

Determined To Prove

Posted on



Nissanka Senadhipathi, Chairman, Avant Garde Maritime Services (AGMS) is always ready for a challenge. After all, he was a Commando Officer in the Sri Lanka Army. Having succeeded in providing land-based security solutions through Avant Garde Security Services (AGSS), he ventured into the relatively unknown field of maritime security countering piracy in the Indian Ocean and Arabian Sea, thereby becoming number one in the world in his field. In the past few years his determination has been challenged due to the dispute pertaining to the legality of his business. However, Nissanka Senadhipathi and his team states that they have already proven that Avant Garde Maritime Services is 100 per cent legal and in possession of all necessary approvals issued by the state. This is the story of his journey.

By Udeshi Amarasinghe. Assisted by Jennifer Paldano Goonewardena
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Describe your company?

The name of my company is Avant Garde, in French this means 'innovative and forward looking'. We wanted to introduce a novel concept. Our operations began in providing land-based security solutions. However, following the end of the conflict, this market became saturated and we had to look at other forms of business. This is when we thought of venturing into the maritime security sector.

I thank Business Today for being here. I can remember that you interviewed me in June 2004 when I first started Avant Garde Security Services and you told my story to the public.

How did you venture into the maritime security sector?

At the time when I was looking at other possible ventures, following the decline in the demand for land-based security, I travelled to Dubai looking for new opportunities and took over responsibility to provide security to the Dubai Airport. I

knew it was going to be tough, but I also needed something new in order to develop the Company. But due to the recession in Dubai, this venture failed. Then I asked Thilina Wewegama, who was my CEO, "Thilina what can we do?" He suggested that we check online and see the possible businesses that we can venture into. Subsequently we started an electro-mechanical company involved in building construction, interior decoration, electro mechanical work and tiling work. That too did not go well and we failed. We were not paid for our work and I remember on my birthday during that year I did not have money to even have a meal. I still remember that day. I asked Thilina again in desperation, "What shall we do now?"

We checked online again and spotted some material related to piracy. I asked him to explain to me as I did not understand the English that the article was written in. I had heard about piracy that had happened in the olden days. I listened and thought, "why don't we give it a try?" The problem was that I was trained to fight mainly on land but not at sea. I started to research extensively; went for briefings and obtained explanations so that I could clear my doubts. I started making my own notes and prepared my own booklet.

Once I returned to Sri Lanka, I met with a Naval Officer. I asked him to teach me about the sea; about its movement during Monsoonal conditions and the manner in which the Navy fights at sea; how a ship can sail for long duration, administration and logistic done in a ship and what kind of weapons are required to engage in an attack. This was important because when at sea the ship is not stable and when you fire from a small weapon the trajectory changes. Therefore, stability of the ship when firing has to be considered. I realised the international waters are governed by the maritime arm of the United Nations with IMO Regulations, this too had to be studied in depth.

After doing the risk assessment on piracy and available counter measures in 2009 I wrote a letter with a proposal to Mr Ban Ki Moon, Secretary General of the UN at that time. I asked the Ministry of Defence (MoD) to support me but they refused and told me to write to the Secretary General on my own. My proposal was to combat piracy in the Gulf of Aden in the Arabian Sea. This was made based on information gathered by my team and me. I sent a proposal on how to counter sea piracy. By this time, neither the Sri Lanka Navy nor Rakna Arakshaka Lanka (RALL) had started maritime operations. The response to my letter of request was poor because

maritime security was operated by the United Nations Combined Task Force and selected private security firms of Western and European countries, which were assigned to fight piracy in Somalia.

During my studies on counter piracy operations, I realised that it is an international operation, which cannot be done without an authorisation and approvals from the State. There are standard guidelines, systems and procedures issued by International Maritime Organization (IMO) in this type of operations, which are updated regularly.

