

# How to Catch the Black Cat in a Dark Room: How Should Sri Lanka Military Legally Engage in Global Counter Terrorism in a Democratic Society

SW Siriwardena

Sri Lanka Army  
ssiriwardena82@gmail.com

Having ended the civil war against the LTTE and the fight against insurgent activities of JVP, Sri Lanka is currently facing another controversial issue on global terrorism. Rumors about global terrorism in Sri Lanka became a reality on April 21, 2019. This brutal attack targeted innocent Sri Lankans as well as foreigners. This attack was able to have a direct impact on Sri Lanka's national security and national economy. As a county with past experience, Sri Lanka should not have eradicated the concept of security culture so soon. There are many lessons the military should take into consideration with regard to counter strategic operations. The objective of this research paper is to conduct an analysis of past military counter operations and to recommend how the military should professionally and legally engage in combatting counter global terrorism to protect democracy. Even though the existing legal regime is sufficient to combat any kind of terrorism, military engagement has been restricted. Whenever Emergency Regulations are removed, the military does not have any legal authority to engage directly in counter terrorism activities. This research was carried out based on two methodological approaches: Black letter approach and comparative research methodology. Two methodologies were carried out based on primary sources including the Emergency regulation dated April 22, 2019, Prevention of Terrorist Act, Evidence Ordinance, Criminal Producer Code, Sri Lankan Case laws with comparative analysis, secondary sources including peer reviewed journal articles, conference proceedings and online articles. The study concludes with recommendations on how the military should engage legally to counter global terrorism while protecting democracy.

**Keywords:** Military, Democracy, Counter terrorism, Global terrorism