

"If you can't explain it simply, you don't  
understand it well enough."

*Albert Einstein*



# Money Laundering, OC and Terrorism

# Money Laundering



## **Money Laundering**

Washing of the money which has been earned through illegal sources and subsequently mixing it up with legitimate funds in such a way that original source is concealed and it appears to have earned through legal sources.

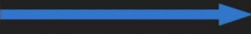
**As per Interpol:** Any act or attempted act to conceal or disguise the identity of illegally obtained proceeds, so that appeared to have originated from the legitimate sources.futu

# Money laundering stages

**Placement**

**Layering**

**Integration**



Accumulating the money from illegal activities.

Placing the money into a financial system.

Transferring the money to hide the origin of the funds.

Returning the money for the money launder to spend.

## **Objectives of Money laundering**

- To enjoy the illegally earned money
- To hide the criminal activities

## **Steps taken to counter money laundering:**

- Income Tax, 1961.
- NDPS Act, 1985.
- Benami Transaction Act, 1988.
- FEMA, 2000.
- PMLA, 2002.
- Creation of FIU
- Mandatory KYC norms for customers.
- RBI has been providing certain regularity powers over the banks to ensure their compliance with the law of the land.
- SEBI has been given certain regulatory powers over secondary markets for this purpose.

## **Global steps taken to counter money laundering:**

- United nations convention on Trans-national organized crime
- Setting up of FATF: Taking actions against erring countries, provide tech support
- United Nations global program for combating money laundering
- Basel statement of principles
- International convention for the suppression of the financing of terrorism
- IMOLIN
- Egmont Group





## Organized Crime

## **Organized Crime**

- **Pursuance of criminal activity as a business**

### **Definition as per MCOCA:**

**It is any continuing unlawful activity by an individual singly or jointly, either as a member of organized crime or on behalf of such group by use of violence or the threat of violence or intimidation or coercion or other unlawful means with the objective of gaining monetary benefits or gaining undue economic or other undue an advantage for himself or any person**



CURRENCY  
COUNTERFEITING



CYBERCRIME  
Child sexual exploitation  
Cyber-dependent crimes  
Payment card fraud



DRUG PRODUCTION  
TRAFFICKING AND  
DISTRIBUTION



FRAUD  
Excise fraud  
Investment fraud  
Mass marketing fraud  
Payment order fraud  
Value Added Tax fraud



ILLICIT WASTE  
TRAFFICKING



INTELLECTUAL  
PROPERTY CRIME



MIGRANT SMUGGLING



ORGANISED  
PROPERTY CRIME



SPORTS  
CORRUPTION



TRAFFICKING OF  
ENDANGERED SPECIES



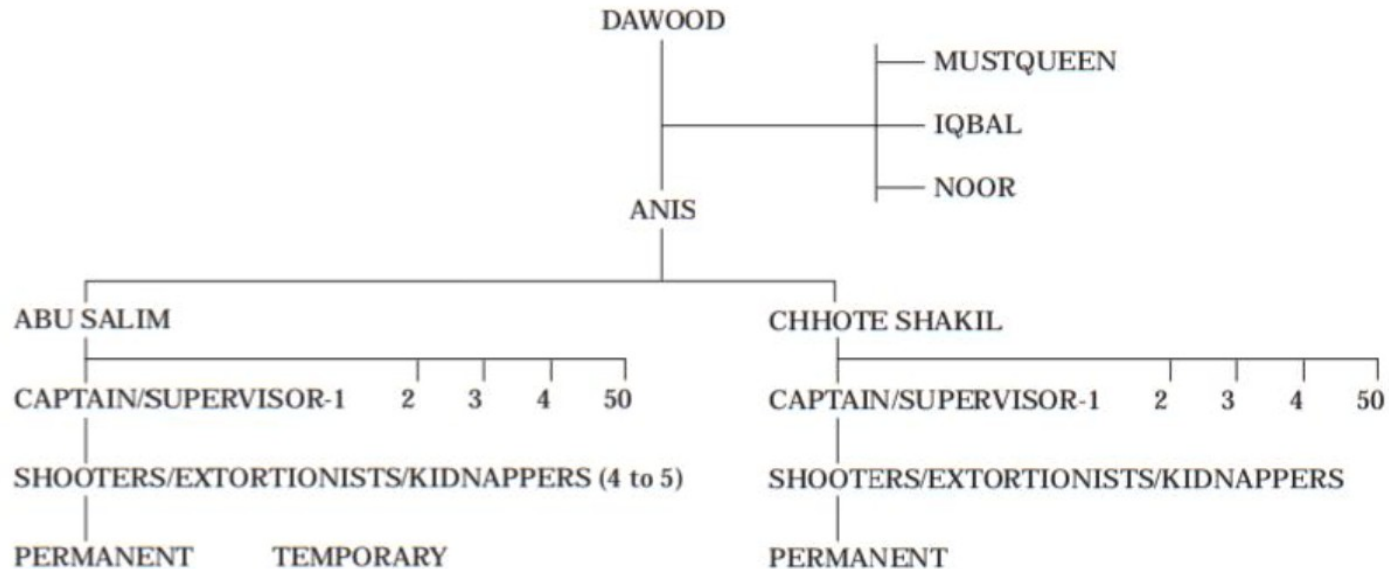
TRAFFICKING  
OF FIREARMS



TRAFFICKING IN  
HUMAN BEINGS

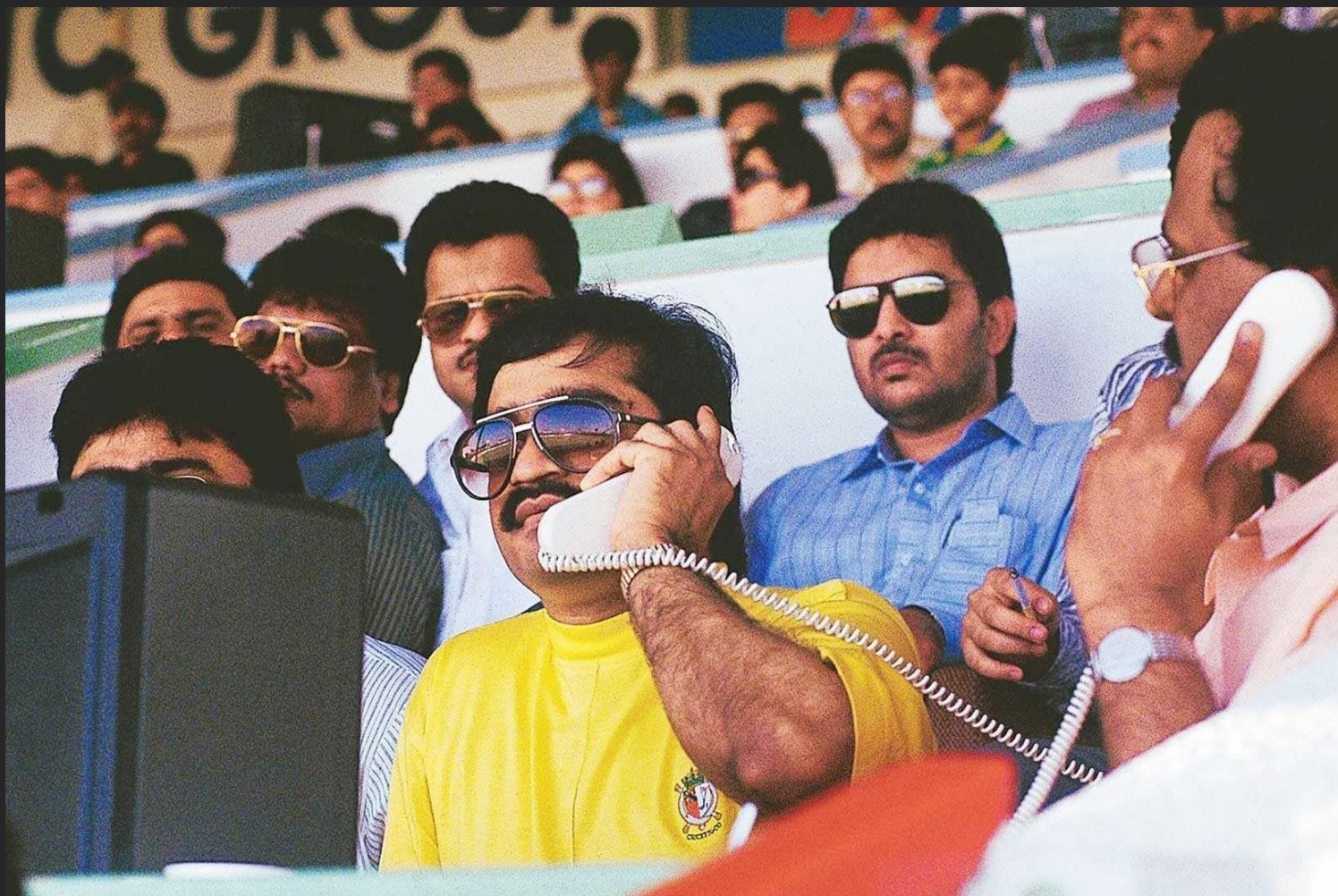
# The Retail Value of Transnational Crime





- (1) PERMANENT MEMBERS PAID ON MONTHLY BASIS-work or no work.
- (2) TEMPORARY MEMBERS PAID ON JOB BASIS.
- (3) WEAPONS ISSUED THROUGH INTERMEDIARIES FOR JOBS AND RETURNED WHEN JOB IS OVER.





## **Differences between Organized crime and Terrorism**

- **Objective:** Organized group main objective monetary, whereas Terrorism mostly has Political objective
- **Means:** Terrorist Organization use extreme violent means, organized crime useless violence
- **Relationship with the State:** Terror groups are against the State, Organized criminal groups have an attitude of indifference towards the state.
- **Media attention:** Organized criminal groups want to be underground, whereas, Terrorist groups look for constant media attention

## **Similarities**

- **Criminal in the eyes of the law**
- **Both use violence as a means**

## **Reasons for the growing proximity between Organised Criminal Groups and terror groups:**

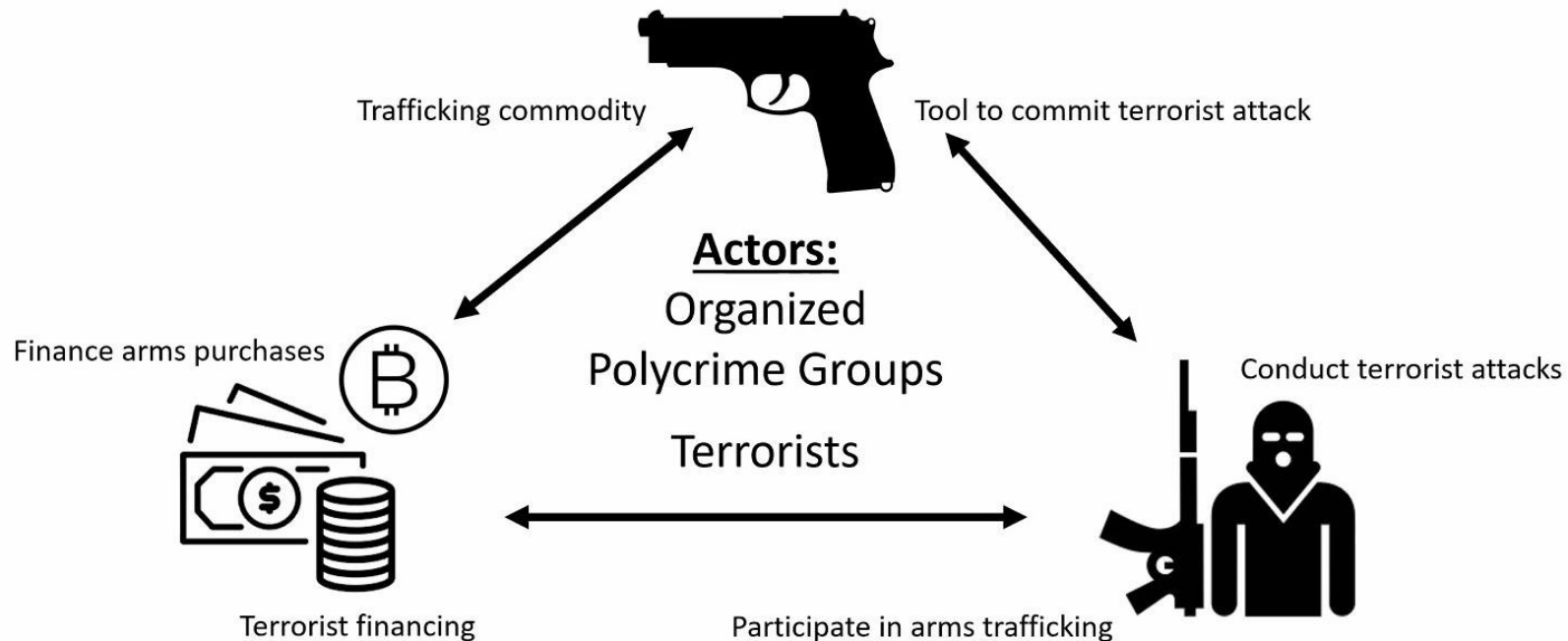
- **Forces of globalization**
- **Spread of technology**
- **The global war on terror**
- **Mutual benefits**

## **Three types of linkages between Organised Criminal Groups and terror groups:**

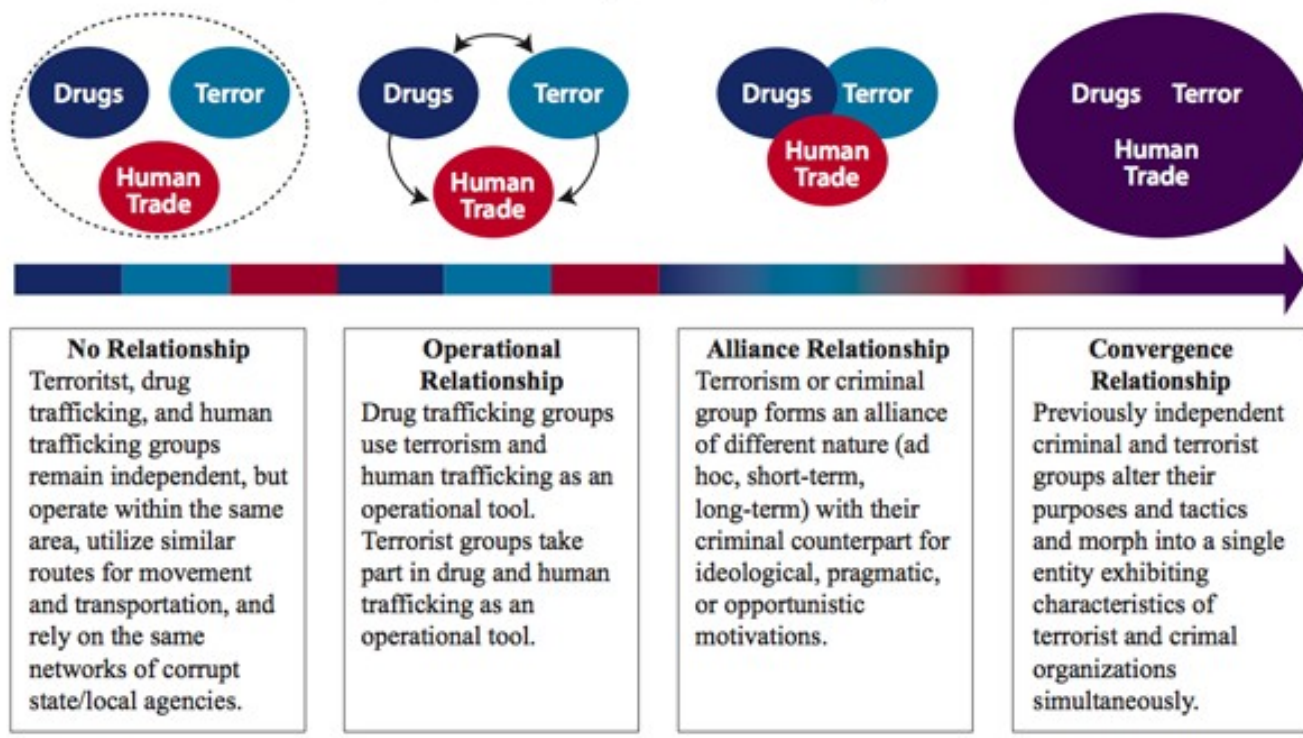
- **Co-existence**
- **Co-ordination/co-operation - symbiotic relationship and quid-pro-quo**
- **Confluence - performs functions meant for each other**

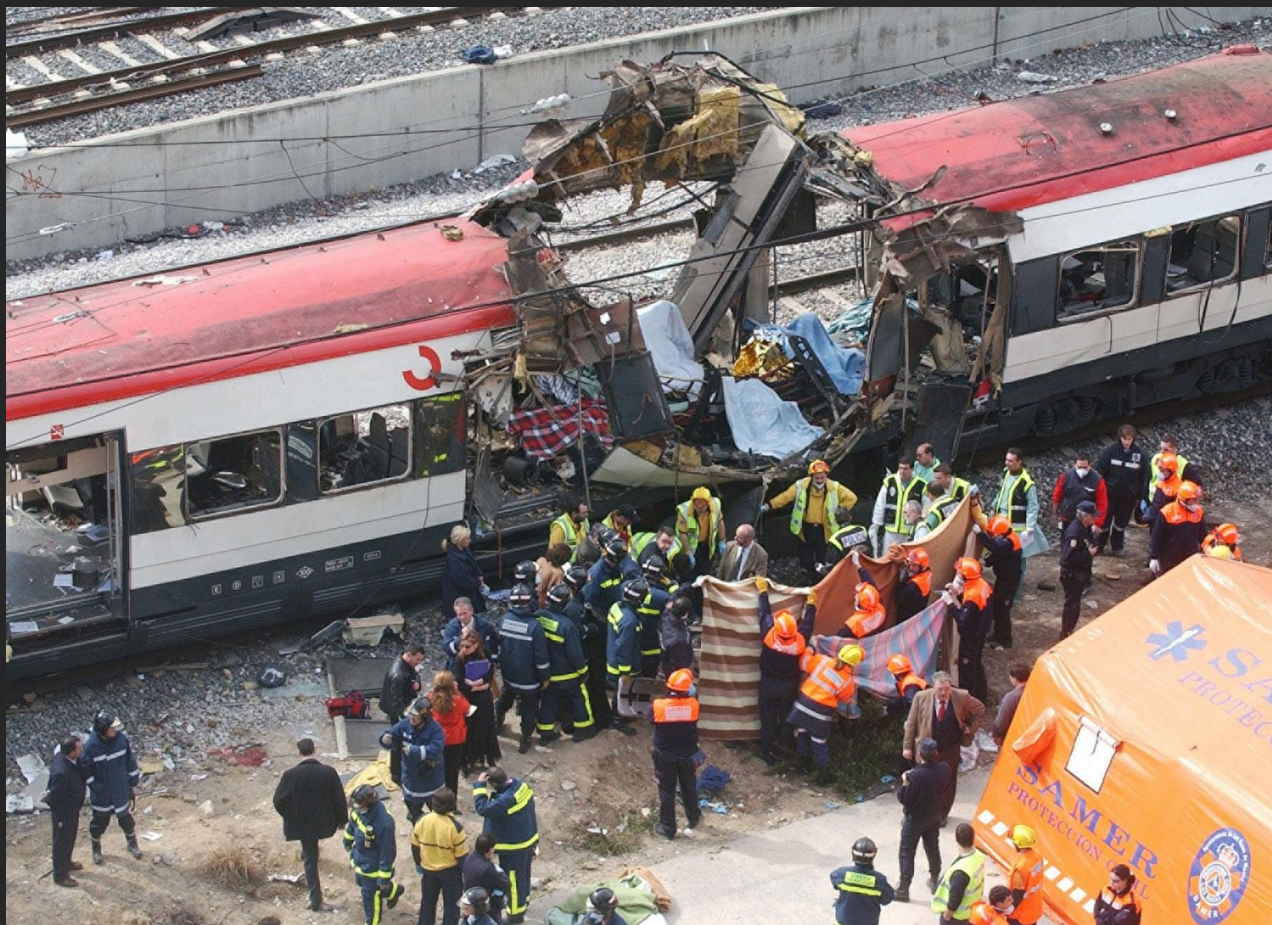
**These can be considered as a continuum from co-existence to the confluence**





## Continuum of Relationships between Trafficking and Terrorism









## **Threats from Organized Crime**

- Organized crime groups affect the development at the national level by interfering in and influencing the working of the government and private businesses.
- Organized crime groups influence the government and the private sector through bribery
- Drugs increase chances of an unstable society and insurgency
- Linkages to terrorist groups are threatening the national security
- Destroy the demographic dividend



thanks!

