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Mumbai Blasts: Time to Act

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The Mumbai serial train blasts that killed over 200 persons and left more than 700 injured within a span of 11 minutes on July 11, 2006 is the most serious attack on the Indian state and its people since the attack on Parliament on December 13, 2001.

Like the Parliament attack, the Mumbai blasts should be treated as an act of war against the nation. These attacks were some of the high points in the continuing proxy-war that Pakistan has launched against India.

The terrorist attack on the suburban trains, another link in the chain of attacks on mass transit vehicles by international terrorist organisations in the past few years, was a meticulously planned and well-executed operation masterminded by terrorist groups based in Pakistan and other places. The attack was apparently carried out with the assistance of local recruits, trained and indoctrinated by terrorist groups based in Pakistan, particularly the Lashkar-e-toiba (LeT), one of the vicious terror groups targeting India.

Nearly a fortnight before the attack, according to a report of June 29, 2006, in Nawa-e-waqt, an Urdu daily published from Karachi, LeT chief Hafeez Muhammad Saeed told a gathering in Muzaffarabad, where his group has several training camps for jihadis, that "The Hindus have included blasphemous cartoons in their textbooks. We will take revenge. We will intensify jihad against the Hindus". Two days after the blasts, Saeed is quoted as saying in weekly Ghazwa Times, July 13, that "Nobody could stop us from

KEY RECOMMENDATIONS

To assure the people that they will be protected the government should undertake the following measures:

POLICY AND MECHANISM

- Formulate a National Counter-Terrorism Strategy.
- Create separate Ministry of Internal Security affairs and institute a Counter Terrorism Centre.

ARMED AND PUNITIVE ACTION

- Direct overt and covert actions against terrorists and terrorist groups.
- Completely root-out the underworld in Mumbai. Silence fugitive underworld leaders and operatives.
- Hunt down groups like SIMI. Punish political leaders linked to such groups.
- Stop terrorist funding through punitive legislation.

LEGISLATION

- Introduce a comprehensive, permanent anti-terror law. Take firm action to prevent the abuse of such a law.
- Make a provision to declare a person as terrorist.
- Take action to secure extradition of fugitive terrorists.

INTELLIGENCE AND SECURITY

- Re-invigorate intelligence and police forces in all States.
- Strengthen Joint Taskforce on Intelligence, Multi Agency Centre and Joint Intelligence Committee.
- Create Counter-Terrorism Fund.

PREVENTION, PREPAREDNESS AND RESPONSE

- Formulate a comprehensive action plan to prevent attacks on mass transit systems.
- Prepare to face recurring, more lethal terror attacks

PAKISTAN

- Make terrorism an integral part of Composite Dialogue.
- Force Pakistan to shut down LeT, JeM and all other terrorist organizations targeting India.
- Launch global diplomatic and media campaign to pressurize Pakistan to act against terrorist groups.

Observer Research Foundation is a public policy think-tank that aims to influence formulation of policies for building a strong and prosperous India. ORF pursues these goals by providing informed and productive inputs, in-depth research and stimulating discussions. The Foundation is supported in its mission by a cross-section of India's leading public figures, academics and business leaders.

our mission. We will continue to do what is just according to our mission.” While this indicates a continuum in the mindset of organisations like the LeT, it also shows the indulgence of Pakistani authorities towards such organisations. It is, of course, more likely that the attacks were planned and trial runs carried out much earlier.

Calculated attacks like the Mumbai blasts cause immense damage to the country, its economy and image, besides challenging its pluralist character. As previous attacks in Delhi, Varanasi, Ahmedabad and Ayodhya have shown, one of the primary objectives of terrorists has been to trigger communal riots in communally-sensitive areas of the country. It is a war of attrition and the aim of the terrorists is that the thread will snap one day.

Investigations have established that LeT has been successful in co-opting extremist groups like Students Islamic Movement of India (SIMI) which, despite being banned in India since 2000, has been quite active underground in Uttar Pradesh, Maharashtra, Gujarat, Haryana and Kerala. In the past few years, SIMI activists have been involved in assisting Pakistan-based terrorist groups like LeT and Jaish-e-Mohammad (JeM) to carry out attacks on pre-selected targets in India. They have, in fact, been functioning as an extended arm of these groups.

