

Why Does Sri Lanka Need Intelligence Reform?

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Introduction

Sri Lanka's history is marked by a protracted separatist war¹, which lasted nearly three decades, with a persistent struggle against terrorism². The Sri Lankan civil war, which lasted from 1983 to 2009, was fuelled by a complex interaction of ethnic, political, and socioeconomic forces. Tensions between the Sinhalese majority and the Tamil minority were at the heart of the conflict, fuelled by historical grievances and post-independence policies. The British colonial heritage, which favoured Tamils in education and administration, fuelled animosity among Sinhalese. Following independence, the government's actions, such as the Sinhala Only Act in 1956³ marginalised Tamils and eroded the trust. Political alienation, discrimination in education and employment, and

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¹ A separatist war is a struggle in which a group within a country seeks to secede and establish its own independent state, typically by armed conflict. This typically occurs when an ethnic, religious, or cultural group perceives it is being persecuted or marginalised by the central government and desires self-determination, autonomy, or total independence. Separatist warfare involves a wide spectrum of actors, including insurgent groups, rebel movements, and political organisations, fighting against government troops to achieve their objectives. See Channa Wickremesekera's 'The Tamil Separatist War in Sri Lanka'.

² According to The United Nations Security Council resolution 1566 of October 2004, the term 'terrorism' has been defined as a "criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing any act." According to Professor Bruce Hoffman the term 'terrorism' has been defined as "the deliberate creation and exploitation of fear through violence or the threat of violence in the pursuit of political change. All terrorist acts involve violence or the threat of violence". However, there is no universally agreed definition for the term 'terrorism'.

³ The Sinhala Only Act of 1956 in Sri Lanka declared Sinhala the sole official language, replacing English. Despite its aim to address marginalization, it alienated the Tamil-speaking minority, leading to exclusion from government jobs and services. This policy fuelled ethnic tensions and intensified Tamil grievances, ultimately causing the country's civil conflict.

uneven economic progress exacerbated the split. Frustrated by the failure of nonviolent efforts for autonomy, Tamil militancy erupted, led by organisations such as the Liberation Tigers of Tamil Eelam (LTTE).

The nation's intelligence community has been instrumental in preserving national security during the three decades of separatist war. However, in the current post-war context, Sri Lanka grapples with complex geopolitical landscapes due to India's growing influence in the Indo-Pacific region and the resurgence of great power competition (Medcalf, 2017). Also, Sri Lanka is exposed to the growing influence of violent extremism⁴, which was evident by the Easter Sunday Attacks on 21st April 2019 (Amarasingam, 2019). Within such a complex security situation in Sri Lanka, shifting from a reactive intelligence approach to adopting a proactive strategic intelligence framework is needed. Thus, this commentary focuses on Sri Lanka's need for intelligence reform, highlighting the shortcomings of the current intelligence system, the influence of political interference, the need for modernity, and the importance of preserving human rights and accountability.

Sri Lanka's Intelligence Community

The current intelligence infrastructure in Sri Lanka has drawn criticism for being too military-focused, highly siloed, and lacking in coordination (George & Clegg, 1997). David P. Oakley (2019) claims that Western intelligence services need to be optimised to offer the required insight into the intents and actions state leaders. Sri Lanka's intelligence community can also benefit from Oakley's claims on Western intelligence and contemplate the inadequacy of intelligence in dealing with national security. Furthermore, the legacy of the country's separatist war and insurrections in 1971 and 1987–1989 conducted by the Janatha Vimukthi Peramuna (JVP) have had a detrimental impact on governance, political cohesion, and the economy. Consequently, developing strategic intelligence skills in Sri Lanka is necessary for maintaining national security and promoting economic recovery, effective policymaking, and national reconciliation while rebuilding the trust between the citizen and the government (Samarasinghe, 2009).

The turbulent political climate of Sri Lanka has a lengthy history of being closely linked to the country's intelligence agencies. The intelligence community provided information that resulted in critical military victories during the separatist war from 1983 to 2009 (Layton, 2015). Nevertheless, during this time, there were also allegations of violations of human rights, such as unauthorised monitoring, unlawful detentions, and extrajudicial killings (Human Rights Watch, 2008). The legacy of these actions continues to cast a

⁴ The United Nations defines violent extremism as “the use of violence to achieve ideological, religious, or political goals”.

long shadow over the intelligence community, creating a deep mistrust among the public.

