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THE PATHFINDER
NATIONAL
SECURITY
STRATEGY
2020
FOR SRI LANKA

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CONTENTS

PREFACE

The Pathfinder Foundation's interest in producing this document titled 'The Pathfinder - National Security Strategy 2020 for Sri Lanka' dates back to 2018 when the idea was first mooted by its founder, Milinda Moragoda soon after the Foundation developed and released 'A Code of Conduct for the Indian Ocean' in early that year. That was also the time when the Foundation started focusing its attention on cooperation among the countries in the Bay of Bengal and conducted the second phase of 'Trincomalee Consultations - 2018' with the objective of promoting Trincomalee as a port that could serve the littoral countries in the of the Bay of Bengal.

In early 2019, the Foundation's interest on security related issues further expanded with the emerging security dynamics in the Indian Ocean Region becoming part of its mandate and the Foundation is currently making preparations for 'Indian Ocean Security Conference' to be held in 2020. As part of preparation for the conference, the Foundation convened a meeting in March 2019, which was attended by a ten-member International Advisory Group representing countries in the Indian Ocean region and major maritime users. This document, on a security policy framework for Sri Lanka, is continuation of the dialogue that began with these initiatives.

In spite of the fact that it faced a failed coup d'état in the early 1960s, two youth rebellions in the south in early 1970s and late 1980s as well as an ethno-nationalist separatist conflict that dragged on for nearly 3 decades until it was put down militarily in 2009, Sri Lanka has yet to adopt a coherent national security strategy based on a clear national security policy to address security threats it is facing. While this work was in progress, the Easter Sunday Bombing of religious and economic targets reminded the country again in no uncertain terms the threats are not only not over but also are expanding into new territories, namely international terrorism. This incident drove home the message that it was time Sri Lanka gave high priority to its national security.

This policy framework document views national security from the perspective of both state and its citizens. It takes into account the role of both traditional national security threats such as those founded on ethnic grievances and socio-economic disparities that drive internal actors to challenge the state, and that of the new actors of international terrorism, who are trying to take advantage of the situation of the country to achieve their sinister global and regional objectives. It does not however consider that national security policies of a country should bring within its purview, the broader issue of survival of humanity and connected long term threats to human security concerns, such as food security and environmental security, which some security policy makers advocate countries to adopt in their national security policies. The consensus opinion of the authors of this policy framework is that such broad basing of the concept of national security will invariably lead to dilution of the core objective of national security, which is safety of citizens. Long term survival of humanity, though a noble ideal, is a far broader objective beyond the capabilities of a single state.

There are several individuals, within and outside the Foundation, who contributed from the beginning, from developing the basic framework of this work to providing views and comments on the contents. Foremost among them is a small group of former senior officers of the tri-forces and retired senior members of the Sri Lanka Administrative Service and Sri Lanka Foreign Service, who have long experience in security related matters and diplomatic relations. They included Former Secretary to President Lalith Weeratunga; Former Secretary, Ministry of Foreign Affairs H.M.G.S. Palihakkara; Former Commander of the Sri Lanka Air Force, Marshal of the Air Force Roshan Goonetileke; Former Commander of Sri Lanka Navy and Director of Pathfinder Foundation, Admiral Professor Jayanath Colombage; Former Commander of Sri Lanka Army, General Daya Ratnayake and Executive Director of Pathfinder Foundation Luxman Siriwardena. Dr. Sisira Pinnawala, a retired senior professor of the University of Peradeniya and a former Fulbright Senior Fellow in the Mario Einaudi Center for

International Studies at Cornell University helped develop the theoretical framework and did a critical evaluation of the emerging developments in the international system and regional dynamics. The Pathfinder Foundation owes a debt of gratitude to all for their invaluable contribution.

The Pathfinder Foundation is happy that within less than six months of the Easter Sunday bombing the government has taken action to draft legislation to establish a National Security Council (NSC) through an Act of Parliament to be served by a formally established Secretariat. The Foundation hopes that such a legally constituted NSC would go a long way in addressing threats directed at our country and its citizens.

The Pathfinder Foundation believes that by bringing out this publication 'The Pathfinder - National Security Strategy 2020 for Sri Lanka', it has taken an important step to stimulate interest of civil society actors, academics and policy researchers generating a much needed discourse in the subject of country's national security and bring the attention of the government to focus on a subject that is critically important to the country and its people. It is the intention of the Foundation to update the document at regular intervals, to make it relevant to the changing times and security scenarios, within and outside the country. We at Pathfinder Foundation are hopeful that other institutions that are engaged in research and policy development in national security related issues too would make contributions to this worthy cause.

Bernard Goonetilleke
Chairman
Pathfinder Foundation

October 15, 2019

THE PATHFINDER NATIONAL SECURITY STRATEGY FOR SRI LANKA 2020

1. Introduction

National security was not a priority for Sri Lanka at the time of its independence in 1948. As a newly independent state, the country had no external threats to be worried about or internal security concerns that required reliance on a powerful armed force. Consequently, for more than a decade after independence, the island relied on the army, navy and air force that were equipped to meet ceremonial demands of the nation.[1]

The failed coup d'état in 1962 made the government to be wary of a powerful military. So much so, when the Janatha Vimukthi Peramuna (JVP), a radical leftist party that professed military overthrow of the government, unleashed its terror campaign in April 1971, the armed forces were caught unprepared[2].

However, the real eye opener came with the separatist conflict in the north and the east that erupted in the late 1970s and intensified since the 1983 ethnic riots. Added to that was the second JVP insurrection that raged from 1987 to 1989, in tandem with the separatist conflict, which had covert Indian support during its formative stage, that forced the government to safeguard the country by strengthening the armed forces. The need to address threats to the national security from within and outside could be understood by the creation of a Ministry of National Security in 1984 and appointment of a rising star in the then government, Mr. Lalith Athulathmudali as Minister. Persistent buildup of the armed forces and procurement of modern weaponry since 2006 made it possible for Sri Lanka to end the separatist conflict in 2009. Consequently, today Sri Lankan armed forces are well equipped to meet internal security contingencies. However, the protracted separatist conflict also contributed to induction of sophisticated combat weapons as well as small arms into the country. Consequently, Sri Lanka is currently witnessing proliferation of small arms in the hands of criminals as well as combat experienced personnel, who had deserted the armed forces over the years, thereby posing security concerns to the country.

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[1] However, it is noteworthy that the country had protection of the British security forces through the access given to the Katunayake Air Base and the Trincomalee Naval Base until 1957.

[2] Colombo had to send a frenetic message to New Delhi for a stock of ammunition to meet the dire threat posed to island's national security.

2. Current Context (Background)

Today, a decade after the end of the separatist conflict, Sri Lanka is a country in a state of flux. Its economy is growing, but the rate of growth experienced in the past has gradually slowed down. Though the country achieved upper middle-income status in 2019, growth has been haphazard and economic fundamentals remain weak. Steady, yet slow growth in the economy has brought in changes in the social organization with an expanding middle class on the one hand, and also increasing underclass, both in urban and rural areas on the other. Market driven economic policies have resulted in the income gap increasing in spite of the growth of GDP and reducing levels of poverty. There are also high levels of unemployment among certain segments of the work force, especially among youth, and participation of women in labour force is still comparatively low. Meanwhile, there is a shortage of skilled workers in certain sectors, requiring such positions to be filled by foreign workers.

There are also high and increasing levels of dependency among elderly population, and this, added to high and increasing youth unemployment, is expected to have adverse impact on the overall performance of the economy in the long term.

Politically also, the country has been going through a period of uncertainty with forces of disunity and destruction based on a system of patronage politics pervading the entire system.   While they have long-term repercussions on the security of people, the immediate impact is from the divided polity, both along ethno-religious lines and party based political divisions that also have ethno-religious, as well as class character. Sri Lanka's national security issues and capacity of the country to face up to the challenges need to be seen in this overall context of internal political and economic dynamics.

Sri Lanka is an island state located in the Indian Ocean in close proximity to India, a fact that has resulted in long standing economic, political, cultural and strategic links between the two countries. Of these links, the Tamil population living in the north, the east and elsewhere is a major player of Sri Lanka's internal affairs. Their roles, due to strong cultural and political links with India, especially the South Indian state of Tamil Nadu, were amply demonstrated during the thirty years of separatist conflict.

