist outfit to attack a country's computer system in 1998. "In 1998, a terrorist guerrilla [the LTTE] organization flooded Sri Lankan embassies with 800 e-mails a day for two weeks. The messages simply read, "We are the Internet Black Tigers and we're doing this to interrupt your communications." This finely depicts LTTE's sophisticated strategy. Using cyberspace to threaten the sovereignty of Sri Lanka was done years before the upheaval of social media. Now the focus of LTTE from cyberspace has shifted to virtual space, which means social media. As per, (Fernando, 2020) "the spread of this technology means that the line between fact and fiction may be blurred with negative consequences. Either people will believe the videos, which, if released at strategic times, could sway public opinion in an election or incite protests, or people will stop believing in videos as objective depictions of reality,

which will make it increasingly difficult to prove a fact.” It can be seen that LTTE and its international networks strategy is a success. The disinformation campaigns against Sri Lanka have allowed them to reach heights by infiltrating parliaments and passing litigation including, 117th US Congress Resolution 413, 46/1 Resolution and Tamil Genocide Education Week Act.

It is imperative to look into disinformation campaigns committed by LTTE and its international networks using websites, which were the primary steps they utilized successfully. (Samarakoon, 2011) gives a range of websites created by LTTE, which endangers Sri Lanka’s national security. “The www.tamilnet.com was among popular websites that campaigned for a separate Eelam, launched in 1997. Tamil net was the major organ of news aimed at non-Tamil speakers, which was published in three European languages including English- the other two languages being German and French. LTTE used international languages on the Internet and it enabled them to reach their foreign sympathizers and damage the image of the Sri Lankan state. He further cites a few more websites such as www.tamilnation.org, www.tamilcanadian.com, www.tamileelamnews.com, and www.tamileditors.com and www.eelamweb.com. In addition, in “Tamil net and the International Press – Global Coverage of radical Press”, Ubayasiri has analysed the pervasiveness of the propaganda of the LTTE, by the year 2007, www.tamilnet.com had produced an estimated 21,000 reports since 1997 (<http://ejournalist.com.au/v6n1/ubayasiri621.pdf>). Moreover, <https://pearlaction.org/tamil-genocide/> is another active and successful non-profit organization funding LTTE, which alleges Sri Lanka of committing genocide. LTTE does not stop from the front, cover and sympathetic organisations, it goes beyond that. LTTE vastly uses Online Diaspora. According to, (Tekwani, 2006) Diaspora Sri Lankan Tamils can read Eelam newspapers; listen to Eelam Radio; mail Eelam e-cards showing Eelam maps and flags to friends on festive occasions; to listen to tapes of their ‘national leader’s speeches; refer to online yellow pages, web directories for information on Eelam Tamils. Moreover, online newsgroups and forums on Tamil websites offer a platform for discussions on the Tamil struggle for a separate state and a showcase for the history, culture, traditions and politics of the Tamils of Sri Lanka. In addition to the websites hosted by the LTTE, pro-LTTE and pro-Eelam sites, personal homepages maintained by expatriate Tamils in cities and universities across the western world provide virtual Eelam and its citizens a dynamic and very visible presence on the World Wide Web. Visible and vibrant that Sri Lankan Tamils are said to ‘inhabit a cyberspace Eelam’.

The main challenge Sri Lanka faces is, Intra and Intergroup communication, which means, the Internet enables dispersed members of terrorist groups to communicate with each other covertly, and anonymously. Due to privacy settings used by the anonymous cover, where LTTE has functioned using avatars, determining who pro-LTTE are and having terrorist ideologies, are hard factors to be extracted. In addition, networked terrorist groups use the internet to communicate with other groups with similar goals. Another factor, recognized by scholars is, linking diasporic groups to militant networks, which means, “Diasporic groups settled outside their homelands are educated and computer literate. Further, Asians are known to use the Internet to

keep abreast of news from home and to network with others from their community. “Many diasporic groups, such as the Sri Lankan Tamils also use the Internet to support terrorist movements by providing political support in the form of propaganda and lobbying international public opinion.” Another disinformation tactic, used by LTTE and its international networks is, there acts of Framing news and actions to cater to their ideologies without the intervention of government or media censors.

False Claims against Sri Lanka by LTTE

The use of the internet by LTTE and its international networks has resulted in disinformation. False allegations posed on Sri Lanka include Tamil genocide, Human rights law violations and Humanitarian law violations.

Sri Lanka is a party to the 1948 Geneva Convention on the Prevention and Punishment of the Crime of Genocide (GC). Genocide is defined as, “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: a) Killing members of the group, b) Causing serious bodily or mental harm to members of the group, c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; d) Imposing measures intended to prevent births within the group and e) Forcibly transferring children of the group to another group. Now looking at the definition, Sri Lanka has not committed genocide, to commit genocide “a national, ethnical, racial or religious group”. LTTE is a terrorist organization. Sri Lankan government military defeated the ruthless terrorist organization, which was proscribed by many countries. The war was between Sri Lankan government and LTTE and it was never between Sinhalese and Tamils. As per Article 1 of the United Nations Charter, the purposes of the United Nations are, “To maintain international peace and security. To take effective collective measures for the prevention and removal of threats to the peace, for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace”. This exhibits the ability of a state to defend its rights to maintain peace. Further, Section 2(1) of the UN charter states that the Organization is based on the principle of the sovereign equality of all its Members. Art. 2 (4) states Prohibition of the threat or use of force in international relations. Article 2 (7) states, “UN has no authority to intervene in matters which are within the domestic jurisdiction of any state, while this principle shall not prejudice the application of enforcement measures under Chapter VII of the Charter”. The false allegation of the Tamil genocide is defaming Sri Lanka and at present, Sri Lanka has not defended her rights sufficiently neither legally nor by way of social media.

Sri Lanka is also accused of violating human rights. The Sri Lankan government conducted a humanitarian operation to safeguard the rights of Sri Lankans irrespective of ethnicity, gender, religion or language. The militaristic victory of the government resulted in territorial integrity and sovereignty. On the other hand, LTTE closed the gates of the Mavil Aru reservoir, cut the water supply to villages by preventing access to water, used human shields, detained civilians, used suicide

bombers and conscripted child soldiers, where all these acts of LTTE were human rights violations”.

Another deliberate false claim about Sri Lanka is that Sri Lanka has committed international humanitarian law violations (IHL). In reality, Sri Lanka abided by IHL. Sri Lanka did not attack civilians or non-military targets, whereas LTTE attacked non-military targets. They assassinated prominent world leaders, civil servants, parliamentarians, journalists, military officers, police officers and the public as a whole. Additionally, they bombed Central Bank, Bandaranaike International Air Port Colombo, and religious places including the Temple of Tooth Relic, and Jaya Sri Maha Bodhiya which were economic places and religious places.

International Responses

As a result of continuous disinformation by LTTE and its international networks, resolutions, laws and memorandums of associations have passed against Sri Lanka, setting precedents. One such example is the 117th US Congress Resolution 413. The resolution recognizes the Traditional Tamil Homeland in the Northeast of Sri Lanka, which was never there. Sri Lanka is a “unitary state”, claiming a separate Tamil Homeland by a resolution gives their claim a legal basis. This false claim attacks the territorial integrity as well as the sovereignty of the country.

Moreover, another result of disinformation is the Tamil Genocide Education Week Act of the Ontario parliament. As per the Act, “The seven days in each year ending on May 18 is proclaimed as Tamil Genocide Education Week. Moreover, “during that period, all Ontarians are encouraged to educate themselves about, and to maintain their awareness of, the Tamil genocide and other genocides that have occurred in world history.” The Act further states that, “Tamil-Ontarians have families still suffering in their homeland in the north and east of the island of Sri Lanka. They have lost their loved ones and have been physically or mentally traumatized by the genocide that the Sri Lankan state perpetrated against the Tamils during the civil war which lasted from 1983 to 2009, and especially so in May of 2009.” Educating the future of the society on a genocide, which never took place, and putting it on law and making it binding has legalised Tamil genocide in Ontario. Following the footsteps, The Palermo City council has signed a Memorandum of understanding (MoU) with the Italian- Tamil community recognizing the Tamil Genocide.

Gaps, Loopholes and Weaknesses

Irrespective of the victory of the militaristic war against LTTE, Sri Lanka has failed to effectively combat, criminalize and minimize disinformation conducted by LTTE. There are various reasons behind the failure to address disinformation. Sri Lanka must understand the stratagem of LTTE and its international networks. They have shifted from propaganda, Funding, Procurement and Shipping towards, Lobbying, Litigation and Lawmaking. Sri Lanka also lacks adequate technology countermeasures, criminalizing legislation, Diaspora backing, and information and media literacy.

Conclusion and Recommendations

Joseph Goebbels: On the “Big Lie” has stated, “If you tell a lie big enough and keep

repeating it, people will eventually come to believe it". Therefore, it is crystalline that LTTE and its international networks are doing the same. Even though Sri Lanka has won the war militarily, due to the disinformation campaign conducted online by LTTE, Sri Lanka's guiltlessness is questioned repeatedly. The laws, resolutions and memorandum of associations that have passed and the front, cover and sympathetic organisations of LTTE and its international networks are threatening Sri Lanka's national security. Due to those reasons, it is clear, that Sri Lanka is not ready to fight disinformation committed by LTTE and its international networks. In light of that, the below recommendations can be taken into account to fight disinformation.

Sri Lanka can introduce separate legislation to criminalize online falsehoods and manipulations. The Act can criminalize disinformation. The Act should consist of calibrated remedies, appeal procedures, correction directions, fact-checking methods and reporting procedures. More importantly, Act should have an extraterritorial application to criminalize falsehoods committed outside Sri Lanka as well. It is important to instil media and information literacy in the public including journalists, to spot what is fake and what is a fact. Therefore, if anyone comes with material, secret information relating to terrorism or any such action it can be reported. Introducing a team of cyber warriors to report false narratives and counter them successfully. The said personnel should be technologically trained and given adequate research opportunities on par with international standards.

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Psychological Traumas Resulting in Substance Abuse in Women

By **Dulakshi Ariyaratna**

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Drug and substance abuse are becoming an escalating trend in the 21st century resulting in a global health insecurity. According to the World Drug Report 2021 by the United Nations Office on Drugs and Crime (UNODC), the most used substances globally are denoted as nicotine, alcohol, cannabis, opioids, cocaine and amphetamines. National Institute on Drug Abuse US indicates that women respond to substances differently than men and may experience more cravings. This is due to the hormonal changes in women that makes them more sensitive to some substances than men. The United Nations Women further reports that 'one out of five drug users in treatment are a woman'. When displacing to the Sri Lankan backdrop, this social catastrophe manifests itself in societal profiles, but drug users, especially women, are not properly identified. They are entrenched as a subculture or a hidden group and are less likely to be addressed about. The socio-cultural dimension of the collapse plays a decisive role here. The number of reported drug abuse cases relating to women is very low relative to the reported cases of men, mostly due to social and cultural taboos.

Alcohol and cigarettes can be denoted as familiar substances where most of the young girls and women have been exposed, within their own household or their environments. However, it can be identified that most of the reasons for substance abuse are psychological. Women with physical or sexual abuse are twice more likely to engage in smoking, drinking or use of drugs. The main psychological grounds contributing in substance abuse can be distinguished as sex assault, domestic violence, childhood abuse or intimate partner violence (IPV). This is customarily visible in drug abusing women in Sri Lanka.