The intelligence community have been criticised for their lack of accountability and transparency (Human Rights Watch, 2021). The Sri Lankan intelligence agencies have often operated with little oversight, leading to a culture of impunity (Centre for Policy Alternatives, 2020). The absence of robust oversight mechanisms including a National Intelligence Act, has allowed intelligence operations to be used for political purposes, undermining their primary mission of safeguarding national security⁵.

During the post war context, the functionality and the contribution to national security of the Sri Lankan intelligence has often been questioned, especially with the catastrophic event of the Easter Sunday Attacks in Sri Lanka⁶. Besides, the recommendations of the ‘Final Report of The Commission of Inquiry to Investigate and Inquire into and Report or Take Necessary Action on the Bomb Attacks on the 21st April 2019’ has suggested that the intelligence community needs a structural reform but has not defined the mandate or the functionalities of each layer of the structure or agency, except for Chief of National Intelligence (CNI) in Sri Lanka⁷. The Sri Lankan Intelligence Community is dominated by, though not limited to, the following organisations: Directorate of Military Intelligence (DMI); State Intelligence Services (SIS); Sri Lanka Naval Intelligence (SLNI); Sri Lanka Air Force Intelligence (SLAI); Terrorism Investigation department (TID); and Criminal Investigation Department (CID).

Necessity for Intelligence Reform

Many allegations of human rights violations have tarnished the history of intelligence activities in Sri Lanka. The case of Prageeth Eknaligoda, a Sri Lankan journalist and political cartoonist, is one of the most high-profile instances of enforced disappearances in the country. Eknaligoda went missing

⁵ The Cabinet of Sri Lanka approved the proposal to draft a National Intelligence Act on 14th January 2020. However, the draft proposal of the National Intelligence Act has not been enacted up to date by the Parliament of Sri Lanka.

⁶ On April 21, 2019, eight suicide terrorists attacked hotels and Catholic churches, causing 270 fatalities and 500 injuries in the process. Bombs were detonated at Zion Church in Batticaloa, St. Sebastian Church in Katuwapitiya, St. Anthony’s Shrine in Kochchikade, and the Shangri-La, Kingsbury, and Cinnamon Grand Colombo hotels. Two terrorists in Dematagoda and Dehiwala killed themselves after setting off bombs.

⁷ Former President Gotabaya Rajapaksha appointed a Presidential Commission of Inquiry (PCoI) into the Easter Sunday attacks and the final report was submitted to the former President on 1st February 2024. One of the recommendations of the ‘Final Report of The Commission of Inquiry to Investigate and Inquire into and Report or Take Necessary Action on the Bomb Attacks on the 21st April 2019’ was based on the national intelligence of Sri Lanka. Refer page 445 – 447.

on 24th January 2010, just days before the presidential election. His disappearance raised suspicions of intelligence involvement for political gains, especially given the climate of fear and repression against journalists at that time (Kaviratne, 2023).

Besides, international organisations such as the United Nations and international Non-Governmental Organisations such as Human Rights Watch and Amnesty International have continuously accused the Sri Lankan government, indicating the intelligence agencies of arbitrary detentions, torture, and illegal monitoring during the separatist war and during the post war context (Al Jazeera, 2021; Wickremesinghe, 2010). These allegations have predominantly damaged the public's opinion of the intelligence community, and a strong mistrust exists because of biases in decision-making process.

For intelligence operations to be effective, they must be supported by the public (Chiru, 2016). However, in Sri Lanka, there is often a significant distrust of intelligence agencies, stemming from their perceived lack of transparency, involvement in human rights abuses, and association with political manipulation. The allegations against the involvement of intelligence agencies in the Easter Sunday attacks in 2019 further deepened this (Ada Derana, 2023; Hemmathagama, 2019). Building public trust is, therefore, a critical component of intelligence reform, as it can enhance the legitimacy of intelligence operations, improve intelligence-gathering capabilities, and foster greater cooperation between the intelligence community and the public. This will further strengthen the 'social contract' between the ruler/government and the citizens of Sri Lanka.