In addition, the rise of China as a major economic and military power and its recent interest in expanding into the South Asian region for both economic and strategic reasons[3], have renewed the traditional rivalry between China and India, where the latter considers itself as the de facto power in the Indian Ocean. This evolving geo-political and geo-strategic competition, further complicated by the long-standing US interest in the Indian Ocean and Washington's desire to contain Beijing's ascendency, are likely to result in ramifications to the national security of Sri Lanka. Against this backdrop, government of Sri Lanka will have to engage in a 'high wire act', so as to safeguard fundamental interests of the country.

Since independence, Sri Lanka has gone through two youth rebellions in the south in 1971 and 1987, which sought to topple the government, and an ethno-nationalist force driven separatist conflict in the north and the east that lasted nearly 3 decades, which was eventually eradicated in 2009. However, in the midst of such internal crises that spanned over nearly 5-decades, the democratic institutions in the country survived. Despite these serious security challenges against the state, successive administrations failed to recognize the importance of developing a national security strategy, with the exception of the last 3 ½ years of the separatist conflict. The Easter Sunday terrorist attacks on April 21st 2019 against places of religious worship and economic targets in the country and the resultant death, destruction and consequent negative impact on the national economy was a wakeup call and a stark reminder of the need for heightened status of security.   This demonstrates the acute need for a comprehensive and an all-encompassing strategy that addresses national security concerns.

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[3] China's Belt and Road Initiative (BRI) of which Sri Lanka is an active and pioneering partner, has raised concerns in Indian foreign policy circles that considers the Indian Ocean as its domain of influence.

Ten years after defeating one of the most ruthless terrorist organizations in the world, the Easter Sunday attacks unequivocally demonstrated that the country's national security apparatus had failed to deliver when needed. Consequently, people have lost faith in both the political system and the leadership, which should be responsible for national security. Currently, there is so much uncertainty about the security situation in the country and it is affecting the daily life of citizens in the short-term and the economy of the country in the long. The country should move out of this current state of uncertainty and unpredictability, if it were to progress. This will require an efficient and effective system of security and vigilance spearheaded by a competent intelligence service. Maintaining high level of vigilance, however, should not lead to infringement of rights of citizens, and balancing between the two is a crucial factor in an effective national security strategy.

3. Overall Approach and Assumptions

National Security has always been a concern of nation state and is traditionally associated with sovereignty and territorial integrity, namely, protection from external threats[4]. In the nation state system, the primary actor is the nation state, hence national security means protection of state against threats. But today, with the threats to state becoming more complex and the nation state itself is undergoing changes under forces of globalization, focus of national security also has shifted to issues beyond traditional threats of external aggression to include enemies within and also other challenges facing citizens. It is, therefore, an increasing tendency, both in the academic and policy discourse today to define national security in relation to both protection of the nation state and also safety and security of its citizenry. Proponents of this line of argument claim national security strategy is a set of guidelines or a framework providing directions to all organs of the state on policies and operations on identifying threats and challenges to survival of the state and its citizens and how to deal with them.

This expansion of national security has given rise to confusion between security, which traditionally has been considered a military and defense related phenomenon needing direct and decisive response, and social welfare and safety issues that are not only diffused in nature, but also needing long-term responses. Consequently, a number of governments are currently in the process of developing civilian and military interoperability and evaluating them. Improved collaboration between the two entities provides for better understanding of capabilities and requirements of the two sides, thereby paving the way for a whole-of-government approach to address issues of national security. In this context, it would be a useful exercise to study to what extent such civilian-military collaboration existed in planning the last stages of the separatist conflict in Sri Lanka.

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[4] Traditionally national security has adopted a nation state centered approach, which is the legacy of its origins. *See Berkowitz*, *M.*, & Bock, *P. G.* (*Eds*.), (*1965*). <u>American National Security, A Reader in Theory on Policy</u>, *New York*: The *Free Press and also* Cohen, Ira and Turtle, Andrew C., (1972), <u>National Security Affairs: A Syllabus</u>, National Strategy Information Center [by] Seton Hall University Press.

4. National Security - Ideological and paradigm changes

The term 'national security' gained prominence since the end of the WW II, or to be precise, during the height of the Cold War, with it becoming a central concern of the US led Western bloc of countries, who saw a major threat, both militarily and ideologically, coming from the Soviet Union. In the US, this became a national paranoia giving rise to extreme forms of protective measures to counter external threats to the country, such as McCarthyism that saw not only enemy coming from outside but also within. Still the idea of protecting the state was the major concern and protection and security of citizens were a result of, rather than an objective of national security, unlike today. However, during this period, there was one major shift in the way how the security of the states should be provided. Instead of states they being responsible for their national security, the Cold War era brought the two superpowers as guarantors of security to members of their camps. The tug of war between the two superpowers prevented the United Nations Security Council from effectively playing the primary role it was supposed to play, in maintaining international peace and security.

Since the emergence of a unipolar world with the collapse of the Soviet Union in the early 1990s, the power equation at global level changed and with that the approach to national security that dominated the state system as well. The Soviet bloc was no longer the major threat to the US led Western powers. The most important repercussion of the newly emerged power equation was the balance of power that was a crucial factor preventing external aggression, not only between the two superpowers, but also between individual member countries of the two opposing camps. Yet external aggression between states not only remained active in many parts of the world, but also increased with the blessings of traditional rivals i.e. the Soviet Union and the US and their allies, as demonstrated especially in the conflict in the Middles East. However, the major change that came into national security operations in the post-Cold War era was the increasing involvement of non-state actors engaging in conflicts that threatened state. As a result, over the years, internal conflicts have become a major part of national security concerns.

National security moving away from its state centered approach of defense and military protection of sovereignty, and protection of the state from external threats (invasions), as well as internal rebellions, to a more people centered approach of security and safety of citizen is a late 20th century phenomenon. It is closely associated with the increasing emphasis by modern state and the international system on rights of citizens and responsibility of state towards them. It also reflects the decreasing power of state over citizens in general. However, it also can be argued as many critics do, that this trend has resulted in diluting national security to the extent that there is a very thin line separating national security from safety and wellbeing of citizens. The question politicians and policy makers face today is how to balance between these two aspects, namely, military and defense based physical security of state and its citizens (Hard Security) and guaranteeing more general form of security that includes physical security of people and their safety and wellbeing, even at the expense of threats to state security and sovereignty (Soft Security).

Traditional national security originated in the idea of the nation state and defending it through military means is associated with sovereignty of state and physical security of citizens, the two pillars on which the nation state is founded on. Therefore, under the traditional system of national security, military and security matters were in the core of security operations. However, in today's expanded context, soft security requires support of a wide range of agencies and expertise covering different sectors from political, economic, diplomatic, to sectors and issues relating to environment, food, water, energy etc. Conceptual expansion of the phenomenon has resulted in widening of the scope of national security today, with its strategies and operations.

Non-state actors and activities such as terrorism, both home-grown and global, and driven by religious fundamentalism, have also become major concerns of national security agencies today. Serious thought must be given by both government and other well-meaning groups to examine to what extent these multi-faceted aspects are focused on and taken care of. This is no easy task and cannot be effectively accomplished by government alone. The effort needs a well-coordinated whole-of-government approach bringing in all the stakeholders to ensure currency and applicability.

These conceptual developments that had taken place, have not only expanded the boundaries of national security, but also resulted in blurring the very important distinction between national security and human security. While it must be recognized that the two phenomena are related and there is overlapping too, both at conceptual and operational level, it is necessary not to consider both as the same, especially when making policy and strategy. Then, the crucial question is how to clarify the conceptual distinction, so that they are kept separate at both operational and implementational level of policy and strategy. It is proposed here that this be done by focusing on three defining characteristics of the two phenomena, namely, the nature of impact of the threats involved, the domain of impact and the type of response that is required to either eliminate such threats (Table 1) or prevent such threats from happening.