Any questions?

[Jatin.g@visionias.in](mailto:Jatin.g@visionias.in)

## Class Handout – Internal Security

### Foundation Batch – VISION IAS Faculty: Jatin Gupta

#### Social media and challenges it presents to India's internal security

**Social Media** in recent times has become synonymous with Social Networking sites such as FaceBook or MicroBlogging sites such as Twitter. However, very broadly social media can be defined as any web or mobile based platform that enables an individual or agency to communicate interactively and enables exchange of user generated content.

#### Key statistics

- The latest figures peg social media users in India at 143 million and a 100 % jump in the number of users in rural India from 2014 to 2015
- India is the largest market for social networking site Facebook after the US

#### Power of social media

- India has witnessed the growth of social media in last few years starting from the anna hazare movement in 2011 which gained traction through social media.
- Social media empowers individuals and societies to effectively assume roles as producers of public goods and services
- Plays a very important role in influencing the public opinion

#### *From the perspective of governments, the following represent some of the reasons for using social media:*

- **Enhanced Outreach:** social media has emerged as a powerful platform for forming an opinion as well as generating mass support. In India, Facebook alone has over 200 million users. These sites offer an opportunity to reach out to this audience at a key stroke. Many of these facilitate access through mobile devices and with nearly 900 million mobile users in India, it offers an unprecedented outreach to the government.
- **Seeking feedback and inputs:** Governments across the world as well many government agencies in India are using various social media platforms to reach out to citizens, businesses and experts to seek inputs into policy making, get feedback on service delivery, create community-based programmes etc.
- **Real Time engagement:** Social Media releases the shackles of time and place for engagement. It can connect policy makers to different stakeholders in real time. In recent Libyan crisis, Ministry of External Affairs used social media platforms such as Twitter to assist in locating and evacuating Indian Citizens from Libya.
- **Managing Perceptions:** One of the big challenges for government is to avoid propagation of unverified facts and frivolous misleading rumours with respect to government policies. Leveraging these platforms can help to counter such perceptions and present the facts to enable informed opinion making.

## **Challenges created due to Social Media**

- **Fake news and hate messages**: The subject of hate speech has gained significance with the increase in communal conflagrations mainly caused by communal hate campaigns over the social media websites. In North Eastern Mass Exodus, Muzaffar Nagar Riots, investigations revealed that hate contents circulated by social media sparked communal clashes. Behind nearly half-a-dozen communal clashes in the country, the reason was the content on social media that insulted or humiliated communities. In an uglier turn of events, mobile and social network interface was used to send offensive clips and hate messages that triggered panic and mass exodus of north east Indians from large parts of India in the aftermath of the ethnic clashes in Assam in 2012. One person was arrested in Bangalore for sending out 20,000 messages. Similarly, in 2013, social media was used to spread hatred and inflame riots in Muzaffarnagar.
- **National security concerns**: Rioters in London used location specific media technologies to communicate, posted pictures of themselves next to stolen goods, used a smartphone app called Sukey to identify physical location of police forces in real time and used Blackberry messenger to co-ordinate attacks. Other **National security challenges** are spread of terrorism, hawala money in form of crypto currency etc. In 2014, a Bangalore based executive, Mehdi Masoor Biswas was accused of being the man behind terror group Islamic State's (ISIS) most influential Twitter handle in India.
- **Pornography and Obscenity**: Social media with its fast circulation of obscene and pornographic materials has made regulation more difficult. Various social media websites like YouTube, MySpace and Facebook are loaded with these materials. Sharing or disseminating obscene content has been made punishable under Sec. 67 of the Information Technology Act. Social media has resulted in emergence of new forms of crimes like Revenge porn etc.
- **Identity theft** is another problem generated by social media. Since, social media websites generate revenue with targeted advertising, based on personal information; they encourage their users to provide maximum personal information. With limited regulatory oversight by government, industry standards or incentives to educate users on security, privacy and identity protection, they are exposed to identity theft.
- **Cyber Bullying and Harassment**: According to the US National Crime Prevention Council, cyber bullying happens when the internet, cell phones or other devices are used in cruelty to others by sending or posting text or images intended solely to hurt or embarrass another person
- **Snooping and misuse of online data** analysis for nefarious purposes like manipulating elections as seen in Cambridge Analytics case. Online frauds and hacking of sensitive data is also a norm

## **It is difficult to overcome these challenges as:**

- Huge and expanding number of users
- Ineffectiveness of censorship on content and its impact on freedom of citizens.



- Difficulty in prosecution and tracking of crime due to jurisdiction problems and anonymity offered by the internet
- Lack of Geographical Boundaries makes social media regulation an arduous task.
- Lack of digital literacy amongst people.
- AI is still in early stages of development and cannot be used to regulate the sector.

### **Way forward:**

- Responsible use of social media must be taught by increasing digital literacy.
- Joint steps by government and social media platforms must be taken like recent step by facebook to spread awareness w.r.t responsible use of social media.
- Strengthening of Cyber security organizations and IT cells of law enforcement agencies.
- International consensus w.r.t easier Extradition and prosecution of Cyber criminals.
- Data protection and privacy must be enhanced.

### **Challenges in regulation**

- **Freedom of speech issues:** An overenthusiastic compliance can severely limit freedom of expression and suppress dissent or disfavored speech, which, in turn, may lead to more unimaginable harm to democratic polity.
- **Lack of technical knowhow:** A big reason why government should not attempt to regulate is that it does not know how to. Government does not have the technological prowess to detect and remove objectionable social media content at the requisite scale or speed.
- **Liability of intermediaries**
- **Jurisdictional challenges**
- **Social media just a medium:** Issues such as fake news have always been around. Even before the advent of social media, fake news was regularly peddled and relished (e.g., the Ganesh idol drinking milk etc.) Social media, at most, increases the scale and speed of spread of misinformation.
- **May result in over-regulation:** Collective experience over many industries (e.g., banking, healthcare, insurance, oil, etc.) has shown that government regulations stifle innovation and create monopolies

### **Final word on regulation**

Regulation of social media content should be best left to the tech companies themselves. There are several reasons:

- First, they have an obligation, social media companies have an obligation to the public to limit spread of misinformation, extremism, hate speech, etc.

- Second, these companies have a strong incentive — survival. Customers will automatically gravitate away from a platform where a large amount of content is objectionable or untrustworthy. Threat of regulations also provides an incentive.
- Third, only they have the resources and the background to address the problem. Detection and removal of objectionable content will require development of sophisticated tools and technologies.
- Fourth, they have been at it already. YouTube, which employs 10,000 people globally for monitoring and removal of objectionable content, took down 8 million videos in 2018 during a three-month period, 81% of which were removed automatically, and three-quarters of those clips never received a single view. Facebook, which employs over 30,000 people of detection and removal, removed over 15 million pieces of violent content during a three-month period in 2018, over 99% of which was done automatically.

### **Role of government in regulation**

- Government should encourage social media companies to define and periodically update content standards and enforcement guidelines. This should be done through an independent body with participation from the different stakeholders, including civil society and law enforcement.
- In addition, government should make social media platforms liable for obviously illegal content, if it is not removed within a certain period of being reported. There should also be a transparent and rapid redressal mechanism to be used in case of disagreements.
- Finally, government should largely focus on addressing the systemic problems in the society — communalism, casteism, sexism, extremism, poor law and order etc. Online discussions simply mirror what is already happening in the society. A strong enforcement of rule of law will allow greater freedom of expression online and weaken the need for regulation.

### **Police initiatives**

- The Delhi Traffic Police has joined Facebook and Twitter to ease handling of traffic related issues
- The Indore Police Department (<http://www.indorepolice.org>) has been using a blog, Twitter, online and mobile complaint forms, a Google map of police stations and a digital crime mapper to track criminal activities in the region.
- The Maharashtra Police Department (<http://mahapolice.gov.in/>) launched an SMSbased complaint tracking system (CTS), called “Turant Chovis”, which promised to quickly redress citizen complaints by sending a first response within 24 hours and resolving the issue within 30 days
- To monitor the activities on social media networks the Mumbai police have established a **‘social media lab.’** The **lab will have police personnel along with social media experts.** According to the lab experts, since it will not be possible to monitor each and every comment, the **department can single out**

**netizens with criminal records, anti-social and anti-national agendas and track their online activities.** Bangalore Police has also planned to establish the social media labs to monitor activities on social media pages. The U.P. Govt. has also established two 'laboratories' to monitor content on social media sites such as Facebook and Twitter, and help the police assess situations proactively, particularly during a crisis.

## **Recommendations**

**1. Institutionalise the blueprint for a National Social Media Policy:** The Indian establishment needs to recognise the medium and grant it a legal status if it needs to deal with the multitude of challenges that rise out of it effectively. The National Cyber Security Policy needs to be revised to include social media challenges which are distinct from the cyber security threats. While the government is working on a blueprint for a National Social Media policy to combat terror, it needs to institutionalise the blueprint for the same.

**2. Implement and institutionalise the Framework of Guidelines on social media engagement:** DeitY's Framework of guidelines has laid down elaborate guiding principles for engagement of social media by government agencies. It discusses objectives, engagement protocol, types of platforms, communication strategy, responsiveness criteria and legal limitations for agencies to formulate their respective strategies for engaging with the medium and stakeholders. The need is to ensure enforcement and institutionalisation of this policy.

**3. Create awareness on the Challenges posed by social media:** There exists a huge lack of awareness amongst citizens, law enforcement agencies and higher levels on the potential of misuse of social media.

**4. Create organisational ecosystems, circumvent hierarchies, encourage outreach:** Considering the immense potential of social media as a force-multiplier, efforts have to be made to change the approach to the use of social media by empowering govt. personnel to engage proactively, and sustain channels of communication rather than looking at it from purely monitoring perspective.

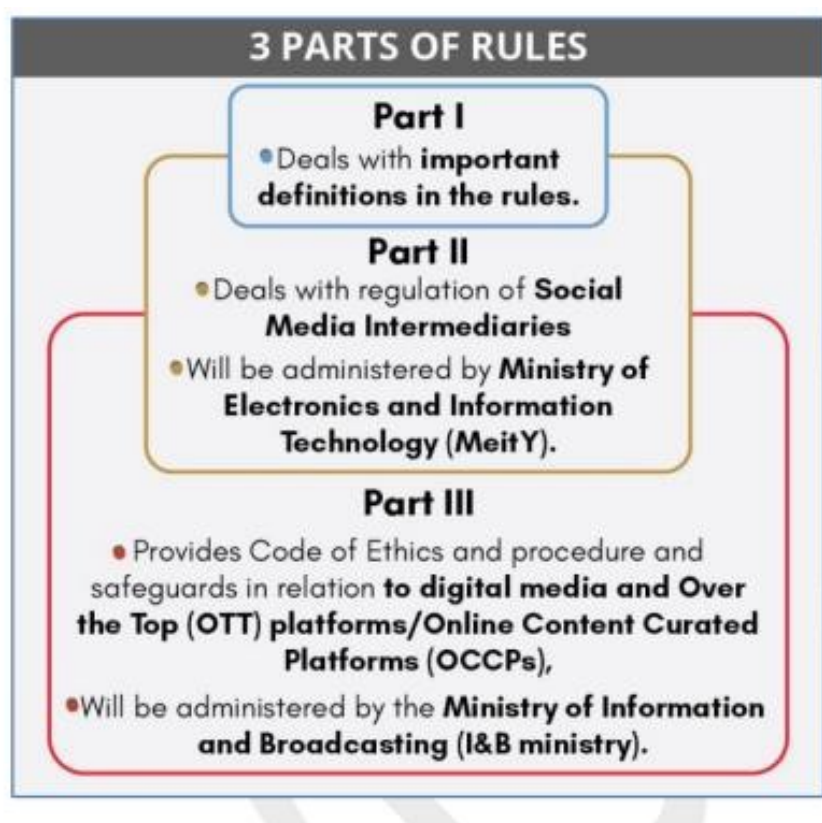
**5. Empower agencies, build talent, and use specialists:** If the medium is to be adopted into daily practice by all personnel, then agencies must be empowered technically, legally and financially to use the medium to their specific purposes.

**6. Replicate "Social Media Labs" across the country:** Use the success and work on the limitations of the social media labs experiment for the future and incorporate the best practices at the state and federal levels across the country. Target, specifically, issues relating to radicalisation and recruitment of youth by extremists.

**7. Demarcate budgets, standardise tools and platforms:** Currently, projects wanting to leverage social media are happening in isolation driven by individual or particular agency-led initiatives. There is a need to nationalise this effort and that will require demarcation of specific budgets, standardisation of tools and technology platforms for specific agencies and purposes.

**8. Expand and define scope of public-private partnerships:** There is significant private sector participation in critical infrastructure and, most importantly, there exists a huge talent pool in the private sector is something that the government can usefully leverage.

### **INFORMATION TECHNOLOGY (INTERMEDIARY GUIDELINES AND DIGITAL MEDIA ETHICS CODE) RULES, 2021**



- **Due diligence to be followed by intermediaries:** Rules prescribe due diligence that must be followed by social media intermediaries like retention of user information for a period of 180 days, reporting cyber security incidents etc. In case, due diligence is not followed by the intermediary, safe harbour provisions will not apply to them.
- **Grievance Redressal Mechanism:** Intermediaries shall appoint a Grievance Officer to deal with complaints and share the name and contact details of such officer. Grievance Officer shall acknowledge the complaint within 24 hours and resolve it within 15 days from its receipt.
- **Ensuring Online Safety and Dignity of Users, especially Women Users:** Intermediaries shall remove or disable access within 24 hours of receipt of complaints of contents that exposes the private areas of individuals or is in the nature of impersonation including morphed images etc.
- **Two Categories of Social Media Intermediaries :** social media intermediaries and significant social media intermediaries (SSMI): This distinction is done to

encourage innovations and enable growth of new social media intermediaries without subjecting smaller platforms to significant compliance requirement.

**Additional due diligence to be followed by SSML include:**

- Appointment of a Chief Compliance Officer for ensuring compliance with the Act and Rules,
- Appointment of Nodal Contact Person for 24x7 coordination with law enforcement agencies
- Appointment of a Resident Grievance Officer to perform the functions mentioned under Grievance Redressal Mechanism. These above officers must be residents in India.
- Publishing a monthly compliance report mentioning the details of complaints received, action taken on the complaints and details of contents removed.
- Identification of the first originator of the information: SSML providing services primarily in the nature of messaging shall enable identification of the first originator of the information (without requiring disclosing the contents of any message) that is required only for the purposes of prevention, detection, investigation, prosecution or punishment of an offence.
- Publication of a physical contact address in India on its website or mobile app or both.
- Deployment of technology-based measures: To proactively identify information that depicts any act or simulation in any form depicting rape, child sexual abuse or conduct etc.

**Some concerns with the rules**

- Enhanced surveillance and threat to privacy of users: The encrypted messaging apps will need to collect more user data to trace messages back to the first originator, raising concern about misuse by both platforms and governments.
- Conflicts with extraterritorial jurisdiction norms made in the IT Act: Since according to the new rules action can be taken against a message that originated outside India.
- Self-censorship: Removal of safe harbor can lead to internal censorship by intermediaries which have impacts on users' right to free speech.
- Vague threshold for qualification of SSML: These thresholds enable the Central government to enforce discriminatory compliances. However, there is no scientific criterion to set such thresholds.
- Potential for misuse of Verification data: In the absence of a data protection law Social Media entities will be able to collect data of citizen IDs without any regulations

Extra Reading Material for Security Classes

Security Challenges and Their Management in Border Areas

**Definition of Border Management**

The term border management in its widest sense implies co-ordination and concerted action by political leadership and administrative, diplomatic, security, intelligence, legal, regulatory and economic agencies of the country to secure our frontiers and subserve the best interests of the country.

**Definition as per BM division of MHA**

BM division of Ministry of Home affairs says that border management is securing country's borders against interests hostile to the country and putting in place the systems that are able to prohibit such elements while facilitating legitimate trade and commerce.

**Problems of Border Management. Some of the main problems currently afflicting the management of our borders may be listed as follows:**

- (a) Some of our **maritime boundaries are still undefined** and much of our land borders are not demarcated on the ground. The disputed and unsettled nature of our boundaries has made them a source of tension and made their policing much more difficult.
- (b) Since many of our borders are **man-made artificial boundaries** and not based on natural features such as rivers, watersheds etc, they are extremely porous and easy to cross.
- (c) **Multiplicity of forces** on the same borders has inevitably led to the lack of accountability as well as problems of command and control.
- (d) **Border Guarding Forces need to be distinguished from central police organisations.** Being more akin to the Army and different from central police organisations which are called in aid of civil power from time to time, they need to be appropriately strengthened both in terms of equipment and manpower.
- (e) **The repeated withdrawal**, in large numbers, of para-military forces from border guarding duties for internal security and counter insurgency duties has led to a neglect of the borders. These forces have also been unable to perform optimally due to cannibalisation of battalions and even companies.
- (f) Lack of institutionalised arrangements for **sharing and co-ordination** of intelligence at various levels and particularly at the field level, is a primary weakness in proper management of borders. The present tendency on the part of each agency to guard its turf, even at the cost of compromising national security interests, needs to be deprecated and put down sternly.
- (g) Inadequate attention to the **concerns of local people** in border areas
- (h) **Improper physical infrastructure** in border areas of country making movement and mobilization of forces difficult.

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**Faculty, VISION IAS**

**Effects:**

Illegal migration from across our borders has continued unabated for over five decades. We have yet to fully wake up to the implications of the unchecked immigration for the national security. Demographic changes have been brought about in the border belts of West Bengal, several districts in Bihar, Assam, Tripura and Meghalaya as a result of large-scale illegal migration. Even States like Delhi, Maharashtra and Rajasthan have been affected. Such large-scale migration has obvious social, economic, political and security implications.