How Psychological Traumas Lead to Drugs

Psychological traumas tend to be the main incentive which manipulates Sri Lankan women into substance abuse. According to the Cascade Behavioral Health Hospital, after experiencing a terrifying or upsetting occurrence, one may suffer from psychological or emotional trauma, which can make it difficult to operate normally or cope with life's obstacles. Most of the reported cases intend to be an outcome of psychological traumas. According to Drug Facts 2016, both inner motivation as well as the environment becomes determinants for women to engage in the complication.

Domestic violence is one of the pivotal misfortunes encountered by drug addicted women. In Sri Lankan societies, girls and women are prone to get abused particularly by their father or husband. In other cases, it can be their legal guardian or a relative. Sexual violence has become a huge complication which often tends to happen towards young girls, sometimes beginning from their childhoods. IPV is another

factor which contributes to foster psychological traumas in women. It should be understood that there is a higher probability for women to engage with substance abusing partners compared to men and a significant number of women have been influenced by their significant other (National Dangerous Drug Control Board, 2019). As a result, many women tend to get exposed to substances where in some cases, the intimate partner encourages using substances and sometimes, trafficking or distribution mechanisms. Some of the women are forced into trafficking of drugs and substances as a result of poverty. There, they also tend to use them and eventually gets addicted. Stress and depression can also be taken into validation, as drugs or substances have assisted in escaping from all the trauma, forebringing temporary comforts, resulting in addiction. Some of the case studies reveal that, some women get into drug or substance use due to the influence from their parents who are also using them.

By reviewing statistics by the National Dangerous Drug Control Board (NDDCB), it can be understood that nicotine or cigarettes and alcohol are the fundamental sources they tend to experience before setting out to any other drug. It is further revealed that 38% of women have started using drugs or substances due to a tragic experience, and 32% of women who use heroin, do it for the same reasons.

How it Links to the National Security of the Country

Drug addiction has become a serious universal complication encountered by many nations. Addiction to drugs not only has become a health-related issue but also a social and national problem. Emergence of crimes as result of drug and substance abuse is no secret and therefore directly affects the national security specifying on the human security aspect. Individual security is at risk and serious prevention mechanisms must be implemented and executed.

When reviewing into reports and statistics, a significant connection between substances and commercial sex work can be identified. Most of the women who engage in the profession are subjected to regular substance consumption and some cases denoted that some women-initiated substance abuse after they start as commercial sex workers. Commercial sex work thus has become the sole income and act as a supporting agent for the drug addicted women engaged in the profession to purchase drugs and substances. Various crimes associated around commercial sex work can further be identified. Sometimes these women tend to rob their customers and a very high risk of sexually transmitted disease (STD) is vividly visible. The possibilities of STDs can also take place through sharing equipment used for injecting substances. Here individual security is directly vulnerable to risk.

In other cases, they tend to engage in theft, burglary, pickpocketing, trafficking and other illegal activities. Ultimately these can lead to extreme cases like homicides as well as suicides. This denotes the danger that human security is rest upon with. In order for a country's national security to be ensured, human security aspect is a vital component to be defended. Therefore, protection of citizens from both traditional and nontraditional threats is the main objective or goal with individuals being the centralized subject. It is detectable that drug problem is causing ravages in the country

hindering communities along.

Therefore, it is required to collect statistics regarding unreported cases as the unreported drug abusing cases are surpassed by the number of reported cases. The necessity to conduct awareness programmes on national, district, regional as well as local authority levels in efficient manners is high. It is very clear that there are less information and statistics available regarding female use of drugs and the necessity to conduct more research is obligatory.

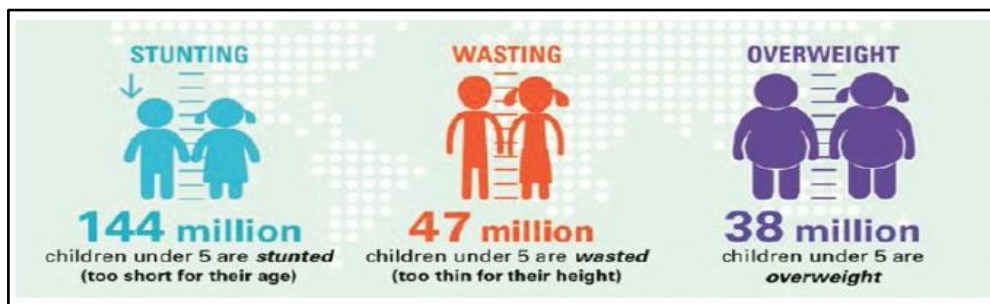


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Will Food Inflation Lead Sri Lanka towards Malnutrition?

By Dilmini Abeyrathne

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The term malnutrition covers the two aspects of deficiencies or excesses in nutrient intake, impaired nutrient utilization and imbalances of essential nutrients. Therefore, malnutrition comprises undernutrition, inadequate vitamins or minerals, overweight, and obesity, as well as diet-related non-communicable diseases. Furthermore, undernutrition manifests in four forms including wasting, stunting, micronutrient deficiencies and underweight.

Wasting often indicates recent and severe weight loss or low weight-for-height, although it can also persist for a long time. This condition usually occurs when a person has not had food of adequate quality and quantity and/or they have had frequent or prolonged illnesses. Wasting in children is a severe condition associated with a higher risk of death in the absence of proper treatment.

Stunting refers to the impaired growth and development that children experience from inadequate psycho-social stimulation, poor nutrition, and repeated infection. In other words, stunting is a result of chronic or recurrent under-nutrition, usually associated with poor maternal health and nutrition, frequent illness and/or inappropriate feeding and care in early life. Hence it prevents children from acquiring their physical and cognitive potential. Furthermore, an underweight child may be both stunted and wasted.

Micro-nutrient deficiencies represent another aspect of malnutrition, which occurs due to lack of access to a variety of foods, lack of knowledge of optimal dietary practices, poverty, and high incidence of infectious diseases.

Sustainable Development Goal 2: Zero Hunger

According to subsection 2.2 under SDG 2, by 2030, it is expected to end all forms of malnutrition, including achieving, by 2025, the internationally-agreed targets on stunting and wasting in children under five years of age, and addressing the nutritional needs of adolescent girls, pregnant and lactating women and older persons.

The United Nations has recorded that 768 million people were estimated to be undernourished, 2.3 billion people were in some level of food insecurity, 3.1 billion people are unable to afford a healthy diet and 676 million adults were obese globally. Furthermore, it is anticipated that healthy diets can lead to a reduction of up to 97% in health costs in 2030.

Impending Malnutrition Challenges in Sri Lanka

The global nutrition report reveals that Sri Lanka is on course to meet two targets for maternal, infant, and young child nutrition. However, the target of reducing anemia among women of reproductive age has failed as 34.6% of women aged 15 to 49 years are now affected by anemia. Meanwhile, Sri Lanka has shown some progress towards achieving the target for stunting and overweight as only 17.3% and 2% prevalence are recorded in stunting and overweight among children under five years. Unfortunately, no progress has been made towards achieving the target for wasting, with 15.1% of children under 5 years of age affected.

In 2019, the Medical Research Institute figured out the prevalence of micro-nutrient deficiencies among school-going adolescents; anemia at 8.8%, iron deficiency at 22.1%, and iron deficiency anemia at 3.8%. With reference to a recent survey, the Health Promotion Bureau warned of an emerging Vitamin D deficiency among the urban population. The underlying reason for Vitamin D deficiency, irrespective of the equatorial climate in Sri Lanka, has been identified as a lack of exposure to sufficient sunlight.

Impact of Current Economic Crisis on Nutrition

The Sri Lankan economy, though going bankrupt recently, has developed the reasons for it over the past few decades. A series of recent policy decisions have also exacerbated the long-term consequences including foreign reserve shortages, increasing foreign debts, and continued budget deficits. Late unprecedented repercussions of Covid-19 on tourism and related industries, excessive money printing, significant tax cuts draining government revenue, and the negative impact on agriculture due to the overnight chemical fertiliser ban together contributed to unprecedented price hikes in basic foods and supply shortages. Several food items such as a loaf of bread which previously remained the relatively cheapest food available have increased their price by more than 200% during the past few months.

Conclusions and Solutions

The Central Bank of Sri Lanka points out 93.7% of food inflation in August 2022 from 90.9% in July 2022. Within the food category, price increases were observed in fresh fish, fruit, bread, biscuits, eggs, and chicken especially, curbing the protein intake. Therefore, the country operates among several financial constraints having direct and indirect impacts on food security and health security.

In a Situation Report for August, the World Food Programme revealed that 6.3 million people are food insecure and 6.7 million people are not consuming adequate diets. The sharp depreciation in the Sri Lankan rupee and the resulting food inflation

has exacerbated the pathetic plight of Sri Lankans in affording basic food.

Measures taken by the Government

With the objective of maintaining the optimal nutrition status at low cost by shifting into the consumption of locally available, less expensive foods, including not frequently utilised nutritious food items, engaging in home gardening and sharing food items with others including the vulnerable population, the Ministry of Health had declared October 2022 as the National Nutrition Month under the theme of 'Nutrition at Low-Cost: Know, Find Alternatives, Grow and Share' with an emphasis on maintaining individual and community nutrition during the prevailing economic crisis. This initiative mainly comprises two programmes; National Short-Term Programme (NSTP) on food security and nutrition and Emergency Nutrition Plan (ENP) 2022-2024 prepared by the Ministry of Health. Furthermore, the Government has focused on providing assistance to families with disabled and people with chronic illnesses, and families with more than five members who receive the current poverty alleviation programme Samurdhi under the World Food Program (WFP).

Way Forward

The proposed-awareness programmes focus on four-key actions including disseminating knowledge, finding alternatives, improving home gardening and sharing with others. In making these areas a success, it is essential to conduct a national assessment on nutrition status as the previous survey by the Demographic and Health Survey (DHS) has been conducted in 2016 which lacks statistical changes of the significant figures related to malnutrition in making timely decisions in Sri Lanka.



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Legal Analysis on ‘Child Pornography’ on the Internet as a Cyber Crime

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Abstract

Sri Lanka has constitutionally and by way of certain legislation guaranteed the rights of children as children must be treasured, nurtured and uplifted in the community since children are the future of the country. Even though there are a plethora of laws and institutes to mitigate and combat child rights violations, laws at certain junctures are insufficient and silent on certain crimes. One such gap and weakness is, the necessity to recognize “child pornography” on the internet as a cybercrime. The research will use this drawback as the research problem. According to Europe’s Cybercrime Convention and some other instruments, Child phonography is already identified as a cybercrime. Therefore, the research questions are the need to recognize child pornography on the internet as a cybercrime, the laws dealing with it, gaps, loopholes and lacuna, and the recommendations. The research has used a doctrinal methodology. To gather findings the researcher has only used non- numerical data. In the end, the paper has successfully attempted to prove and highlight child pornography as an emerging cybercrime on the internet, which needs to be mitigated, combatted and penalized vehemently.

1. Introduction

According to Child Right Convention (CRC), Article 1 ‘child’ is defined as, ‘every human being below the age of eighteen years unless, under the law applicable to the child, the majority is attained earlier’. The healthy development of children is crucial to the future well-being of any society. As they are still developing, children are especially vulnerable to poor living conditions such as poverty, inadequate health care, nutrition, safe water, housing and environmental pollution.