Table 1 National Security vs. Human Security

Type of Security	Domain of Impact	Nature of Impact	Response required
National Security	Direct – State Indirect- Citizens	State-Systemic and physical collapse Citizens'-Loss of life/property, injury and disruption of social life	Immediate and Direct
Human Security	People	Individual, material and psychological	Cumulative and long-term

5. National Security threats in the New Millennium (Background and Global Power Relations)

With the collapse of the Soviet Union in the early 1990s, the world witnessed the end of the era of superpower domination and rivalry that dominated the post-World War II international system, where military prowess or hard power decided what security is in general and what national security should be in particular. While many analysts describe the new world order that has emerged since the demise of the Soviet Union as a unipolar, with one superpower dominating the international system, perhaps it is more correct to describe the development as a multipolar world with the US as the dominating power[5]. Power relations in the emergent new world order, where nuclear capabilities are expanding across the globe, are determined not only by military hardware and alliances based on ideologies as in the pre-Cold War era, but also by a combination of military hardware and the ability to build alliances, where regional interests and economic cooperation play an increasingly important role. In this context, not only the threat scenario, but also the way threats are addressed by the state system has changed. As a result, the state centered threat analysis, namely, state is both the victim and the cause of national security threat, has changed and today equal importance is given to citizens, who are potential victims. Further, today threat scenario is more diffused and includes non-military threats as well and includes those that affect not only the state but also its citizens. This fundamental transformation is arguably the important aspect of post-World War II national security conceptualization.

5.1   Changing Inter-State Relations – Conceptual and Ideological

The collapse of the Soviet Union resulted in the US becoming the de-facto leader of the international system and this pre-eminent status of the country remained until the turn of the new millennium. However, within the first two decades of the 21st century, the world has been witnessing signs of re-emergence of a bipolar world of a new form, with China as the alternative power center to the US dominated West. This shifting of power balance from the West to the East, with China playing the role of leader by 2030 and moving on to become the foremost global economic power by the mid 21st century,[6] and India and Russia moving ahead of other US allies i.e. Germany and Britain in Europe and Japan, which is presently the third global economic power, will have global consequences of unprecedented scale. While the world hopes that such changes would not end up either in armed conflict or reverting to the Cold War era, where arms race was the norm and the doctrine of mutually assured destruction (MAD) kept control over the world powers going into all-out war, the possibility cannot be discounted.

The contemporary international system and its operations cannot be understood only in relation to the above historical events and resultant changes in power relations. In addition to shifting of the centers of power, there is also another important change that has made some major impacts on the international system and through that nations and their security. The international system today is not just a state centered system as in the past, but a

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[5] The post-World War II international system is not just a result of the collapse of the Soviet Union, but an outcome of a long-term process driven by changing political culture, the core of which is liberal political thinking and demand for representative democracy. Collapse of the Soviet Union should be understood as an outcome of this process.

[6] While some may argue that in the ongoing trade war between the two biggest economies, often depending on their ideological affiliations, their country of preference will be the beneficiary, the general opinion is that there will not be a clear winner and the status quo will remain.

system where both state actors and transnational actors/forces, such as NGOs are operating together. In addition, forces of globalization that are operating across national boundaries, for example multinational companies and globalized system of manufacturing and production had reduced the importance of national boundaries. This situation, NGO operations and also International Human Rights Conventions and similar other UN instruments have made significant impact on state sovereignty. Understanding the combined effect of all these developments on national security is crucial in making policy and developing strategy on national security of any country. Sri Lanka's experience in responding to the separatist conflict in general and allegations of human rights violations in particular, in Geneva and New York, is a clear example of this situation.

5.2   Geo-politics of the Indian Ocean Region and Sri Lanka

The Indian Ocean has played a key role in the affairs of the world since ancient times. In the 21st century, the Indian Ocean, together with the Western Pacific Ocean, has come to the forefront of global trade, and geo-strategic competition. Due to shifting global, economic and military footprint in the Indian Ocean, it has become the center of an ongoing triangular power game dominated by Sino-India rivalry and the US attempts to maintain its hegemony, which is unofficially known as "Maritime Cold War"[7]. The emerging new power game in the region is popularly known as a conflict on resources, markets and bases (RMB), namely, commercial infrastructure and military facilities. There is a situation, where the status of the established superpower, the US, is being challenged by emerging superpower China. China has launched and moving ahead with its signature maritime infrastructure development project, the Belt and Road Initiative (BRI). Since of late, there are counter proposals and initiatives sponsored by the US and its allies, including India, such as the Asia Africa Growth Corridor (AAGC), the tri-lateral agreement between the USA, Japan and Australia and the Bay of Bengal initiative of the US, to prevent China from gaining a foothold in the Indian Ocean. Apart from these economic alliances, promoted as development initiatives to counter the emerging influence of China in the region, the Indian Ocean is witnessing several strategic initiatives such as 'Free and Open Indo-Pacific Strategy of Japan and the US', 'Security And Growth for All in the Region' (SAGAR) of India and Australia's 'Second Ocean Strategy'. But compared with BRI, their impact on both economic development and strategic relations in the region will be hardly sufficient to counter increasing influence of China.

The Indian Ocean can be divided into two distinct regions as the Bay of Bengal and the Arabian Sea, in terms of geography and economic activities cum strategic importance. The Bay of Bengal is the largest bay in the world and is playing an important role as the connector to the Western Pacific Ocean. The region is enjoying relative peace with no maritime boundary disputes and sans state vs. state rivalry. The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC), is India's preferred alternative to now moribund South Asian Association of Regional Cooperation (SAARC). BIMSTEC, which had been in existence for more than 20 years, has found renewed vigor and trying to address issues regarding blue economy, maritime security and marine environmental protection, among its many other mandates with a view to maintain the sanctity of the region. It can be expected to play the role of growth center of the region. The Western Indian Ocean (Arabian Sea), on the contrary, is volatile with failed states, un-governed territories, state vs. state rivalry, spill-over effects from ISIS influence, economic sanctions against certain states, and increased militarization and weaponization

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[7] As of now, the Indian Ocean is the most militarized ocean in the world and at any given time there are 100-120 warships are present in here.

of religion. However, this region is of critical importance to the entire world, as it is the gateway to oil producing Middle East.

Apart from traditional dangers and threat scenarios affecting state to state relations, there is a high incidence of threats coming from increasingly active non-state actors. They, in addition to liberation/separatist rebel movements of ethno-religious minorities, include pirates, traffickers of various forms that include arms and drugs to Illegal, unregulated and unreported (IUU) fishing. Global warming and resulting sea-level rises and weather anomalies, increased ocean pollution and impact on marine eco-systems, depleted fisheries, rising of ocean temperatures and salinity, are creating problems in the Indian Ocean that in turn impact on security in the Indian Ocean (Diagram 1).

Diagram 1: The Threat Scenario
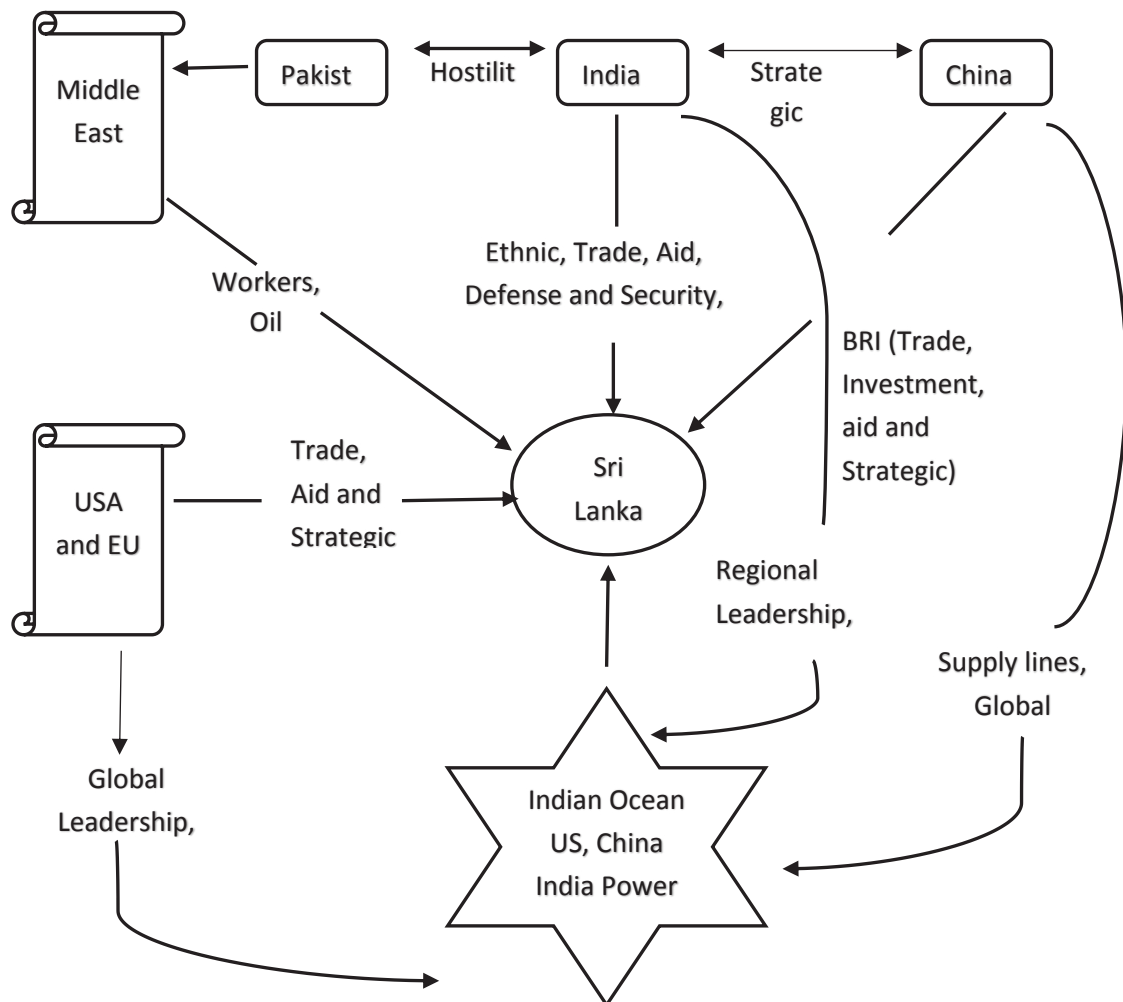
6. Sri Lanka threat scenario