Although I had not received any positive response to all my efforts, I continued my research on anti-piracy operations. At this time, a friend of mine came to meet me with a foreigner claiming that he had been played-out by some powerful people in the country. He needed to get his money back. He was very upset and was condemning our motherland. I called the relevant person and asked him to return the money as I had all the documents, which had been provided by him. I told him that the foreigner was vehemently condemning our country and once he returns home he will not speak well about Sri Lanka and this would affect investment to the country. This person said he needed three months to return the money, which he did. Afterwards, this foreign gentleman came to me and offered me about two million rupees as commission for doing the job. I told him that I don't take commissions. I said that I helped because he was in trouble. I told him to convey the message to the business community of his country to come and invest in Sri Lanka and that we respect law and order. This is the only thing I asked from him at that time. I dropped him at the airport. After six months this gentleman contacted me once again. His name is George Cheng and he said he was managing security for fishing trawler operations in the Indian Ocean but had shut down due to attacks by Somali pirates. At that time he was using Pakistan ex-military persons for his operations and asked me whether I could provide security to his boats.

The United Nations Security Council Has Stressed That Every Littoral Country Shall Support Counter Piracy Operations. It Was A Demand And Not A Request. And Being A Member Of The UN, Sri Lanka Was Obligated And Had To Support And Had No Choice In The Matter.

I was in touch with a Naval officer and Air Force officer at the time and discussed the possibility of providing this service. We started communicating through emails on how to do this operation. There were about 200 emails of communication. We realised it was going to be a big operation, which required more planning and commitment, which my studies on counter piracy helped me in a big way, and the way I had been trained in the Sri Lanka Army Commando Regiment and what I had learnt during battle appreciation was of great help to identify the threats at sea. By this time the MoD of Sri Lanka had already taken a decision to provide storage facility by the Sri Lanka Navy in Galle to weapons belonging to foreign private maritime security companies, which were providing security to the ships. That started in 2009. The Navy charged five to ten dollars per weapon per day for the storage. But it was done as a stopgap measure because the United Nations Security Council has stressed that every littoral country shall support counter piracy operations. It was a demand and not a request. And being a member of the UN, Sri Lanka was obliged and had to support and had no choice in the matter.

Whilst the Sri Lankan Government was supporting anti-piracy operations, we wrote a letter to the MoD with a proposal on exploring job opportunities for ex-servicemen in this maritime security field, by providing armed sea marshals to fishing trawlers. The proposal was sent to then Secretary of Defence Mr Gotabaya Rajapaksa on December 10, 2010. By that time RALL had started the maritime security business based on my proposal. I challenged Rakna Arakshaka Lanka on this because they knew nothing about it until I submitted my proposal. The Defence Secretary did not trust me. Then I wrote a second letter to the Secretary of Defence in March 2011 asking for another chance and requesting approvals for weapons to conduct the operation on my own. There was no response. Then I wrote to the CEO of Rakna Arakshaka Lanka. There was no response from him either. However, they could not remain quiet for long without considering us, as 24 other security companies had already started doing maritime security operations. I wrote to the CEO of Rakna Arakshaka Lanka for the third time, asking why they would not consider my company, if they could give it to others.

I informed Rakna Arakshaka Lanka and told that, if our Company is not considered, I will be compelled to seek legal actions. Then they responded. The Defence Ministry wrote saying that the operations to provide security in the sea against pirate attacks has been given to companies only with a shipping licence. This letter was

sent to me in June 2011. Ten days later I registered a maritime security company, obtained a shipping licence and went back to them. They did not respond again. Repeated requests went unheeded. At this time the Secretary of Defence cancelled the security licence of Avant Garde Security Services, which was doing land based security. They withdrew the licence for weapons as well. Instead of giving me the opportunity to do maritime operations, they sent me a letter terminating the security services of Avante Garde. I simply cried that day as this had never happened to me in my life.

I Left The Army Honourably And Started My Own Business To Provide Land Based Security And Was Performing Well At That Time. The Reason For The Cancellation Of My License Was That The Security Guards Were Wearing The Wrong Uniform And Badges.