According to United Nations International Children's Emergency Fund (UNICEF), child rights matter for various reasons. Children are individuals, they are neither the possessions of parents nor of the state, nor are they mere people-in-the-making; they have equal status as members of the human family. Secondly, children start life as [completely] dependent beings and they rely on adults for nurture and guidance. When primary adult caregivers cannot meet children's needs, it is up to the State as the primary duty bearer, to find an alternative in the best interests of the child. Thirdly, the action or inaction of the government affects children more strongly than any other group in society. Moreover, views of children should be given priority and considered in the political process. Another point stipulated by UNICEF is that many changes in society are having a disproportionate and often negative, impact on children.

Given the definition, nature and vulnerabilities of children as mentioned above, child

abuse happens in various ways including Physical Abuse, Sexual Abuse, Emotional Abuse, Neglect or Maltreatment, Child Trafficking, Commercial Sexual Exploitation of Children (CSEC) (including Child Pornography), Shaken Baby Syndrome and Institutional Abuse or Neglect. These abuses happen online as well as in physical spaces. Child pornography is a crime, which often happens in online spaces, and it 'includes a wide range of behaviour and situations such as grooming, live streaming, consuming child sexual abuse material and coercing and blackmailing children for sexual purposes.

At present, the world is wholly digitalized. An individual is capable of walking many miles a day with electronic devices. Wide availability, cost-effectiveness and efficiency have made social media the platform of information. With absolute power over access, defaced hands attempt to infiltrate the privacy of the population endangering national security, which has now expanded to human, cyber, economic, as well as health securities. As a result, children fall prey to sexual predators who commit online sexual exploitation. Even though there are international as well as domestic laws, countering child pornography is not an easy task. Sri Lanka too is in a feeble position to prevent and mitigate child pornography, irrespective of the plethora of laws available. Therefore, the state is duty-bound to severely penalize every person who produces, distributes, accesses, downloads, possesses, conspires, or modifies content relating to child pornography. One of the major problems in Sri Lanka is, child pornography is not recognized as a cybercrime. When perusing other jurisdictions, this is not the case. In light of that, this researcher has attempted to showcase the child pornography on the internet as a cybercrime.

2. Literature Review

According to "Legal Service India- E journal", pornography can be twofold. 'Soft core and Hardcore, where the pornography work is referred as the hardcore content and the soft-core pornography consists of nudity or partial nudity in sexual situations. Perhaps, both kinds of pornography involve nudity.' None of the Sri Lankan statutes define child pornography. This is a major drawback in the Sri Lankan context. The research attempts to showcase the imperativeness of a definition. Further, researcher goes beyond and showcase the importance of recognizing pornography as a cybercrime.

In an interview conducted by (Senarath, 2021) with President Counsel Kalinga Indatissa, the lawyer stated that,

the legal framework of Western countries such as the United Kingdom, determining whether or not pornography is legal is not quite straightforward. There are several laws, regulations and judicial processes that regulate pornography in the UK. There are however, certain categories of pornographic material that are expressly considered illegal. For instance, child pornography, revenge pornography and extreme pornography are illegal.

Unfortunately, in Sri Lanka there is no such division such as child pornography,

revenge pornography and extreme pornography. The research has given prominence to recognize child pornography as a cybercrime on the internet.

The Criminal Law of the Republic of Latvia Section 166 provides for ‘punishment for downloading, acquisition, importation, production, public demonstration, advertising or other distribution of such pornographic or erotic materials as relate or portray of the sexual abuse of children’. Yet, in Sri Lanka there is no single piece of legislation explaining to such an extent or interpretation. Therefore, the research looks into the dire need or recognizing child pornography as a cybercrime on the internet.

As stated by The United States Department of Justice (2020) a resultant effect of production of child pornography, creates a permanent record of a child’s sexual abuse. Explaining, when these images of child are placed on the internet and shared, the victimization of the children continues in perpetuity. Both victims and experts agree that victims of child pornography often suffer a lifetime of re- victimization as they know their images of sexual abuse are online forever. These victims of child abuse must live with the permanency, longevity, and circulation of such a record of their sexual victimization. As a result, victims suffer lasting psychological damage, including disruptions in sexual development, self-image, and developing trusting relationships with others in the future. This researcher has identified the repercussions that a child will face being a victim of child pornography. Taking it in that light, this researcher has attempted to reiterate the need to criminalize child pornography vehemently.

As cited in (*Obscenity and indecency: Constitutional principles and federal statutes 2009*),

The Internet has given rise to three federal statutes designed to protect minors from sexual material posted on it. The Communications Decency Act of 1996 makes it a crime knowingly to use a telecommunications device (telephone, fax, or e-mail) to make an obscene or indecent communication to a minor, or knowingly to use an interactive computer service to transmit an obscene communication to anyone or an indecent communication to a minor. In 1997, however, the Supreme Court held the inclusion of “indecent” communications in this statute unconstitutional. In 1998, Congress, in response, enacted the less-broad Child Online Protection Act (COPA), but it was also held unconstitutional and never took effect. Finally, the Children’s Internet Protection Act (CIPA), enacted in 2000, requires schools and libraries that accept federal funds to purchase computers or Internet access to block or filter obscenity, child pornography, and, with respect to minors, material that is “harmful to minors.” Filters may be disabled, however, “for bona fide research or other lawful purpose”. In 2003, the Supreme Court held CIPA constitutional.

When looking at these statutes and measures taken by the government, there is a grave fact that Sri Lanka is not even close to recognize child pornography. Therefore, the

researcher has looked into the need of criminalizing child pornography and recognizing it as a cybercrime.

3. Methodology

The research problem is the need to identify child pornography as a cyber- crime. To solve the research problem and answer it, research has utilized the doctrinal method.

Doctrinal legal research methodology, also called "black letter" methodology, focuses on the letter of the law rather than the law in action. Using this method, a researcher composes a descriptive and detailed analysis of legal rules found in primary sources (cases, statutes, or regulations). The purpose of this method is to gather, organize, and describe the law; provide commentary on the sources used; then, identify and describe the underlying theme or system and how each source of law is connected.

Adhering to the norm, research is conducted by using available data. Primary sources such as Penal Code, Child Protection Authority Act, Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography legislation and judicial precedents are equipped to sustain and elaborate on the analysis. The research consists of secondary data such as books, journal articles and conference proceedings.

4. Analysis

4.1 Child Pornography as a Cyber Crime in another jurisdiction

The globe has become a global village, with activities hosted in one jurisdiction accessible to visitors on the internet from another country. However, one of the drawbacks of this technical breakthrough is its use in transmitting information and images that are harmful to children, especially sexual abuse of children, of which child pornography is a crucial component.

The Budapest Convention of Europe aims to strengthen child protection measures against sexual exploitation by criminalizing various aspects of child pornographic electronic production, possession, and distribution.

Complementing the Budapest convention, the Article 20 of The Council of the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, also known as the Lanzarote Convention, is a major step forward in the prevention of sexual offences against children, the prosecution of perpetrators and the protection of child victims.

The Convention makes several references to the use of information and communication technology in the context of child sexual exploitation and abuse. Federal Law in the United States of America defines 'Child Pornography' as 'any visual depiction of sexually explicit conduct involving a minor (persons less than 18 years old)'.¹² 'Federal law prohibits the production, distribution, importation, reception, or possession of any image of child pornography... child pornography laws are a serious crime, and convicted offenders face fines severe statutory penalties.'¹³

In US. Chapter 110 of the Code deals with Sexual Exploitation and Other Abuse of Children (18 U.S.C. § 2256 (8)). Depictions include photographs, videos, digital or computer-generated images indistinguishable from an actual minor, and images created, adapted, or modified, but appear to depict an identifiable, actual minor. (18 U.S.C. § 2256 (5)). It is also deemed visual depiction under the Code. (18 U.S.C. § 2256 (5)). ‘Sexually explicit conduct’ under the Code means actual or computer-generated sexual activity of any form or manner whether between same or opposite sex or against the order of nature or involving indecent exposure of any sexual part of any person. (18 U.S.C. § 2256 (2) (a)).

The federal law further states that the earlier “sexually explicit conduct”, will also mean sexual intercourse of any form or manner whether between same or opposite sex or against the order of nature or involving indecent exposure of any sexual part of any person. (18 U.S.C. § 2256 (2) (b).) The Code prohibits the production, distribution, reception, and possession of an image of child for pornography. (See 18 U.S.C. § 2251; 18 U.S.C. § 2252; 18 U.S.C. § 2252A.). In particular, Section 2251 prohibits luring of a minor in sexually explicit conduct for purposes of producing visual depictions of that conduct. It is a serious crime to violate the federal child pornography law which attracts stringent penalties. A first-time offender convicted of this crime faces fines and a statutory minimum of 15 years to 30 years maximum term of imprisonment.

United Kingdom’s Criminal Justice Protection of Children Act of 1978 which was amended in 1994 to state that, ‘it is an offence for a person (a) to take, or permit to be taken or to make, any indecent photographs or pseudo photographs of a child; (b) to distribute or show such indecent photographs or pseudo- photographs.’

4.2 Child Pornography in the Sri Lankan context

Child pornography is also seen in Sri Lanka. According to statistics from the Police Child & Women Bureau, 18,000 photographs and videos connected to child porn were posted from Sri Lankan IP addresses between June 17 and July 26.

As stated in (Sri Lanka takes steps to prevent child trafficking 2020) Sri Lanka downgraded to the Tier 2 Watch List status by the U.S. State Department in its 2019 Trafficking in Persons (TIP) report. The TIP report of 2020 has highlighted Sri Lanka’s issues as the exploitation of boys and girls in the commercial sex trade in coastal areas; child labour in small shops, agriculture and informal markets; and children forced to beg or engage in criminal activities in Sri Lanka’s larger cities.

Furthermore, more than 17,000 video clips and photographs related to child pornography which has been uploaded to the internet from Sri Lanka between June and July this year. As per the source, [former] Police Spokesman SDIG Ajith Rohana said the special police unit; the National Centre for Missing and Exploited Children was established last month to monitor the pornographic video clips and photos related to children.

Child Trafficking is an important matter to be discussed since trafficking is done with the intention to do child pornography. 'There are multiple organizations, such as the [Salvation Army](#) that believe due to the exploitative nature of the industry, pornography is also a form of sex trafficking'.

Amongst the recent media reports is the incident of trafficking of a 15-year-old for commercial sex work, a 300% increase in cybersex crimes targeting women and children, the arrest of a man who allegedly abused several school girls through the internet, reported abuse of a 13-year-old by her father and other suspects, over 17,000 child pornography videos uploaded to the internet between 17th June and 28th of July 2021 and around 4,000 complaints over child abuse cases and about 48,000 calls on child harassment received at the National Child Protection Authority (NCPA) during the past six months of this year.

The government of Sri Lanka has taken several measures to prevent and mitigate child rights violations and to penalize the offenders rigorously.

Sri Lanka submitted its first report on the Optional Protocol in 2019 in which the UN Child Rights Committee recommended that the government [to] Undertake research on the root causes and extent of the sexual exploitation of boys and girls, including in the context of travel and tourism, and the sale of children, child prostitution and pornography, including online, to identify children at risk, assess the extent of the problem and develop targeted policies and programs. In that regard, protective measures to combat child sexual exploitation should be closely linked with poverty reduction interventions and awareness-raising activities.