Sri Lanka's strategic location at the busiest East-West shipping route across the Indian Ocean and its proximity to India has its advantageous and disadvantageous, when it comes to national security. The Indian Ocean trade includes 50 percent of containers, 70 percent of energy (oil and gas) and 35 percent of bulk cargo for the whole world. The locational advantage, especially economic advantage of the country, which is yet to be exploited fully, presents opportunities and concerns from a strategic point of view. This has placed Sri Lanka at the crossroads of Great Power rivalry at present, namely competition of the US, India and China to establish dominance over the Indian Ocean. Further, by being close to the Indian landmass, Sri Lanka has become an integral part of India's security and strategic interests and is under constant vigilance of Indian security and intelligence agencies[8]. The geographical proximity also makes Sri Lanka to fall within Indian maritime and air security umbrellas and exposes the country to surveillance and other pressures that may pos apprehensions to Sri Lanka[9]. Therefore, Sri Lanka clearly cannot afford to be a strategic and security concern to India.

In the meantime, China has become the largest development partner of the country and the USA, Japan and Australia are trying to exert influence with a view to counter the growing Chinese sway over the island. This geo-strategic competition is clearly visible in this island nation and its politics and national security.

Historically, Sri Lanka has enjoyed close religious - both Buddhist and Hindu - and cultural relations with India. Close cultural relations, especially those, the Tamil populations of the two countries share, continued to flourish due to large scale migration from South India, particularly the Tamil Nadu, during the colonial period. This aspect, which had an impact on national security, though remained in the background, was not a major concern of the country until the late seventies, when Tamil militancy started threatening the state and its citizens. Nearly thirty years of separatist conflict clearly demonstrated the Influence of India in the affairs of internal security of Sri Lanka. Therefore, Sri Lanka should be mindful of the fact that not only the geopolitical strategic concerns associated with the region, but also common cultural links that bind the country with India, particularly the Tamil Nadu, have a crucial impact on the national security of Sri Lanka. Therefore, Sri Lanka need to take not only the overall regional geo-strategic, geo-economic and security environment, but also the special relationship with India into account, in policy and strategy dealings relating to national security.

The role of India in terms of strategic interests and internal political dynamics, regional and global power rivalries, as well as competition for preeminence in trade and economic relations in the Indian Ocean, is an integral part influencing national security considerations of Sri Lanka. India's involvement in supporting the separatist conflict during its early stages aside, New Delhi was also instrumental in bringing the ethnic issue before the Geneva based U.N. Commission on Human Rights in 1987 through a proxy, which resulted in adoption of a resolution on the ' Human rights situation in Sri Lanka'.[10] Sri Lanka witnessed a repetition of that policy in 2012, when India, broke from its traditional voting pattern and voted with the US sponsored resolution

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[8] India's concern of the Sri Lanka affairs and the role of its intelligence agency the Research and Analysis Wing (RAW) is well recorded. The troubled relationship between RAW and Sri Lankan establishment can even developed into personal levels was amply demonstrated recently when the President of Sri Lanka openly accused RAW agents plotting to kill him, which he later withdrew.

[9] Indian fisherman poaching in the territorial waters of Sri Lanka, which is a frequent occurrence leading to disputes with India and the recent concern expressed by Sri Lanka over Indian proposal to locate a nuclear power plant in South India are two examples.

[10] Resolution 1987/61 was adopted during the spring session of the Commission on Human Rights and the proxy was Argentina. Buenos Airs was offended by Sri Lanka's vote with the UK on the Falklands (Malvinas) vote in the UNGA - E/1987/18; E/CN.4/1987/60.

in the Human Rights Council, due to internal political pressures.[11] Such action has resulted in mistrust of Indian policies involving Sri Lanka.

Similarly, considering the increasing involvement of China in Sri Lanka and the suspicions India and its ally the US entertain over expanding Chinese interests in the Indian Ocean, there is also possibility of the triangular power rivalry in the Indian Ocean spilling over to Sri Lanka, which Colombo should not ignore. Yet, it is clear that realistically speaking, immediate threats to national security of the country are internal and they have socio-political and ethno-religious roots as demonstrated by the two southern insurgencies of 1971 and 1988/1989, the northern separatist conflict that ended in 2009 after nearly three decades of bitter fighting and the recent Easter Sunday bombings.

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[11] UNHRC Res. A/HRC/ 19/L.2 - Promoting reconciliation and accountability in Sri Lanka

7. Types of Potential Risks

National security threats Sri Lanka is facing can be broadly categorized into three types (i) geopolitics related external threats (ii) internally generated threats rooted in country's socio-political and ethno-religious environment, and (iii) threats that are particular in the contemporary historical context, i.e., globalization related.

7.1 Threats against Sovereignty and Territorial Integrity - Geopolitics related external threats

Although there are no visible external physical threats, such as invasions as in the historic Sri Lanka-Indian Ocean related conflicts, particularly, Indo-China rivalry and Indo-Pakistan conflict impacting Sri Lanka cannot be discounted. Emerging dynamics clearly demonstrate the Belt and Road Initiative, which is China's flagship development cooperation programme, is making ripples in Indian security circles, as well as among the US and its traditional allies like Australia and Japan in the Indo-Pacific region. As the power rivalry in the region intensifies, Sri Lanka is likely to be pressured to conclude agreements with foreign countries to serve their national interests. The intensity of the contest among world powers to gain a foothold in Sri Lanka is also seen from the recent overtures made by major maritime powers in the Indo-Pacific region, as in the case of providing naval assets to Sri Lanka[12]. Agreements with foreign countries that may impact adversely on Sri Lanka's sovereignty, territorial integrity as well as economic interests, need to be carefully scrutinized and skillfully maneuvered. At present, there are allegations that strategically and economically important bilateral agreements are being concluded sans transparency. Against this backdrop Sri Lanka should consider developing a multi-directional foreign policy as has been practiced by Vietnam relying on 'three no's policy i.e., 'no participation in military alliances, no foreign military bases on Vietnamese territory, and no reliance on one country to fight against another'.

In addition to the power rivalries spilling over to Sri Lanka, India has special reasons to be concerned about developments in the country that it may see as against its national security interests. Historically, India has been varied about two developments with regard to Sri Lanka. One is Sri Lanka's ethnic problem becoming an internal political issue in India, both electorally as well as an influence on its southern states, particularly the state of Tamil Nadu, influencing their separatist politics. The other is, Sri Lanka-Pakistan relations that may have an adverse impact on India. Therefore, Sri Lanka should be extremely vigilant against possible external threats against sovereignty and territorial integrity of the country arising out of our own policies or actions.

External threats against a country are not limited to invasions or other actions of state actors against another country. Threats to sovereignty and national boarders can come from other external sources as well. These may take various forms such as flows of illegal immigrants, trafficking of arms, drugs and humans that would adversely impact on the country, destabilize the society and negatively impact on the economy.