Besides, this coalition exploits the presence of organised crime syndicates and trans-national arms smuggling networks to procure weapons and explosives. The ISI's role in creating and controlling such terrorist coalitions and groups has been well documented. In this context, the Law Commission of India noted, in April 2000 in its 173rd Report on the anti-terrorism Bill, that 34,262 lives were lost, property worth Rs 20 billion was reportedly damaged, while 43,700 kg of explosives, mostly RDX, and 61,900 sophisticated weapons were smuggled into India, even as an estimated Rs 640 billion were spent as security-related expenditure to counter the ISI threat.

In Mumbai, and several other parts of India, the underworld and crime syndicates have been, and are, the ISI's instrument of coordinating, arming and assisting terrorists tasked to carry out attacks. These have been allowed to be entrenched in megapolis' like Mumbai due to political and commercial reasons. The 1993 serial blasts that killed over 270 persons were carried out by newly recruited terrorists with the active support and help of the syndicate run by Dawood Ibrahim from Karachi. 10 years after the event, on

October 16, 2003, the US Department of State designated Dawood Ibrahim as a terrorist for his links to al Qaida, his role in terrorist acts in India and for financing LeT.

Despite this, the Dawood Ibrahim syndicate has expanded its network in Mumbai and adjoining areas since then, enabling the ISI and its sponsored terrorist groups like LeT to recruit youngsters, transfer funds and weapons and provide mobile phones, shelter and escape routes for carrying terrorist operations in India.

The crime syndicates like the one run by Dawood Ibrahim are also the conduit for hawala transactions that sustains terror groups and their activities in India. Way back in 1988, the Interpol estimated the size of hawala transactions in India to be over \$680 billion. This network of hawala exists across the country with hardly any vigilant, systematic crackdown. The financial network aiding terrorism in Jammu and Kashmir and other parts of India could be traced to west Asian

hawala networks and religious charity organisations. It was a chance investigation of a vegetable vendor in 1997 that exposed an alarming transaction of one million rupees that belonged to a senior Hurriyat leader. There is convincing evidence of terrorist groups like Hizb-ul Mujahideen (HuM), JeM and LeT having been funded through hawala networks across an arc that stretches from the Persian Gulf to the Bay of Bengal. There is an urgent need to put an end to this network. Of course, this is not the easiest of tasks in any counter-terrorism campaign.

Besides, various charitable and religious organisations based in west Asia and other parts of the world, too, fund terrorist and extremist groups operating in India. SIMI, for instance, drew substantial funding from World Assembly of Muslim Youth, an organisation based in Falls Church, Washington D.C., before the latter was proscribed following the 9/11 attacks. The entity, which also funded the Hamas, was founded by Abdullah bin Laden, brother of Osama bin Laden. There is, therefore, a need for diplomatic action in this regard, to persuade the countries where these charities are located to halt such funding.

Despite the Foreign Exchange Management Act (FEMA) and the Prevention of Money Laundering (Amendment) Act of 2005, there has been hardly any consistent and deterrent action on this front. According to available figures, the Enforcement Directorate (ED), has investigated only nine cases of terror funding since 1998 — six involving LeT. A majority of these cases related to Pakistan and Dubai.

The primary objective of terrorists has been to trigger communal riots in communally-sensitive areas. It is a war of attrition and the aim of the terrorists is that the thread will snap one day.

The attack on Mumbai trains reconfirms that Islamist terrorism is no longer confined to Jammu and Kashmir, as has been the case since the early 1990s. It is likely to be a major internal security challenge in different parts of the country, particularly west and south India; the north and north-east are already afflicted. In all likelihood, the north-east, especially Assam, will increasingly come under an additional threat from Islamist terrorists operating out of Bangladesh, and aided in considerable measure by the ISI and Bangladesh's Directorate General of Field Intelligence (DGFI). The West, Maharashtra and Gujarat included, is likely to face the terrorist onslaught from extremist groups and individuals working on behalf of LeT and JeM.