Yet, the cases are emerging and trends of abuse are escalating such as seduction and violence involvement. In addition, camera quality and sound effects which are technical advancements result in difficulty to criminalize child pornography.

One of the biggest challenges is that child pornography is not committed by a single criminal; the doer, the facilitator, the conspirator, the person who disseminates, and all the people who engage in the cycle and who profited are guilty. There are various typologies based on theories postulating that sex offenders specialize: such as, Child abusers, Rapists, Females: (co-offender, teacher lover/ heterosexual nurturer, Internet, Crossover and Recent advances: developmental risk factors and offense pathways. Even though perpetrators are punished by sentencing, the traces of the crime and damage done to the child as well as the society are irremediable. The reason is that the victim child is manipulated physically, emotionally and psychologically abused by instilling fear and control. The pornographic content generated and disseminated on the internet can be accessed illegally. Ill-motivated individuals share the said content, and makers, as well as viewers; engage in enjoying the sick crime. None of the resultant crimes can reinstate the victim to a previous

position and emancipate them from the mental suffering he/she underwent.

4.3 Gaps, Loopholes and Weaknesses in Law relating to Child Pornography (instead of this topic, change the topic as “Analysis of the laws in Sri Lanka to curb Child Pornography on the internet as a cybercrime”)

4.3.1 Definition of ‘child’

A child is defined as, anyone under 18 years old, according to Child Rights Convention. Similarly, the Sri Lankan Penal Code, Age of Majority (Amendment) Act, No. 17 of 1989, Assistance to and Protection of Victims of Crimes and Witnesses Act (No. 4 of 2015) and Convention on Preventing and Combating Trafficking in Women and Children for Prostitution Act (No. 30 of 2005) sets the age of a child to be under 18 years. Nonetheless, the Children and Young People’s Ordinance (No. 48 of 1939), defines individuals under 14 years of age as ‘children’ for juvenile justice, and children aged 14-16 as ‘young people’. In addition, the Employment of Women, Young Persons and Children Act (No. 46 of 1956) defines a ‘child’ as a person below the age of 14 years and a ‘young person’ as a person aged 14-18 years. This ambiguity and non-uniformity in law is detrimental and can be regarded as a lacuna as penalizing the guilty and defining the victim is a hurdle.

4.3.2 Child pornography

- i. The Children and Young Persons (Harmful Publications) Act No. 48 of 1956

Section 02 of the Act shall apply to every book, magazine or other publication which is of a kind likely to fall into the hands of any child or young person and which consists wholly or mainly of such stories told in pictures, whether with or without the addition of written matter, as portraying (a) the commission of any crime, or (a) the commission of any crime or (b) any act of violence or cruelty, or (c) any incident of a repulsive or horrible nature in such a way that such book, magazine or other publication would tend to corrupt a child or young person into whose hands it might fall. This Act has criminalized obscene pictorial publications, which include child pornography. Nonetheless, the Act has not addressed the virtual domain which is a major drawback. However, as per the Act ‘child’ means a person under fourteen and a ‘young person’ means a person who has attained the age of fourteen and is under the age of sixteen. This is contrary to CRC since the set age is eighteen. Moreover, child porn access should be criminalized irrespective of age and penalized severely.

- ii. Vagrants Ordinance

Section 4 (c) of the ordinance mentions that,

every person willfully indecently exposing himself, or exhibiting any obscene print, picture, or other indecent exhibition, in any street, road, highway, or public place or elsewhere, to the annoyance and disgust of others... shall be liable to be imprisoned with or without hard labour for any period not exceeding one month, or to a fine not exceeding twenty rupees.

However, this Act does not include online exploitation, or audio and digital generated material, which are widespread and accessible. Therefore, it is high time to extend the Act to the virtual space as well, the reason is, independent exposure is mostly done online.

iii. Penal Code

In 1995 sexual exploitation of children was introduced as a crime under the Sri Lankan Penal Code by section 360B. This is the first ever provision which made exploitation of children as a criminal offence. The Act criminalizes ‘a person who permits a child to be on any premises for the purpose of engaging the child in any kind of sexual activity or pornography will be considered as an offender and shall be convicted and punished with an imprisonment for a period of more than 5 years and less than 20 years.’

As per section, 286A of Sri Lanka’s Penal Code several actions are classified as ‘offences of obscene publication and exhibition relating to children’. Accordingly, any person who,

- a) hires, employs, assists, persuades, uses, induces or coerces any child to appear or perform, in any obscene or indecent exhibition or show, or to pose or model for, or to appear in any obscene or indecent photograph or film of who sells or distributes, or otherwise publishes, or has to his possession, any such photograph or film; Or
- b) being the parent, guardian or person having the custody of a child, causes or allows such child to be employed, or to participate, in any obscene or indecent exhibition or show or to pose or model for, or to appear in, any such photograph or film, (I) takes, or assists in taking of any indecent photograph of a child; or shall on conviction be punished with imprisonment of either description for a term not less than two years and not exceeding ten years and may also be punished with fine.

As per this section, ‘film’ includes any form of video recording. In addition, a child means a person below the age of eighteen. Sub section 2 (2) states that,

Any person who, being a developer of photographs or films, discovers that any photograph or film given to him for developing is an indecent or obscene photograph or a film of a child, shall, forthwith on such discovery, inform the officer in charge of the nearest police station that he has in his possession, such photograph or film. [Furthermore] whoever being a developer of photographs or films acts in contravention of the provisions of subsection (2) shall be punished with imprisonment of either description for a term which may extend to two years or with fine or with both.

Although the above sections criminalize the production, distribution and possession of pornographic material, the Penal Code does not define what child pornography is and this can be recognized as a grave lacuna in the law which needs imminent

rectification. Further, what acts amount to child pornography as what is 'indecent' are undefined in law. Additionally, the Penal Code defines 'film' as any form of 'video recording'. Now the question poses as to why the law is silent on other forms such as writings and audio, digital generated or otherwise. Therefore, the available limitations on 'video' give plenty of opportunity to offenders to free their selves from accountability. The Evidence (Special Provisions) Act of 19952 has been enacted in Sri Lanka to provide 'for the admissibility of audio- visual recordings, and of information contained in statements produced by computers in civil and criminal proceedings. Part I of this Act deals with the admissibility of contemporaneous recordings made by the use of electronic or mechanical means, and Part II deals with computer evidence. Parts III and IV of the Act contain respectively, general provisions and provisions facilitating interpretation."

iv. Obscene Publications Ordinance

Section 02 of the Ordinance is on offences relating to obscene publications. As per the Ordinance,

- a) *"If by way of trade or for distribution or public exhibition to make or produce or have in possession for purposes stated or otherwise, obscene writings, drawings, prints, paintings, printed matter, pictures, posters, emblems, photographs, cinematograph films, video cassettes or any other obscene objects;*
- b) *for the purposes above mentioned to import, convey, or export or cause to be imported, conveyed, or exported any of the said obscene matters or things, or in any manner whatsoever to put them in to circulation;*
- c) *to carry on or take part in a business, whether public or private, concerned with any of the said obscene matters or things, or to deal in the said matters or things in any manner whatsoever, or to distribute them or to exhibit them publicly or to make a business of lending them; and*
- d) *to advertise or make known by any means whatsoever, in view of assisting in the said punishable circulation or traffic, that a person is engaged in any of the above punishable acts, or to advertise or to make known how or from whom the said obscene matters or things can be procured either directly or indirectly.*

However, the major drawback is that the Ordinance does not have a separate section on child pornography, nor does it mention what obscenity is. Due to these reasons, it is imperative to widen the obscenity law to curtail child pornography since, at present, child pornography has become an impending threat.

5. Conclusion and Recommendations

It is undisputed that children are the future of the country and the world. Given the analysis, child pornography is an existing as well as an emerging threat in Sri Lanka.

Nonetheless, not a single statute has defined what child pornography is and what constitutes child pornography. Therefore, it is high time that Sri Lanka recognize child pornography as a separate cyber-crime. The government as the trustee of the public must take necessary measures to mitigate and prevent child pornography. The main measure the government can take is to recognize child pornography as a cyber-crime. In order to do that, child pornography must be defined and what amounts to child pornography must be mentioned. Importantly, Computer Crime Act must be revisited in light of the Budapest Convention, Child Rights Conventions and its Optional Protocols. The legal improvements and suggestions must always be in line with international standards. Since a child, pornography is a cross-border crime with multiple predicate offenders and perpetrators there should be a consensus between countries to share information and expertise. In addition, the ambiguity and lack of consensus as to the definition of the child must be solved to have uniformity in the law. Other measures that can be utilized are to instill information and digital as well as sexual literacy. Furthermore, law enforcement agencies must be well trained and technically prudent to spot online child pornography and penalize the wrongdoers. The government including the other stakeholders must conduct awareness programs to uplift society.



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Sri Lanka's Economic Crisis: Social Security in a Stake

By Prasansa Gunawardene

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The sudden shift from the COVID – 19 breakdowns to the prevailing economic crisis in Sri Lanka became a big thunder for the entire nation and the community as a whole. Society, which is the key element of a nation is the direct entity that gets positively or negatively affected by any of the disastrous or advantageous influences and outcomes. Concerning the society as a whole, security of the society plays a vital role in the paradigm of National Security. Where the safety and protection of the society are necessary in the development and sustenance of a nation. Where it is clearly defined as a basic human right by the International Labour Organization (ILO) conventions and the United Nations instruments. However, the controversy is that the right is only enjoyed by a small proportion of the entire humankind. As the ILO defines, social security is the protection that a society provides to individuals and households to ensure access to health care and to guarantee income security, particularly in “old age, unemployment, sickness, invalidity, work injury, maternity or loss of a breadwinner.”

All facets of society are significantly impacted by social security. The general concept of social security gives employees' families access to health care and income protection in the event of short-term unemployment, illness, or maternity leaves as well as lengthier absences owing to incapacity or work-related injuries. It also ensures the financial security of older people during their retirement years. Social security also brings forth programs that assist families in paying for their children's education benefits. It supports healthy labour relations and a productive workforce for businesses and employers. Additionally, social security can promote social cohesiveness and the overall growth and development of a nation by raising living standards, reducing the human costs of structural and technical change, and laying the groundwork for a more optimistic view of globalization.

In this context, the current economic crisis has brutally affected the main conditions of sustaining social security, which has directly affected the human rights of the entire Sri Lankan population. As Sri Lanka's economic situation worsens, life-threatening shortages of medicine and essential supplies have become a big issue as well. Where the last few months have brought shocking challenges to Sri Lanka's healthcare system and the bare minimum of surviving daily life in whatever the circumstances. Fuel shortages have also made transportation either impossible or immensely expensive, making it sometimes impossible or difficult for individuals to reach healthcare facilities and the necessities of food for 24 hours of survival. People are finding it harder and harder to meet their basic food demands as a result of inflation-driven price increases and declining household income. Where in certain it was portrayed and much evidence that some days children had no food for consumption,

and even the meals provided by the government for some schools were insufficient for total survival.

The standard of living has been significantly reduced as a result of the swift depreciation of the Sri Lankan Rupee and wages' inability to keep pace with inflation. Small-enterprise owners' capacity to conduct business is being hampered by frequent power outages, and several have shut down operations entirely. Supply constraints, rising commodity costs, and shortages of gas and kerosene for cooking are altering people's consumption habits. The economic crisis goes hand in hand inter-connected with the affected social security concerns. Every aspect of Sri Lanka's social security has been affected by the current economic crisis. Where not only one particular level of the population is being affected but the entire population has been prone to various effects of the crisis starting with basic human requirements to all secondary requirements as well. Where social security has become a chain of elements that are being subjected to danger and affected by the force of vulnerability.