Several other internal security issues are interlinked with issue. The various border security threats are broadly classified under the following categories:

1. Infiltration and ex-filtration of armed militants
2. Non-state actors
3. Narcotics and armed smugglers
4. Illegal migrations
5. Separatist movements aided by external powers
6. Establishment of madrassas, which must be watched for any potential security hazards
7. Export of fundamentalist terrorism
8. Smuggling of counterfeit Indian currency

**CIBMS: Comprehensive Integrated Border Management System**

CIBMS is an integration of a number of new gadgets and technologies to ensure electronic surveillance of borders. "an integration of humans and technology with the Command and Control centre at the heart of it."

<b>SECURITY UPGRADE</b>		<b>PRESENT STATUS</b>
		<p>➤ Though CCTV cameras, night thermal imagers and sensors are used in sensitive areas, <b>technology used is not superior</b>. More than <b>150,000 flood lights</b> have been installed on <b>50,000 poles</b> by govt on border to track movement using binoculars</p> <p>➤ There were <b>222 infiltration attempts</b> from Pakistan in <b>2014</b>; <b>100</b> in <b>2015</b></p> <p>➤ At any given time, <b>70 battalions of BSF</b> are posted on the border from Kutch to Kashmir. <b>1/3rd</b> of them not on border</p>
<p>➤ Any person trying to enter India from Gujarat to J&amp;K can be tracked by <b>multiple technologies like CCTV cameras, thermal image devices, night vision devices, surveillance radar, underground monitoring sensors &amp; laser barriers</b></p> <p>➤ All unfenced <b>130 riverine sections</b> on <b>2,900-km-long border</b> will be covered using <b>laser barriers</b></p> <p>➤ The project will cost govt <b>Rs 1cr</b></p>	<p><b>PLANNED</b></p> <p>➤ <b>per km</b>. Two pilot projects in <b>Jammu &amp; Punjab</b> are already on</p> <p>➤ The entire border will be covered with <b>hi-tech systems in two years</b> and <b>50-60 private companies</b> are expected to take up projects</p> <p>➤ A <b>control room will be set up after every 5-6 km</b> where any activity will be noticed and BSF men will be alerted. If one device is not working, others will alert jawans</p>	

### **Can CIBMS alone resolve the border issues?**

"The Border Security Force (BSF) hopes that the new technological equipment would provide feeds to BSF personnel at the border outposts, where monitors would be installed. In case of a threat, quick reaction teams (QRT) will intervene and neutralise it. The BSF plans to put up a CIBMS in areas all along the Indo-Pak and India-Bangladesh border,"

### **Some concerns with CIBMS**

- The question is being asked repeatedly whether these solutions are compatible with Indian conditions and **whether they are cost effective.**
- The fact that the inauguration of the **pilot projects, which began in 2016**, has been delayed should not be forgotten while going ahead with the full project.
- One need not forget that CIBMS' multi-tier security ring at the border indents to use a variety of sensors, such as Thermal Imager, Radar, Aerostat, Optical Fiber Intrusion Detection System, Unattended Ground Sensor and Underwater Sensors. We have not heard much about how and when these equipment will get manufactured in India.
- **Basic amenities have not been improved on the ground.** In the recent past, the optimum use of sophisticated technical equipments has been weighed down by its incompatibility with terrain and existing border security infrastructure. This time serious questions have been raised about three-phase power supply and border road along with fencing. Power back-up of gensets is also a challenge which is yet to be addressed.
- **Lack of well-trained technical manpower** is a nagging issue. Due to a rotational policy of the border guarding forces, the expertise acquired by the border personnel risks being lost as soon as the private firms leave the project site, hampering the technical capability.

### **Coastal Security**

#### **Importance and some facts about India's coastal line**

- India's **7,516-kilometre-long coastline**
- **Accounts for 90% of the country's trade**
- **12 major and 200 minor ports**

#### **Some of the coastal security vulnerabilities:**

1. **Maritime Terrorism:**
  - a) **Attacks on commercial centres and ports:** Ports handling large volumes of traffic especially oil and other goods and having a large population centre in its vicinity are most valued targets for the terrorists.
  - b) **Attacks on Ships:** Ships are soft targets for the terrorist groups as, except for their enormous size, they have practically no means of protection.
2. **Piracy and armed robbery** pose a major threat to sea navigation. Shallow waters of the **Sunderbans** have been witnessing acts of violence and armed robbery. Even the Arabian sea waters are not safe
3. **Smuggling and trafficking:** Indian coasts have been susceptible to smuggling of items such as gold, electronic goods, narcotics, and arms.



**By Jatin Gupta**

**Faculty, VISION IAS**

4. **Infiltration, illegal migration and refugee influx:** Large scale refugee influxes over the decades have resulted in widespread **political turmoil** in the border states. For example-
  - a) The creek areas of **Gujarat** which has its geographical proximity to Pakistan and has complex terrain conducive for infiltration.
  - b) Political turmoil, religious and political persecution, overwhelming poverty, and lack of opportunities in Sri Lanka and Bangladesh is an ideal situation for **illegal** migration of **Bangladeshi citizens** to India.
  - c) The frequent straying of fishermen into neighbouring country waters has not only **jeopardised the safety of the fishermen** but has also raised **national security** concerns.

#### **Government Initiatives in Coastal Security Infrastructure**

1. **National Committee for Strengthening Maritime and Coastal Security** headed by Cabinet Secretary coordinates all matters related to Maritime and Coastal Security.
2. **Indian Coast Guard creation**
3. **Coastal Security Measures Post Kargil war:** Kargil Review Committee (KRC) constituted to study the circumstances that had led to the war has recommended several coastal security measures like:
  4. Creation of fishermen watch groups
  5. Installation of vessel traffic management systems in major ports
  6. Setting up Joint operation centres (JOCs)
  7. Creating an apex body for the management of maritime affairs
8. **Creation of Marine Police Force:** It was created with the aim to strengthen infrastructure for patrolling and the surveillance of the coastal areas, particularly the shallow areas close to the coast.
9. **Coastal Security Architecture upgrade:** Post the 26/11 Mumbai attacks, the existing multilayered arrangements have been further strengthened, and other initiatives like:
  - **A three-tier security grid** was installed with the **Indian Navy, the coast guard, and the marine police** jointly patrolling India's near-seas.
10. **Electronic Surveillance:** National Command Control Communication and Intelligence Network (NC3I) has been launched to provide near gapless surveillance of the entire coastline and prevent the intrusion of undetected vessels, the coastal surveillance network project.

#### **Challenges in coastal security**

- **Lack of coordination:** The involvement of different agencies and ministries at centre, state and local level invariably leads to coordination problems although several efforts have been made to create greater synergies between them like:
- **Lack of clarity** among various stakeholders about their roles in ensuring coastal security.
- Acute **shortage of manpower** in police stations, (only 25% of the sanction)
- **Poor Training:** Lack of a dedicated **training academy** for the ICG.
- **Discontent in fishermen communities** interferes with the effective functioning of the coastal security architecture as fishermen are considered the '**eyes and ears**' of the coastal security architecture and, therefore, an integral part of it.

**By Jatin Gupta**

**Faculty, VISION IAS**

- Difficult **terrain, seasonal weather patterns, administrative lapses**, etc. all contribute towards introducing gaps in surveillance and the monitoring mechanism.
- Delays in **land acquisition** and **support infrastructure**, such as barracks and staff quarters at several locations.
- Low **infrastructure** creation (only 31%):
- Below par state-level **monitoring** mechanisms.

### **Way Forward**

- **Surveillance and interagency coordination:** The central government must address the problems of coordination arising out of the interactions of multiple agencies and delayed responses.
- **Stronger involvement of coastal police:** Instead of setting up a coastal border security force with no legal powers, the authorities must move to strengthen and better integrate the coastal police into the littoral security architecture.
- **A legislative framework: Comprehensive legislations** to place systems and processes for the protection of India's **maritime infrastructure**, covering both the shipping and port sectors. **Statutory duties** of government departments, Port trusts, state maritime boards, non-major ports and private terminal operators and other stakeholders need to be clearly outlined, as also minimum standards of port security requiring statutory compliance.
- **Strengthening of the Coast Guard:** The CG must be strengthened to play a leadership role in coastal security. **Ambiguities** from the Coast Guard Act need to be removed to ensure all security agencies are clear about the roles and responsibilities they are expected to perform.
- **National commercial maritime security policy document:** The government must promulgate a **National Commercial Maritime Security Policy Document**, to articulate its strategic vision for maritime security.
- **Coastal security exercises like sagar kavach and sea vigil** need to be conducted regularly, in order to generate awareness about threats emanating from the sea as well as to develop synergies among the concerned agencies

## **Class Handout – Internal Security**

### **Foundation Batch – VISION IAS Faculty: Jatin Gupta**

#### **Various security agencies and their mandate**

##### **Intelligence Agencies in India**

###### **The intelligence bureau**

IB was founded on December 23, 1887, as the “Central Special Branch” by the Secretary of State for India in London. It is renamed as Intelligence Bureau in 1920. The Intelligence Bureau (IB), considered the oldest surviving intelligence organization in the world, serves as India’s internal security agency responsible for detecting domestic threats.

###### **Functioning of IB**

- The intelligence bureau is authoritatively controlled by the Ministry of Home affairs.
- It is considered as the internal news agency responsible for monitoring all aspects of governance.
- Major functions of the IB can be classified as counterintelligence, counterterrorism, VIP Security, anti-secession activities, intelligence collection in border areas and infrastructure protection.
- IB also maintains partnerships with foreign agencies, including security agencies in the U.S, U.K and Israel.

###### **Research and Analysis Wing (R&AW)**

- Prior to 1968, the Intelligence Bureau was responsible for India’s internal and external intelligence. Thereafter India, established a dedicated, RAW- Research and Analysis Wing founded mainly to keep an eye on the actions and movements Pakistan and China.
- It is not liable to the parliament of India on many issues
- It monitors the political and military development in the neighbouring countries, which have a direct bearing on India’s national security and in the genesis of its foreign policy.

###### **NTRO**

- The National Technical Research Organisation (NTRO) is a technical intelligence Agency under the National Security Advisor in the Prime Minister's Office, India
- It was set up in 2004
- The agency develops technology capabilities in aviation and remote sensing, data gathering and processing, cyber security, cryptology systems, strategic hardware and software development and strategic monitoring.
- NTRO has access to data from some of the satellites also

### **Shortcomings in the functioning of intelligence agencies**

- Infighting among the agencies
- Lack of coordination
- Lack of oversight and accountability
- Lack of transparency in functioning
- Use for political purposes
- Short on resources

### **Reforms needed in Intelligence Agencies**

- Intelligence agencies in India must be provided a legal-framework for their existence and functioning and their functioning must be under Parliamentary oversight and scrutiny
- Reforms in the recruitment and training processes of their personnel, their pay structures and career progression to attract the best talent available in the country.
- Recruitment to these agencies should be broad-based so as experts from myriad fields, such as Science and Technology, IT, Communications etc could be brought, in rather than reserving these agencies exclusively for the Police Sector.
- There should be a single authority exercising supervisory and other control over the intelligence agencies. It could be the National Security Advisor (NSA) in a modified role, Director of National Intelligence or even a minister for national Intelligence, answerable to the Parliament.
- Culture of Transparency should be promoted and inculcated as in the case of MI5
- Greater empowerment of intelligence officials should be accompanied by a simultaneous strengthening of oversight.

### **Reforms needed in CAPF**

The Committee on Estimates (Chairperson: Dr. Murli Manohar Joshi) submitted its report on 'Central Armed Police Forces and Internal Security Challenges – Evaluation and Response Mechanism' on March 16, 2018.

#### **1. Deployment of CAPFs:**

Problem: The Committee observed that there was heavy dependence of states on central armed police forces (CAPFs), even for everyday law and order issues. This was likely to affect the anti-insurgency and border guarding operations, besides curtailing the training needs of these forces.

Recommendations: The Committee recommended that states must develop their own systems, and augment their police forces by providing adequate training and equipment. The central government should supplement the efforts

of state governments by providing financial assistance and other help needed by states for capacity building of their forces.

## **2. Training of CAPFs:**

Problem: The Committee noted that there is an urgent need to update the curriculum and infrastructure in training institutes for CAPFs.

Recommendations: It recommended that while purchasing state-of-the-art equipment, government should ensure that training needs are taken care of and if needed, it may be included in the purchase agreement itself. Further, it recommended that the training should be a mix of conventional matters and latest technology like IT, cyber security, and cyber crime.

## **3. Modernization of CAPFs:**

Problem: The Modernization Plan II (2012-17), approved by the Cabinet Committee on Security, aims at providing financial support to CAPFs for modernizing arms, clothing, and equipment. However, the Committee observed that the procurement process under the Plan was cumbersome and time consuming.

Recommendations: It recommended that bottlenecks in procurement should be identified and corrective action taken. Further, the Ministry of Home Affairs and CAPFs should hold negotiations with ordnance factories and manufacturers in public or private sector to ensure uninterrupted supply of equipment and other infrastructure.

## **4. Promotion of CAPFs:**

Problem: The Committee observed that top positions in CAPFs are occupied by IPS officers. This has a demoralizing effect on the officers of the CAPFs, and impacts the effectiveness of the forces.

Recommendations: The Committee recommended that top positions should be filled from the respective cadre of the CAPF. In addition, there was frustration in CAPFs due to stagnation in promotions and lack of cadre review. The Committee recommended that cadre review of all the CAPFs should be carried out within a defined timeline.

## **5. Housing for CAPFs:**

Problem: The Committee noted that during the 12th Five Year Plan, as against the target of 24,206 houses for CAPFs, only 11,884 houses were constructed till March 31, 2016 (49%).

Recommendations: It recommended that the Ministry of Home Affairs and CAPFs should hold regular consultations with state governments, and impress upon them the need for allocation of land for construction of houses for CAPF personnel.

## **6. Intelligence gathering:**

Problem: The Committee noted that there is a need to improve the intelligence gathering mechanism, which should be strengthened and modernized within the shortest possible timeframe.

Recommendations: It recommended that agencies involved in intelligence gathering should be given autonomy in the recruitment of their personnel. Further, an effective intelligence gathering mechanism should be developed, with synchronization between agencies and no delays in sharing of information.

## **7. Stress among CAPF personnel:**

Problem: The Committee noted that a number of personnel among the CAPFs have committed suicide.

Recommendation: It recommended that workshops on stress management should regularly be undertaken, and yoga and meditation be made part of the daily exercise for CAPF personnel. Further, the Committee emphasized the need of accommodation near the deployment of the respective force, to enable personnel to meet their family members

## **8. Left Wing Extremism (LWE):**

Problem: The Committee observed that casualty of security forces in LWE affected areas are taking place due to mine blasts. Further, there was non-availability of technology to detect deeply planted mines.

Recommendations: The Committee recommended that the government should take up the matter with concerned research organizations, like Defence Research and Development Organisation, to develop technology to counter threats in LWE affected areas.

## **Investigation agencies**

### **1. National Investigating Agency:**

The NIA Act was enacted on 31-12-08 and the National Investigation Agency (NIA) was born. At present NIA is functioning as the Central Counter Terrorism Law Enforcement Agency in India. The NIA assists all the states and other agencies in investigating terrorism- related cases and works in close cooperation with them.

#### **Mission**

- In-depth professional investigation of scheduled offences using the latest scientific methods of investigation and setting up such standards as to ensure that all cases entrusted to the NIA are detected.
- Ensuring effective and speedy trials.
- Developing into a thoroughly professional, result oriented organization, upholding the constitution of India and Laws of the Land giving prime importance to the protection of Human Rights and dignity of the individual.
- Developing a professional work force through regular training and exposure to the best practices and procedures.
- Displaying scientific temper and progressive spirit while discharging the duties assigned and inducting modern methods and latest technology in every sphere of activities of the agency.
- Maintaining professional and cordial relations with the governments of States and Union Territories and other law enforcement agencies in compliance of the legal provisions of the NIA Act.
- Assist all States and other investigating agencies in investigation of terrorist cases.
- Build a data base on all terrorist related information and share the data base available with the States and other agencies.
- Study and analyse laws relating to terrorism in other countries and regularly evaluate the adequacy of existing laws in India and propose changes as and when necessary.

### **2. Central Bureau of Investigation:**

The **Central Bureau of Investigation (CBI)** is the premier investigating agency of India. Operating under the jurisdiction of the Ministry of Personnel, Public Grievances and Pensions, the CBI is headed by the Director. It is headed by a cabinet minister who reports directly to the Prime Minister.

**In any event of importance requiring police intervention, the public demand is for a CBI probe. What is so special about the CBI?**

- Established in 1943 as the Special Police Establishment (war department) and later given permanent status under an ordinance replaced by the Delhi Special Police Establishment Act 1946, the tiny organisation has grown enormously due to ever-increasing demands for its services.
- That law prescribes that the CBI can investigate on its own in respect of the notified offences like prevention of corruption — in cases of other offences like murder in any state only with the consent of the states concerned or on the

orders of the higher courts. These were designed to ensure that state executives and their politician bosses did not enjoy unrestricted powers in the matter of police administration like appointment of DGPs or the power to transfer police personnel from one corner of a state to another at any time.

- The agency has been known to investigate several economic crimes, special crimes, cases of corruption and other high-profile cases. Over the years, CBI has emerged as a premium investigating agency which enjoys the trust of the public, parliament, judiciary and government despite the allegations of its manipulations by the governments of the day.

### **Problems associated with CBI:**

- Supreme Court's caustic description of the CBI as a 'caged parrot' did much harm to organisation's image. It has been under immense pressure from the political patrons, hence, its integrity has come under doubt sometimes.
- Enormous delays in concluding investigations. As one former Central Vigilance Commissioner put it, the CBI is a black hole. Nothing that goes in ever comes out of it.
- There have been many reports about dishonesty and harassment of the public by those at the cutting edge in the CBI.
- Another great constraint on the CBI is its dependence on State governments for invoking its authority to investigate cases in a State, even when such investigation targets a Central government employee. CBI has no cadre of its own.
- The agency is dependent on the home ministry for staffing, since many of its investigators come from the Indian Police Service. The agency depends on the law ministry for lawyers and also lacks functional autonomy to some extent.
- The CBI, run by IPS officers on deputation, is also susceptible to the government's ability to manipulate the senior officers, because they are dependent on the Central government for future postings.
- Since police is a State subject under the Constitution, and the CBI acts as per the procedure prescribed by the Code of Criminal Procedure (CrPC), which makes it a police agency, the CBI needs the consent of the State government in question before it can make its presence in that State.

### **Way forward**

- The first and foremost reform should be to ensure that CBI operates under a formal, modern legal framework and is provided the autonomy it needs to carry out independent investigation. A new CBI Act should be promulgated that ensures the autonomy of CBI while at the same time improving the quality of supervision.
- It is important that a mechanism is put in place to ensure that appointments to CBI are non-partisan and free from biases. The Lokpal Act has already made suggestions for a three-member committee made up of the prime minister, the leader of the opposition and the chief justice of the Supreme Court to select the director. However, not enough has been done to administratively protect CBI from political interference.