Illegal, unreported and unregulated (IUU) fishing in Sri Lankan seas, adjacent to the Northern and the Eastern provinces, for which activity Indian fishermen are accused of and are frequently apprehended, are creating unpleasant encounters between Indian fishermen and Sri Lankan security forces. These though may not result in all out conflicts between the two countries, their impact on the economy and more importantly the national

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[12] On 6th June 2019, Sri Lanka commissioned the Coast Guard vessel in Colombo, gifted by the US Navy while SL Navy took delivery of Chinese missile frigate at the Shanghai Dockyard, China, on the same day.

security domain cannot be ignored. Both countries should address this long-standing issue as a matter of priority, before irreparable damage is done to the fisheries resources as well as the maritime environment of the country.

7.2   National Security Threats Rooted in Socio-Political Environment

Internal threat factors have become major components of national security today, with conflicts rooted in socio-political environment like ethno-religious conflicts and youth insurgencies becoming common place. It is also a common occurrence that internal divisions based on socio-economic and ethno-religious grievances working together as threats to state, thus blurring the distinction between socio-economic (class) divisions and ethnoreligious divisions. Terrorist movements threatening states in Asia and Africa are such hybrid rebellions, where socio-economic grievances are expressed in terms of ethno-religious grievances, giving such rebellions a distinct strategic advantage in drawing mass support[13].

The separatist conflict in the north and the east and the two youth rebellions in the south, were a serious threat to the economy of the country and security of citizens. A threat similar to those events was evident in the terrorist attacks by Islamic fundamentalists on Easter Sunday of April 21, 2019. Both the separatist terrorists and Islamic fundamentalists had links beyond country's border, making them trans-national threats to Sri Lanka's security. Sri Lanka struggled hard to deal with the Tamil militancy and its Diaspora connection, which played a major role in thwarting country's attempts to defeat terrorism. However, the country was caught unprepared in the second case, where proper policy, strategy and national security culture could have prevented the disaster or at least minimized its impact. These developments clearly show that Sri Lanka should evolve a strategy to face such threats in the future and the armed forces and intelligence services should be provided not only with training and equipment to deal with such situations, but also to perform their responsibilities under a centralized mechanism in coordinated manner.

7.3   Threats that are part of the Contemporary Historical Context

Threats to national security are not only a function of socio-political conditions and geopolitical environment of a country, but also influenced by the dynamics and forces operating in the contemporary socio-historical context. Today, the world we live in is not the same world, and threats are not the same threats that shaped national security in the past.

Instead of state centered international system, today we have a system, where non-state actors work alongside states. With the entry of non-state actors into international system, in some areas of activity as equal partners of states, for example non-governmental organizations and multinational corporations,[14] the norms of conduct of the international system have changed. As a result, and most importantly, sovereignty of state, which earlier defined national security, does not have the same meaning. These changes and advances in communication

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[13] This situation, which is described as interest based ethnicity by Glazer and Moynihan (Glazer, D., and Moynihan, D.P., Ethnicity: Theory and Experience, Chicago: Chicago University Press, 1975) in relation to emerging new ethnic mobilization in the West is applicable to ethnic mobilization in general, where ethno-religious sentiments combined with socio-economic factors giving advantage to ethnic mobilization. Glazer and Moynihan call this "strategic efficacy".

[14]For example, Human Rights Organizations like the Amnesty International, Human Rights Watch play a leading role and a decisive influence in defining the agenda of the United Nations and even activities of sovereign states.

technology have brought the world closer, as national borders today cannot restrict/filter individual interactions with others, as in the past. Combined effect of these developments is changes in the form and content of national security threats.

There are two significant developments in this context. The first is increasing role played by international terror networks in internal terrorism and emergence of lone-wolf terrorism.[15] Today for example, this has enabled old actors to build new and better effective support systems spreading across the globe and connecting with global actors. For example, terrorism today has a strong international dimension with terror groups drawing support from likeminded groups and sympathizers across the globe, facilitated by advanced communication technology and changing international norms operations. Today, a sovereign state finds it difficult to act unilaterally against internal terror groups or even criminals. This important change in the threat environment has redefined national threats countries are facing, making traditional strategies against national security threats not effective as in the past.

Second is trans-national organized crime, especially drug trafficking and human trafficking that has found a new operating environment for its criminal activities. Both these activities, especially drug cartels, also are known to have close connections with terrorism, both local and international. It was alleged during the separatist conflict period that the Liberation Tigers of Tamil Eelam (LTTE) was relying on drug trafficking to fund its activities. Similar accusations are directed against militant groups, such as the Islamic State of Iraq and Syria (ISIS), and Al-Qaeda, who are suspected, if not directly involved in trafficking in drugs, at least benefitting from international drug trade[16].

Human trafficking on the other hand is violation of national borders of both receiving and countries and source countries, as it bypasses immigration procedures and hence violates immigration and custom laws. The national security issues associated with illegal immigration in general is highlighted by the fact that in the US it is now an issue handled by the Department of Homeland Security and several other agencies responsible for national security.

7.4   Assessment of Threats and Prioritizing Responses

The national security related threat environment of Sri Lanka has undergone some important changes, both quantitative and qualitative, during the past decades, especially since the end of the Cold War. Indian Ocean has a new player, China, who is the second largest economy in the world and arguably the emerging superpower challenging the US. The Soviet Union, the erstwhile ally of India is no more, and Russia, which was successor to the former Soviet Union in the international arena, is not the power its predecessor was[17]. Most importantly it does not carry the same weight carried by the Soviet Union in the Indian Ocean during the Cold War era. Pakistan, which was the foremost ally of the United States in the Indian Ocean region during the Cold War days has distanced itself from the US and become a close ally of China, the latter's main adversary, challenging the US in both economic and military/defense spheres. The US, which was not in good terms with India due to latter's close relations with the Soviet Union, has teamed up with India against increasing influence

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[15] This does not mean to claim that international terror groups did not exist before globalization. Red Army Faction and Black September Movement that operated in the 60s and 70s for example did have an international network, but they had limited spread and access globally unlike today.

[16] https://www.rand.org/blog/2017/07/isis-is-so-desperate-its-turning-to-the-drug-trade.html

[17] For all practical purposes of international relations Russia is considered the rightful owner of the position occupied by the Soviet Union in the international system. This is best illustrated by Russia getting the set in the UN Security Council previously occupied by Soviet Union.

of China in the Indian Ocean region. These realignments and reconfigurations of relationships have resulted in fundamental changes to power equation in the Indian Ocean region. Yet, these are reconfiguration of conventional state to state relations hence operating fundamentals remain more or less the same.

During the Cold War period, though Indian Ocean power configuration was different, there was no serious threat to Sri Lanka's sovereignty, except for the occasional diplomatic pressure by some countries. It can be safely assumed therefore, that even today the biggest potential threat to Sri Lanka's national security from state actors, is intervention in internal affairs of the country such as trade sanctions as was the case by the US[18], during the Korean War in retaliation for selling rubber, a strategic material to China; threat of direct military intervention experienced with India during the Vadamaarchchi operation in 1987; and diplomatic pressure exerted by the European Union in 2010 using GSP Plus as an instrument to achieve its objectives, some of which were political. The country has experienced such pressure regularly during the separatist conflict, for example, after the separatist conflict was defeated in 2009, Sri Lanka refused to agree to the Western sponsored resolution on the 'Situation in Sri Lanka' in the UN Human Rights Council and adopted a counter resolution favorable to Colombo, with the support of non-aligned members etc., of the Council.[19]

There is another aspect that was not there previously, namely, though these were state sponsored actions, there was strong involvement of non-governmental actors (NGOs), such as the Amnesty International and Human Rights Watch etc., that spearheaded action. Significant influence of non-state actors on decisions of state actors as a new and qualitative change in the external threat environment needs to be taken into account in assessing potential threats from external actors.

Ethno-religious divisions and socio-economic divisions, either separately or in combination, as in the case of militancy among the Tamil community, have also been major threats to national security, as the past experience shows. Sri Lanka experienced two youth led insurgencies that were mainly confined to the south in 1971 and 1987 to 1989. The force behind these were a revolutionary socialist movement called the Janatha Vimukthi Peramuna (People's Liberation Front), whose objective was to capture the state and install a socialist form of government. Both attempts were militarily defeated, but not without large scale loss of life and destruction of property. The second youth insurgency posed a major threat to the state and during the height of that episode, the state was on the verge of collapse.