I left the Army honourably and started my own business to provide land based security and was performing well at that time. The reason for the cancellation of my license was that the security guards were wearing the wrong uniform and badges. I told my family and friends that I was going to leave the country as I was being ill-treated. At the same time to my surprise, the MoD informed that they will give me three-months grace period to change the uniform and subsequently reinstated the license. That is how Mr Gotabaya Rajapaksa, former Secretary of Defence worked. I hope now people will understand that he did not give me any help to start my maritime security business. Absolutely nothing at all. Meanwhile, we requested from the MoD to authorise us to provide security for fishing trawler operations, which was a result of our two-years hard work and negotiations with George Chen. This concept and business was our creation and therefore we requested permission to start this operation. They agreed to give me a temporary licence as a pilot project with authorisation to operate three ships. By this time, 24 other companies that were registered with Rakna Arkshka Lanka, had started providing security for commercial liners. These are bigger ships, which are over 100 metres long, transport vehicles, oil, and other goods, which has an average speed of 15-25 nautical miles per hour. These types of ships usually sail out of sight of land therefore the risk of attack by pirates are minimum comparatively to fishing trawlers, which are less than 50m long, usually operated at a speed of five-seven nautical miles per hour. This is the beginning of my maritime security operations.

What happened next?

We had a meeting at the MoD regarding this fishing trawler operation. I remember at that time the CEO of Rakna Arakshaka Lanka attended the meeting. The Chairman of RALL never came. The Additional Secretary of the MoD called for a meeting and asked RALL CEO the reason as to why they do not want to do business with me. The CEO replied that if they gave their business to me I would catch the whole world including their business. The Additional Secretary asked whether that was the reason for not giving me the business. He said yes. Then the Additional Secretary said it is fair to give a chance to my Company, because I have already informed them that if they do not, I will go to courts for my rights. But RALL refused and said that they could not provide sea marshals as their commercial liners have seven-day journeys up and down. The CEO of RALL said that their sea marshals did not want to stay at sea for one year, as it was a difficult job. Further, in case of an injury they did not have a way to obtain medical assistance, and if anything were to happen, they would not be able to rescue the people as the deployment would be very closer to Somalia. RALL wanted us to find the people required for the deployment. I was discouraged, but my associates Wng Cdr Senarath Dissanayake and Cdr Nandana Diyabalange encouraged me to do this work, eventually RALL agreed.

After that, we planned the operations on how to ensure enough supplies and medicine, and to boost the morale of the staff. These men were going to stay in a fishing trawler for one year and their main task was to repulse attacks from pirates. During our research we found that the pirates use RPGs and T56, with an effective range of 300-350 metres. We countered that by deploying powerful long range weapons with effective range of 650 metres, such as Light Machine Guns (LMGs), with large quantities of ammunition to keep pirates away from the fishing trawlers, which had not been given to any security company in the world up to now. We used to overpower the pirates before they could even come close. Our battle hardened ex-servicemen performed very well. They repulsed seven to eight attacks in a month very successfully because we had long range guns. We had night confrontation with pirates as well. Then I had a difficulty to communicate with our men at sea, so I called CEO Dialog GSM, thanks to him, he provided satellite communication equipment for our deployments. That also became a morale booster for guards to be in touch with their family members during their deployments.

For our deployment on fishing vessels we had the best men on the job who were ex-servicemen from the Armed Forces of Sri Lanka. They are undoubtedly one of the world's best armed personnel having trained overseas in countries with immense knowledge on how to fight wars, not only on land but also at sea. The majority of our deployment consist of Naval personnel who are the products of the Sri Lanka Navy. They are recognised as one of the best navies in the world due to their contribution during the 30-year long war in Sri Lanka, which finally defeated LTTE terrorism. We countered all the negative points brought out by Rakna Lanka and were successful in executing the pilot project.

We Are Proud To Say That We Are The Only Security Company In The World In Possession Of Lloyd's Certification From UK For Providing Security For Fishing Vessels To-Date.