- Another demand that has been before Supreme Court, and in line with international best practices, is for the CBI to develop its own dedicated cadre of officers who are not bothered about deputation and abrupt transfers. All senior posts in the CBI are now held by Indian Police Service (IPS) officers, who in turn are not independent from central political influence.
- It is also possible to consider granting the CBI and other federal investigation agencies the kind of autonomy that is needed along with parliamentary oversight. A more efficient parliamentary oversight over the federal criminal and intelligence agencies could be a way forward to ensure better accountability, despite concerns regarding political misuse of the oversight.
- Attempts should be made to make service recruitments and service conditions for direct recruitment to CBI more lucrative to the youth. The CBI is not really popular among the youth who are looking for Central government employment through the Union Public Service Commission examination route, other than those appearing for the All India Services, including the Indian Police Service.
- Traditional thinking should be shed and red-tapism has to be cut ruthlessly in order to recruit more and generously improve emoluments (outside the rigid government pay structure) of the eternally demoralised direct recruits.

**Terrorism and related issues**

**Definition of Terrorism**

Defining terrorism is a really difficult task. The term has different meanings for different people. **International community has not succeeded** in developing an accepted comprehensive definition of terrorism. During the 1970s and 1980s, United Nation's attempts to define the term were wasted mainly due to differences of opinion between various members about the use of violence in the context of conflicts over national liberation and self-determination. These divergences have made it impossible to conclude a Comprehensive Convention on International Terrorism that incorporates a single, all-encompassing, legally binding, criminal law definition of terrorism.

According to the FBI: ***"Terrorism is the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives."***

**8th report of 2<sup>nd</sup> ARC defines terrorism as:**

*Terrorism is an anxiety-inspiring method of repeated violent action, employed by (semi-) clandestine individual, group or state actors, for idiosyncratic, criminal or political reasons, whereby the direct targets of violence are not the main targets. The immediate human **victims of violence are generally chosen randomly** (targets of opportunity) or selectively (representative or symbolic targets) from a target population, and serve as message generators. Threat and violence-based communication processes between terrorist organization, victims, and main targets are used to manipulate the main target (audience(s)), turning it into a target of terror, a target of demands, or a target of attention, depending on whether intimidation, coercion, or propaganda is primarily sought.*

**Features of Terrorism**

- Strategy of terrorism remains to commit acts of violence that draws the attention of the local populace, the government, and the world to their cause. The terrorists plan their attack to obtain the greatest publicity for their acts, choosing targets that symbolize what they oppose.
- The effectiveness of the terrorist act lies not just in the act itself, but in the public's or government's reaction to the act.
- More than immediate victims, Terror acts try to inculcate fear in the minds of the viewer e.g. in case of 9/11 attacks and 1972 Munich Olympics etc.
- It does not accept any limitation on their actions such as International law, moral constraints, sympathy towards weaker sections etc. e.g. 1993 serial bomb blast in Mumbai; 9/11 attack on twin towers etc.

**Causes of Terrorism**

Most definitions of terrorism recognise that terrorists don't just pursue violence for the sake of it but have a specific purpose for carrying out their attacks. Research has shown that there are a number of possible causes for terrorist activity. These include:

**Social and political injustice:** Some people turn to terrorism when they are trying to tackle what they perceive as social injustice. Terrorists acting on this basis may believe that they have been stripped of something they feel entitled to such as certain rights, land or possessions.

**Strategic:** Terrorism is typically described as a strategy of the weak seeking to gain advantage against stronger armies or political powers. Hamas, for example, uses terrorist tactics, but not out of a random desire to fire rockets at Israeli Jewish civilians. Instead, they seek to leverage violence (and cease fires) in order to gain specific concessions related to their goals vis-a-vis Israel.

**Terrorism and related issues**

**Religious:** Throughout history, religious causes have been the motivation for a variety of terrorist attacks, though it is important to remember that religions themselves do not cause terrorism. Religious terrorists may use terrorism to punish what they see as 'ungodly' behaviour in society, or to avenge what they perceive as attacks on their beliefs. Experts began to argue in the 1990s that a new form of terrorism fuelled by religious fervour was on the rise. They pointed to organizations such as Al Qaeda, Aum Shinrikyo (a Japanese cult) and Christian identity groups.. Such groups selectively interpret and exploit religious concepts and texts to support terrorism.

**Socio-Economic:** Research has shown that deprivation (poverty, lack of education, lack of political freedom) can drive people to terrorism. It is believed that people in these situations may be more susceptible to recruitment by organisations using terrorist tactics.

**Globalization and increasing inequality:** Decades of globalization has produced one of the greatest disparities in the economic conditions of the countries of the world. Global inequality has reached extraordinary levels, and has provided muddy waters of despair where terrorist recruits can be bred rather easily. Globalization has fuelled explosive patterns of social polarization within and between nations, and this has been accepted as a cause of terrorism.

**Reasons for growing spread of terrorism:**

- **Indoctrination:** The religious belief has become a key means of indoctrinating and training would-be terrorists. Extremists use websites and social media to recruit and radicalise individuals through videos and propaganda. Suicide terrorism, self-sacrifice, or martyrdom has been organized and perpetrated by groups with religious motivations.
- **Technology:** Sophisticated means of communication- electronic media, print media, social media, and internet helps in faster promotion of terrorist ideology and hate campaign across international borders. Websites and social media messages are used to provide advice and instructions on how to plan and prepare for attacks, acting as a "virtual training camp" or ideas forum. Other technologies available to conduct acts of terror are mobile phones, satellite phones and GPS systems.
- **Porosity of border with neighbouring countries-** Bangladesh, Myanmar, Bhutan, Nepal. Some of it is due to difficult terrain and some are due to bilateral arrangements between the governments.
- **Links between terrorism and organised crime** to earn easy money. Easy availability of arms and ammunition.
- **Developmental deficit:** Unemployed and poor youths with high aspiration become the victim of trap set by the terrorist groups who lure them with short term gains of money, food, clothes, shelter and in return ask them to execute terrorist acts like- suicide car bombing.

**Types of Terrorism**

Various attempts have been made to distinguish among types of terrorist activities. It is vital to bear in mind, however, that there are many kinds of terrorist movements, and no single theory can cover them all.

**1. Ethno-Nationalist Terrorism**

Terrorism motivated by ethno-nationalist and separatist aspirations became prominent after the Second World War and dominated the terrorist agenda around the world for more than 50 years. Ethnic terrorism can be defined, as deliberate violence by a subnational ethnic group to advance its cause. Such violence usually focuses either on the creation of a separate State or on the elevation of the status of one ethnic group over others. Tamil Nationalist groups in Sri Lanka and insurgent groups in North East India are examples of ethno-nationalist terrorist activities.

**2. Religious Terrorism**

**Terrorism and related issues**

Religious justifications for terrorism have emerged as one of the oldest validations in the world. Present-day terrorist activities around the world are motivated largely by religious reasons.

**3. Ideology Oriented Terrorism**

Any ideology can be used to support the use of violence and terrorism. Ideology oriented terrorism is generally classified into two: Left-wing and Right-wing terrorism.

- a) **Left-wing Terrorism-** Violence against the ruling elite mostly by the peasant class motivated by what are called leftist ideologies have occurred time and again in history. However, the ideological basis for the left and subsequent violent movements was provided by the writings of Marx and Engels. This was supported by the writings and speeches of later communists like Lenin and Mao Zedong. Leftist ideologies believe that all the existing social relations and state structures in the capitalist society are exploitative in character and a revolutionary change through violent means is essential. Examples of leftist ideologies that have resorted to the use of terror are numerous.
- b) **Right-wing Terrorism-** Right-wing groups generally seek to maintain the status-quo or to return to some past situation that they feel should have been conserved. Sometimes, groups espousing rightist ideologies might assume ethnic/racist character too. They may force the government to acquire a territory or to intervene to protect the rights of an 'oppressed' minority in a neighboring country (i.e. the Nazi Party in Germany). Violence against migrant communities also comes under this category of terrorist violence. It is to be noted here that religion can play a supportive role to rightist violence. Examples of these are: Nazism in Germany, Fascists in Italy, white supremacy movements in the US known as Ku Klux Klan (KKK), the Green Jackets of Denmark in the 1980s etc.

**3. State-sponsored Terrorism**

State-sponsored terrorism or warfare by proxy is as old as the history of military conflict. Such established practices existed in ancient times; in the Oriental empires, in Rome and Byzantium, in Asia and Europe. However, state-sponsored terrorism on a massive scale reappeared in international politics in the 1960s and 1970s, and today along with religious terrorism, state-sponsored terrorism has considerably altered the nature of terrorist activities around the world.

**In recent times, some countries have embraced terrorism as a deliberate instrument of foreign policy. One distinction of state sponsored terrorism from other forms of terrorist activity is that it is initiated to obtain certain clearly defined foreign policy objectives rather than grabbing media attention or targeting the potential audience.** In a cost-benefit analysis, state-sponsored terrorism is the most effective means of terrorism from the perspective of the perpetrator.

State-sponsored terrorism was widely employed in Central Asia in the nineteenth century. Russians supported their fellow Slavs in the Balkans. Bulgaria used the Macedonian revolutionary terrorists against Yugoslavia after World War I. The Western powers under the auspices of the US supported all kinds of nationalist and anti-communist rebels throughout the Cold War. The Soviet Union was no different in its operations during this period. Countries like Iran, Iraq, Sudan, Libya North Korea have been engaged in sponsorship of political violence of different nature in their 'enemy' countries. India has been facing this problem from Pakistan since Independence.

**4. Narco-terrorism**

Narco-terrorism is an interesting concept, which can fall in the category of either 'Types of Terrorism' or 'Means of Terrorism', depending on how it is defined. **Campaigns by drug traffickers using terrorist methods such as the use of car bombs, assassinations and kidnapping against the anti-narcotics police in Colombia and Peru. Though initially used in the context of drug trafficking related terrorism in South America, the term has come to be associated with terrorist groups and activities around the world and more so in the**

**Terrorism and related issues**

**Central and South-East Asia.** Narco-terrorism has been defined by the Canadian Security Intelligence Service as 'the attempt by narcotics traffickers to influence the policies of the Government by systematic threat or use by violence'. However, it is also possible to view narco-terrorism as a means of terrorism or at any rate as a means of funding terrorism. As the term itself suggests, narco-terrorism combines two criminal activities; drug trafficking and terrorist violence. Narco-terrorism is motivated mainly by economic reasons as it helps the terrorist organizations raise huge sums of money with minimum cost for their activities. Thus the political, ideological, religious and the ethno-nationalist motives generally associated with terrorism are secondary to the economic gains associated with it

**Effects of terrorism**

**Economic effects of terrorism:**

- After the outbreak of terrorism in the Basque Country in Spain in the late 1960s, economic growth in the region declined by ten per cent.
- Per capita income in Israel would have been ten per cent higher if the country had avoided terrorism from 2001 to 2004
- Terrorism and the threat thereof can develop greater uncertainty, higher insurance and wage premiums - leading to higher trade transaction costs.
- If the number of terrorist incidents increases in a year in two trading countries, then trade between the two countries falls in the same year.
- Tourism is particularly vulnerable to terrorism as terrorism heightens the anxiety of travel. Terrorist attacks reduced tourism revenue by reducing tourist arrivals.
- Due to the heightened risk of a loss of investment, Foreign Direct Investment (FDI) decreases with increasing levels of terrorism in that country. Transnational terrorism has a greater negative impact on FDI in developing countries

**Societal and psychological effects**

- In addition to the casualties and physical destruction directly caused by their attacks, terrorists seek to inflict wider psychological, social, political and economic damage upon the societies they target.
- For those who live in countries affected by terrorism, everyday life is coloured by the uncertainty that comes with not being able to know if you are safe. They may develop psychological coping mechanisms to deal with this high level threat of risk of harm. In general, after terrorist acts, people suffer from post – traumatic stress disorders, anxiety and major depression. Additionally, survivors of terrorist attacks are more vulnerable to substance abuse issues and psychosomatic symptoms after an attack. Children are especially vulnerable to the negative psychological effects of living under threat of a terrorist attack. These children are usually, more likely than adults, to suffer from PTSD, anxiety or depression, as a result
- A strand of the growing number of studies on terrorism focuses its attention on the effects that terrorist attacks as well as dissemination of terrorist ideologies have on the wider public's risk perceptions, security sentiments, value formation, policy preferences, political preferences, and political self – placement, electoral choices, attitudes towards ethnic minorities and immigrants;

**Effects on human rights**

- Terrorism has a direct impact on the enjoyment of a number of human rights, in particular the rights to life, liberty and physical integrity. Terrorist acts can destabilize Governments, undermine civil society, jeopardize peace and security, threaten social and economic development, and may especially negatively affect certain groups.

**Terrorism and related issues**

- Terrorism has affected and damaged cultural industries and artistic freedom and cultural heritages, on several continents over the past 20 years. However, few studies have described the short as well as the long term effects of this terror on arts and culture. According to UNESCO's 1980 Recommendation, freedom of expression is an essential prerequisite for all artistic activities, and as extremism and some fanatic ideologies bearers, prevent artistic expressions and freedom of speech.
- Destruction of cultural heritage has a disastrous effect on the enjoyment of cultural human rights. Two examples immediately spring to mind. The first is Palmyra, the world heritage site and ancient city in the Syrian Desert, which has fallen in the hands of Daesh /ISIL. The other, is the Taliban's destruction of the Buddha's of Bamiyan in Afghanistan in 2001. These are few examples of many, as we saw other examples in Mosul Museum in Iraq, When there is minor damage to an ancient structure, there are attempts to sensitively restore it, but in the case of destruction, nothing can be done. In this instance, the cost goes beyond mere monetary value, and extends to the total loss of the non-monetary value to human civilization;

**Effects on rule of law**

- Has an adverse effect on the establishment of the rule of law, undermines pluralistic civil society, aims at the destruction of the democratic bases of society, and destabilizes legitimately constituted Governments. It has links with transnational organized crime, drug trafficking, money-laundering and trafficking in arms, as well as illegal transfers of nuclear, chemical and biological materials, and is linked to the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, hostage-taking and robbery;

**Present Institutional Setup for combatting terrorism**

The present institutional set up in India to deal with anti terror operations is:

1. **Intelligence:** IB, RAW and MAC are involved in gathering intelligence. Multi Agency Centers (MAC) collate intelligence information from different sources and disseminate them.
2. **Counter Terror operations:** Counter terror operations are carried out by NSG and local police. The local police which act at the ground and is many a times first respondent. Other agencies like Army and special elite forces are also involved as and when required in aid of the civilian force.
3. **Investigation:** Investigation and prosecution is done by NIA which draws its power from Unlawful Activities Prevention Act.
4. **Center State relations and counter terrorism:** From the legal angle law and order, police are state subjects. But article 355 enjoins upon the Union duty to protect the state and entry 2-A of Union List gives power to the Union to deploy its forces in aid of civil power of the state. These clear the issues regarding federal arrangements and issues thereof.

**Issues in present setup**

- a. **Co-ordination:** There is absence of co-ordinations among the different agencies (intelligence, counter-terror operations) as was evident in Pathankot attack.
- b. **Training and Capacities:** Even elite forces like the NSG suffer from chronic problems of acquisition and training. The state police does not undertake minimum required firing rounds.
- c. **Human resource:** All the agencies face the shortage of staff. The National Investigation Agency (NIA) has only 579 of the 816 personnel sanctioned, compared to the FBI's 34,019 staff, over 12,000 of whom are actual investigators.

**Terrorism and related issues**

- d. **Financial resources and technical resources crunch** is also faced. Local police don't have enough funds for fuel to undertake local visits.
- e. **Autonomy, accountability, professional leadership and institutional ethos all are missing in many cases. No heads ever roll in case of failure of intelligence or operations.**
- f. Policing and State Delhi Police, for its part, has neither specialist equipment nor protocols for dealing with attacks on schools, malls or theatres - all, as recent experience around the world shows, potential targets. The police forces are not ready to tackle special issues facing the states, like infiltration in border states, inter-community conflicts in sensitive states.
- h. **Political will to carry out reforms is missing.** Even the police reforms proposed by Supreme Court in Prakash Singh case are not implemented by states.
- i. **In border states the security forces and police are found in collusion with drug peddlers and smugglers.** Terrorists use this to sneak into country. Border infrastructure to stop infiltration is missing.

**Why there is a need for global coordination for counter terrorism?**

- **Coordination:** Given the number of players involved, the enormity of the task for Counter terrorism, and the limited resources available, effective coordination is crucial.
- **Porous borders:** In recent years, terrorist networks have evolved, moving away from a dependency on state sponsorship and many of the most dangerous groups and individuals now operate as nonstate actors. Taking advantage of porous borders and interconnected international systems—finance, communications, and transit—terrorist groups can operate from every corner of the globe.
- **Incapacity of countries to control terrorist threats:** Multilateral initiatives bolster state capacity to build institutions and programs that strengthen a range of activities, from policing to counter radicalization programs.

**Way forward for international community**

- **A Common Definition of Terrorism:** The menace of international terrorism cannot be dealt without first defining 'terrorism'. A problem cannot be tackled without first recognising it.
- **Passage of the UN Resolution:** The UN urgently needs to evolve a consensus and pass the draft convention against terrorism which has been stalled for many years now. Once operational, the convention will become a common reference point for all the UN member states to adhere to its charter and implement measures in their own countries for countering terrorism
- **Monitoring Activities of Rogue States:** In addition to accounting for the measures undertaken by the rogue states or states suspected of harbouring terror groups to strengthen the anti-terror legislations and strengthening financial networks being manipulated by terrorist groups, the CTC or a suitable UN body must have powers to investigate whether the state institutions in these countries are involved in providing material or ideological support to the proscribed terror groups. Such a body must have the right to dispatch UN inspectors to locations in these countries where the terrorists are suspected of receiving support from the state institutions for fomenting terror. The same principles which are adopted for despatching UN weapons inspectors to Iran, North Korea, Iraq or more recently to Syria for investigating the use of chemical weapons must be adopted with regard to the state sponsors of terrorism or those countries that plead their inability to counter the activities of terror groups due to lack of capacity.
- **List of Rogue States:** The UN CTC or a new body must also periodically review the list of nations declared as rogue or state sponsors of terrorism. In addition to implementing sanctions against the existing rogue states, such a body should maintain a list of countries which are suspected of providing institutional support to terrorists or are complacent in taking action against them

**Terrorism and related issues**

- **Imposing Sanctions against the State Sponsors of Terrorism:** It should be the duty of the UN CTC to monitor the implementation of economic and military sanctions imposed on a state suspected of harbouring banned terror outfits
- **Military Action against the Proscribed Terror Groups:** The UN Security Council should allow an affected nation state or permit a collective grouping of affected countries or states whose citizens have been killed in a terror attack even outside their territorial borders to undertake military action against terrorist hideouts or leaders based in a third country. The UN should provide legitimacy to such military action by the states which are victims of a major terror attack or mobilise an international force under the UN to take action against the terror groups based outside the target country (where the terrorist attack has been executed) on the basis of a solid and verifiable evidence of an individual terrorist's role or a facility in that country being used for planning/ executing the attack.
- **Economic and Military Aid to Weak Nation States:** More stringent measures should be adopted by the international community in providing aid to the weak nation states. Robust safeguards and sufficient guarantees on part of recipient states that military or economic aid will not be diverted/leaked/ siphoned off to terrorists must be made.
- **Effective Governance and Equal Access to Economic Opportunities:** With the global downturn in economy and rising unemployment, a lack of access to economic resources and gainful employment opportunities for the people will provide the biggest fodder to terrorist organisations. The state, by means of effective governance and safeguarding the fundamental right of every citizen to life, liberty and employment, will limit opportunities for the terror groups to indoctrinate people. Ensuring justice and equal livelihood opportunities for all citizens without practising religious indiscrimination will create peaceful conditions that cannot be exploited by inimical groups
- **Policing the Cyber Space:** The terrorists are increasingly making use of the cyber space to communicate among themselves. The very open nature of the internet and inadequate legal protocols make it susceptible to wrongful use by individuals who can mask their real identities.
- **Countering False Propaganda of OGWs and NGOs:** The environment of irregular warfare is constantly evolving with the terrorists adopting new methods and tactics to further their activities. Over Ground Workers (OGWs) and sympathisers and NGOs which are ideologically connected to terrorist networks are playing a greater role in carrying out propaganda activities and the collection and distribution of funds to terrorists. They are also instrumental in requisitioning the services of sympathetic journalists to give a favourable slant to terrorism and gain sympathy and minimise condemnation for their acts. Monitoring and banning the activities of such NGOs and members of the third estate who have global inter-connections has been a grey area in countering international terrorism and the nation states must pay adequate attention to this aspect.

