

## **Legislating the National Intelligence Services in Sri Lanka: A Comparative Analysis**

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### **Abstract**

National Intelligence Services Act is a long overdue legislation. Separate legislation for national intelligence is of paramount importance to mount intelligence operations that empower and enhance high-grade and high-quality intelligence. Accordingly, a reasonable query arises about the anatomy of such legislation. This study committed to finding viable connotations and considerations of the prospective National Intelligence Services Act of Sri Lanka compared to the similar legislations of other jurisdictions. This study based on a qualitative research methodology instigates with the black letter approach apprehending existing legal regimes and concludes with a comparative study with similar laws of the selected jurisdictions. The researcher has referred to structured interviews and black letter instruments with legal binding as its primary sources, while research journal articles, committee reports, and special reports as secondary resources. This study recommends governing legal principles of Sri Lanka in formulating the national intelligence Legislation. Further, it proposes connotations and considerations for the legislation, the establishment of national intelligence institutions with their power, functions, and administration, authorized acts in the intelligence operation which includes intelligence cycle and counterintelligence of overt and covert operations, and the introduction of the intelligence warrants and their mandates, intelligence oversight measures, and intelligence tribunal for complaint handling and interpretation of terms that facilitate the smooth application of such legislation in Sri Lanka. Finally, the study stresses two aspects - the legal protection of the intelligence community and individual liberty as the foremost principles in formulating the prospective National Intelligence Services Act of Sri Lanka.

**Keywords:** *Intelligence Legislations, Intelligence Warrants, Intelligence Tribunal*