Another important aspect is the profile of the fresh recruits to terrorism. A considerable number of them are well-educated, even doctors and engineers, and adept in exploiting latest communication technologies like the Internet, e-mail and satellite phones. The indoctrination of these recruits relies heavily on hate literature and propaganda material generated from communal incidents in the country. They are sent out for training in the use of weapons and fabricating explosive devices in camps set up by LeT and other terrorist groups in Pakistan — PoK, Punjab and Balochistan, and training infrastructure in Bangladesh — particularly in the Chittagong Hill Tracts (CHT) where Harkat-ul Jihad al Islami (HuJI) and its associate, Jamaatul Mujahideen Bangladesh have set up complexes for training and indoctrination.

State response to such terrorist incidents has been grossly inadequate. On occasions, there has been a complete breakdown of the law and order machinery. Poor intelligence gathering and lack of will and resources to follow-up on information provided by Central and or State intelligence agencies have often allowed terrorist groups to carry out their operations without much difficulty. Police have often failed to deter terrorists. This malaise is caused by a growing lack of professionalism in intelligence agencies and police forces, phenomenal increase of political interference and government's indifference to carry out reforms in the police.

The political response to terrorism has been equally dismal. At the initial stages and even much later, the State governments are reluctant to describe terrorist acts as 'terrorist acts' and prefer to deal with them as law and order problems until it is too late. Political parties have often neutralized anti-terrorism laws for narrow political interests. The leader-

ship has repeatedly failed to face the challenge of terrorism squarely, capitulating in the face of crises like hijackings and hostage-taking incidents.

India is, therefore, increasingly being seen as a soft and indolent state which is bending over backwards for vote bank politics. This impression has to be corrected forthright. If this is not done, ordinary citizens, including minorities, will lose faith in the government and the terrorists will take advantage, as they seem to be doing.

There is a general lack of public awareness or a reluctance to help or volunteer information lest it rebound on the informer. There is a lack of public confidence in the law and order machinery and also a genuine lack of general awareness about what to look for and what to do. There is, at the same time, an over dependence on the state with an unwillingness to help in the normal course.

Western India, Maharashtra and Gujarat included, is likely to face the terrorist onslaught from extremist groups and individuals working on behalf of LeT, HuJI and JeM.

POLICY ACTIONS

ASSURE PEOPLE

- The government must firmly and solemnly reassure the people that they will be protected. The top leadership of the country should make it clear that those responsible for terrorist attacks and those who assist them will be hunted down and dealt with sternly.

POLICY AND MECHANISM

- There is an urgent and imperative need to have in place a National Counter-Terrorism Strategy in dealing with all acts of terrorism, including nuclear, biological and chemical. The policy should lead to the formulation of a well-defined, comprehensive and multidimensional action plan to deal with all types of terrorism.
- For the formulation of this plan, its implementation and oversight, the government should constitute a small and compact group of professionals, on the lines of a strategic group, from different professional backgrounds and expertise to deal with terrorism.
- This should form the core group for a Counter Terrorism Centre within a separate Ministry for Internal Security with an independent Minister responsible.

ARMED AND PUNITIVE ACTION

- The government should be pro-active and direct overt and covert actions against terrorists and terrorist groups, within the country and those based in foreign countries,

in order to vastly reduce their capabilities.

- The government should immediately take all measures to completely root-out the underworld in Mumbai. Fugitive underworld leaders and operatives should be silenced and their operations halted on foreign soils. All criminal linkages should be investigated and those found guilty should be brought to book.
- Groups like SIMI that provide a crucial support base for terrorist activities should be hunted down, their networks should be smashed, and support structures and bases destroyed completely. A mere ban is not sufficient. Irrespective of their political affiliation and status, leaders found to be involved with, or linked to, such anti-national groups should be brought to justice.
- Concerted effort should be made to tackle terrorist funding. Long-term measures including snapping of financial networks of terrorist groups are required. This would involve curbing charity organisations, both within Indian and outside, from supporting terrorist activities and tracking down hawala transactions, as well as money laundering.