**Some Other additional recommendations**

**Action by governments:**

These may include:

- Coordination among countries, of measures and actions, to predict and alert from a potential threat of terrorism act;
- Prevent terrorist acts, through exchange of intelligence information and exchange of expertise, and capacity building;



**Terrorism and related issues**

- Set a public warning system and emergency plans to act swiftly and professionally, in the fastest possible way in case of terrorist acts to protect the civilians and the infrastructure and all cultural heritage sites. Create a one stop portal for the public to send useful information to the authorities;
- Provide assistance to victims of terrorism, in the form of medical and post traumatic assistance, offer compensations;
- Organize awareness campaigns and trainings to help securing the civilian population on the event of terrorist attacks, and to enable them to detect signs of extremism leading to violence;
- Prioritise the role of the media in providing the right information on the right time and promoting the theories of peaceful cohabitation and the moderate ideas and thinking;
- Control ways and means to finance terrorism and take legal decisions in this regard, to cut the funding;
- Apply severe penalties on individuals and organisations involved in terrorism. This applies not only to the people who carry out the attacks but also to those who are involved in the preparation and planning;
- Ban the websites that use hate speech or call for violence or discrimination;
- Special planned programs for youth that can be recruited by terrorist groups, so as to prevent their fall down to these vicious groups;
- Prevent radicalisation in prisons;
- Put emphasis on education as the best way to prevent inserting wrong ideologies in the youths brains. Teachers and youth workers have to try to recognise this and report their suspicions to the police and criminal justice authorities;
- Address root causes of terrorism and avoid all sorts of discriminations, establish a sound system of social security, create job opportunities;
- Secure potential targets (people, organisations, strategic buildings);
- Cooperate with other countries and parties to resolve conflicts and establish peace and security in their region.

**Action by UN Human Rights mechanisms**

These may include:

- Support all governments in their efforts to combat terrorism, and strengthening their capacities in this regard;
- Insist in all communications with governments on the need to take all measures to prevent terrorist acts and protect all human beings against them;
- Call on all countries to take judiciary measures against perpetrators of terrorist acts who are depriving civil citizens from their basic human right, their right to live;
- Take measures to stop xenophobic and discriminatory policies;
- Make full use of alert and information analysis to keep the flow of information provided to the states, assisting them to prevent any crisis situation leading to the breach of Human Rights;

**Terrorism and related issues**

- Call on countries to respect and ensure the basic human rights of migrants and refugees, without making use of terror as a pretext for the curtailment of fundamental rights and liberties of these refugees;
- Provide all sorts of technical assistance to the states confronting terrorism, including capacity building programs and awareness campaigns about human rights.

**Action by the civil society organizations**

These may include :

- Provide prompt information to the states and through them to the UN relevant bodies, related to any detected threats or potential terrorist attacks;
- Intensify their efforts in the protection and assistance provided to the victims of terrorism;
- Lead and promote all efforts contributing towards the elimination of all discriminatory acts, any racism based on ethnicity or gender or religion;
- Contribute in the intercultural dialogue, and avoiding racial or religious profiling, stereotyping and generalisations;
- Intensify their activities within the socially disadvantaged communities and cooperate with the governments in order to promote the solving of their economic and social problems, and avoid social tension disturbances.

**Terror Financing**

**What is terror financing?**

According to unodc.org:

It is a sponsored money for initiating terrorist activities which are required for the following purpose:

- To recruit and support members
- To maintain logistics hubs
- To conduct operations

Terrorist financing involves the solicitation, collection or provision of funds with the intention that they may be used to support terrorist acts or organisations. Funds may stem from both legal and illicit sources.

According to the International **Convention for the Suppression of the Financing of Terrorism**, a person commits the crime of financing of terrorism “if that person by any means, directly or indirectly, unlawfully and wilfully, provides or collects funds with the intention that they should be used or in the knowledge that they are to be used, in full or in part, in order to carry out” an offense within the scope of the Convention.

**Terrorism and related issues**

**Sources of Terror Financing**

Sources of terrorist funding include, but are not limited to, low-level fraud, kidnapping for ransom, the misuse of non-profit organisations, the illicit trade in commodities (such as oil, charcoal, diamonds, gold and the narcotic, and digital currencies.

Use of virtual assets and crowdfunding platforms by terrorist entities, their use of the dark web, the links between terror financing and legitimate economic activities, and payment intermediaries.

1.Clandestine contributions from State sponsored agencies. Pakistan is widely believed to be engaged in State Sponsored Terrorism against India. According to the US, Iran remains the most active state sponsor of terrorism. US claims that Iran provides Hezbollah and Palestinian terrorist groups with extensive funding, training, and weapons. Iranian control over Hezbollah is particularly direct and is exercised through various individuals and institutions.

2.Contributions from ostensibly charitable organizations. Islamist terrorist organizations often raise funds through charitable organizations by exploiting the tenet of zakat through fundraising apparatuses that provide a ready source of income generated from religious or ethnic communities with ties to the Middle East. In fact, the **Financial Action Task Force on Money Laundering's 2002-2003 Report** confirmed that some Islamist charitable organizations were established *solely* to earn funds for terrorist organizations.

3.Contributions from transnational criminal groups, such as the mafia group led by Dawood Ibrahim who operates from Karachi, Pakistan,

4.Extortions and ransom payments for releasing hostages,

5.Collections – voluntary or forced -- from the people living in the area where they operate

**Priority issues on this front**

- Preventing diversion from legal financial instruments by fighting anonymity in financial networks,
- Restricting the use of proceeds of other crimes for terrorist activities,
- Preventing use of new financial technologies, virtual assets like crypto-currencies, wallets etc., for terror activities,
- Eliminate the use of Illegal Channels, Cash Couriers, Hawala by Terror Networks
- Prevent the use of Non-Profit Organisation, NPOs Sector to Spread Terror Ideology
- Continuous capacity building of counter-terror and financial intelligence agencies of all countries.

**India's strategy against Terror Financing**

- To establish a comprehensive monitoring framework involving cooperation, coordination, and collaboration among all intelligence and investigative agencies.
- The strategy of "Trace, Target, and Terminate", to be adopted from low-level economic offenses to more organized economic crimes,

**Terrorism and related issues**

- Strengthening and harmonizing the legal structures related to terror finance,
- Developing a robust mechanism against the misuse of Next Generation Technology,
- Strengthening the legal and regulatory framework for asset recovery.

**India's Resolution in UN against International Terrorism**

In 1996 India had moved a Resolution in the UN by the name of Comprehensive Convention on International Terrorism (UN CCIT). After 19 year, it still remains inconclusive. Recently during the visit of the External Affairs Minister Sushma Swaraj to China, India finally got the support of both China and Russia for this very significant resolution. At the 13th Russia, India, China (RIC) summit the three foreign ministers called for early conclusion of negotiations on the Comprehensive Convention on International Terrorism.

"The ministers reiterated that there can be no ideological, religious, political, racial, ethnic, or any other justification for acts of terrorism," the resolution said. The communique at the 13th RIC summit also stressed the need "to bring to justice perpetrators, organizers, financiers and sponsors" of terror — an inclusion India has ensured in the communiqué in part to bring global pressure on Pakistan to crack down on terror financing.

This is a major foreign policy achievement in quick succession after the recent isolation of Pakistan both by President Barrack Obama and US Secretary of State John Kerry.

**What is CCIT?**

The Comprehensive Convention on International Terrorism is a proposed treaty which intends to criminalize all forms of international terrorism and deny terrorists, their financiers and supporters access to funds, arms, and safe havens. It is a draft proposed by India in 1996 that is yet to be adopted by the UNGA. The original draft that was tabled in 1996 included following major objectives:

- To have a universal definition of terrorism that all 193-members of the UNGA will adopt into their own criminal law.
- To ban all terror groups and shut down terror camps
- To prosecute all terrorists under special law
- To make cross-border terrorism an extraditable offence worldwide

**Hurdles to CCIT**

The conclusion and ratification of the CCIT remains deadlocked due to opposition from three main blocs –

1. The US bloc

- The US wants the draft to exclude acts committed by military forces of states during peacetime.
- The U.S. has been worried about the application of the CCIT to its own military forces especially with regard to interventions in Afghanistan and Iraq.

2. The Organization of Islamic Countries (OIC)

- OIC wants exclusion of national liberation movements, especially in the context of Israel-Palestinian conflict.

**Terrorism and related issues**

- It was argued that there is a need to distinguish acts of terrorism from movements for self-determination so that legitimate movements are not labeled as criminal acts of terrorism.
3. The Latin American countries.
- Latin American countries wanted the draft to cover “state terrorism” and also the violation of International Human Rights laws by states.

**Lone Wolf Attacks**

Definition: A "lone wolf" is a person who prepares and commits violent acts alone, outside of any command structure and without material assistance from any group.

<b>Conventional terror attacks</b>	<b>Lone wolf terror attacks</b>
<ul style="list-style-type: none"><li>• Multiple perpetrators</li></ul>	<ul style="list-style-type: none"><li>• Mostly single perpetrator</li></ul>
<ul style="list-style-type: none"><li>• A definite command structure</li></ul>	<ul style="list-style-type: none"><li>• Lack of hierarchical command structure</li></ul>
<ul style="list-style-type: none"><li>• Family member, social circle, etc. likely to be aware/involved.</li></ul>	<ul style="list-style-type: none"><li>• Family members are not likely to be aware of the radicalisation of the individual.</li></ul>

- It is an efficient way of spreading terror in hard-to-access places for organised terrorist groups.
- Volunteers are likely to come from the middle class and educated families.
- Prominent recent examples across the globe include Boston marathon bombing of 2013, Sydney hostage crisis of 2014, recent attacks in New York and London where vehicles were used to run over and kill a number of people.

**Causes of Lone wolf Attacks**

- **Alienation of communities:** As communities get isolated and become less trustful of law, they become alienated. It then provides grievances for terrorists to exploit as individuals from such communities tend to easily be self-radicalized by accessing material online.
- **Mental and psychological disorders** can also often be a trigger for carrying out random attacks by individuals.
- **Lax gun control** (for example in USA) create a fertile ground for carrying out of Lone wolf attacks.

**Challenges in overcoming LWT**

- **Difficult to Apprehend:** Traditional terror groups with command and control “are easier for government to control. “Leaderless Resistance” like lone wolf attacks are an intelligence nightmare.
- **Use of Social Media by terror groups:**
  - Since the IS has been able to successfully recruit Indians via social media for the war in Syria it is a matter of time before they find recruits willing to employ violence in India itself.
  - The head of Al-Qaeda Indian Subcontinent called on Indian Muslims to follow the example of lone wolves in Europe and kill officers in India.
- **Possibilities of a complex Network:** Recent investigations have shown that often these attacks are not entirely independent and leaders operating remotely exercise various degrees of influence, acting as confidants and coaches and coaxing recruits to embrace violence.

**Way Forward**

- **Monitoring of Online content –**
  - Better vigilance regarding online radicalization by terror groups is required to curb this challenge. Big

**Terrorism and related issues**

data analytics must be used to assess the level of radicalisation of potential recruits

- **Enhancing Social capital:** Enhancing the “sense of belonging” among different groups rather creating division can be of great impact. For example, preventing polarisation along religious or ethnic lines through effective social integration is needed.
- **Influence of Family and Peer Groups:** must be utilised by the state to pre-empt any radicalisation of young individuals to any terror group’s ideology.
- **Providing access to Mental Healthcare and counselling:** Helplines by professional counsellors to counsel against radicalization once it is reported by some friend or family member.
- **Coordination:** Coordination and intelligence sharing between agencies such as IB, NIA, State police, etc is a must to prevent such incidents.
- **Providing training to police personnel:** State police forces should be trained to develop counter-terror capabilities as they are the "first responders" when an attack takes place.

**Lone wolf attacks in India**

**Reasons for India’s vulnerability to lone wolf attacks.**

- **Volatile neighbourhood of India acting as terror hotbeds**
- **Fast growing population** of youth with access to mass media and social media
- **Heavy concentration of people in public areas** with limited security and
- **Inadequate capacities of local police**

However various other factors tend to pose challenges in growth of lone wolf attacks in India:

- Unlike in the US where sophisticated weapons can be easily bought by ordinary citizens, gaining access to such weaponry in India is difficult.
- Indians have not displayed the psychological willingness to undertake high risk attacks.
- The absence of past examples of lone wolf attacks in India inculcates the fear of the unknown in the minds of potential volunteers.

**Some Steps Taken by India**

- **Education and skilling** - Modernization of madrassas, Employment and skilling schemes for jobless youth like Nai Manzil, Himayat etc
- **Specific programmes** like 'Operation Chakravyuh' of the IB, where a dedicated set of officers monitor the web, tracing the activities of the youth who are in touch terror operatives.
- **NATGRID** is in the process of being scaled up.
- **National Cyber Coordination Centre (NCCC)** has been established as a cyber security and e-surveillance agency in India.
- **WHAM** (winning hearts and minds) strategy approach by security forces to prevent alienation.
- **Deployment of private security** at high value targets like malls, hotels and schools has been upgraded, which acts as a deterrent to an individual aiming to target them.

## **Class Handout – Internal Security**

### **Foundation Batch – VISION IAS Faculty: Jatin Gupta**

#### **Various security agencies and their mandate**

##### **Intelligence Agencies in India**

###### **The intelligence bureau**

IB was founded on December 23, 1887, as the “Central Special Branch” by the Secretary of State for India in London. It is renamed as Intelligence Bureau in 1920. The Intelligence Bureau (IB), considered the oldest surviving intelligence organization in the world, serves as India’s internal security agency responsible for detecting domestic threats.

###### **Functioning of IB**

- The intelligence bureau is authoritatively controlled by the Ministry of Home affairs.
- It is considered as the internal news agency responsible for monitoring all aspects of governance.
- Major functions of the IB can be classified as counterintelligence, counterterrorism, VIP Security, anti-secession activities, intelligence collection in border areas and infrastructure protection.
- IB also maintains partnerships with foreign agencies, including security agencies in the U.S, U.K and Israel.

###### **Research and Analysis Wing (R&AW)**

- Prior to 1968, the Intelligence Bureau was responsible for India’s internal and external intelligence. Thereafter India, established a dedicated, RAW- Research and Analysis Wing founded mainly to keep an eye on the actions and movements Pakistan and China.
- It is not liable to the parliament of India on many issues
- It monitors the political and military development in the neighbouring countries, which have a direct bearing on India’s national security and in the genesis of its foreign policy.

###### **NTRO**

- The National Technical Research Organisation (NTRO) is a technical intelligence Agency under the National Security Advisor in the Prime Minister's Office, India
- It was set up in 2004
- The agency develops technology capabilities in aviation and remote sensing, data gathering and processing, cyber security, cryptology systems, strategic hardware and software development and strategic monitoring.
- NTRO has access to data from some of the satellites also

### **Shortcomings in the functioning of intelligence agencies**

- Infighting among the agencies
- Lack of coordination
- Lack of oversight and accountability
- Lack of transparency in functioning
- Use for political purposes
- Short on resources

### **Reforms needed in Intelligence Agencies**

- Intelligence agencies in India must be provided a legal-framework for their existence and functioning and their functioning must be under Parliamentary oversight and scrutiny
- Reforms in the recruitment and training processes of their personnel, their pay structures and career progression to attract the best talent available in the country.
- Recruitment to these agencies should be broad-based so as experts from myriad fields, such as Science and Technology, IT, Communications etc could be brought, in rather than reserving these agencies exclusively for the Police Sector.
- There should be a single authority exercising supervisory and other control over the intelligence agencies. It could be the National Security Advisor (NSA) in a modified role, Director of National Intelligence or even a minister for national Intelligence, answerable to the Parliament.
- Culture of Transparency should be promoted and inculcated as in the case of MI5
- Greater empowerment of intelligence officials should be accompanied by a simultaneous strengthening of oversight.

### **Reforms needed in CAPF**

The Committee on Estimates (Chairperson: Dr. Murli Manohar Joshi) submitted its report on 'Central Armed Police Forces and Internal Security Challenges – Evaluation and Response Mechanism' on March 16, 2018.

#### **1. Deployment of CAPFs:**

Problem: The Committee observed that there was heavy dependence of states on central armed police forces (CAPFs), even for everyday law and order issues. This was likely to affect the anti-insurgency and border guarding operations, besides curtailing the training needs of these forces.

Recommendations: The Committee recommended that states must develop their own systems, and augment their police forces by providing adequate training and equipment. The central government should supplement the efforts



of state governments by providing financial assistance and other help needed by states for capacity building of their forces.

## **2. Training of CAPFs:**

Problem: The Committee noted that there is an urgent need to update the curriculum and infrastructure in training institutes for CAPFs.

Recommendations: It recommended that while purchasing state-of-the-art equipment, government should ensure that training needs are taken care of and if needed, it may be included in the purchase agreement itself. Further, it recommended that the training should be a mix of conventional matters and latest technology like IT, cyber security, and cyber crime.

## **3. Modernization of CAPFs:**

Problem: The Modernization Plan II (2012-17), approved by the Cabinet Committee on Security, aims at providing financial support to CAPFs for modernizing arms, clothing, and equipment. However, the Committee observed that the procurement process under the Plan was cumbersome and time consuming.

Recommendations: It recommended that bottlenecks in procurement should be identified and corrective action taken. Further, the Ministry of Home Affairs and CAPFs should hold negotiations with ordnance factories and manufacturers in public or private sector to ensure uninterrupted supply of equipment and other infrastructure.

## **4. Promotion of CAPFs:**

Problem: The Committee observed that top positions in CAPFs are occupied by IPS officers. This has a demoralizing effect on the officers of the CAPFs, and impacts the effectiveness of the forces.

Recommendations: The Committee recommended that top positions should be filled from the respective cadre of the CAPF. In addition, there was frustration in CAPFs due to stagnation in promotions and lack of cadre review. The Committee recommended that cadre review of all the CAPFs should be carried out within a defined timeline.

## **5. Housing for CAPFs:**

Problem: The Committee noted that during the 12th Five Year Plan, as against the target of 24,206 houses for CAPFs, only 11,884 houses were constructed till March 31, 2016 (49%).

Recommendations: It recommended that the Ministry of Home Affairs and CAPFs should hold regular consultations with state governments, and impress upon them the need for allocation of land for construction of houses for CAPF personnel.