The long drawn ethnoreligious conflict fought on a separatist agenda by the minority Tamils lasted nearly 30 years. State was in dire strait with the separatist rebels running a parallel government, a de facto state, in the north and the east for almost a decade, until the separatists were militarily put down in 2009. Recurrence of similar challenges to state in the near future is remote, though such challenges cannot be altogether discounted, and the government needs to be ready to meet such challenges.

The Easter Sunday attacks demonstrated that rebellion and insurgency, whether they are caused by socio-economic grievances or ethnoreligious grievances, are not the only threat factors the country is facing. It proved that well organized groups of fanatics driven by such ideologies, in this case Islamic fundamentalism, can be a serious threat. In other countries, similar attacks have been carried out by individuals, driven by extremist ideologies or views. These attacks known as lone-wolf terrorism, though not experienced by Sri Lanka, are a possibility considering the past experiences of LTTE suicide bomb attacks. Though there is no solid proof of

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[18] Prohibition of trade and aid was under the Mutual Defense Assistance Control Act of 1951, also known as the Battle Act, which banned U.S. trade and assistance to countries doing business with the Soviet bloc that included Peoples Republic of China.

[19] A/HRC/S-11/2 - Resolution adopted by the Council at its eleventh special session S-11/1, Assistance to Sri Lanka in the promotion and protection of human rights

international funding for the perpetrators of the Easter Sunday attacks, they also demonstrated the level of influence international terrorism links wield and ideological connections can have on local terror outfits, an area, security planners need to be aware of.

One notable feature common to all the above threat factors is the increasing role of non-state actors in them. This phenomenon, which is a worldwide development and the level of influence it can have was clearly demonstrated during the separatist conflict. In that conflict, the Tamil Diaspora was arguably the main source of funding and international lobbyist linking with, and influencing foreign governments and non-state actors, especially human rights groups for support. Information is also circulating that the Islamic fundamentalists, who were involved in the Easter Sunday attacks had overseas links with fundamentalist outfits, namely, ISIS[20]. Dealing with non-state actors require a different approach from those that are effective in dealing with state actors and that needs to be part of Sri Lanka's future National Security strategy.

7.5   Cybercrime

In addition to above threats that are physical in nature i.e., resulting in loss of life and property (assets), in their attempt to get the state to surrender or to destroy it, there is another form of threat emerging today as a result of the increasing importance of cyber space in the conduct of not only individual affairs, but also those of the state and the business world. Today, the world has become networked to such an extent there is so much dependency on information networks in daily life. With this development, computer crime or cyber-crime has become a major threat that can cripple affairs of a state by attacking nerve centres of economy and the state. They also can disrupt everyday life, creating chaos by attacking utilities and other services. It is also true that criminal underworld is acquiring such skills and they could pose a serious threat in the future and Sri Lanka is no exception to this development. Damage that could be done through cyberattacks is disproportionate to the resources involved, and they are not easy to detect even if there is constant surveillance and vigilance. The vigilance that is needed is also not the traditional type as it involves entirely different expertise. Therefore, even though conventional defense and diplomacy-based approach is still valid, when dealing with geopolitical dynamics from power configuration point of view, the qualitative changes require rethinking of our approach and strategies. Vigilance and response readiness are still the foundation of national security strategy but the nature of vigilance and response, as well as operations needs to be rethought.

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[20] ISIS leader issued a statement immediately after the attack taking responsibility and declaring the Lankan attack was in revenge of attack on Muslim worshippers in Christchurch New Zealand.

8.   National Security Strategy for Sri Lanka: Issues and Concerns

National security policy and national security strategy are often used as interchangeable terms[21]. Broadly speaking, national security policy is the blueprint that provides guidelines and directions to protect a country from threats/challenges it is facing at a given point in time or expected to face in the future. National security strategy is the set of measures and the implementation plan of the policy, i.e., how a country protects itself by preserving integrity of the state and provide security to citizens. It also requires an operational plan that includes implementation structure, outlining the composition, operations and command and control lines of the implementing agency, support bodies and legal status. These operational details may vary depending on specific security interests and threat.

8.1   Operationalizing Sri Lanka's National Security Threat Scenario

As discussed earlier, both conceptualization of national security and threat scenario overall have gone through fundamental changes since end of Cold War, with the rise of China as a global power. Today, there is both quantitative and qualitative changes in threat actors and their operations. This change is reflected in Sri Lanka's national security environment too. At the quantitative level, the major difference is change in stakeholders. There are new actors and alliances resulting in changes in the Indian Ocean power relations with the addition of new players. Further, stakeholders of Sri Lanka's affairs also have changed in the past two to three decades. In this context, there are four actors, who are important.

i.   **India,** Sri Lanka's immediate neighbor sees itself as the regional leader. Sri Lanka's links with India are both cultural and political. Country's Tamil minority that was involved in a long separatist conflict and their Diasporic links with South India (Tamil Nadu) have played a major role in national security of the country, since independence and especially during the course of the conflict. There are also issues relating to Indian fishermen crossing the International Maritime Boundary Line (IMBL) to poach in Sri Lankan waters and Tamil Nadu still disputing Indian recognition of Sri Lankan sovereignty over Katchatheevu Island through the Indo-Sri Lanka Maritime Boundary Agreement of 1974[22]. There is also Indo-Sri Lanka Agreement of 1987, which resulted in the 13th Amendment to the Constitution, considered by Sri Lanka as an imposition by India. Moreover, India is concerned over China's strategic inroads into Sri Lanka, which would have strategic national security implications to India. Meanwhile, India has developed several initiatives, such as 'Security and Growth for All in the Region (SAGAR), 'Neighbourhood First' and 'Act East 'to project its influence within the Indian Ocean and beyond.

ii.   **China** – Being the new player in the Indian Ocean has had long standing diplomatic and economic relations with Sri Lanka. Since emerging as a global player, both economically and

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[21] Backgrounder, Security Sector Governance and Reforms, November 2005,
https://issat.dcaf.ch/download/17202/201862/bg_national-security%20(1).pdf
[22] This small uninhabited island was part of Madras Presidency during British rule and has been under dispute since independence. It has a Catholic shrine shared by worshippers from both countries. The handover of the island after protracted negotiations is disputed by Tamil Nadu.

militarily, China is expanding its influence in the Indian Ocean as reflected by their signature project BRI. China has extensive economic interests in Sri Lanka and some of these, such as the Colombo Port City and Hambantota Port, are of high strategic importance. This has created concerns among other Indian Ocean players, especially India, the US and its allies.

iii. **The US and the West** – These countries have been having long standing interests in Sri Lanka for its strategic value. Trincomalee harbor has been one of their interests and Hambantota harbor in the hands of Chinese is a source of concern to them. Sri Lanka has signed a defence related 'Acquisition and Cross Services Agreement' (ACSA) with the US in 2007 and renewed in 2017. The US is presently in the process of negotiating a new 'Status of Forces Agreement' (SOFA) to replace what was signed in 1995. Further, Sri Lanka is heavily dependent on the US and the European Union for external trade. Japan, through its 'Free and Open Indo- Pacific Strategy' and the US by its 'Indo-Pacific Strategy' has renewed their focus on the Indian Ocean and Sri Lanka, due to its strategic location.

iv. **The Gulf & the Middle East** - Though none of the countries in the Middle East is part of the power equation in the Indian Ocean, Sri Lanka has a strong connection with countries in the Middle East. Bulk of Sri Lanka's fuel imports are from the Middle East and a very large number of Sri Lankan contract workers, around 1 million, of whom more than 75% are women, are employed in these countries. There is also a religious link with 9.7% of Sri Lanka's population being believers of Islam. This religious link has become a concern to the country, especially after the Easter Sunday attacks. Opposition that is developing against radical Islamic movement in the country and Jihadist activism may create further complications in the relationship with some countries in the Middle East leading to security concerns.

8.2   Present situation of National Security Operations

Sri Lanka did not have a national security policy or an agency to deal with national security in the early period after the independence. Sri Lanka's responses to national security challenges during that period has been largely reactive and under regular security and law and order mechanisms. The second coup attempt of 1965 and the youth insurgency in 1971 were, for example, handled by regular security forces and the law and order mechanism by police. The situation remained unchanged even during the early part of the Tamil militancy despite the fact security issues were crucial with external actors getting involved[23].