Thereafter, Rakna Lanka signed an exclusive agreement on our request with Avant Garde Maritime Services with much reluctance. Our success has paved the way for providing security for 200 fishing trawlers and deployment was about 600 people within the period of four months from the date of commencement of the operations. It was bigger than the UN Combined Maritime Force. I commanded these men with my team from Sri Lanka over the phone. To command 600 men at sea, you need at least 20 Admirals. But we did all this over the phone. We used technology for utmost efficiency, which cost us heavily. In consolidating our Maritime Security Operations for fishing trawlers we obtained the certification from Lloyd's ship registry in United Kingdom – ISO 28000:2007 and ISO 9001:2008 from Sri Lanka for Avant Garde Maritime Services following a tedious process and vetting. We are proud to say that we are the only security company in the world in possession of Lloyd's certification from UK for providing security for fishing vessels to-date.

Many people were questioning why I have many Admirals and Generals in my Company. My advisory board consist of two Chief of Defence Staff and four ex-Navy Commanders, one Chief of Staff of the Army and many Major Generals, Rear Admirals and Senior DIG's of Police. Other middle ranking officers from the tri-forces who have been qualified in the most reputable military institutes in the world such as Royal Naval Academy UK, Britannia Royal Naval College Dartmouth, Royal Military Academy Sandhurst from UK, the United States Army Rangers School, United States Army John F Kennedy Special Warfare Centre and School (Green

Berets), National Defence University of China, National Defence Academy of India, National Defence University Pakistan, National Defence University of Malaysia, National Defence College Bangladesh and their qualifications are equal to PhD holders of civil society. There is no other private maritime security company that has a board consisting of such qualified officers except Black Waters of USA. We are proud to say that these senior officers were involved in decision making in the National Security Council of Sri Lanka. We also had foreign Admirals such as ex-Royal Oman Navy Commander, presently consultant to the foreign office in Oman with a masters in Maritime Law. A Rear Admiral from Indian Navy, which is the third largest navy in the world, at retirement he was the third highest ranking officer in Indian Navy. In addition, we had a range of foreign officers qualified and trained from United Kingdom Special Air Service, United Kingdom Special Boat Squadron, Russian Spetsnaz, US Navy Seals and various other institution of other countries. My officers and I have travelled to 54 countries as a part of business promotion and to learn the evolving trends in maritime law. There were instances where I used to wait outside Harvard University for five days during a conference on sea piracy attended by officers of the Navies of various countries. I met some officials privately to enhance my knowledge on this subject to ensure no mistakes are made during the operation. In recognising our contribution to maritime security, as chairman of the company, I was appointed as Maritime Security Advisor to the President of Maldives since 2012 to 2014, and also the Honorary Counsel of Republic of Yemen to Sri Lanka since 2013. However, it is with great regret I wish to state that no recognition has been given to my Company or to me by any Government of this country to date.

With Our Success In Maritime Security Operations Many Diplomatic Missions In Sri Lanka Started To Communicate With Us.

Due to our deployment of fishing vessels in the Indian Ocean close to Somalia, the UN realised that Somalia pirate's movement had been effectively blocked from entering international waters to attack ships. Then the UN began supporting our operations. There were Indians and Pakistani also operating, but our services were the best and we had the majority. When our men repulsed attacks the word went to Taiwan and China that our men were unafraid of the pirates. Then other ships also started coming into the area. By then Rakna Lanka realised that we were going to win the world. But this was all possible not because of me; I did not do anything alone. I had many people to support me. Most importantly, it was the gallant work of the heroic men of the Armed Forces, who following the end of the war had joined

our company to engage in maritime security. We had three floating armouries; each floating armoury was under the command of a Rear Admiral and a Commodore, whereas, it is supposed to be controlled by a Captain, but I wanted greater responsibility to be placed. All my operations were 100 per cent legal. That is why I say to give us an opportunity to clear our name at least within seven days by appointing a Commission consisting of high ranking unbiased legal officers including the Chief Justice and Attorney General.

With our success in maritime security operations many diplomatic missions in Sri Lanka started to communicate with us. The US Embassy and US State Department had visited my office twice and discussed with me for about three and half hours regarding our mode of operations, which I have proof to support. Similarly foreign missions of UK, India, Japan, USA, Russia, Netherlands, Germany, France, Maldives and Sudan communicate and share maritime intelligence. They also have very strong relationship with our company. If there is any wrong doing from our side, these links would not have existed.