## **6. Intelligence gathering:**

Problem: The Committee noted that there is a need to improve the intelligence gathering mechanism, which should be strengthened and modernized within the shortest possible timeframe.

Recommendations: It recommended that agencies involved in intelligence gathering should be given autonomy in the recruitment of their personnel. Further, an effective intelligence gathering mechanism should be developed, with synchronization between agencies and no delays in sharing of information.

## **7. Stress among CAPF personnel:**

Problem: The Committee noted that a number of personnel among the CAPFs have committed suicide.

Recommendation: It recommended that workshops on stress management should regularly be undertaken, and yoga and meditation be made part of the daily exercise for CAPF personnel. Further, the Committee emphasized the need of accommodation near the deployment of the respective force, to enable personnel to meet their family members

## **8. Left Wing Extremism (LWE):**

Problem: The Committee observed that casualty of security forces in LWE affected areas are taking place due to mine blasts. Further, there was non-availability of technology to detect deeply planted mines.

Recommendations: The Committee recommended that the government should take up the matter with concerned research organizations, like Defence Research and Development Organisation, to develop technology to counter threats in LWE affected areas.

## **Investigation agencies**

### **1. National Investigating Agency:**

The NIA Act was enacted on 31-12-08 and the National Investigation Agency (NIA) was born. At present NIA is functioning as the Central Counter Terrorism Law Enforcement Agency in India. The NIA assists all the states and other agencies in investigating terrorism- related cases and works in close cooperation with them.

#### **Mission**

- In-depth professional investigation of scheduled offences using the latest scientific methods of investigation and setting up such standards as to ensure that all cases entrusted to the NIA are detected.
- Ensuring effective and speedy trials.
- Developing into a thoroughly professional, result oriented organization, upholding the constitution of India and Laws of the Land giving prime importance to the protection of Human Rights and dignity of the individual.
- Developing a professional work force through regular training and exposure to the best practices and procedures.
- Displaying scientific temper and progressive spirit while discharging the duties assigned and inducting modern methods and latest technology in every sphere of activities of the agency.
- Maintaining professional and cordial relations with the governments of States and Union Territories and other law enforcement agencies in compliance of the legal provisions of the NIA Act.
- Assist all States and other investigating agencies in investigation of terrorist cases.
- Build a data base on all terrorist related information and share the data base available with the States and other agencies.
- Study and analyse laws relating to terrorism in other countries and regularly evaluate the adequacy of existing laws in India and propose changes as and when necessary.

### **2. Central Bureau of Investigation:**

The **Central Bureau of Investigation (CBI)** is the premier investigating agency of India. Operating under the jurisdiction of the Ministry of Personnel, Public Grievances and Pensions, the CBI is headed by the Director. It is headed by a cabinet minister who reports directly to the Prime Minister.

**In any event of importance requiring police intervention, the public demand is for a CBI probe. What is so special about the CBI?**

- Established in 1943 as the Special Police Establishment (war department) and later given permanent status under an ordinance replaced by the Delhi Special Police Establishment Act 1946, the tiny organisation has grown enormously due to ever-increasing demands for its services.
- That law prescribes that the CBI can investigate on its own in respect of the notified offences like prevention of corruption — in cases of other offences like murder in any state only with the consent of the states concerned or on the

orders of the higher courts. These were designed to ensure that state executives and their politician bosses did not enjoy unrestricted powers in the matter of police administration like appointment of DGPs or the power to transfer police personnel from one corner of a state to another at any time.

- The agency has been known to investigate several economic crimes, special crimes, cases of corruption and other high-profile cases. Over the years, CBI has emerged as a premium investigating agency which enjoys the trust of the public, parliament, judiciary and government despite the allegations of its manipulations by the governments of the day.

### **Problems associated with CBI:**

- Supreme Court's caustic description of the CBI as a 'caged parrot' did much harm to organisation's image. It has been under immense pressure from the political patrons, hence, its integrity has come under doubt sometimes.
- Enormous delays in concluding investigations. As one former Central Vigilance Commissioner put it, the CBI is a black hole. Nothing that goes in ever comes out of it.
- There have been many reports about dishonesty and harassment of the public by those at the cutting edge in the CBI.
- Another great constraint on the CBI is its dependence on State governments for invoking its authority to investigate cases in a State, even when such investigation targets a Central government employee. CBI has no cadre of its own.
- The agency is dependent on the home ministry for staffing, since many of its investigators come from the Indian Police Service. The agency depends on the law ministry for lawyers and also lacks functional autonomy to some extent.
- The CBI, run by IPS officers on deputation, is also susceptible to the government's ability to manipulate the senior officers, because they are dependent on the Central government for future postings.
- Since police is a State subject under the Constitution, and the CBI acts as per the procedure prescribed by the Code of Criminal Procedure (CrPC), which makes it a police agency, the CBI needs the consent of the State government in question before it can make its presence in that State.

### **Way forward**

- The first and foremost reform should be to ensure that CBI operates under a formal, modern legal framework and is provided the autonomy it needs to carry out independent investigation. A new CBI Act should be promulgated that ensures the autonomy of CBI while at the same time improving the quality of supervision.
- It is important that a mechanism is put in place to ensure that appointments to CBI are non-partisan and free from biases. The Lokpal Act has already made suggestions for a three-member committee made up of the prime minister, the leader of the opposition and the chief justice of the Supreme Court to select the director. However, not enough has been done to administratively protect CBI from political interference.

- Another demand that has been before Supreme Court, and in line with international best practices, is for the CBI to develop its own dedicated cadre of officers who are not bothered about deputation and abrupt transfers. All senior posts in the CBI are now held by Indian Police Service (IPS) officers, who in turn are not independent from central political influence.
- It is also possible to consider granting the CBI and other federal investigation agencies the kind of autonomy that is needed along with parliamentary oversight. A more efficient parliamentary oversight over the federal criminal and intelligence agencies could be a way forward to ensure better accountability, despite concerns regarding political misuse of the oversight.
- Attempts should be made to make service recruitments and service conditions for direct recruitment to CBI more lucrative to the youth. The CBI is not really popular among the youth who are looking for Central government employment through the Union Public Service Commission examination route, other than those appearing for the All India Services, including the Indian Police Service.
- Traditional thinking should be shed and red-tapism has to be cut ruthlessly in order to recruit more and generously improve emoluments (outside the rigid government pay structure) of the eternally demoralised direct recruits.

Extra Reading Material for Security Classes

Security Challenges and Their Management in Border Areas

**Definition of Border Management**

The term border management in its widest sense implies co-ordination and concerted action by political leadership and administrative, diplomatic, security, intelligence, legal, regulatory and economic agencies of the country to secure our frontiers and subserve the best interests of the country.

**Definition as per BM division of MHA**

BM division of Ministry of Home affairs says that border management is securing country's borders against interests hostile to the country and putting in place the systems that are able to prohibit such elements while facilitating legitimate trade and commerce.

**Problems of Border Management. Some of the main problems currently afflicting the management of our borders may be listed as follows:**

- (a) Some of our **maritime boundaries are still undefined** and much of our land borders are not demarcated on the ground. The disputed and unsettled nature of our boundaries has made them a source of tension and made their policing much more difficult.
- (b) Since many of our borders are **man-made artificial boundaries** and not based on natural features such as rivers, watersheds etc, they are extremely porous and easy to cross.
- (c) **Multiplicity of forces** on the same borders has inevitably led to the lack of accountability as well as problems of command and control.
- (d) **Border Guarding Forces need to be distinguished from central police organisations.** Being more akin to the Army and different from central police organisations which are called in aid of civil power from time to time, they need to be appropriately strengthened both in terms of equipment and manpower.
- (e) **The repeated withdrawal**, in large numbers, of para-military forces from border guarding duties for internal security and counter insurgency duties has led to a neglect of the borders. These forces have also been unable to perform optimally due to cannibalisation of battalions and even companies.
- (f) Lack of institutionalised arrangements for **sharing and co-ordination** of intelligence at various levels and particularly at the field level, is a primary weakness in proper management of borders. The present tendency on the part of each agency to guard its turf, even at the cost of compromising national security interests, needs to be deprecated and put down sternly.
- (g) Inadequate attention to the **concerns of local people** in border areas
- (h) **Improper physical infrastructure** in border areas of country making movement and mobilization of forces difficult.

**By Jatin Gupta**

**Faculty, VISION IAS**

**Effects:**

Illegal migration from across our borders has continued unabated for over five decades. We have yet to fully wake up to the implications of the unchecked immigration for the national security. Demographic changes have been brought about in the border belts of West Bengal, several districts in Bihar, Assam, Tripura and Meghalaya as a result of large-scale illegal migration. Even States like Delhi, Maharashtra and Rajasthan have been affected. Such large-scale migration has obvious social, economic, political and security implications.

Several other internal security issues are interlinked with issue. The various border security threats are broadly classified under the following categories:

1. Infiltration and ex-filtration of armed militants
2. Non-state actors
3. Narcotics and armed smugglers
4. Illegal migrations
5. Separatist movements aided by external powers
6. Establishment of madrassas, which must be watched for any potential security hazards
7. Export of fundamentalist terrorism
8. Smuggling of counterfeit Indian currency

**CIBMS: Comprehensive Integrated Border Management System**

CIBMS is an integration of a number of new gadgets and technologies to ensure electronic surveillance of borders. "an integration of humans and technology with the Command and Control centre at the heart of it."

<b>SECURITY UPGRADE</b>		<b>PRESENT STATUS</b>
		<p>➤ Though CCTV cameras, night thermal imagers and sensors are used in sensitive areas, <b>technology used is not superior</b>. More than <b>150,000 flood lights</b> have been installed on <b>50,000 poles</b> by govt on border to track movement using binoculars</p> <p>➤ There were <b>222 infiltration attempts</b> from Pakistan in <b>2014</b>; <b>100</b> in <b>2015</b></p> <p>➤ At any given time, <b>70 battalions of BSF</b> are posted on the border from Kutch to Kashmir. <b>1/3rd</b> of them not on border</p>
<p>➤ Any person trying to enter India from Gujarat to J&amp;K can be tracked by <b>multiple technologies like CCTV cameras, thermal image devices, night vision devices, surveillance radar, underground monitoring sensors &amp; laser barriers</b></p> <p>➤ All unfenced <b>130 riverine sections</b> on <b>2,900-km-long border</b> will be covered using <b>laser barriers</b></p> <p>➤ The project will cost govt <b>Rs 1cr</b></p>	<p><b>PLANNED</b></p> <p>➤ <b>per km</b>. Two pilot projects in <b>Jammu &amp; Punjab</b> are already on</p> <p>➤ The entire border will be covered with <b>hi-tech systems in two years</b> and <b>50-60 private companies</b> are expected to take up projects</p> <p>➤ A <b>control room will be set up after every 5-6 km</b> where any activity will be noticed and BSF men will be alerted. If one device is not working, others will alert jawans</p>	

### **Can CIBMS alone resolve the border issues?**

"The Border Security Force (BSF) hopes that the new technological equipment would provide feeds to BSF personnel at the border outposts, where monitors would be installed. In case of a threat, quick reaction teams (QRT) will intervene and neutralise it. The BSF plans to put up a CIBMS in areas all along the Indo-Pak and India-Bangladesh border,"

### **Some concerns with CIBMS**

- The question is being asked repeatedly whether these solutions are compatible with Indian conditions and **whether they are cost effective.**
- The fact that the inauguration of the **pilot projects, which began in 2016**, has been delayed should not be forgotten while going ahead with the full project.
- One need not forget that CIBMS' multi-tier security ring at the border indents to use a variety of sensors, such as Thermal Imager, Radar, Aerostat, Optical Fiber Intrusion Detection System, Unattended Ground Sensor and Underwater Sensors. We have not heard much about how and when these equipment will get manufactured in India.
- **Basic amenities have not been improved on the ground.** In the recent past, the optimum use of sophisticated technical equipments has been weighed down by its incompatibility with terrain and existing border security infrastructure. This time serious questions have been raised about three-phase power supply and border road along with fencing. Power back-up of gensets is also a challenge which is yet to be addressed.
- **Lack of well-trained technical manpower** is a nagging issue. Due to a rotational policy of the border guarding forces, the expertise acquired by the border personnel risks being lost as soon as the private firms leave the project site, hampering the technical capability.

### **Coastal Security**

#### **Importance and some facts about India's coastal line**

- India's **7,516-kilometre-long coastline**
- **Accounts for 90% of the country's trade**
- **12 major and 200 minor ports**

#### **Some of the coastal security vulnerabilities:**

1. **Maritime Terrorism:**
  - a) **Attacks on commercial centres and ports:** Ports handling large volumes of traffic especially oil and other goods and having a large population centre in its vicinity are most valued targets for the terrorists.
  - b) **Attacks on Ships:** Ships are soft targets for the terrorist groups as, except for their enormous size, they have practically no means of protection.
2. **Piracy and armed robbery** pose a major threat to sea navigation. Shallow waters of the **Sunderbans** have been witnessing acts of violence and armed robbery. Even the Arabian sea waters are not safe
3. **Smuggling and trafficking:** Indian coasts have been susceptible to smuggling of items such as gold, electronic goods, narcotics, and arms.



**By Jatin Gupta**

**Faculty, VISION IAS**

4. **Infiltration, illegal migration and refugee influx:** Large scale refugee influxes over the decades have resulted in widespread **political turmoil** in the border states. For example-
  - a) The creek areas of **Gujarat** which has its geographical proximity to Pakistan and has complex terrain conducive for infiltration.
  - b) Political turmoil, religious and political persecution, overwhelming poverty, and lack of opportunities in Sri Lanka and Bangladesh is an ideal situation for **illegal** migration of **Bangladeshi citizens** to India.
  - c) The frequent straying of fishermen into neighbouring country waters has not only **jeopardised the safety of the fishermen** but has also raised **national security** concerns.

#### **Government Initiatives in Coastal Security Infrastructure**

1. **National Committee for Strengthening Maritime and Coastal Security** headed by Cabinet Secretary coordinates all matters related to Maritime and Coastal Security.
2. **Indian Coast Guard creation**
3. **Coastal Security Measures Post Kargil war:** Kargil Review Committee (KRC) constituted to study the circumstances that had led to the war has recommended several coastal security measures like:
  4. Creation of fishermen watch groups
  5. Installation of vessel traffic management systems in major ports
  6. Setting up Joint operation centres (JOCs)
  7. Creating an apex body for the management of maritime affairs
8. **Creation of Marine Police Force:** It was created with the aim to strengthen infrastructure for patrolling and the surveillance of the coastal areas, particularly the shallow areas close to the coast.
9. **Coastal Security Architecture upgrade:** Post the 26/11 Mumbai attacks, the existing multilayered arrangements have been further strengthened, and other initiatives like:
  - **A three-tier security grid** was installed with the **Indian Navy, the coast guard, and the marine police** jointly patrolling India's near-seas.
10. **Electronic Surveillance:** National Command Control Communication and Intelligence Network (NC3I) has been launched to provide near gapless surveillance of the entire coastline and prevent the intrusion of undetected vessels, the coastal surveillance network project.

#### **Challenges in coastal security**

- **Lack of coordination:** The involvement of different agencies and ministries at centre, state and local level invariably leads to coordination problems although several efforts have been made to create greater synergies between them like:
- **Lack of clarity** among various stakeholders about their roles in ensuring coastal security.
- Acute **shortage of manpower** in police stations, (only 25% of the sanction)
- **Poor Training:** Lack of a dedicated **training academy** for the ICG.
- **Discontent in fishermen communities** interferes with the effective functioning of the coastal security architecture as fishermen are considered the '**eyes and ears**' of the coastal security architecture and, therefore, an integral part of it.

**By Jatin Gupta**

**Faculty, VISION IAS**

- Difficult **terrain, seasonal weather patterns, administrative lapses**, etc. all contribute towards introducing gaps in surveillance and the monitoring mechanism.
- Delays in **land acquisition** and **support infrastructure**, such as barracks and staff quarters at several locations.
- Low **infrastructure** creation (only 31%):
- Below par state-level **monitoring** mechanisms.

### **Way Forward**

- **Surveillance and interagency coordination:** The central government must address the problems of coordination arising out of the interactions of multiple agencies and delayed responses.
- **Stronger involvement of coastal police:** Instead of setting up a coastal border security force with no legal powers, the authorities must move to strengthen and better integrate the coastal police into the littoral security architecture.
- **A legislative framework: Comprehensive legislations** to place systems and processes for the protection of India's **maritime infrastructure**, covering both the shipping and port sectors. **Statutory duties** of government departments, Port trusts, state maritime boards, non-major ports and private terminal operators and other stakeholders need to be clearly outlined, as also minimum standards of port security requiring statutory compliance.
- **Strengthening of the Coast Guard:** The CG must be strengthened to play a leadership role in coastal security. **Ambiguities** from the Coast Guard Act need to be removed to ensure all security agencies are clear about the roles and responsibilities they are expected to perform.
- **National commercial maritime security policy document:** The government must promulgate a **National Commercial Maritime Security Policy Document**, to articulate its strategic vision for maritime security.
- **Coastal security exercises like sagar kavach and sea vigil** need to be conducted regularly, in order to generate awareness about threats emanating from the sea as well as to develop synergies among the concerned agencies

**Terrorism and related issues**

**Definition of Terrorism**

Defining terrorism is a really difficult task. The term has different meanings for different people. **International community has not succeeded** in developing an accepted comprehensive definition of terrorism. During the 1970s and 1980s, United Nation's attempts to define the term were wasted mainly due to differences of opinion between various members about the use of violence in the context of conflicts over national liberation and self-determination. These divergences have made it impossible to conclude a Comprehensive Convention on International Terrorism that incorporates a single, all-encompassing, legally binding, criminal law definition of terrorism.

According to the FBI: ***"Terrorism is the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives."***

**8th report of 2<sup>nd</sup> ARC defines terrorism as:**

*Terrorism is an anxiety-inspiring method of repeated violent action, employed by (semi-) clandestine individual, group or state actors, for idiosyncratic, criminal or political reasons, whereby the direct targets of violence are not the main targets. The immediate human **victims of violence are generally chosen randomly** (targets of opportunity) or selectively (representative or symbolic targets) from a target population, and serve as message generators. Threat and violence-based communication processes between terrorist organization, victims, and main targets are used to manipulate the main target (audience(s)), turning it into a target of terror, a target of demands, or a target of attention, depending on whether intimidation, coercion, or propaganda is primarily sought.*

**Features of Terrorism**

- Strategy of terrorism remains to commit acts of violence that draws the attention of the local populace, the government, and the world to their cause. The terrorists plan their attack to obtain the greatest publicity for their acts, choosing targets that symbolize what they oppose.
- The effectiveness of the terrorist act lies not just in the act itself, but in the public's or government's reaction to the act.
- More than immediate victims, Terror acts try to inculcate fear in the minds of the viewer e.g. in case of 9/11 attacks and 1972 Munich Olympics etc.
- It does not accept any limitation on their actions such as International law, moral constraints, sympathy towards weaker sections etc. e.g. 1993 serial bomb blast in Mumbai; 9/11 attack on twin towers etc.

**Causes of Terrorism**

Most definitions of terrorism recognise that terrorists don't just pursue violence for the sake of it but have a specific purpose for carrying out their attacks. Research has shown that there are a number of possible causes for terrorist activity. These include:

**Social and political injustice:** Some people turn to terrorism when they are trying to tackle what they perceive as social injustice. Terrorists acting on this basis may believe that they have been stripped of something they feel entitled to such as certain rights, land or possessions.