The government of Sri Lanka came up with the need to ensure social security not in a stake and is not in danger as we step into the year 2023. This can be analyzed with the short-term and long-term precautions and measures taken by the state in terms of securing social security, which are human rights of the entire community. The measures taken in terms of importing the needful medications, the imposing of bans on certain secondary goods which aren't mandatory, working on the effective importing of fuel, the distribution and supply, reducing the power-cut durations and coming up with alternative energy solutions, initiating different school related projects to eradicate hunger and malnutrition, providing government effort on migration of people and in getting down direct remittances, whereas, also salary increments, pension scheme follow-ups and "Samurdhi Sahana" have been worked out by the government with the requirement of security and restabilizing the social security of the country. Which in turn has become a fruitful, gradual and slow-paced process that steps back to stability along with the economic crisis. The point wise reduction of the inflation rate significantly portrays good times ahead specially in terms of human security and social security as a whole.

Therefore, it is always wise to address the root cause of many, social security concerns, such as the inflation rates, where it could halt the level of effect towards various sub-elements that align with money and consumption. Also, where food, health, transportation, employment and of societal conditions could be levelled up through individual, collective and international assistance as a whole.



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Organized Criminals Gangs in Sri Lanka & Its Impact on National Security

By **Thusitha Bulathgama**

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Among the classifications of crimes presented by criminologists ‘organized crimes’ holds a notable place. People come together in any society to work to achieve the greatest possible benefit for the least amount of time, money, and effort. They collaborate with others to complete tasks effectively by using the division of labour. In the same way, in the criminal field, they get organized to find more money with less effort and fewer risks. Many scholars in the world have defined ‘Organized Crimes’ in different ways. According to the UNODC (United Nations Office on Drugs and Crime), Organized Crime is a “continuing criminal enterprise that rationally works to profit from illicit activities that are often in great public demand. Its continuing existence is maintained through corruption of public officials and the use of intimidation, threats or force to protect its operations.” While attempting to defend against both internal and external dangers, these organizations make money through their criminal activity. The consensus of authors over the last three decades has led to a common definition of organized crime: “organized crime is a continuing criminal enterprise that rationally works to profit from illicit activities; its continuing existence is maintained through the use of force, threats, monopoly control, corruption, and malpractices of public officials and the rulers.” This definition holds even though different authors have defined what constitutes organized crime from different perspectives. The activities of public officials, interference with the administration of justice, bribery, and business dealings that are part of organized crime are all sufficiently covered by this term.

According to the article written by Professor M. W. Jayasundara, Department of Criminology and Criminal Justice, University of Sri Jayawardenepura, in the Sri Lankan context, there had been a minor violation of foreign exchange before 1980. The emergence of the underworld criminal gangs was started around 1970s in Sri Lanka. As a result, numerous criminal gangs were operating in the underworld in the early 1980s. Lenin Amarasinghe founded the first such criminal group in Rajagiriya in 1985. He collected money by holding local businesses in the area for ransom. When they were being taken to his custody, those who refused to pay the ransom for him were subjected to severe torture. Consequently, his ransom has been paid by other businessmen to save them from being tortured. The criminal organization led by Lenin Amarasinghe was also engaged in rape and kidnapping, as well as the illegal manufacture and sale of alcohol in Rajagiriya’s “Sakkiliwatta” neighbourhood. Aramba Gedara Upali, also known as “Soththi Upali,” founded the second gang after Lenin Amarasinghe sought a ransom from him. Lenin Amarasinghe and some of his family members were murdered by the Gang of Soththi Upali in 1986 as a result of hostilities between these two criminal organizations. Following the departure of several members from these two gangs, other members split off to start other criminal

organizations. Later, personnel of the Army, Navy, Air Force, and Police who fled the forces joined underworld gangs, where they were welcomed by the gang members because such deserters were trained in weapon handling. Due to their inability to find adequate employment, some of the deserters of forces joined gangs of organized crime. To arrest them for deserting the police and the forces, they were also regularly searched by the authorities. In this situation, numerous underworld criminal gangs were operating in Colombo and its suburbs, including Maligawatta, Dematagoda, Maradana, and North Colombo, and they were mostly engaged in the lucrative business of drug trafficking. These gangs, which were based in Nugegoda and Colombo south, subsisted on ransom payments, the upkeep of brothels, and the protection of their patrons. After demanding a ransom from their homeowners, the criminal gangs chased those who had illegally inhabited properties away from their locations.

Furthermore, when it comes to organized criminal gangs in Sri Lanka, they get the patronage of certain ill-motivated politicians. On certain occasions, those criminal gangs provide security, financial support, commodities and services for these politicians. On the other hand, those certain ill-motivated politicians also offer security and support to keep the underworld operating. Therefore, officials who fight against organized criminal gangs faced various issues. Other organized crime groups in Sri Lanka, in addition to the underworld gangs, engaged in unlawful business ventures to generate significant profits while posing as respectable corporate entities. Human trafficking, the importation of commodities using false invoices, and the importation of prostitutes from other nations are prominent examples of their unlawful economic ventures. Foreign exchange fraud is a significant form of organized crime in Sri Lanka. With the recent records and updates, Sri Lanka has become a victim of the rising crime wave amidst the crisis. Beginning in June, there have been several shootings, which have sparked panic and increased feelings of insecurity throughout the entire community. It has been evident via in-depth investigations that the majority of the shootings were connected to the illicit drug trade taking place between various criminal gangs. In addition to organized crime, Criminal Lawyer Harshana Nanayakkara has mentioned unorganized crime or opportunistic crimes, which constitute about 80% of crimes, will increase. According to the global rates and figures, the South Asian region ranked third among the five regions of Asia with a score of 5.31, while Sri Lanka's Criminality score is 4.64 and it is ranked sixth out of the eight countries in South Asia, according to the Organized Crime Index tool created by the ENACT program (Enhancing Africa's Response to Transnational Organized Crimes).

With the serious consequences for public safety, human security, and economic stability, the aforementioned organized crimes have posed a serious and growing threat to Sri Lanka's national security. Long-term peace, economy and stability in the nation have all been impacted by this. The economic slump has had a negative social impact, which has led to a lack of discipline in society as a whole. The rate of crimes has dramatically grown compared to the previous years, which clearly illustrates the lack of discipline in society, even as organized crime reaches its extreme and takes on many forms while exploiting the growing social dissatisfaction. Frustration over

rising living expenses has escalated, and as a result, people are making radical decisions that are bad for both them personally and for the community as a whole. This is why most of the lower-level members of these underworld gangs represent lower-income earners. They joined these organized gangs due to a variety of reasons including financial hardships, association with criminals, growing up in broken families' unhealthy environments, lack of education, unemployment, etc. By joining organized crime groups, they hope to quickly become wealthy and regain their deprived social privileges. They think that if they have enough money, they may become accepted members of the community.

Considering the above facts, it is clear that there is a growth of organized crime in Sri Lanka. Another reason for rising organized crimes in Sri Lanka is lack of law and order, mainly due to the interference by interested parties of political and social elites. No matter a person's caste, race, social status, or wealth, the rule of law must be applied equally to all; yet, this is not always the case, therefore there is no equality. Compared to the other countries Sri Lanka is far behind, considering the matter of the scope of utilizing new technical methods in enhancing the investigation capabilities of the officers engaged in such activities. In comparison to this situation in Sri Lanka, India has an effective method of using technology to combat criminalities despite the level of development in certain cities. Moreover, there should be researches conduct into why some of these crimes are taking place. The criminological aspect is that. People are not born criminal, thus simply pushing and imprisoning someone won't end crime. Socioeconomic factors play a major role in why people turn to criminals. Also, Sri Lanka Police need to establish a positive image towards civil society in order to ensure the safety and transparency of security within the nation. Restoring faith among civil society will support the identification process of dangerous criminals and such criminal activities, which in regard will be useful for the Sri Lanka Police in their investigation process. The establishment of a secure prison environment is a must in the context of Sri Lanka, with the rise of criminal scenarios.



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Food Security Challenges Aligning with the Current Economic Crisis in Sri Lanka

By Pansilu Pussadeniya

Published on Colombo Telegraph, 10th December 2022

Sri Lanka has historically surpassed its South Asian neighbors in terms of socioeconomic growth and human capital. Researchers have found notable improvements in critical metrics since the end of the civil war, including the Human Development Index, literacy rates, and health-related indicators. Since gaining independence in 1948, Sri Lanka has never experienced a worse economic crisis than the one it is currently struggling with. Food, gas, gasoline, and other necessities of life are no longer affordable for the nation, and paying off its enormous foreign debt is only a distant dream. With annual food inflation hovering around 94 percent, most food prices have risen steadily since the fourth quarter of 2021, hitting a record high in August 2022, and severely reducing household spending power. Food has become unaffordable for part of the population because Sri Lanka has severely reduced agricultural productivity, exacerbated by the rising cost of petrol and necessities. The government has predicted food shortages for the next few months. Essential medicines and other medical supplies are reportedly in short supply at hospitals across the country, and regular power outages affect the quality of healthcare.

The Importance of Food Security

Poor coping strategies threaten the destruction of livelihoods and the observed rise in violence raises protection issues. In 25 districts across the country, there are 5.7 million people in need of humanitarian assistance by personal identification number. The Humanitarian Needs and Priorities Plan plans to assist 1.7 million of them for \$47.2 million. With annual food inflation hovering around 94 percent, most food prices have risen steadily since the fourth quarter of 2021, hitting a record high in August 2022, and severely reducing household spending power.

The World Food Program estimates that 6.3 million Sri Lankans, or over 30 percent of the country's population, are "fed" and in need of humanitarian assistance (WFP). Almost 5.3 million of them miss or reduce their meals, and at least 65,600 of them are severely food insecure. As the island nation's crisis deepens, conditions are expected to deteriorate due to rising inflation, job losses, falling purchasing power, and serious shortages of essentials such as food, medicines, cooking gas, and petrol. Without foreign aid, the food security situation is expected to worsen, especially during the lean season from October 2022 to February 2023, which will be exacerbated by a poor harvest of staples like rice and the ongoing economic crisis.

Foods considered staples, including rice and vegetables, have doubled in price. Due to the high cost and limited availability of cooking gas, many people find kitchen fires difficult to maintain. According to WFP, rising food prices are making it harder for the population to meet their food needs. More than 60% of families are eating less,

cheaper, and less nutrient-dense food, while over 6.7 million people do not eat enough, and 5.3 million limits the number of meals they eat during the day. Due to strict budgetary restrictions, the government has had to reduce its feeding programs, including school meals and fortified foods for mothers and malnourished children, which has made the situation much worse.

The Food and Agriculture Organization of the United Nations (FAO) asserts that intervention is necessary to boost production capacity in the agricultural sector, which employs 30% of Sri Lankans, to increase its resilience, decrease import demand in the absence of foreign exchange reserves, and stop the spread of famine. One-fourth of households said that their incomes had decreased by 50% during the previous three months and were still declining. The ability of five million individuals to engage in income-generating activities and maintain their food security in the medium to long term is projected to be impacted by their usage of livelihood mechanisms in crisis or emergencies.