Furthermore, the intelligence agencies face various new issues in the modern security environment, which call for innovative methods and tools. The nature of intelligence work has undergone a fundamental transformation due to the spread of social media, the rise in cyber threats, and the rising sophistication of terrorist networks (Aslam & Jayaratne, 2023; Nelu, 2024; Shapira, 2020). During the investigations of the Easter Sunday Attacks, it was revealed that the splinter group of suicide bombers had communicated through a highly encrypted communication app called 'Threema' (Fernando, 2019). One of the drawbacks of the intelligence agencies in Sri Lanka was the inability to intercept the communication channel/app of the suicide bombers. This showcases the importance of investing in technological capabilities in the Sri Lankan intelligence agencies and modernising the operations to stay effective. It also emphasizes the importance of enhancing awareness of how the terrorists are adapting and utilising modern technology.

Cybersecurity is one of the most critical sectors that needs modernisation in Sri Lankan intelligence. Sri Lanka is more susceptible to cyberattacks, particularly those that target government networks, financial institutions, and vital infrastructure, as it grows more digitally connected. In July 2024, a cyberattack on the websites of seven prestigious Sri Lankan schools prompted the Sri Lanka Computer Emergency Readiness Team (Sri Lanka CERT) to

open an investigation (Staff Writer, 2024). Creating specialised cyber units within intelligence agencies, hiring knowledgeable cyber specialists, and procuring cutting-edge cyber tools and technologies are all necessary for Sri Lanka to build a solid cyber intelligence capability to counter these threats.

Integrating Artificial Intelligence (AI) and big data analytics into intelligence operations is a crucial component of modernisation of Sri Lankan intelligence. The vast amount of data created in the digital age poses both a burden and an opportunity for intelligence services. This data can be invaluable for finding patterns, forecasting trends, and producing actionable intelligence, provided the appropriate analytical tools and methodologies are applied (Colmenarejo, 2019). Investing in these technologies can significantly improve the intelligence community's capacity to react to new threats.

Way Forward

Increased transparency in Sri Lankan intelligence operations, including budget allocation, oversight mechanisms, and legal frameworks, can help build public trust by demystifying the intelligence community's work and providing more information about its operations and accountability. Moreover, enhancing communication and outreach between the intelligence community and the public through regular briefings, press releases, and community engagement initiatives can foster a sense of shared responsibility for national security and encourage public cooperation in intelligence-gathering efforts in Sri Lanka (Geneva Centre for Security Sector Governance, 2021). This will enhance Human Intelligence (HUMINT) capabilities in Sri Lankan intelligence and contribute to successful intelligence operations, particularly in counterterrorism.

Building relationships with local communities allows intelligence agencies to identify threats and suspicious activities and gather valuable information. To effectively engage with local communities, Sri Lanka's intelligence agencies must develop strategies for building trust and cooperation with community leaders, religious figures, and civil society organisations. Intelligence agencies in Sri Lanka must respect the cultural and religious diversity of the population, ensuring sensitive operations and the development of culturally competent practices and personnel who understand the unique dynamics of different communities.

Furthermore, to address more complex security threats arising from geopolitical situations, violent non-state actors, emerging disruptive technologies, improving interagency cooperation, developing clear protocols, and advancing infrastructure for technology are all important components of a comprehensive strategy to enhance intelligence-sharing capabilities. First, to guarantee that intelligence can be swiftly and securely shared across various agencies and countries, investing in secure, interconnected communication networks is imperative (Anonymous, 2024). Using safe data-sharing platforms and cutting-edge encryption techniques are part of this. Secondly, it is essential

to cultivate a culture of cooperation among intelligence services, both internally and externally. Joint training exercises, frequent interagency meetings, and the establishment of shared databases may contribute to accomplishing a collective goal. To ensure that the correct information reaches the right people on time, clear standards and guidelines should be established to regulate what intelligence agencies can be shared, with whom, and under what conditions.

Conclusion

In conclusion, the Sri Lankan intelligence services have been under persistent criticism for violating human rights while being used as a tool for political manipulation and having a weak structure in place to safeguard the country's security against evolving global threats. Sustaining the nation's democratic values requires rebuilding the confidence between citizens and intelligence communities. Moreover, the reputation of the Sri Lankan intelligence community has been depleted in the eyes of the international community with the constant allegations of human rights violations during pre- and post-war context. Therefore, a robust reform of the intelligence community is needed to restore the lost trust of the citizens and the international community, to enhance the capabilities and services provided by the intelligence community in Sri Lanka.

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