**Strategic:** Terrorism is typically described as a strategy of the weak seeking to gain advantage against stronger armies or political powers. Hamas, for example, uses terrorist tactics, but not out of a random desire to fire rockets at Israeli Jewish civilians. Instead, they seek to leverage violence (and cease fires) in order to gain specific concessions related to their goals vis-a-vis Israel.

**Terrorism and related issues**

**Religious:** Throughout history, religious causes have been the motivation for a variety of terrorist attacks, though it is important to remember that religions themselves do not cause terrorism. Religious terrorists may use terrorism to punish what they see as 'ungodly' behaviour in society, or to avenge what they perceive as attacks on their beliefs. Experts began to argue in the 1990s that a new form of terrorism fuelled by religious fervour was on the rise. They pointed to organizations such as Al Qaeda, Aum Shinrikyo (a Japanese cult) and Christian identity groups.. Such groups selectively interpret and exploit religious concepts and texts to support terrorism.

**Socio-Economic:** Research has shown that deprivation (poverty, lack of education, lack of political freedom) can drive people to terrorism. It is believed that people in these situations may be more susceptible to recruitment by organisations using terrorist tactics.

**Globalization and increasing inequality:** Decades of globalization has produced one of the greatest disparities in the economic conditions of the countries of the world. Global inequality has reached extraordinary levels, and has provided muddy waters of despair where terrorist recruits can be bred rather easily. Globalization has fuelled explosive patterns of social polarization within and between nations, and this has been accepted as a cause of terrorism.

**Reasons for growing spread of terrorism:**

- **Indoctrination:** The religious belief has become a key means of indoctrinating and training would-be terrorists. Extremists use websites and social media to recruit and radicalise individuals through videos and propaganda. Suicide terrorism, self-sacrifice, or martyrdom has been organized and perpetrated by groups with religious motivations.
- **Technology:** Sophisticated means of communication- electronic media, print media, social media, and internet helps in faster promotion of terrorist ideology and hate campaign across international borders. Websites and social media messages are used to provide advice and instructions on how to plan and prepare for attacks, acting as a "virtual training camp" or ideas forum. Other technologies available to conduct acts of terror are mobile phones, satellite phones and GPS systems.
- **Porosity of border with neighbouring countries-** Bangladesh, Myanmar, Bhutan, Nepal. Some of it is due to difficult terrain and some are due to bilateral arrangements between the governments.
- **Links between terrorism and organised crime** to earn easy money. Easy availability of arms and ammunition.
- **Developmental deficit:** Unemployed and poor youths with high aspiration become the victim of trap set by the terrorist groups who lure them with short term gains of money, food, clothes, shelter and in return ask them to execute terrorist acts like- suicide car bombing.

**Types of Terrorism**

Various attempts have been made to distinguish among types of terrorist activities. It is vital to bear in mind, however, that there are many kinds of terrorist movements, and no single theory can cover them all.

**1. Ethno-Nationalist Terrorism**

Terrorism motivated by ethno-nationalist and separatist aspirations became prominent after the Second World War and dominated the terrorist agenda around the world for more than 50 years. Ethnic terrorism can be defined, as deliberate violence by a subnational ethnic group to advance its cause. Such violence usually focuses either on the creation of a separate State or on the elevation of the status of one ethnic group over others. Tamil Nationalist groups in Sri Lanka and insurgent groups in North East India are examples of ethno-nationalist terrorist activities.

**2. Religious Terrorism**

**Terrorism and related issues**

Religious justifications for terrorism have emerged as one of the oldest validations in the world. Present-day terrorist activities around the world are motivated largely by religious reasons.

**3. Ideology Oriented Terrorism**

Any ideology can be used to support the use of violence and terrorism. Ideology oriented terrorism is generally classified into two: Left-wing and Right-wing terrorism.

- a) **Left-wing Terrorism-** Violence against the ruling elite mostly by the peasant class motivated by what are called leftist ideologies have occurred time and again in history. However, the ideological basis for the left and subsequent violent movements was provided by the writings of Marx and Engels. This was supported by the writings and speeches of later communists like Lenin and Mao Zedong. Leftist ideologies believe that all the existing social relations and state structures in the capitalist society are exploitative in character and a revolutionary change through violent means is essential. Examples of leftist ideologies that have resorted to the use of terror are numerous.
- b) **Right-wing Terrorism-** Right-wing groups generally seek to maintain the status-quo or to return to some past situation that they feel should have been conserved. Sometimes, groups espousing rightist ideologies might assume ethnic/racist character too. They may force the government to acquire a territory or to intervene to protect the rights of an 'oppressed' minority in a neighboring country (i.e. the Nazi Party in Germany). Violence against migrant communities also comes under this category of terrorist violence. It is to be noted here that religion can play a supportive role to rightist violence. Examples of these are: Nazism in Germany, Fascists in Italy, white supremacy movements in the US known as Ku Klux Klan (KKK), the Green Jackets of Denmark in the 1980s etc.

**3. State-sponsored Terrorism**

State-sponsored terrorism or warfare by proxy is as old as the history of military conflict. Such established practices existed in ancient times; in the Oriental empires, in Rome and Byzantium, in Asia and Europe. However, state-sponsored terrorism on a massive scale reappeared in international politics in the 1960s and 1970s, and today along with religious terrorism, state-sponsored terrorism has considerably altered the nature of terrorist activities around the world.

**In recent times, some countries have embraced terrorism as a deliberate instrument of foreign policy. One distinction of state sponsored terrorism from other forms of terrorist activity is that it is initiated to obtain certain clearly defined foreign policy objectives rather than grabbing media attention or targeting the potential audience.** In a cost-benefit analysis, state-sponsored terrorism is the most effective means of terrorism from the perspective of the perpetrator.

State-sponsored terrorism was widely employed in Central Asia in the nineteenth century. Russians supported their fellow Slavs in the Balkans. Bulgaria used the Macedonian revolutionary terrorists against Yugoslavia after World War I. The Western powers under the auspices of the US supported all kinds of nationalist and anti-communist rebels throughout the Cold War. The Soviet Union was no different in its operations during this period. Countries like Iran, Iraq, Sudan, Libya North Korea have been engaged in sponsorship of political violence of different nature in their 'enemy' countries. India has been facing this problem from Pakistan since Independence.

**4. Narco-terrorism**

Narco-terrorism is an interesting concept, which can fall in the category of either 'Types of Terrorism' or 'Means of Terrorism', depending on how it is defined. **Campaigns by drug traffickers using terrorist methods such as the use of car bombs, assassinations and kidnapping against the anti-narcotics police in Colombia and Peru. Though initially used in the context of drug trafficking related terrorism in South America, the term has come to be associated with terrorist groups and activities around the world and more so in the**

**Terrorism and related issues**

**Central and South-East Asia.** Narco-terrorism has been defined by the Canadian Security Intelligence Service as 'the attempt by narcotics traffickers to influence the policies of the Government by systematic threat or use by violence'. However, it is also possible to view narco-terrorism as a means of terrorism or at any rate as a means of funding terrorism. As the term itself suggests, narco-terrorism combines two criminal activities; drug trafficking and terrorist violence. Narco-terrorism is motivated mainly by economic reasons as it helps the terrorist organizations raise huge sums of money with minimum cost for their activities. Thus the political, ideological, religious and the ethno-nationalist motives generally associated with terrorism are secondary to the economic gains associated with it

**Effects of terrorism**

**Economic effects of terrorism:**

- After the outbreak of terrorism in the Basque Country in Spain in the late 1960s, economic growth in the region declined by ten per cent.
- Per capita income in Israel would have been ten per cent higher if the country had avoided terrorism from 2001 to 2004
- Terrorism and the threat thereof can develop greater uncertainty, higher insurance and wage premiums - leading to higher trade transaction costs.
- If the number of terrorist incidents increases in a year in two trading countries, then trade between the two countries falls in the same year.
- Tourism is particularly vulnerable to terrorism as terrorism heightens the anxiety of travel. Terrorist attacks reduced tourism revenue by reducing tourist arrivals.
- Due to the heightened risk of a loss of investment, Foreign Direct Investment (FDI) decreases with increasing levels of terrorism in that country. Transnational terrorism has a greater negative impact on FDI in developing countries

**Societal and psychological effects**

- In addition to the casualties and physical destruction directly caused by their attacks, terrorists seek to inflict wider psychological, social, political and economic damage upon the societies they target.
- For those who live in countries affected by terrorism, everyday life is coloured by the uncertainty that comes with not being able to know if you are safe. They may develop psychological coping mechanisms to deal with this high level threat of risk of harm. In general, after terrorist acts, people suffer from post – traumatic stress disorders, anxiety and major depression. Additionally, survivors of terrorist attacks are more vulnerable to substance abuse issues and psychosomatic symptoms after an attack. Children are especially vulnerable to the negative psychological effects of living under threat of a terrorist attack. These children are usually, more likely than adults, to suffer from PTSD, anxiety or depression, as a result
- A strand of the growing number of studies on terrorism focuses its attention on the effects that terrorist attacks as well as dissemination of terrorist ideologies have on the wider public's risk perceptions, security sentiments, value formation, policy preferences, political preferences, and political self – placement, electoral choices, attitudes towards ethnic minorities and immigrants;

**Effects on human rights**

- Terrorism has a direct impact on the enjoyment of a number of human rights, in particular the rights to life, liberty and physical integrity. Terrorist acts can destabilize Governments, undermine civil society, jeopardize peace and security, threaten social and economic development, and may especially negatively affect certain groups.

**Terrorism and related issues**

- Terrorism has affected and damaged cultural industries and artistic freedom and cultural heritages, on several continents over the past 20 years. However, few studies have described the short as well as the long term effects of this terror on arts and culture. According to UNESCO's 1980 Recommendation, freedom of expression is an essential prerequisite for all artistic activities, and as extremism and some fanatic ideologies bearers, prevent artistic expressions and freedom of speech.
- Destruction of cultural heritage has a disastrous effect on the enjoyment of cultural human rights. Two examples immediately spring to mind. The first is Palmyra, the world heritage site and ancient city in the Syrian Desert, which has fallen in the hands of Daesh /ISIL. The other, is the Taliban's destruction of the Buddha's of Bamiyan in Afghanistan in 2001. These are few examples of many, as we saw other examples in Mosul Museum in Iraq, When there is minor damage to an ancient structure, there are attempts to sensitively restore it, but in the case of destruction, nothing can be done. In this instance, the cost goes beyond mere monetary value, and extends to the total loss of the non-monetary value to human civilization;

**Effects on rule of law**

- Has an adverse effect on the establishment of the rule of law, undermines pluralistic civil society, aims at the destruction of the democratic bases of society, and destabilizes legitimately constituted Governments. It has links with transnational organized crime, drug trafficking, money-laundering and trafficking in arms, as well as illegal transfers of nuclear, chemical and biological materials, and is linked to the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, hostage-taking and robbery;

**Present Institutional Setup for combatting terrorism**

The present institutional set up in India to deal with anti terror operations is:

1. **Intelligence:** IB, RAW and MAC are involved in gathering intelligence. Multi Agency Centers (MAC) collate intelligence information from different sources and disseminate them.
2. **Counter Terror operations:** Counter terror operations are carried out by NSG and local police. The local police which act at the ground and is many a times first respondent. Other agencies like Army and special elite forces are also involved as and when required in aid of the civilian force.
3. **Investigation:** Investigation and prosecution is done by NIA which draws its power from Unlawful Activities Prevention Act.
4. **Center State relations and counter terrorism:** From the legal angle law and order, police are state subjects. But article 355 enjoins upon the Union duty to protect the state and entry 2-A of Union List gives power to the Union to deploy its forces in aid of civil power of the state. These clear the issues regarding federal arrangements and issues thereof.

**Issues in present setup**

- a. **Co-ordination:** There is absence of co-ordinations among the different agencies (intelligence, counter-terror operations) as was evident in Pathankot attack.
- b. **Training and Capacities:** Even elite forces like the NSG suffer from chronic problems of acquisition and training. The state police does not undertake minimum required firing rounds.
- c. **Human resource:** All the agencies face the shortage of staff. The National Investigation Agency (NIA) has only 579 of the 816 personnel sanctioned, compared to the FBI's 34,019 staff, over 12,000 of whom are actual investigators.

**Terrorism and related issues**

- d. **Financial resources and technical resources crunch** is also faced. Local police don't have enough funds for fuel to undertake local visits.
- e. **Autonomy, accountability, professional leadership and institutional ethos all are missing in many cases. No heads ever roll in case of failure of intelligence or operations.**
- f. Policing and State Delhi Police, for its part, has neither specialist equipment nor protocols for dealing with attacks on schools, malls or theatres - all, as recent experience around the world shows, potential targets. The police forces are not ready to tackle special issues facing the states, like infiltration in border states, inter-community conflicts in sensitive states.
- h. **Political will to carry out reforms is missing.** Even the police reforms proposed by Supreme Court in Prakash Singh case are not implemented by states.
- i. **In border states the security forces and police are found in collusion with drug peddlers and smugglers.** Terrorists use this to sneak into country. Border infrastructure to stop infiltration is missing.

**Why there is a need for global coordination for counter terrorism?**

- **Coordination:** Given the number of players involved, the enormity of the task for Counter terrorism, and the limited resources available, effective coordination is crucial.
- **Porous borders:** In recent years, terrorist networks have evolved, moving away from a dependency on state sponsorship and many of the most dangerous groups and individuals now operate as nonstate actors. Taking advantage of porous borders and interconnected international systems—finance, communications, and transit—terrorist groups can operate from every corner of the globe.
- **Incapacity of countries to control terrorist threats:** Multilateral initiatives bolster state capacity to build institutions and programs that strengthen a range of activities, from policing to counter radicalization programs.

**Way forward for international community**

- **A Common Definition of Terrorism:** The menace of international terrorism cannot be dealt without first defining 'terrorism'. A problem cannot be tackled without first recognising it.
- **Passage of the UN Resolution:** The UN urgently needs to evolve a consensus and pass the draft convention against terrorism which has been stalled for many years now. Once operational, the convention will become a common reference point for all the UN member states to adhere to its charter and implement measures in their own countries for countering terrorism
- **Monitoring Activities of Rogue States:** In addition to accounting for the measures undertaken by the rogue states or states suspected of harbouring terror groups to strengthen the anti-terror legislations and strengthening financial networks being manipulated by terrorist groups, the CTC or a suitable UN body must have powers to investigate whether the state institutions in these countries are involved in providing material or ideological support to the proscribed terror groups. Such a body must have the right to dispatch UN inspectors to locations in these countries where the terrorists are suspected of receiving support from the state institutions for fomenting terror. The same principles which are adopted for despatching UN weapons inspectors to Iran, North Korea, Iraq or more recently to Syria for investigating the use of chemical weapons must be adopted with regard to the state sponsors of terrorism or those countries that plead their inability to counter the activities of terror groups due to lack of capacity.
- **List of Rogue States:** The UN CTC or a new body must also periodically review the list of nations declared as rogue or state sponsors of terrorism. In addition to implementing sanctions against the existing rogue states, such a body should maintain a list of countries which are suspected of providing institutional support to terrorists or are complacent in taking action against them



**Terrorism and related issues**

- **Imposing Sanctions against the State Sponsors of Terrorism:** It should be the duty of the UN CTC to monitor the implementation of economic and military sanctions imposed on a state suspected of harbouring banned terror outfits
- **Military Action against the Proscribed Terror Groups:** The UN Security Council should allow an affected nation state or permit a collective grouping of affected countries or states whose citizens have been killed in a terror attack even outside their territorial borders to undertake military action against terrorist hideouts or leaders based in a third country. The UN should provide legitimacy to such military action by the states which are victims of a major terror attack or mobilise an international force under the UN to take action against the terror groups based outside the target country (where the terrorist attack has been executed) on the basis of a solid and verifiable evidence of an individual terrorist's role or a facility in that country being used for planning/ executing the attack.
- **Economic and Military Aid to Weak Nation States:** More stringent measures should be adopted by the international community in providing aid to the weak nation states. Robust safeguards and sufficient guarantees on part of recipient states that military or economic aid will not be diverted/leaked/ siphoned off to terrorists must be made.
- **Effective Governance and Equal Access to Economic Opportunities:** With the global downturn in economy and rising unemployment, a lack of access to economic resources and gainful employment opportunities for the people will provide the biggest fodder to terrorist organisations. The state, by means of effective governance and safeguarding the fundamental right of every citizen to life, liberty and employment, will limit opportunities for the terror groups to indoctrinate people. Ensuring justice and equal livelihood opportunities for all citizens without practising religious indiscrimination will create peaceful conditions that cannot be exploited by inimical groups
- **Policing the Cyber Space:** The terrorists are increasingly making use of the cyber space to communicate among themselves. The very open nature of the internet and inadequate legal protocols make it susceptible to wrongful use by individuals who can mask their real identities.
- **Countering False Propaganda of OGWs and NGOs:** The environment of irregular warfare is constantly evolving with the terrorists adopting new methods and tactics to further their activities. Over Ground Workers (OGWs) and sympathisers and NGOs which are ideologically connected to terrorist networks are playing a greater role in carrying out propaganda activities and the collection and distribution of funds to terrorists. They are also instrumental in requisitioning the services of sympathetic journalists to give a favourable slant to terrorism and gain sympathy and minimise condemnation for their acts. Monitoring and banning the activities of such NGOs and members of the third estate who have global inter-connections has been a grey area in countering international terrorism and the nation states must pay adequate attention to this aspect.

**Some Other additional recommendations**

**Action by governments:**

These may include:

- Coordination among countries, of measures and actions, to predict and alert from a potential threat of terrorism act;
- Prevent terrorist acts, through exchange of intelligence information and exchange of expertise, and capacity building;

**Terrorism and related issues**

- Set a public warning system and emergency plans to act swiftly and professionally, in the fastest possible way in case of terrorist acts to protect the civilians and the infrastructure and all cultural heritage sites. Create a one stop portal for the public to send useful information to the authorities;
- Provide assistance to victims of terrorism, in the form of medical and post traumatic assistance, offer compensations;
- Organize awareness campaigns and trainings to help securing the civilian population on the event of terrorist attacks, and to enable them to detect signs of extremism leading to violence;
- Prioritise the role of the media in providing the right information on the right time and promoting the theories of peaceful cohabitation and the moderate ideas and thinking;
- Control ways and means to finance terrorism and take legal decisions in this regard, to cut the funding;
- Apply severe penalties on individuals and organisations involved in terrorism. This applies not only to the people who carry out the attacks but also to those who are involved in the preparation and planning;
- Ban the websites that use hate speech or call for violence or discrimination;
- Special planned programs for youth that can be recruited by terrorist groups, so as to prevent their fall down to these vicious groups;
- Prevent radicalisation in prisons;
- Put emphasis on education as the best way to prevent inserting wrong ideologies in the youths brains. Teachers and youth workers have to try to recognise this and report their suspicions to the police and criminal justice authorities;
- Address root causes of terrorism and avoid all sorts of discriminations, establish a sound system of social security, create job opportunities;
- Secure potential targets (people, organisations, strategic buildings);
- Cooperate with other countries and parties to resolve conflicts and establish peace and security in their region.