Sri Lanka established its National Security Council (NSC) through a decree by the President under Emergency (National Security Council) Regulations No. 1 of 1999, which was gazetted on May 27, 1999. Thus, the NSC became the agency responsible for national security related matters of the country[24]. The NSC was headed by the President as Commander-in Chief of the Armed Forces assisted by the following members:

(i)   A Minister or more than one Minister of the Cabinet of Ministers if any nominated by the President;

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[23] In addition to providing training and sanctuary to Tamil militant fighting for a separate state, India in 1987 got involved militarily in the conflict by sending its Air Force fighters to Sri Lanka to drop food supplies to civilians in Jaffna and later by sending its Army (IPKF) to enforce a peace treaty between rebels and the government.
[24] http://www.sundaytimes.lk/990606/sitrep.html

(ii)   Deputy Minister of Defence;
(iii)   Secretary to the President;
(iv)   Secretary of Defence;
(v)   The Chief of Defence Staff;
(vi)   Commanders of the three-Armed Forces;
(vii)   Inspector General of the Police; and
(viii)   Director General of Internal Intelligence.

In September 2019, the Cabinet of ministers gave approval to a proposal to draft legislation to replace the National Security Council established in 1999 under the Public Security Ordinance, as well as to set up a National Security Advisory Committee and a National Security Council Secretariat. In addition, an Experts Committee on National Security (Economic, International Affairs, Social and Religious, Research and analysis, Scientific and Technological and Strategic Management) is to be set up by an Act of Parliament.[25]

Intelligence and surveillance operations are essential for national security. At present these services are provided by the State Intelligence Service (SIS), formally known as the National Intelligence Bureau (NIB) formed in 1984, Military Intelligence Corps. (MIC) of the Sri Lanka Army which gathers, analyses and disseminates military intelligence and carries out counter- intelligence and security responsibilities and Sri Lanka Police, which has a special police unit for gathering information on organized crime and drug trafficking, under the Special Task Force (STF). The Navy and Air Force too have their own intelligence wings.

Poor cooperation, inadequate coordination and lack of direction from high political level are often cited as issues adversely affecting intelligence gathering work and taking follow up action. This weakness was amply demonstrated by the failure to prevent the Easter Sunday attacks, which were later admitted by several members of the National Security Council, including former Secretary of Defence, Inspector General of Police and members of other auxiliary agencies, who presented themselves before the Parliamentary Select Committee appointed to inquire in to Easter bombings. In addition to lack of political direction, political interference has come to light as major reasons for the failure of work of the intelligence agencies. Rectifying this weakness is one of the tasks of the future policy and strategy.

Proper chain of command is a prerequisite for smooth functioning of national security operations. This will require a structured organization with clearly defined positions, duties and responsibilities. Poor chain of command was evident in relation to the Easter Sunday attacks, where glaring shortcomings in communication came into light. The sorry state of the command structure and communication channels became further evident by the confusion it created among security branches and the government leaders. The situation seems to have arisen due to the ad-hoc manner the intelligence operations and national security matters have been dealt with by the administration at the highest level.   Even though Chief of National Intelligence (C/NI) has the responsibility of reporting intelligence matters formally (through Secretary of Defense), but in practice he was overshadowed by Director, State Intelligence Service (D/SIS), who functions under the Defense Ministry but reported directly to president.

Inter-agency co-operation and coordination is an essential requirement of an effective national security mechanism. This requires working closely with both local and foreign. Deficiencies in coordinating with foreign agencies were revealed during the Easter Sunday attacks. What is needed is an intelligence gathering, evaluating and disseminating system with appropriate directives that will look at risks and threats holistically, which might emerge in the short, medium and long term.

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[25] http://www.ft.lk/front-page/Cabinet-approves-new-legislation-to-set-up-National-Security-Council-and-Secretariat/44-686623

National security of the country is also adversely affected by the conflictual relationship between the two power centers created by the 19th Amendment to the Constitution. Unlike the pre-19th Amendment situation, where the popularly elected President was the Executive, today, there are two executive branches, i.e., the President, and the Prime Minister and Cabinet. When the two branches are from two political parties, there can be conflict of political interests and also personality clashes, as being witnessed at present.   The harmful impact of this situation on the national security was amply demonstrated during the period prior to and followed by the Easter Sunday attacks. Information has come to light about the conduct of the National Security Council itself being handicapped by politically motivated decisions, where even the Prime Minister and IGP had been excluded from the meetings of the Security Council. It is also reported that Prime Minister was not facilitated to convene a meeting of the National Security Council for consultation immediately after the Easter Sunday attacks. Rectifying these systemic deficiencies will need not only strict legislative measures, an independent and centralized intelligence mechanism, but also changes in the political culture of the country in the long-term.

8.3   Legal Status, Organizational Structure and Operations

National Security mechanism to be set up in the future, if it is to work, will need to address the above issues, the most crucial of them being the two power centers. In addition to a constitutional solution to address this issue, there is also a need to have an efficient risk detection and assessment system, rapid early warning mechanism and effective coordinating mechanism. Risk assessment is more than intelligence gathering. It should also be able to go beyond routine intelligence gathering and look at risks and threats, which might emerge in the longer term. Further, efficient national security strategy also needs to have a clear understanding about the objectives. In operational terms they can be broadly outlined as follows:

   i.   **Territorial integrity**. Territorial integrity can be threatened not only from outside such as invasions, interference in internal affairs like sanctions and border violations, but also from actors within, i.e., armed rebellion, as has been Sri Lanka's experience.
   ii. **Mass scale disturbances that have long-term repercussions on civil life and security.** These include protecting citizens from political intimidation, terrorist action and threats to civil life from other sources, such as organized crime. Disturbances may also come from natural and manmade disasters. 2004 tsunami was one such example.
   iii. **Risks of instability that may lead to systemic collapse.** This could be a result of the two scenarios referred to above, but also may come from other sources like cyberattacks and lone-wolf terror aimed at economic targets.

The standard organizational setup for national security operations consists of coordination and decision-making body, auxiliary bodies and support agencies. While auxiliary bodies are formal components (subcomponents) of the overall structure, support agencies such as intelligence agencies exist outside of the formal structure but work in close cooperation. In some countries, the middle component is absent or may not be playing an active role within the formal structure. The US and India have auxiliary bodies as part of the formal setup. India has a tiered organizational structure that consists of the National Security Council, which is the apex body and two auxiliary bodies as Strategic Policy Group and National Security Advisory Board. The US also has a tiered structure with the apex body i.e., National Security Council supported by Principals Committee; Deputies Committee, which is a cabinet level subcommittee; and Policy Coordination Committee. Australia and the UK also have similar organizational structures.

National Security Advisor is the major functionary and authority responsible for operations in the majority of countries, especially in India and the US. Several years ago, Sri Lanka was also considering appointing a National Security Advisor to serve the NSC. However, there was no policy decision to go ahead with the proposal at that time. Considering the importance of the institution of National Security Council and its relevance to the country, it is useful to give serious consideration to create an office of National Security Advisor to head that institution.

The legal status of the national security body and its auxiliary bodies may vary from country to country. In some countries National Security Council derives its powers and authority from an Act of Parliament/Council of Representatives, while others through an executive order of the President or Prime Minister and Cabinet. In Malaysia and Pakistan, it was established by Acts of Parliament. The US National Intelligence Agency (NIA), which was the predecessor to present National Security Council (NSC), was established by President Truman's executive letter of 22 January, 1946 and the National Security Council, Central Intelligence Agency (CIA) and Department of Defence were established by National Security Act of 18th of September, 1947.

Establishment of similar institutions In Australia, India and the UK were by executive decision of either Prime Minister or the Cabinet. In the case of Australia, the decision to establish National Security setup consisting of a Cabinet Level Committee and Secretaries Committee was followed by a Royal Commission Report giving the exercise further legitimacy. In the case of Sri Lanka, the National Security Council was established in 1999 under a Presidential order. However, its legal status is unclear.

8.3.1 Legal Status of National Security Council

One of the main issues before the country is to formulate a system that can address special constitutional and political situations affecting the legal position and operational issues of the national security apparatus. As described previously, Sri Lanka's Constitution after its 19th Amendment has created two power centers with executive powers almost equally divided between the popularly elected President, Prime Minister and Cabinet. The danger this situation has on the national security was amply demonstrated during the Easter Sunday attacks and continues even to date. Even before, there have been ad hoc decisions, such as the President deciding not to invite the Prime Minister and the Inspector General of Police to the National Security Council meetings. Similar situations can arise in the future too, if and when the President and the Prime Minister are from two different political parties and at loggerheads. The new legislation that will be drafted to set up the future National Security Council should include measures to prevent similar situations in the future. But at the same time, there should be enough room for flexibility too, as national security activities require flexibility in operations.