We have paid to-date 1,900 million rupees to Rakna Arakshaka Lanka from the income of the maritime security operations. In addition to that, we had to pay salaries of RALL personnel as well as our own employees, maintain the land based offices, pay for communications, and buy equipment. We allowed our people to speak with their families every three days and if the family didn't have a phone we gave them one. At 4,000 nautical miles they were in contact with their families, which was a luxurious facility for seafarers. That is how we developed this business with the expertise of high ranking officers. As I said, we had highly qualified men working for our company.

Today we have been accused by authorities that we have taken the business of the Navy, which we totally deny, and I have explained the true story of our company. Since the Navy officers are gentlemen they accepted the mistakes they have done without knowledge while conducting this operation. Documentary evidence is available to confirm this statement. The MoD was in favour of termination of this project. However, they could not do that due to the obligation as a member state of the UN, and MoD had no choice other than continuing the project. Therefore, this project was given to Rakna Arakshaka Lanka and they selected Avant Garde based on our credibility and expertise on the subject. In order to ensure better

transparency of this operation, the MoD directed RALL to get the Sri Lanka Navy involved in addition to AGMS. Our capabilities and in depth knowledge was proved beyond any doubt by our contribution in providing total solution, to ensure the accountability and safe storage of the weapons belonging to Rakna Arakshaka Lanka, which are issued by the Government of Sri Lanka. This requirement arose after the 24 companies operating for a period of one and half years with Rakna Arakshaka Lanka had adversely misused the opportunity given and rehired the Sri Lankan Government own weapons in an unregulated and illegal manner and believed to have been earned a thumping amount of money. In November 2011, Poland authorities had seized a set of weapons and finally the Sri Lankan Embassy in Poland had inquired about these weapons from MoD of Sri Lanka. But Rakna Arakshaka Lanka or Sri Lankan authorities had failed to trace the Sri Lankan Government owned weapons issued for maritime security duties, because they did not have a place to keep the weapons once these leave Sri Lanka. Due to our close relationship with UN agencies, as a result of our success in fishing trawler operations and close working relationship with the United States 7th fleet operating in the Arabian sea, in April 2012 Mr Jorg Roofthoof who is a member of the United Nation Somalia Eritrea Monitoring Group, an independent team of investigators mandated by the Sanction Committee of the UN Security Council to monitor and investigated the arms embargos on Somalia and Eritrea – directly sent me an email and requested our support to trace the Sri Lankan Government owned weapons.

As a result of this weapon misplacement, on July 13, 2012 UN has passed a resolution S/2012/544 and mentioned that Sri Lankan Government has reportedly lost track of hundreds of Government owned weapons that it had rented out to private maritime security companies and Sri Lanka was about to be blacklisted. This would have meant the end of maritime business in Sri Lanka. At that time Rakna Arakshaka Lanka requested us to intervene in this matter due to the possible ban on maritime security business by Sri Lankan companies by the UN. After obtaining authority from the MoD, we were able to find 158 Sri Lankan Government owned weapons out of 172 by spending 30 million rupees of our money and handed over to Rakna Arakshaka Lanka. However, 14 weapons are still misplaced. Then we came up with a proposal to Rakna Arakshaka Lanka on how to monitor and track Government owned weapons issued to maritime security duties. By spending about USD 800,000 monthly, we established and maintained seven land based armouries in littoral states and two floating armouries in the Red Sea and Gulf of Oman. This is the first time in the history of Sri Lanka and the world, Avant Garde Maritime

Services established two legitimate floating armouries in international waters.

Since commencement of the Galle floating armoury operation our total earning only from this project was 11.4 billion rupees within three years and out of which we paid 1,900 million rupees to Rakna Arakshaka Lanka. In addition, 1,800 million rupees was paid to the Sri Lanka Navy. The total was 3.7 billion rupees within a period of 26 months. Has any Government ministry or institution ever earned this amount of money within the period I mentioned? We were the only company that paid so much of money to the Government without using or spending a cent from the Government. Documentary proof is available to confirm these transactions. The Navy has only earned 1,836 million rupees within the period of three years during the time when they were conducting this operation (2009-2012). However, this amount was earned during a time when the piracy threat was at its peak. Also documentary evidence is available to confirm that the SL Navy was losing their business due to mismanagement, especially the last six months prior to RALL taking over operation with us.