Measures that have been taken by the Government

Food insecurity must be prevented and addressed globally, and the international community must recognize this as a turning point to escape tragedy. Emergency assistance, nevertheless, is not sufficient to put a stop to this catastrophe. As it examines the nutrition status and dietary gaps during this time, research undertaken by the MRI, Ministry of Health in the “before economic crisis” period from September to December 2021 offers a helpful baseline on critical components of household-level food security. targeting lower-income households and expectant moms with food assistance and cash transfer programs updated to reflect current inflation rates—food basket Outlined, maintaining the school lunch program with a focus on students – general/foster Schemes, SAM is being used in foster care programs to target children under five. promoting community kitchens through already-established, strong groups in estate and urban underpopulated regions, as well as in some rural areas, Abridged way of promoting home gardening for multi-nutrient security Resource pack is available for the development of cash management skills in estate and urban under settlement regions. breeding freshwater fish, Introducing a sustainable food and nutrition self-sufficiency paradigm at the village level Some potential solutions to the issue of food security for nutrition (emergency nutrition plan 2022).

How Food Insecurity affects Country’s National Security

FAO and WFP have just completed a crop and food security assessment mission and are actively monitoring the Food Security Situation in Sri Lanka (CFSAM). In close cooperation with the World Bank, the Asian Infrastructure Investment Bank, the International Monetary Fund, and United Nations agencies, the Asian Development Bank is preparing an emergency aid package at the request of the Sri Lankan government. A variety of measures have to be taken in the near future to combat the escalating nutritional problem. Essential agricultural needs such as urea and other critical inputs are to be given priority, as they enhance production. Agribusiness needs to generate a significant portion of the revenue from agricultural exports to pay for essential inputs. With numerous difficulties forecast for Sri Lanka in the coming

months, foreign aid, both financial and non-financial is needed to boost agricultural production, broaden employment prospects and boost labor productivity. In addition, the government promotes urban gardening, and food security awareness campaigns. Moreover, Sri Lanka's vulnerability to the impacts of climate change will continue to pose threats to food security and nutrition.

Therefore, it is necessary to implement these preventive measures and priority initiatives for Sri Lanka to overcome its current problems and become stronger as a country. Food insufficiency functions as a danger multiplier and exacerbates social tensions like poverty and inequality. Growing social instability, the breakdown of social cohesion, and rising inequality are the results of accelerating economic imperialism, resurgent nationalism, strains on the public purse, and political actions. These disparities would be emphasized by food shortages, rising poverty, and migration resulting from climate change. Together with other social undercurrents, they would heighten the danger of civil disturbance. To a greater extent, this might result in people or groups guarding their food sources from their fellow citizens. Therefore, it is very much important to prevent the food crisis in Sri Lanka, also it the responsibility of every citizen in the country.



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Is Sri Lanka Still The “Pedophile’s Pleasure Center?”

By **Dulakshi Ariyaratne**

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Child sexual abuse is becoming a steaming complication in the current day Sri Lanka. When referred into the past records and statistics published by the National Child Protection Authority of Sri Lanka (childprotection.gov.lk, n.d.), it is evident that there is a significant augmentation in the number of cases reported in reference to sexual abuse including obscene publications, soliciting, rape, incest and grave sexual abuse (childprotection.gov.lk, n.d.). The human rights of children are being infringed and hence the human security aspect of the country is to be defended. This directly impact on the national security of the country. According to article 1 of the convention on the rights of the children it defines “child” as every human being below the age of 18. It should also be noted that there are many cases which go unreported. Here, the stereotyped sociocultural element is crucial. Doctor Thush Wickremanayake, chairperson of Stop Child Cruelty Trust has stated that “a child is being sexually molested once every two hours” which evidently denotes the seriousness of the complication. Accordingly, it can be identified is that the issue on the other hand refers on the augmentation of pedophiles in the country.

During the 90s and early 2000s, tourist pedophiles in the country was an abundant phenomenon specially in the coastal areas of the country. It was suggested that Sri Lanka was a principle source of child pornography providers for the US as well as Europe with reference to an article published by London Telegraph in 1997. Studies conducted by the United States has estimated that more than 250 million copies of videos on child pornography were circulating worldwide and most of them were filmed in countries like Philippines, Thailand and Sri Lanka during the respective time period. Sri Lanka was known as the “Pedophile’s Pleasure Center”, a slogan coined among the pedophile community. Selling orphaned children to tourist pedophiles during the tsunami and civil war times were high, where they were trafficked and prostituted to pedophiles by organized crime groups and sometimes by their own parents.

According to Psychology Today, pedophilia is an ongoing sexual attraction to pre-pubertal children. Even though there are many cases of pedophiles reported, these types of topics have been restricted by social taboos in Sri Lanka and therefore not paid enough attention or awareness. Most of the victimized children have no idea or awareness of these acts which are being exercised. It has been reported that there is a significant local demand for underage sex in the country. It should be taken into account that not only girls are becoming vulnerable before this complication but boys as well. Pedophiles can be anywhere whether at school, public transportation or religious places.

Tourist Pedophiles in Sri Lanka

As a country where tourism plays a pivotal role in the nation's economy, tourists are an abundant sight in the island. One of the major reasons here can be attributed to the fact that child sex tourists travel to countries with less constructive laws for the primary purpose of exploiting vulnerable children often with the use of local intermediation. As of 2012, UNICEF estimates over 30,000 child sex workers in Sri Lanka to be boys and that thousands of cases go unreported. A study conducted by the University of Sri Jayewardenepura denotes that there is a higher prevalence in child sexual abuse reported in Northern Sri Lanka, an area which has been affected by years of civil war and areas associated with tourism industry. Children living close to the beach find Child Sex Tourism (CST) as a novel and easy method of making money and supporting families. These boys are referred as "Beach boys" and are offered as vacation packages to tourist pedophiles, mainly of European, American and Asian origin. Some of these children are sold by their own parents to foreigners and consider it a mode of income and a normal act. Therefore, it can be seen that there is a proportional relationship between the increase of tourism in the country as well as the increase of commercial sex work.

PEaCe (Protecting environment and Children Everywhere), a non-governmental organization reporting on sexual exploitation of children in Sri Lanka denotes that there is a distinct characteristic of sexual exploitation by organized crime groups notably in coastal areas. This can be denoted as a negative impact of mass tourism as well. Child pornographic industry can be identified as a multimillion-dollar industry and a grave issue which takes place in Sri Lanka even uptodate. There is very less information on cases related to this identified in the country by respective authorities but however it was revealed by The Central Bureau of Investigation (CBI) of India, stating about online sexual abuse of minors which included several Sri Lankan offenders as well in 2021. The CBI has also denoted that these parties were paid to share content relating to child abuse and child pornographic material across social media revealing 30 offenders from Sri Lanka.

Impact on National Security

It is apparent that the rise of pedophiles in the nation severely violates children's rights. Children are severely hampered by this not just physically but also psychologically, which has a negative effect on their growth and development as well. One of the most serious breaches of human security in the world, cases of pedophilia and child sexual abuse are becoming a rising public health and human rights issue. Additionally, it is becoming into a rapidly expanding security concern that compromises the nation's overall security.

In addition to the general protection by law, children are also entitled to special protection and assistance since they are deemed vulnerable, according to the UN Convention on the Rights of the Child. Even in these conditions, mentioning how severely all of these are being violated is pitiful. Many of these situations go unreported according to children's rights activists because society, even today, tends to underestimate this issue. Pedophilia is a mental health issue even though its not being treated as one in Sri Lanka. It is regrettable to report that incest-related child

sexual abuse is also on the rise. Incest can be summed up as unethical sexual contact with a family member that has an impact on the victim for the rest of their lives.

According to a study done in Nigeria, men who sexually abuse children frequently lack the confidence and social skills needed to create healthy intimate connections with peers. Due to their frustration, they seek intimacy with young partners as a result of their failure. It should be noted, though, that women are also guilty of being pedophiles. When considering the victim's perspective, it becomes clear that they frequently have health-related concerns, such as an increased risk of sexual and reproductive health issues, an increased risk of Sexually Transmitted Diseases (STDs), Post Traumatic Stress Disorder (PTSD), and other harmful health behaviors like drug usage and unsafe sexual conduct, creating health security risks where the necessity of coping mechanisms are utterly required. Thus, child rights are heavily violated due to the complication which creates hindrances in the human security aspect. It should be mentioned that ensuring child safety is a responsibility of a nation to maintain its national security while creating a safe space for every individual.

It should be noted that the Sri Lankan educational system lacks gender-sensitive knowledge on subjects like social norms, gender stereotypes, and sexual and reproductive health, obstructing access to awareness. Mandatory workshops and awareness campaigns on child protection, especially at schools, would help to further reduce the problem. Even though it has been proposed to implement a sex offender registry, still it has not been exercised. From all the pedophiles that has been arrested, especially foreign ones, only a very low amount has been brought before the court and therefore measures should be implemented regarding the matter. From the standpoint of national security, it may be inferred that pedophiles and child sex violence will continue to be a concern and challenge to Sri Lanka's security, compromising the nation's ability to live in peace.



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The Need of an Online Voting System to Sri Lanka

By **Kalpani Gunathilaka**

Published on Colombo Telegraph, 15th January 2022

Elections are usually held in Sri Lanka every five years to elect the president and other members of parliament. In addition, local authorities' elections and provincial council elections are also held in the country. An election is a globally accepted method of selecting leaders to represent the will of the people. Political elections are organized by governments and non-political elections are organized by businesses, informal organizations, and non-profit organizations. There are several electoral systems in the world such as paper ballots, optical mark sense ballots and punch cards, etc. The election is the only way that available to Sri Lanka as a democratic country to select representatives. Sri Lanka is still using hand counted paper-based voting method for all kinds of elections.

Drawbacks of Traditional Paper-based Voting System

There are number of major issues with traditional paper-based voting systems including personal identity problems, vote duplication and misused ballot papers, high labour intensiveness, too much paper works, transport difficulties, high cost, high storage difficulties, and not being an eco-friendly method. Moreover, the existing manual voting system is more complex and mainly having privacy and confidentiality related issues. Due to the election violence created by the current paper-based voting system, people are disappointed with the existing voting system. As well as this process delay publishing results by taking a long time to count votes and candidates should appear in the election centers to cast their votes. It creates an inconvenience for voters and reduces the casted votes in the election. In addition, persons with disabilities such as blindness and visual impairments are facing lots of difficulties when they are voting traditionally and unfortunately most of them are unable to cast their votes because of their disability.

Benefits of Implementing Online Voting System

The world is becoming globalized and information technology is having a huge impact on people's lives. At a time when the voting system in developed and developing countries has become an utmost issue, developing an online voting system is a very valuable solution to speed up the traditional voting process. Traditional voting method is less efficient as people have to wait in line for hours to cast their ballots and have a lot of routine activities to vote. Hence, online voting system is an efficient way to encourage people to cast their ballots without going to polling stations and wasting time waiting in long queues. Professor Emad Abu-Shanab, Dr. Michael B. Knight & Professor Heba REFAI explored in 2010 the factors affecting the use of an electronic voting system in a university environment in Jordan by using 302 bachelor's degree students as a sample. Their findings revealed that greater flexibility and accessibility for the disabled, reduction of election conducting cost, greater

accuracy and speed in placing and tallying votes, and increased voter participation are the key benefits of the e-voting system. However, they identified programming errors and access of external parties to the voting system as risks associated with this system. Subash N. Ariyadasa in 2016 revealed the need of an e-voting system in Sri Lanka while identifying the disadvantages of the existing paper-based voting system and the advantages of an e-voting system. He pointed out increased participation rates, cost savings, convenience to vote, reduced administration, reduced human errors in vote counting, and integrity of the vote as the benefits of the use of the e-voting method.