LEGISLATION

- Terrorism is an act of war and, during such circumstances, nations suspend their normal laws. Since normal criminal laws are inadequate and cumbersome in dealing with acts of terrorism, we need to introduce a permanent anti-terror law which is not subjected to dilution for political reasons. This should be a comprehensive law enabling intelligence agencies to track down suspected terrorists, block channels of funding and weapons smuggling and help the prosecution of the guilty quickly and severely. It would be useful to recollect that the United States and the United Kingdom have provisions in their anti-terrorism laws that are much tougher than India's earlier anti-terrorism laws. Adequate care should, of course, be taken to prevent the abuse of such a law.
- Amendments should be made to the Indian Evidence Act, the Arms Act, the Telegraph Act, the Prevention of Money Laundering Act, the Criminal Procedure Code, etc to plug possible legal loopholes to prevent acquittal on technical grounds and introduce the concept of imposing cumulative sentences in terrorism cases. A comprehensive witness protection programme should be put in place and should be extended to all cases relating to terrorist acts.

Political parties in government must desist from using the intelligence agencies for narrow, partisan ends and should allow the intelligence agencies to be professional.

- In the wake of our past experience, it is equally important that a serious inquiry is made into the efficacy of our earlier anti-terrorism laws in bringing to justice those detained for acts of terrorism and necessary corrective measures need to be initiated and, ultimately, ensure that the perpetrators of terrorist acts do not go unpunished.
- There is an urgent need to introduce a provision either in the existing laws or in new anti-terrorism laws, to declare a person as terrorist. Provisions relating to declaring an organization as terrorist alone are not sufficient.
- Immediately, we need to review the procedures being followed hitherto to secure the extradition of fugitive terrorists.
- The government must make suitable amendments to Section 3 of Foreign Exchange Management Act (FEMA) to equate hawala transactions used for terrorism with acts of terror. Similarly, immediate action should be taken to bring in the Unlawful Activities (Prevention) Amendment Act, 2004 into the schedule of the Prevention of Money Laundering (Amendment) Act of 2005.

INTELLIGENCE AND SECURITY AGENCIES

- The law enforcement agencies across the country, without exception, are in a state of utter disrepair. Immediately, these have to be re-invigorated, energized and revived, failing which our fight against terrorism would not yield the desired results. The government must immediately implement the recommendations of the National Police Reforms Commission of 1979.
- Political parties in government must desist from using the intelligence agencies for narrow, partisan ends and should allow and encourage the intelligence agencies to be professional. At the same time, the government should fix responsibility for intelligence failure leading to terrorist attacks, including in the July 11-Mumbai blasts.
- Revive the Joint Taskforce on Intelligence and Multi Agency Centre. These two units provide a platform for Army, Navy, Air Force, R&AW and IB to synergise their capabilities and facilitate sharing of information and assets.
- The Joint Intelligence Committee should be strengthened and given the right resources to carry out its task of coordinating intelligence and policy decisions in matters of national security.
- The Central government should create a Counter-Terror-

ism Fund to strengthen the anti-terrorist intelligence and operational capabilities at State level.

PREVENTION, PREPAREDNESS AND RESPONSE

- A comprehensive action plan must be prepared to prevent attacks on mass transit systems like trains and metros. This plan should include both law enforcement activities (policing), and physical security. Policing would include beat patrol, positioning of police control room (PCR) vans at strategic locations and coordination with fire services, para-medical and civil-defence organisations.
- The physical aspect of the plan should include CCTVs, vehicle barriers, proper lighting at stations and in the trains and under vehicle surveillances.
- Random anti-terrorist measures can include routine checking of passengers and luggage and removal of luggage carriers and other potential places for hiding explosives and weapons.
- It is extremely important for the state and its agencies to immediately reach out to the people in the aftermath of a terror attack in order that the people would be convinced that they are cared for. They would then come forward as willing partners in future in the counter-terrorism efforts of the government. The response of the state on July 11 was too slow. It is of paramount importance that the state authority should be visible immediately to prevent chaos and to provide succour and assistance, and to keep the people's morale high.
- All agencies of the government should be thoroughly prepared to face recurring, more lethal attacks involving a large number of casualties and the use of lethal forms of attacks such as chemical weapons. If one does not already exist, we need to immediately put in place a robust

Standard Operating Procedure (SOP) to deal with the fall-out of a terrorist attack and provide immediate relief to victims — the people — in all our cities and towns.