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Floating Armouries In International Waters.**

At that time Secretary of Defence Gotabaya Rajapaksa requested us to pay the salaries of disabled soldiers and officers who could not work. I thank him for making me do that because they are war heroes. At the start of this Galle floating armoury operation, he said that the MoD should get 50 per cent from the turnover of Galle floating armoury project whereas I proposed only 20 per cent to pay from the profit. Finally, I managed to reduce that 50 per cent to 45 per cent. There's no business in the world where you give 45 per cent from the turnover, the maximum is 20 per cent. We were running at a loss, but I was earning from the fishing trawlers.

The Government still operates with our company and stores weapons in our floating armouries. We still provide security to fishing trawlers with fully automatic long range weapons. As I said, we are the only company in the world given this authority. If we are illegal, how could this happen?

Things changed in 2015, what can you tell us about this?

Suddenly our Galle floating armoury was declared illegal and investigations were started. They stated that there were 3,500 illegal weapons onboard. However, it should be noted that on page 54 in the report presented by the Business, Innovation and Skills, Defence, Foreign Affairs and International Development Committee, Her Majesty's Governments Annual Report to the Parliament of the United Kingdom in 2014/2015 states only Avant Garde Maritime Services and that MV Mahanuwara, which is operated by us from Sri Lanka has the authorisation and protection of the MoD in Sri Lanka, that is still being used as an armoury for weapons for counter piracy operations. We have the seal of approval from the Parliament of UK. Out of 52 countries and 215 maritime security companies, we had five floating armouries out of 31 and it was only the name Avante Garde that was worthy of mentioning. But the authorities here said in 2015 that the 3,500 weapons on board MV Mahanuwara were illegal (second accusation). At this point I would like to highlight that if the weapons are illegal, then those weapons should be in the custody of courts. But on November 13, 2015 after the Navy took over MV Mahanuwara in an illegal and hostile manner, they moved these so called illegal weapons to their camp and started the operations and continued to date. How could this happen? If the Sri Lanka Navy is permitted to use illegal weapons to conduct maritime security operation, it is a very serious offence.

After a series of investigations on the legality of MV Mahanuwara, the case was referred to the Attorney General (AG), then AG wrote that he had considered the investigation notes and observations submitted by the CID and the MoD and he is in the opinion that no offences have been found and no evidence to suggest that it was an offence as we were operating with the MoD. As I said, while this investigation is going on, the MoD is still operating with us. As per direction of the MoD, Sri Lanka Navy and RALL were on board with us until November 2015. Then how can our operation be illegal? We brought approximately 60 million dollars into the country every year and now it has reduced to 12 million dollars.

The other accusation was changing the serial numbers of 30 weapons belonging to RALL, which were on-board of MV Avant Garde. The ship was on a time charter by us and wanted to recall the ship to Sri Lanka from the Red Sea as we were incurring a loss of 1.1 billion rupees. We wrote to Rakna Arakshaka Lanka indicating the withdrawal of Red Sea Floating Armoury as it has cost us approx USD 6.6 million for

the deployment since 2012 to protect Government owned weapons belonging to RALL, and which they will have to pay for our company as per the agreements. On September 11, 2015 RALL replied to our letter saying that they will not contest our claim and wanted to discuss.

The Government Still Operates With Our Company And Stores Weapons In Our Floating Armouries. We Still Provide Security To Fishing Trawlers With Fully Automatic Long Range Weapons.

We informed the MoD that the ship was returning. The MoD on September 23, 2015 issued an approval (EUC) informing to relevant authorities including Commander of the Navy that MV Avante Garde was sailing from Red Sea to port of Galle with an arms escort. On September 22, 2015 we completed necessary formalities and submitted to the MoD through RALL for approval of sea transportation of weapons and ammunitions on-board MV Avant Garde which belongs to RALL under the custody of their representative, amounting to 813 weapons and over 200,000 ammunitions.