Electronic voting includes different forms of voting that use the latest technology for voting and electronic voting machines, paper scanners and online voting applications are some forms of e-voting that can be used instead of paper-based voting. This voting system is beneficial to enhance security, greater transparency, efficiency, traceability, and speed of transactions. In addition, this method boosts work speed, generates accurate results, reduces mistakes and expenses, and increases convenience. Computerized e-voting system enables to record, store, and process election data as digital information while enhancing security, reliability, accuracy and confidentiality.

Countries that used Online Voting Systems

Sri Lanka is a democratic and developing country. Some democratic countries have moved already to the e-voting systems to minimize the defectives in the conventional paper-based voting system. Our neighbor India is the best example for that because they also use such kind of e-voting system. Telangana, a state in India has developed a mobile e-voting solution with the aim of helping disabled, senior citizens, citizens in notified essential services, patients who cannot come to the polling stations and polling personnel and they held an election successfully in their state with 90% of good ratings. Estonia is the only country in the world to allow for online voting option in their national, local and European elections. Estonia introduced I-Voting in 2005 and it was recorded a slightly increase of voter participation in elections from 2005 to 2015 due to the use of I-voting. In addition, Canada, USA, Switzerland, Panama, New Zealand, Australia, Mexico and Armenia used online voting, but, they have not continued it due to the security issues.

Why an Online Voting System is vital for Sri Lanka?

Electronic technology is growing fast in 21st century around the globe, but there is still a question as to why governments are not shifting from the paper-based election system to electronic form to avoid fraud and corruption. Sri Lankan existing manual voting system has a higher probability to occur errors such as missed counting, duplicates counting, inaccurate votes caused by undue influence by political parties. Counting votes is one of the main activities in the election process. It should be reliable, accurate, and transparent to instill confidence in the public about the election. However, the current system is largely failing in this. Considering the recent history of the country, it is no secret that there are conflicts between people at polling stations. Thereby, some conflicts were very difficult to control and it is reported that even underworld goons were involved in these conflicts. These situations cause threats to public security as well as to national security of the country. When there is an online

voting system, voters do not require to go to the polling stations therefore, number of gatherings are less. Hence, the probability of occurrence of violence during the election periods will reduce and it will protect both public order and national security of the country through peaceful elections.

Online voting is a technologically advanced and timely relevant technique for elections in Sri Lanka. In the recent past, the technology field was developed rapidly as a result of the COVID-19 pandemic situation. Among them, web applications became very popular platforms to provide information and services via the internet. Such platforms demonstrate high accuracy, high efficiency, reliability, time saving, convenience to use, reduced storage difficulties, and reduced forge access for voting. The COVID-19 pandemic caused to change everything in Sri Lankan society. The voting system also is impacted largely and needs to undergo quick changes in the post-COVID-19 situation. To control the pandemic, voters should be restricted from going to public voting booths. Hence, almost every country is exploring what are the new voting options and what can be added to the existing system.

Apart from that, Sri Lanka is facing a severe paper shortage due to the inability to open Letters of Credit (LC) as a result of the lack of foreign exchange reserves in the country. It led to cancel school exams of millions of students and suspend print editions of Sri Lanka newspapers. With this situation, Sri Lanka has to spend a considerable amount of money on-paper ballot printing at the elections due to the country depends on the traditional election system. When there is a paper shortage like this, it is difficult to hold an election traditionally due to the higher cost of paper and lack of sufficient paper stock in the country. Sri Lanka has a possibility of implementing an online voting system as the computer literacy rate (34.3%) and digital literacy rate (57.2%) of the country has increased considerably according to the latest data issued by the Department of Census and Statistics. However, it is a big challenge to implement online voting in the whole country at the same time. It is applicable if it is implemented first targeting an urban area as the urban sector shows more literate in both digital and computer literacy. Considering the social, political, and economic situations of Sri Lanka, the electronic voting system is a unique solution to ensure a secure and efficient election in the country.



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Child Pornography; The Emerging Security Threat on the Internet

By **C. L. C. M. Patabendige**

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As per the Child Right Convention (CRC) Article 01, a child is defined as “a person below the age of 18 years”. Children are known to be the future of the country. The stage of a child is a dependent stage, where the child should be fed, cared for, nurtured and loved. Unfortunately, not all children are able to witness the same amount of affection and care. Since society is vivid, children are coming from different social and economic backgrounds, they face challenges. One such challenge is child pornography where the child is abused. Child pornography on the internet is a cyber-crime which is also a transnational crime, therefore it directly affects national security. Therefore, it is high time that authorities should be vigilant to investigate, criminalize and prevent Child pornography.

There are various reasons why children are subject to abuse. Psychological stresses such as mental abuse and domestic abuse by parents, guardians, relatives and outsiders, drunkard members in the family and outsiders, immature and young parents, if the child is neglected, economic hardships and other family crises. One such abuse among many is child pornography. Prat S et al (2020) has stated that it is difficult to understand why a human will entertain and feel content by watching child pornography, since, it involves the realization of deviant fantasies with very specific characteristics concerning its content and use and therefore the legal action needed to deal with it. Megan (2021) has given three reasons why people watch child pornography. One reason is sexual gratification. Accordingly, it is an emotional escape or distraction from real life and Control.

Under sexual gratification, individuals who watch child pornography may be pedophiles. Another fact is emotional escape or distraction by users to distract from real life due to reasons such as they are feeling stressed, depressed, sexually frustrated and secluded. Another reason is, as a matter of “control”, “it is how they deal with their childhood sexual abuse. This is a way for them to get control over that part of themselves. Or, as a result of sexualization early in life, they understand sexuality and childhood to be related.” As per the United States Department of Justice, (2020), while some child sexual abuse images depict children in great distress and the sexual abuse is self-evident, other images may depict children that appear complacent.

The United States Department of Justice further states that it is common for producers of child pornography to groom victims, or cultivate a relationship with a child and gradually sexualize the contact over time. The grooming process fosters a false sense of trust and authority over a child to desensitize or break down a child’s resistance to sexual abuse. The consequences of child pornography are devastating. It affects the individual as well as society as a whole. It affects immediately as well as in the end.

The victim child immediately feels feared, victimized as well as feel humiliated. It does not stop there, since child pornography is an online crime. It keeps circulating and therefore the child is re-victimized due to the digital footprints. Not only the child, the mother, the father, the sibling or any loved one of the child is equally saddened and disturbed. On the other hand, when looking at the person who commits the crime, (Bryson et al., 2018) have mentioned that the pornography of today—now ubiquitous and increasingly grotesque—is one of the influences warping the mentality of those who aspire to or who go on to engage in ever more grotesque public violence. Perhaps the twisting of the mind that results from pornography has an impact—an exceptionally dark, dangerous impact—on how radicalized individuals act out the concepts of their ideology.

As stated by Rajaratnam (2020) “The International Centre for Missing & Exploited Children (ICMEC) analyzed child pornography laws in 184 Interpol-member countries and found that more than half of them had no legislation directly addressing the problem of child pornography, and those countries where laws were in place were unsuccessful in dealing with it efficiently. As of now, only 45 countries in the world have comprehensive laws to combat child pornography”. When looking at the Sri Lankan context, Sri Lanka signed the Convention on Rights and formulated the Children’s Charter in 1992. Furthermore, the Optional Protocol on Involvement of Children in Armed Conflict was ratified on 8th September 2000 and the Optional Protocol on Sale of Children, Child Prostitution and Child Pornography was ratified on 22nd September 2002. As per Article 2 (C) of the Optional Protocol on Sale of Children, Child Prostitution and Child Pornography, Child pornography means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

However, no legislation in Sri Lanka has defined what child pornography is and this is a major lacuna. Even though the Obscene Publications Ordinance No. 4 of 1927, the Vagrants Ordinance No. 4 of 1841 and the Penal Code, also contain relevant laws on pornography in Sri Lanka, they do not provide an interpretation for such terms. Penal Code prohibits the sexual exploitation of children, (d) Sections 360A (Procuration) and 365 (Unnatural offence) of the Penal Code only protect children up to the age of 16 from being procured for prostitution and from being involved in same-sex activity, with or without consent. According to CRC/C/OPSC/LKA/1 on concluding observations on the report submitted by Sri Lanka under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography states that they are seriously concerned about: (a) The high number of children, including boys, who are sexually exploited, including by foreigners, while the scope of the sexual exploitation of children is unknown due to a lack of disaggregated data and a standard data-gathering system. Furthermore, the reported cases of the sale of boys by their families for sexual exploitation and cases of parents encouraging children, particularly girls, to enter the sex industry. Apart from the concluding observations, another prevailing issue is that Sri Lanka is in dire need to gather and analyze digital evidence. Child pornography and its illegality is not taken seriously by society.

As mentioned in the introduction, child pornography is a crime which is transnational. transnational crime. Even though the notion of national security does not come at a glance when discussing child pornography, it is in fact a threat, especially for human security. The reason is children are victimized, which showcase that they are violated and the perpetrator is violent. Such a criminal and pain inflicting, disturbed behaviour by any person affects individua's as well as the society as a whole. The reason is the society should be free from violence and existing under law and order. In addition, child pornography is a crime on the cyber space, privacy of individuals is violated, people are defamed and humiliated. This also leads to health security as individuals who are victims as well as perpetrators are violated and inflict violence respectively. Another grave problem is children by pornography are commercially exploited, the money generated is dirty money where roots are impure.

Sri Lankan government is attempting to prevent and criminalize child pornography. National Anti-Human Trafficking Task Force under the Ministry of Justice, National Child Protection Authority and police unit are a few examples. Irrespective of these measures, persisting social, economic and legal barriers are hindering progress. Therefore, it is high time to define child pornography. It is important to prevent child labour, child sexual exploitation and commercial exploitation. Families should not encourage children to enter prostitution. To do that, Government must uplift social and economic standards. Even though it is not an overnight task, simple steps, in the end, will ease the prevention of pornography. In addition, it is imperative to raise awareness among children as well as the public about the crime of child pornography and the need to report it immediately. It is important to train officers and enhance their knowledge on gathering and analysing digital evidence. Media should be ethical when reporting news and sensitive to the matter at hand.



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Sri Lanka's Post War Implications on Online Falsehoods and Manipulations; Intangible National Security Menaces

By C. L. C. M. Patabendige

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Introduction

Paradigm Shift

As per (Caballero-Anthony, 2018) in “Negotiating Governance on Non-Traditional Security in Southeast Asia and Beyond”, traditional security is to safeguard the state from military aggression. Nonetheless, non-traditional security is on “threats to the survival and well-being of peoples and states that arise primarily out of non-military sources”. In the past, national security was wholly military-centric. As per, (United Nations Chronicle, 2022) national security is the “ability of a state to cater to the protection and defence of its citizenry”, which means primary concerns were on sovereignty and territorial integrity. However, at present, security encompasses various factors in addition to traditional security, such as political, economic, environmental, energy and cyber-security.