- Quick Response Teams comprising police, medical, civil-defence, fire service and local administration should be created and equipped with state-of-the art dedicated equipment to tackle similar situations that will arise in metropolitan cities. These teams should be tasked to act in accordance with the SOP so that response to such emergencies is quick, effective and visible.
- Special programmes are needed to create public awareness and confidence in the state machinery.

PAKISTAN

- The issue of terrorism should become an integral part of the Composite Dialogue. It should be impressed upon Pakistan that, if it failed to root out the problem of terrorism, the peace process is likely to be in jeopardy.
- Pakistan must be forced to shut down Lashkar-e-Toiba, Jaish-e-Mohammad and all other terrorist organizations targeting India, besides proscribing jihadi publications and websites.
- India has a list of 4000 persons involved with various terrorist groups based in Pakistan. Action Taken Notes on these persons should form part of the progress report on the Composite Dialogue.
- A global campaign, both diplomatic and in the media, should be launched to intensify pressure on Pakistan to take action against terrorist groups. Others may or may not help but will certainly be more willing to help if they understand that we are serious in handling this menace. Diplomatic, offensive should be part of this campaign.

These findings and recommendations are drawn largely from the discussion which the Observer Research Foundation had hosted on July 13, 2006, two days after the blasts, with a view to make an assessment of the incident and its fall-out with the objective of making recommendations and suggestions on tackling this menace which is a challenge to India's peaceful, democratic and secular tradition and way of living. Some well-known thinkers, academics and police and intelligence officials took part in the discussion. The participants included Mr RK Mishra, Chairman, ORF, Mr Vikram Sood, former chief, Research and

Analysis Wing, Major General Afsir Karim, former member of the National Security Advisory Board, Prof. SD Muni, renowned expert on south Asian security affairs, Mr Prakash Singh, former Director General, Uttar Pradesh Police, Mr Saeed Naqvi, television personality, Mr Ashok Singh, Senior Fellow, ORF, Mr Nandan Unnikrishnan, Senior Fellow, ORF, Mr Wilson John, Senior Fellow and Dr PV Ramana, Research Fellow. General VP Malik's note on the subject was read *in absentia*. Dr R Swaminathan, Senior Fellow, ORF Mumbai, presented a situation report on the incident.

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ORF publications on terrorism

- Terrorism in Southeast Asia: Implications for South Asia, Ed by Wilson John and Swati Parashar (ORF-Pearson-Longman, 2005)
- ORF Policy Brief: Terrorist Strikes in Ayodhya and London: Lessons for the future
- ORF Issue Brief - The Jihadi Factor in India-Pakistan Peace Process, Wilson John, (June 2006)
- Maoist Insurgency in Nepal, SD Muni, (ORF-Rupa, 2003)
- Karachi: A terror capital in the making, Wilson John, (ORF-Rupa, 2003)
- Maritime Terrorism (forthcoming)
- Naxal Violence, Ed by PV Ramana (forthcoming)

Recent ORF publications:

- Sri Lanka : Peace without process, Ed by B Raman , N.Sathiya Moorthy , Kalpana Chittaranjan, (ORF-Sanskriti 2006)
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- Pakistan's Nuclear Disorder: Weapons, proliferation and safety, Garima Singh, (ORF-Lancer, 2006)
- Documenting Reforms: Case studies from India, Ed by S Narayan, (ORF-Macmillan, 2006)
- Defence Planning: Problems and prospects, Gen VP Malik, Brig Vinod Anand, (ORF-Manas, 2006)
- ORF Occasional Paper - The Dynamics of LTTE's Commercial Maritime Infrastructure, Vijay Sakhuja, (April 2006)



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