However MoD had granted the approval on October 6, 2015. At that time MV Avant Garde was in international waters and sailing towards the Galle Harbour. On October 5, 2015 night Sri Lanka Navy sent some vessels to MV Avant Garde claiming this is a suspicious vessel. On October 6, 2015 morning Sri Lanka Navy arrested the MV Avant Garde in international waters which is a totally illegal act, this is in spite of MV Avant Garde being under the administration of the Sri Lankan flag. As per the Law of the Sea Article 110, the right of visits as follows: (a) The ship is engaged in piracy; (b) The ship is engaged in the slave trade; (c) The ship is engaged in unauthorized broadcasting and the flag State of the warship has jurisdiction under article 109; (d) The ship is without nationality; or (e) Though flying a foreign flag or refusing to show its flag, the ship is, in reality, of the same nationality as the warship.

But Sri Lanka Navy boarded MV Avant Garde and took the ship into their custody due to none of the above reasons. However later the allegation levelled against us was the tampering of serial numbers of 30 weapons, which were under the custody of RALL. The ship Captain who is a Ukrainian national was imprisoned for nearly one

year.

The Deputy Southern Naval Commander had complained to the Police stating that they have received the approval letter from MoD for MV Avant Garde to enter to the Galle harbour but he could not accept that MoD approval. If Navy can't accept the MoD approval, I do not know who's command they are carrying out.

On October 6, 2015 the General Manager Rakna Araksahka Lanka also sent letters to the Commander of Navy and Director of Customs stating that these weapons belong to RALL requesting their assistance to unload them to their armoury.

During the investigations by CID, they requested the Government Analysis Department to confirm the serial numbers of 30 weapons out 816 weapons belongs to RALL, which were brought in by MV Avant Garde. The Government analysis report clearly mentioned that none of the serial numbers have changed. In a weapon there are five places where serial number are engraved. I know about weapons very well because I was a specialist of small arms in Sri Lanka Army Commando Regiment and sniper training school.

What is your current status?

My current state is, had I started operations in the Gulf of Guinea, which was already being signed with the Government of Nigeria I would have brought in 75 million dollars a month. Further to this we have signed the contract with Nigerian Navy to supply Arrow Boats manufactured by the Sri Lankan Navy. To get this contract we competed with 26 countries including USA and UK. Due to our capability along with the Sri Lanka Navy we participated to win this contract but everything was stopped due to this bad, untrue and unethical publicity given against our company. In the letter written to DIG CID by the Secretary of Defence under this regime about this Nigerian Project on March 8, 2015 he has mentioned, "The intention of the Government of Sri Lanka in assisting Nigeria to effectively streamline commercial operations in maritime security had been to share the immense experience gained by military personal of Sri Lanka with maritime security operation in the Gulf of Guinea, thereby creating 25,000 job opportunities and earning up to USD 1,000 million during the next five years for Sri Lanka, thereby chairman AGMS should visit Nigeria to represent Sri Lanka in finalising the

agreements". I could have earned USD 2,000 million within three years.

We still operate with the Government. Our operations are 100 per cent legal. If we are illegal, how can this Government still keep its weapons on board our vessels in the Red Sea and Gulf of Oman? How can they give weapons to our company and operate with us? We have signed an agreement with present Government on October 20, 2015. Currently, our operations in Galle have been stopped and the Navy is continuing the same business. We have given thousands of jobs through this company Therefore, why have the operations been stopped? It's due to the political influence.

My Current State Is, Had I Started Operations In The Gulf Of Guinea, Which Was Already Being Signed With The Government Of Nigeria I Would Have Brought In 75 Million Dollars A Month.