8.3.2 Organizational Structure of National Security Council

Properly constituted organizational structure is crucial to achieve objectives of an organization. It should define organizational components (divisions), positions and their responsibilities and the command and communication lines that decide the internal working of an organization. The proposed organizational structure attempts to address several crucial problems in the areas identified previously.

Membership - At present Sri Lanka has a National Security Council as per the decree issued by the president in May1999 and persons invited at the request by President. President has the freedom not only to invite any one

he wishes, but also disinvite even statutory attendees. Taking into consideration the situation prevailing currently, it is important that the legislation that will be drafted would clearly determine composition of the NSC.

National Security Secretariat – At present national Security Council functions as an ad hoc advisory committee of the President. It therefore has no proper authority or legal standing, and this has proven to be a major handicap when working with other agencies. It is therefore proposed that national security work should be handled by a permanent Secretariat headed by a National Security Advisor, who should be a competent person to discharge responsibilities of the office. The powers and responsibilities of the National Security Advisor need to be clearly defined taking into consideration sensitivities of the military establishment and security requirements of the country.

Auxiliary Bodies – National security in today's context is not confined to military and defense. Yet intelligence is the backbone of national security. National Security Strategy, therefore, should have provisions for efficient intelligence coordination mechanism. One important aspect the country needs to consider is not merely collecting, assessing and dissemination of intelligence, but coordinated action with relevant agencies. In this regard sharing information and planning joint action is important.

Another requirement with regard to intelligence is identifying and assessing long-term threats, some of which are not traditional military or defense related. This will require involvement of experts from different fields that are not directly related to defense or military. This task can be performed by the proposed Experts' Committee, within the overall security setup, i.e., National Security Secretariat.

9.   Armed Forces and National Security

The military will have to play a critical role as guardians of national security against external as well as internal threats hostile to the state. The military will also play a key role in providing humanitarian assistance and disaster relief (HADR) in response to manmade or natural disasters. Hence, the armed forces will be a decisive component of implementing operational aspects of the NSS. Individual services should draw up their own maritime, air and land strategies based on a sound national security policy. The military need to be developed to support the government with a force that is rapidly deployable in all domains of operations, with mobility, reach and sustenance. The military should also be motivated and flexible to adapt to variety of circumstances whilst retaining characteristics that make it the force of decision, when its employment is required. Technology will enhance capabilities, agility and lethality of the military. The military should evolve with the changing strategic environment. Then only the military will be capable of responding to multiple, different kind of contingencies, even at times involving Special Forces.

The Sri Lanka military evolved through the youth rebellions and especially during the separatist conflict. In May 2009, the Sri Lankan military emerged victorious after battling with the Tamil militancy for nearly three decades. This victory was decisive and complete. The effectiveness of this campaign is evident as no separatist related incident took place for nearly a decade, although there were some attempts by the remnant of the LTTE and the Tamil Diaspora to revive the LTTE. The Sri Lanka military thereby became the only military in the contemporary world to defeat one of the most ruthless terrorist organizations in the world at that time. The LTTE was a formidable force with near-conventional military capabilities, with a standing army, and limited naval and air capability. Sri Lanka military has gained an incomparable wealth of experience in this protracted violent conflict. This experience was clearly evident in swift and effective action taken by the military in the aftermath of the Easter bombings. The military, together with the police, played a key role in arresting large number of radicalized elements, locate training facilities; recover arms and ammunition and identifying networks and links of terror. However, it is pertinent to observe that only nearly fifty per cent of the present military strength has gained experience in fighting a violent armed conflict. This percentage is reducing rapidly as military personnel retire early in their life, some as young as 40 plus years. Therefore, steps must be taken to retain this hard-earned combat experience of the military for the future. There should be lessons learnt from the conflict and those lessons should be included in military training doctrines and war-gaming.

The Sri Lankan military was developed and trained to fight mainly unconventional warfare against an enemy, who mastered tactics of asymmetric warfare. The strength of armed forces was also enhanced to fight an asymmetric warfare, where large numbers of military personnel were required to engage the enemy and also to secure vulnerable areas and vital installations. Rightsizing of the military in the post-conflict security environment, in accordance with a sound military strategy is an important task to be undertaken by the government. The need will be to have a lean and mean military capable of meeting any contingency. There should also be a strategy to prepare retiring military personnel for gainful employment, so that they would be an asset to the society rather than a liability.

10.   Recommendations

1. The rise of China as a major economic power and its recent and long term interest in expanding into the South Asian region for both economic and strategic reasons, have renewed the traditional rivalry between China and India, where the latter considers itself as the de facto power of the Indian Ocean and raised concerns among the US and its allies, who always considered China as a threat to their global interests. This evolving geo-political and geo-strategic competition, further complicated by the long-standing US interest in the Indian Ocean and Washington's desire to checkmate Beijing's ascendency, is likely to result in ramifications to the national security of Sri Lanka. Against this backdrop, government of Sri Lanka will have to engage in a 'high wire act', so as to safeguard fundamental interests of the country.

2. The current situation demonstrates the acute need for a comprehensive and an all-encompassing strategy that addresses national security concerns.

3. The country should move out of this current state of uncertainty and unpredictability, if it were to progress. This will require an efficient and effective system of security and vigilance spearheaded by a competent intelligence service. Maintaining high level of vigilance, however, should not lead to infringement of rights of citizens, and balancing between the two is a crucial factor in an effective national security strategy.

4. Non-state actors and activities such as terrorism, both home-grown and global, and driven by religious fundamentalism, have also become major concerns of national security agencies today. Serious thought must be given by both government and other well-meaning groups to examine to what extent these multi-faceted aspects are focused on and taken care of. This is no easy task and cannot be effectively accomplished by government alone. The effort needs a well-coordinated whole-of-government approach bringing in all the stakeholders to ensure currency and applicability.

5. These conceptual developments that had taken place, have not only expanded the boundaries of national security, but also resulted in blurring the very important distinction between national security and human security. While it must be recognized that the two phenomena are related and there is overlapping too, both at conceptual and operational level, it is necessary not to consider both as the same, especially when making policy and strategy. Then, the crucial question is how to clarify the conceptual distinction, so that they are kept separate at both operational and implementational level of policy and strategy. It is proposed here that this be done by focusing on three defining characteristics of the two phenomena, namely, the nature of impact of the threats involved, the domain of impact and the type of response that is required to either eliminate such threats (Table 1) or prevent such threats from happening.

6. Forces of globalization that are operating across national boundaries, for example multinational companies and globalized system of manufacturing and production had reduced the importance of national boundaries. This situation, NGO operations and also International Human Rights Conventions and similar other UN instruments, have made significant impact on state sovereignty. Understanding

the combined effect of all these developments on national security is crucial in making policy and developing strategy on national security of any country.

7. The geographical proximity also makes Sri Lanka to fall within Indian maritime and air security umbrellas and exposes the country to surveillance and other pressures that may pose apprehensions to Sri Lanka. Therefore, Sri Lanka clearly cannot afford to be a strategic and security concern to India.

8. Therefore, Sri Lanka should be mindful of the fact that not only the geopolitical strategic concerns associated with the region, but also common cultural links that bind the country with India, particularly the Tamil Nadu, have a crucial impact on the national security of Sri Lanka. Therefore, Sri Lanka need to take not only the overall regional geo-strategic, geo-economic and security environment, but also the special relationship with India into account, in policy and strategy dealings relating to national security.

9. Considering the increasing involvement of China in Sri Lanka and the suspicions India and its ally the US entertain over expanding Chinese interests in the Indian Ocean, there is also possibility of the triangular power rivalry in the Indian Ocean spilling over to Sri Lanka, which Colombo should not ignore.

10. At a time when global powers are considering defense related arrangements with Sri Lanka, the government should examine merits of Vietnam's 'multi-directional foreign policy' supported by 'three no's i.e., 'no participation in military alliances, no foreign military bases on Vietnamese territory, and no reliance on one country to fight against another'.

11. The proposed National Security Council should consist of a permanent Secretariat and headed by a National Security Advisor (NSA), who should be a competent person to discharge responsibilities of the office. The powers and responsibilities of the NSA need to be clearly defined taking into consideration sensitivities of the military establishment and security requirements of the country.

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