In the light of the shift in paradigms of national security, war has also shifted from a military aspect to a virtual sphere. Social media is the ideal platform to create and disseminate disinformation, misinformation, false information as well as hate speech. Online falsehoods and manipulations are acts utilized by terrorists, extremists and profit-driven individuals to fight a war. According to, (Pal & Banerjee, 2019), “online falsehoods” are “unfounded and unverified online messages [which] leave behind their digital footprints.... on the Internet.... what is worrying is that such dubious messages are often mistaken as facts, and in turn cause people to take actions that they would not have taken otherwise”. Merriam Webster defines manipulation as, “to control, play upon by artful, unfair or insidious means, especially to one's advantage”. There are various reasons behind resorting to social media, such as wide availability, cost-effectiveness and technical literacy of individuals. If a material, sensitive and critical piece of information falls into corrupt hands, the resultant effects are disastrous.

In light of the above factors, it is crystal clear that online falsehoods and manipulations have become apex threats to Sri Lanka's national security in the post-war context. Even though the Sri Lankan government defeated the military aspect of the war against LTTE, its international networks and threats posed to them remain intact. LTTE and its international networks are strategically using ‘information’ to fight a war. Therefore, the research paper will critically analyse Sri Lanka's post-war implications on online falsehoods and manipulations, which are intangible national security menaces. Consequently, research will provide recommendations.

Methodology

The research problem is the need to criminalise online falsehoods and manipulations that are threats to Sri Lanka's national security. Therefore, the research methodology utilised is "Qualitative Methodology". According to (Denzin and Lincoln 2005), research of qualitative nature is multimethod and the researchers study things by attempting to interpret phenomena and study things in their natural setting. As per, (P.Bhat, 'Qualitative Legal Research: A Methodological Discourse 2020), qualitative research "steps include...analysis and interpretation." Therefore, this research has attempted to critically analyse the harms caused by online falsehoods and manipulations of the national security of Sri Lanka, in the aftermath of war. Moreover, research has equipped secondary sources such as books, journal articles, proceedings and reports. Primary sources including, Singapore's Protection from Online Falsehoods and Manipulation Act No 18 of 2019 and Canada's Tamil Genocide Education Week Act are taken into consideration. In the end, research has attempted to prove that online falsehoods and manipulations are menaces to the national security of Sri Lanka, and calls for the criminalisation of the same.

Results and Discussion

Sri Lanka's Post-War Context

Sri Lanka fought a three-decade war against the ruthless terrorist organization the LTTE and defended the rights of all the Sri Lankans. The war was fought irrespective of ethnicity, religion and language. In the present context, LTTE and its international networks have shifted their traditional warfare strategy. In the digitized world, war is fought using "information". When a piece of information is fabricated, altered, converted or changed, there can be repercussions. Therefore, notwithstanding the victory of the military aspect of war, Sri Lanka's innocence is challenged in the post war context.

Sri Lanka is accused of committing an array of crimes. As stated in "Sri Lankan civil war: Government officials still unpunished (give intext citation, 2022) "countless people were killed, injured and raped during the decades-long Sri Lankan civil war. More than 70,000 civilians lost their lives... [Further] according to United Nations reports, Sexual and gender-based violence and arbitrary arrests by the police and military were and continue to be widespread". Moreover, LTTE and its international networks accuse Sri Lanka of committing genocide, gross human rights violations and humanitarian law violations. According to, Sri Lanka's State Responsibility for Historical and Recent Tamil Genocides, 2020 "Sinhalese state [has]...perpetrated three acts of genocide. According to the source, the state has killed over 3000 Tamils, caused serious bodily or mental harm and deliberately inflicted conditions of life to bring about the group's physical destruction". (Schlein, 2022) mentions that "in a report, Bachelet said human rights violations and abuses were continuing to spread throughout the country [and attributed that government of Sri Lanka has failed] to carry out necessary reforms to its legal, institutional and security sectors." Further, ("Sri Lanka, Conflict in the Vanni | How does the law protect in war? - Online casebook", 2022) published by ICRC mentions that Sri Lanka has committed

“Attacks on the “Safe Zone “which are international humanitarian law violations.

Regardless, of all this misinformation and false news circulating online none of these elements have been proven. Yet, these continuous, false and fictitious claims have tainted the Sri Lankan image in the world. Moreover, LTTE runs social media campaigns. The posts on Twitter and other social media platforms are widespread; they are liked, commented on, shared and downloaded. Due to digitalization and wide accessibility, false information is available at the fingertips. When the “lie” is often circulated, quoted and referred to, it becomes validated. These acts result in precedence, where present as well as future generations will be taught, directed and presented with inaccurate facts.

International Responses

The repercussions of online falsehoods and manipulations, which were discussed afore, have resulted in passing laws, resolutions and memorandum of associations against Sri Lanka. For example, Canada’s Tamil Genocide Education Week Act establishes “May 12th to 18th ‘the seven days each year ending on May 18th is proclaimed as Tamil genocide education week, during that period, all Ontarians are encouraged to educate themselves about and to maintain their awareness of, the Tamil genocide and other genocides that have occurred in world history” the Act legally recognizes the concept of ‘Tamil genocide’, which is untrue as well baseless. The Act establishes laws to ‘educate’ Ontarians on the genocide, which has not occurred in history, reflects badly upon Sri Lanka as well as creates legal repercussions. The Tamil Genocide Education Week Act did not come to light at a glimpse. The concept was widely circulated on social media, which resulted in funding and propaganda. The more it was debated; discussed and interpreted it became validated. Due to the wide availability of the concept and international support, in the end, it became law. This finely depicts the gravity of online falsehoods and manipulations.

Palermo City Council Memorandum of Understanding (MOU) with the Italian-Tamil community recognizing the "genocide of Eelam Tamils perpetrated by the Sri Lankan state" is another example. The said agreement sets out to hold an "Educational week of the Tamil Genocide" from 11th to 18th of May each year. The commitments in the MOU include recognizing the genocide of Eelam Tamils perpetrated by the Government of Sri Lanka...to promoting the "Educational Week of the Tamil Genocide". During which awareness-raising activities and demonstrations in collaboration with Tamil organizations will take place in schools and public environments, to inform and raise awareness among Palermo citizens of the Tamil genocide and other similar realities. Same as the Tamil Genocide Education Week Act, this MOU has become capable of legitimizing an untrue fact. This proves the capability of online falsehoods and manipulations, which has resulted in passing laws and engaging in litigation.

Threats to Sri Lanka’s National Security

Online falsehoods and manipulations have resulted in lobbying, litigation and law making. The Acts, resolutions and MOUs depict the victory of war fought online by LTTE and its international network. In addition to the law-making process, LTTE and

the international networks have also been capable of forming front, cover and sympathetic organizations. This is detrimental to Sri Lanka's national security since the territorial sovereignty of the country is attacked. Further, this deters the justice process. Such laws pave the way for unnecessary international intervention. In a nutshell, the security threats posed by LTTE are beyond the traditional security threats and have resulted in attacking non-traditional security sectors in Sri Lanka, including, economic security as well as the political stability of Sri Lanka.

Singapore's Protection from Online Falsehoods and Manipulation Act No 18 of 2019

Singapore has a separate law to criminalise, denigrate and combat fake news, which is known as Online Falsehoods and Manipulation Act No 18 of 2019. As explained in ("Singapore Fake News Laws: Guide to POFMA (Protection from Online Falsehoods and Manipulation Act) - SingaporeLegalAdvice.com", 2022), "the Act seeks to prevent the electronic communication of falsehoods and to safeguard against the use of online platforms for the communication of such falsehoods. The rationale behind the introduction of such a law in Singapore was to "tackle growing concerns over the scourge of fake news and misinformation, communicated particularly through various online and social media platforms." The Act further stipulates the measures to counteract the effects of such communication and prevent the misuse of online accounts and bots". Moreover, the Act has listed factors including, exemptions, correction directions, penalties and remedies. This Act is progressive. It does not cover opinions, criticisms, satire or parody. The Act is extra-territorial in nature. It prohibits "to communicate a statement which that person knows or has reason to believe that it is a falsehood and the communication of that falsehood in Singapore is likely to be prejudicial to factors including "Singapore's security, prejudicial to public health, public safety, public tranquility or public finances, prejudicial to the friendly relations of Singapore with other countries, Influence the outcome of a presidential election, general election, by-election or referendum etc.:

An Act to Criminalize Online Falsehoods and Manipulations

Unlike Singapore, Sri Lanka lacks stringent laws to criminalise online falsehoods and manipulations. The conduct of LTTE and its international networks is only one example of online falsehoods and manipulations. Online falsehoods happen in other ways as well. Such ways include false danger alerts, false intelligence news, fabricated government information, politically motivated government decisions and disclosure of unauthorized material information. Disinformation, misinformation, fake news, hate speech, online rumours and denial. In light of these, at present, Sri Lanka and many other countries are in dire need of legislation to criminalise online falsehoods and manipulations. Therefore, Sri Lanka can refer to Singapore's Protection from Online Falsehoods and Manipulation Act No 18 of 2019. This is a timely move adopted by Singapore. It is pivotal to mention the Act must specify calibrated remedies and redress to the victims and must be subject to judicial review. Further, the Act must contain a reporting mechanism and a supervisory body and enable collaboration with private as well as public entities.

Conclusion

As mentioned, it is crystal clear that online falsehoods and manipulations are done in virtual space. The cost-effectiveness, timeliness and wide accessibility have resulted in spreading any content without any impediment. Therefore, fact-checking, verifying, identifying and removing erroneous and unauthorised content have become strenuous. In the light of all these, the research has attempted to answer and reach the objectives of identifying online falsehoods and manipulations as apex menaces to Sri Lanka's national security in the post-war context. In addition, research has provided recommendations to criminalise denigrating and prevent the threats posed by online falsehoods and manipulations.

Recommendations

Introducing an Act to criminalize online falsehoods and manipulations. The Act will criminalize, mitigate as well as prevent future wrongful acts. Moreover, the Act will denigrate future crimes as it specifies offences and penalties for the said offences. The introduced Act will facilitate redress for victims of online falsehoods and manipulations, which will include calibrated remedies.

Raising public awareness is important. The public as well as institutions are unaware of the gravity of online falsehoods and manipulations. Due to this ignorance, they easily fall prey to them. Therefore, instilling information literacy can be mentioned as a prudent choice.

Preserving the freedom of expression whilst maintaining national security is a strenuous task. Sri Lanka has constitutionally guaranteed freedom of expression subject to limitations, which means freedom of expression is not an absolute right. When weighing public interest against private benefit, public interest takes precedence. Therefore, in any conflict, "National Security" is given the upper hand. Even though the law stipulates so, no person can be arbitrarily deprived of freedom of expression if the motive is innocent and free from error. The proposed Act should not be a platform for revenge, punishment or a haven for politically motivated and profit-driven individuals to silence truth.

Identifying threat patterns is equally imperative. The government is bestowed with the task to identify threat patterns. The government must be vigilant to spot what is fake and what is not. Any matter amounting to fake news must be swiftly reported and necessary actions must be taken. Identifying threat patterns and the motive behind such threat patterns cannot be accomplished overnight. This requires constant dedication, in-depth study and skilled analysis of the subject matter. Government must encourage youth and instil technological capability in them, train them to meet challenges.

Inter-agency platform, research, and development are key components to mitigating and preventing online falsehoods and manipulations. Private as well as government bodies must share resources and collaborate. Research and development can be

conducted by referring to other jurisdictions.



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