The purpose of signing of October 20, 2015 agreement by Rakna Arakshaka Lanka under the present regime is to ensure continuity of all projects as it is. However on November 13, 2015 Sri Lanka Navy took over Galle operation. Due to this action, approximately 4,000 ex-servicemen directly lost their jobs and another about 2,000 indirectly lost their jobs. RALL could not prevent this and failed to ensure the continuity of operation with AGMS. Therefore we continued the arbitration in Singapore International Arbitration centre (SIAC) which we filed in early 2015 due to RALL failure to provide mutual support and clear AGMS name as per the agreement signed. And we received the arbitral award in favour of us on November 2016 directing RALL to pay USD five million with other expenses and cost (845 million rupees). However the award was challenged by RALL in the High Court of Singapore and same was dismissed by High Court of Singapore on December 1, 2017 and directed RALL to pay the cost of legal and other expenses to AGMS. The Government is silent on this decision.

We have also filed another case in Colombo District Court for the illegal taking over of Galle floating armoury operation and demanded a sum of 2.4 billion rupees. In the event that we succeed in this, I will establish a trust fund, which will pay the salaries of the war heroes. Sri Lankan Government nor the Navy could provide a single job opportunity for these ex-servicemen who fought for this country who are

unable to have proper lifestyle. After their retirement the only shelter for the ex-servicemen was Avant Garde Maritime Services where they earned five times higher salary and for some over ten times than what they received while working in the Armed Forces. The company is now paralyzed due to the uncontrolled actions by few. The war heroes were suffering during the war and now too they are suffering after retirement.

What are the new ventures?

Other than the Nigerian project, we were about to start maritime security in the Malacca Strait. If we commenced that operation we would have brought USD 50 million to Sri Lanka per month. Apart from that we were arranging to train Armed Forces of Nigeria. The country is one of the richest in the African continent and there are many opportunities available. We were making plans to go and we had received approvals from Nigeria, and were finalising discussion with Togo, Ghana, Benin, Senegal and Kenya. I still affirm that I can bring this money if the Government can clear our name immediately.

You have helped many people; can you tell us about this?

I am a man who fought for this country as I love this country. Therefore I am here to serve those who fought for this country and gave them jobs without putting all the money earned in to my pocket. Some of these brave men became disabled and we paid them a minimum salary of 175,000 rupees per month as no one in society gives them job opportunities.

I Affirm If Our Company Name And My Name Are Cleared By The Government With Immediate Effect, We Will Bring Foreign Revenue, Which Is Needed By Our Country At This Time.

All the payments I have made to my staff and the donations I have made to charitable causes have been done through the banks. All the records and documentation are there. I have given 750 million rupees to the underprivileged including for 235 heart operations; I have never told anyone. But it is time to tell now. I paid for a surgery at Mount Elizabeth Hospital in Singapore for a child. The child was given one month to live. The father was working on one of my ships. I promised to send the mother and child to the best hospital for the surgery. We sent

the biopsy to Mount Elizabeth and they said they can treat the child. The treatment cost 27 million rupees. I can prove from my bank transactions that I paid 27 million rupees. I have paid for ten leukaemia surgeries in India, running into millions. I have given around 80 million rupees to build a temple in Chilaw; the same way I donated money to build a Vishnu temple for which I gave 20 million rupees and to a church 10-15 million rupees. Also 65 million to build another temple.

What are the recognitions you have received?

As a company we have not received any awards from this country nor do we expect it. But, we have received many international awards such as Best Enterprises award from European Business Assembly, International Quality Crown Award – London, International Star For Leadership in Quality Award, Paris, International Star for Leadership in Quality Award, European Award for Best Practice- Brussels to name a few.

Message?

I affirm if our company name and my name are cleared by the Government with immediate effect, we will bring the foreign revenue of (USD two billion), which is needed by our country at this time. We can do it within three years because we know how to market the “Art of War”. We are well trained and battle hardened people who eradicated terrorism and ended the 30 year war, where the entire world (Western and European) believed that LTTE threat could not be defeated in Sri Lanka. I request from the President to clear our name and let us bring this money to this country. We are 100 per cent legal and the Government is still operating with us and keeping RALL weapons at our floating armouries in the Gulf of Oman and Red Sea. As we are in possession of all the approvals, clearing our name would not be a difficult task, this could be done within seven days.