**Action by UN Human Rights mechanisms**

These may include:

- Support all governments in their efforts to combat terrorism, and strengthening their capacities in this regard;
- Insist in all communications with governments on the need to take all measures to prevent terrorist acts and protect all human beings against them;
- Call on all countries to take judiciary measures against perpetrators of terrorist acts who are depriving civil citizens from their basic human right, their right to live;
- Take measures to stop xenophobic and discriminatory policies;
- Make full use of alert and information analysis to keep the flow of information provided to the states, assisting them to prevent any crisis situation leading to the breach of Human Rights;

**Terrorism and related issues**

- Call on countries to respect and ensure the basic human rights of migrants and refugees, without making use of terror as a pretext for the curtailment of fundamental rights and liberties of these refugees;
- Provide all sorts of technical assistance to the states confronting terrorism, including capacity building programs and awareness campaigns about human rights.

**Action by the civil society organizations**

These may include :

- Provide prompt information to the states and through them to the UN relevant bodies, related to any detected threats or potential terrorist attacks;
- Intensify their efforts in the protection and assistance provided to the victims of terrorism;
- Lead and promote all efforts contributing towards the elimination of all discriminatory acts, any racism based on ethnicity or gender or religion;
- Contribute in the intercultural dialogue, and avoiding racial or religious profiling, stereotyping and generalisations;
- Intensify their activities within the socially disadvantaged communities and cooperate with the governments in order to promote the solving of their economic and social problems, and avoid social tension disturbances.

**Terror Financing**

**What is terror financing?**

According to unodc.org:

It is a sponsored money for initiating terrorist activities which are required for the following purpose:

- To recruit and support members
- To maintain logistics hubs
- To conduct operations

Terrorist financing involves the solicitation, collection or provision of funds with the intention that they may be used to support terrorist acts or organisations. Funds may stem from both legal and illicit sources.

According to the International **Convention for the Suppression of the Financing of Terrorism**, a person commits the crime of financing of terrorism “if that person by any means, directly or indirectly, unlawfully and wilfully, provides or collects funds with the intention that they should be used or in the knowledge that they are to be used, in full or in part, in order to carry out” an offense within the scope of the Convention.

**Terrorism and related issues**

**Sources of Terror Financing**

Sources of terrorist funding include, but are not limited to, low-level fraud, kidnapping for ransom, the misuse of non-profit organisations, the illicit trade in commodities (such as oil, charcoal, diamonds, gold and the narcotic, and digital currencies.

Use of virtual assets and crowdfunding platforms by terrorist entities, their use of the dark web, the links between terror financing and legitimate economic activities, and payment intermediaries.

1.Clandestine contributions from State sponsored agencies. Pakistan is widely believed to be engaged in State Sponsored Terrorism against India. According to the US, Iran remains the most active state sponsor of terrorism. US claims that Iran provides Hezbollah and Palestinian terrorist groups with extensive funding, training, and weapons. Iranian control over Hezbollah is particularly direct and is exercised through various individuals and institutions.

2.Contributions from ostensibly charitable organizations. Islamist terrorist organizations often raise funds through charitable organizations by exploiting the tenet of zakat through fundraising apparatuses that provide a ready source of income generated from religious or ethnic communities with ties to the Middle East. In fact, the **Financial Action Task Force on Money Laundering's 2002-2003 Report** confirmed that some Islamist charitable organizations were established *solely* to earn funds for terrorist organizations.

3.Contributions from transnational criminal groups, such as the mafia group led by Dawood Ibrahim who operates from Karachi, Pakistan,

4.Extortions and ransom payments for releasing hostages,

5.Collections – voluntary or forced -- from the people living in the area where they operate

**Priority issues on this front**

- Preventing diversion from legal financial instruments by fighting anonymity in financial networks,
- Restricting the use of proceeds of other crimes for terrorist activities,
- Preventing use of new financial technologies, virtual assets like crypto-currencies, wallets etc., for terror activities,
- Eliminate the use of Illegal Channels, Cash Couriers, Hawala by Terror Networks
- Prevent the use of Non-Profit Organisation, NPOs Sector to Spread Terror Ideology
- Continuous capacity building of counter-terror and financial intelligence agencies of all countries.

**India's strategy against Terror Financing**

- To establish a comprehensive monitoring framework involving cooperation, coordination, and collaboration among all intelligence and investigative agencies.
- The strategy of "Trace, Target, and Terminate", to be adopted from low-level economic offenses to more organized economic crimes,

**Terrorism and related issues**

- Strengthening and harmonizing the legal structures related to terror finance,
- Developing a robust mechanism against the misuse of Next Generation Technology,
- Strengthening the legal and regulatory framework for asset recovery.

**India's Resolution in UN against International Terrorism**

In 1996 India had moved a Resolution in the UN by the name of Comprehensive Convention on International Terrorism (UN CCIT). After 19 year, it still remains inconclusive. Recently during the visit of the External Affairs Minister Sushma Swaraj to China, India finally got the support of both China and Russia for this very significant resolution. At the 13th Russia, India, China (RIC) summit the three foreign ministers called for early conclusion of negotiations on the Comprehensive Convention on International Terrorism.

"The ministers reiterated that there can be no ideological, religious, political, racial, ethnic, or any other justification for acts of terrorism," the resolution said. The communique at the 13th RIC summit also stressed the need "to bring to justice perpetrators, organizers, financiers and sponsors" of terror — an inclusion India has ensured in the communiqué in part to bring global pressure on Pakistan to crack down on terror financing.

This is a major foreign policy achievement in quick succession after the recent isolation of Pakistan both by President Barrack Obama and US Secretary of State John Kerry.

**What is CCIT?**

The Comprehensive Convention on International Terrorism is a proposed treaty which intends to criminalize all forms of international terrorism and deny terrorists, their financiers and supporters access to funds, arms, and safe havens. It is a draft proposed by India in 1996 that is yet to be adopted by the UNGA. The original draft that was tabled in 1996 included following major objectives:

- To have a universal definition of terrorism that all 193-members of the UNGA will adopt into their own criminal law.
- To ban all terror groups and shut down terror camps
- To prosecute all terrorists under special law
- To make cross-border terrorism an extraditable offence worldwide

**Hurdles to CCIT**

The conclusion and ratification of the CCIT remains deadlocked due to opposition from three main blocs –

1. The US bloc

- The US wants the draft to exclude acts committed by military forces of states during peacetime.
- The U.S. has been worried about the application of the CCIT to its own military forces especially with regard to interventions in Afghanistan and Iraq.

2. The Organization of Islamic Countries (OIC)

- OIC wants exclusion of national liberation movements, especially in the context of Israel-Palestinian conflict.

**Terrorism and related issues**

- It was argued that there is a need to distinguish acts of terrorism from movements for self-determination so that legitimate movements are not labeled as criminal acts of terrorism.
3. The Latin American countries.
- Latin American countries wanted the draft to cover “state terrorism” and also the violation of International Human Rights laws by states.

**Lone Wolf Attacks**

Definition: A "lone wolf" is a person who prepares and commits violent acts alone, outside of any command structure and without material assistance from any group.

<b>Conventional terror attacks</b>	<b>Lone wolf terror attacks</b>
<ul style="list-style-type: none"><li>• Multiple perpetrators</li></ul>	<ul style="list-style-type: none"><li>• Mostly single perpetrator</li></ul>
<ul style="list-style-type: none"><li>• A definite command structure</li></ul>	<ul style="list-style-type: none"><li>• Lack of hierarchical command structure</li></ul>
<ul style="list-style-type: none"><li>• Family member, social circle, etc. likely to be aware/involved.</li></ul>	<ul style="list-style-type: none"><li>• Family members are not likely to be aware of the radicalisation of the individual.</li></ul>

- It is an efficient way of spreading terror in hard-to-access places for organised terrorist groups.
- Volunteers are likely to come from the middle class and educated families.
- Prominent recent examples across the globe include Boston marathon bombing of 2013, Sydney hostage crisis of 2014, recent attacks in New York and London where vehicles were used to run over and kill a number of people.

**Causes of Lone wolf Attacks**

- **Alienation of communities:** As communities get isolated and become less trustful of law, they become alienated. It then provides grievances for terrorists to exploit as individuals from such communities tend to easily be self-radicalized by accessing material online.
- **Mental and psychological disorders** can also often be a trigger for carrying out random attacks by individuals.
- **Lax gun control** (for example in USA) create a fertile ground for carrying out of Lone wolf attacks.

**Challenges in overcoming LWT**

- **Difficult to Apprehend:** Traditional terror groups with command and control “are easier for government to control. “Leaderless Resistance” like lone wolf attacks are an intelligence nightmare.
- **Use of Social Media by terror groups:**
  - Since the IS has been able to successfully recruit Indians via social media for the war in Syria it is a matter of time before they find recruits willing to employ violence in India itself.
  - The head of Al-Qaeda Indian Subcontinent called on Indian Muslims to follow the example of lone wolves in Europe and kill officers in India.
- **Possibilities of a complex Network:** Recent investigations have shown that often these attacks are not entirely independent and leaders operating remotely exercise various degrees of influence, acting as confidants and coaches and coaxing recruits to embrace violence.

**Way Forward**

- **Monitoring of Online content –**
  - Better vigilance regarding online radicalization by terror groups is required to curb this challenge. Big

**Terrorism and related issues**

data analytics must be used to assess the level of radicalisation of potential recruits

- **Enhancing Social capital:** Enhancing the “sense of belonging” among different groups rather creating division can be of great impact. For example, preventing polarisation along religious or ethnic lines through effective social integration is needed.
- **Influence of Family and Peer Groups:** must be utilised by the state to pre-empt any radicalisation of young individuals to any terror group’s ideology.
- **Providing access to Mental Healthcare and counselling:** Helplines by professional counsellors to counsel against radicalization once it is reported by some friend or family member.
- **Coordination:** Coordination and intelligence sharing between agencies such as IB, NIA, State police, etc is a must to prevent such incidents.
- **Providing training to police personnel:** State police forces should be trained to develop counter-terror capabilities as they are the "first responders" when an attack takes place.

**Lone wolf attacks in India**

**Reasons for India’s vulnerability to lone wolf attacks.**

- **Volatile neighbourhood of India acting as terror hotbeds**
- **Fast growing population** of youth with access to mass media and social media
- **Heavy concentration of people in public areas** with limited security and
- **Inadequate capacities of local police**

However various other factors tend to pose challenges in growth of lone wolf attacks in India:

- Unlike in the US where sophisticated weapons can be easily bought by ordinary citizens, gaining access to such weaponry in India is difficult.
- Indians have not displayed the psychological willingness to undertake high risk attacks.
- The absence of past examples of lone wolf attacks in India inculcates the fear of the unknown in the minds of potential volunteers.

**Some Steps Taken by India**

- **Education and skilling** - Modernization of madrassas, Employment and skilling schemes for jobless youth like Nai Manzil, Himayat etc
- **Specific programmes** like 'Operation Chakravyuh' of the IB, where a dedicated set of officers monitor the web, tracing the activities of the youth who are in touch terror operatives.
- **NATGRID** is in the process of being scaled up.
- **National Cyber Coordination Centre (NCCC)** has been established as a cyber security and e-surveillance agency in India.
- **WHAM** (winning hearts and minds) strategy approach by security forces to prevent alienation.
- **Deployment of private security** at high value targets like malls, hotels and schools has been upgraded, which acts as a deterrent to an individual aiming to target them.

## **Status Note on Police Reforms in India**

Police reforms has been on the agenda of Governments almost since independence but even after more than 50 years, the police is seen as selectively efficient, unsympathetic to the under privileged. It is further accused of politicization and criminalization. In this regard, one needs to note that the basic framework for policing in India was made way back in 1861, with little changes thereafter, whereas the society has undergone dramatic changes, especially in the post independence times. The public expectations from police have multiplied and newer forms of crime have surfaced. The policing system needs to be reformed to be in tune with present day scenario and upgraded to effectively deal with the crime and criminals, uphold human rights and safeguard the legitimate interests of one and all.

### **Committees / Commission on Police Reforms**

2. Various Committees/Commissions in the past have made a number of important recommendations regarding police reforms. Notable amongst these are those made by the National Police Commission (1978-82); the Padmanabhaiah Committee on restructuring of Police (2000); and the Malimath Committee on reforms in Criminal Justice System (2002-03). Yet another Committee, headed by Shri Ribeiro, was constituted in 1998, on the directions of the Supreme Court of India, to review action taken by the Central Government/State Governments/UT Administrations in this regard, and to suggest ways and means for implementing the pending recommendations of the above Commission.

### **Constitutional Limitations of Central Government**

3. "Police" being a State subject in the seventh schedule to the Constitution of India, it is primarily the State Governments who have to implement the various police reforms measures. The Centre has been making consistent efforts to persuade the States from time to time to bring the requisite reforms in the Police administration to meet the expectations of the people.

4. In this regard, the recommendations of the various Committees/Commissions were sent to the State Governments/UT Administrations for taking necessary action. Successive Union Home Ministers have been addressing the Chief Ministers/Administrators of States/UTs in this regard.

### **Important recommendations of the various Committees/ Commissions and the specific action taken by the Central Government**

#### **(A) Reports of The National Police Commission**

5. The National Police Commission (NPC) was constituted in 1977 to study the problems of police and make a comprehensive review of the police system at national level. The NPC dealt with wide range of aspects of police functioning. The National Police Commission submitted eight reports during the period February 1979 to May 1981. The first report was laid on the Table of Lok Sabha on 1.2.1980. The remaining seven reports were released in March 1983 with the specific directive from the Central Government to all State Governments/UT Administrations that these reports may be



examined quickly and appropriate action taken. The Central Government took initiatives in persuading the State Governments/UTs to implement the recommendations of the National Police Commission.

6. The major recommendations of the NPC to amend the Code of Criminal procedure 1973 were considered in the Chief Minister's Conference on the Administration of Criminal Justice System held on 13<sup>th</sup> November 1992. The Code of Criminal Procedure (Amendment) Bill 1994 introduced in the Rajya Sabha had, inter alia, contained these recommendations. This Bill was passed in the Rajya Sabha on 4.5.2005 and in Lok Sabha on 9.5.2005 respectively. Other important recommendations of NPC for **revision of syllabus for IPS probationers trainees / augmentation of DCPW have already been implemented and a new Bill for regulation of private security agencies has since been passed by the Parliament and become an Act.**

#### **(B) Reports of the Ribeiro Committee**

7. On the directions of the Supreme Court of India in the case of Prakash Singh vs Union of India and others pertaining to implementation of the recommendations of the National Police Commission, the Government had on 25<sup>th</sup> May, 1998, constituted a Committee under the Chairmanship of Shri J.F. Ribeiro, IPS (Retd.). The Ribeiro Committee submitted two reports which were filed in the Supreme Court during 1998 and 1999, respectively.

8. The Ribeiro Committee endorsed the recommendations of the NPC with certain modifications. The case came up for hearing on 10.2.2005 and the Hon'ble Court directed Union of India and respective State Governments including NHRC to file their responses with regard to the direction issued in the Vineet Narain case and implementation of recommendations of Ribeiro Committee.

#### **(C) Report of the Padmanabhaiah Committee on Police Reforms**

9. Government had set up a Committee in January, 2000 under the Chairmanship of Shri K. Padmanabhaiah, former Union Home Secretary, to suggest the structural changes in the police to meet the challenges in the new millennium. The Committee submitted its report to the Government on 30.8.2000. In all, there are about 240 recommendations made by the Committee. The recommendations have been examined in this Ministry. Out of 240 recommendations of the Committee, **23 recommendations regarding** review of allocation of cadre policy, direct IPS officers to be given charge of district, to post IAS/IPS as judicial magistrate, police commissioners system in cities, division of NICFS, compulsory retirement to those not empanelled as DIG, review of cadre allotment policy of IPS for NE, recruitment of Constables and sub-Inspectors from the boys who have passed 10<sup>th</sup> & 12<sup>th</sup> Examination and giving them 2/3 years training in Police training Schools/Police Training Colleges respectively, maximum age of entry of IPS to be reduced to 24 years and federal offences etc **were not accepted**, after examination.

10. As many as **154 recommendations pertaining to** recruitment, training, reservation of posts, involvement of public in crime prevention, recruitment of police personnel, delegation of powers to lower ranks in police, revival of beat system, use of traditional village functional village functionaries, police patrolling on national and state

highways, designs of the police stations, posting and transfer of SP and above etc. were found to be such that they can be implemented without any structural changes.

**(D) Malimath Committee on Reforms in the Criminal Justice System**

11. Government had set up (November, 2000) a Committee under the Chairmanship of Dr. (Justice) V.S. Malimath, a former Chief Justice of the Karnataka and Kerala High Courts to consider and recommend measures for revamping the Criminal Justice System. The Malimath Committee submitted its report in April, 2003 which contained 158 recommendations. These pertain to strengthening of training infrastructure, forensic science laboratory and Finger Print Bureau, enactment of new Police Act, setting up of Central Law Enforcement agency to take care of federal crimes, separation of investigation wing from the law and order wing in the police stations, improvement in investigation by creating more posts, establishment of the State Security Commission, etc.

**MHA Committee to review the various recommendations and the follow up taken:**

12. Hon'ble Prime Minister, while interacting with DGPs / IGP's in 2004, appreciated the need for police reforms and declared that a Committee would be constituted to review the status of implementation of recommendations made by the various Commission/Committees. Accordingly a Committee was constituted by MHA in December 2004 to look into this aspect.

13. The Committee short-listed 49 recommendations from out of the recommendations of the previous Commission/Committees on Police Reforms as being crucial to the process of transforming the police into a professionally competent and service oriented organization. These 49 recommendations mainly pertain to:

- (I) improving professional standards of performance in urban as well rural police stations,
- (II) emphasizing the internal security role of the police,
- (III) addressing the problems of recruitment, training, career progression and service conditions of police personnel,
- (IV) tackling complaints against the police with regard to non-registration of crime, arrests, etc. and
- (V) insulating police machinery from extraneous influences.

14. The report of the Review Committee was sent to all State Governments/UTs Administrations to initiate action on the recommendations concerning them and to initiate action on regular basis on the same. The implementation of these recommendations in the States were reviewed twice with the Chief Secretaries and DGPs of all the States by the Union Home Secretary in September 2005 and February 2006. The Committee of Secretaries under the Cabinet Secretary also reviewed the progress of implementation of these recommendations on 20.9.2005, 28.9.2005 and 17.2.2006 and also suggested milestones to be achieved in a time bound manner.

15. Ministry of Home Affairs also constituted a Sub-Committee of the National Integration Council to examine the feasibility of the 49 recommendations identified by the Review Committee. The Sub-Committee of National Integration Council has seven

Chief Ministers, three eminent persons as members apart from Union Law Minister. A Meeting of this Committee was held on 29<sup>th</sup> July, 2006 under the chairmanship of Union Home Minister and it was stressed that there is an urgent need for adopting the right perspective towards Police Reforms and for strengthening the intelligence system, imparting special training to police personnel and making them responsible.

### **Expert Committee to draft a New Model Police Act:**

16. As one of the recommendations of Review Committee was replacement of Police Act, 1861, the Ministry of Home Affairs set up an Expert Committee to draft a new Model Police Act in September, 2005. The Committee submitted a model Police Act on 30<sup>th</sup> October, 2006.

17. The Model Police Act emphasized the need to have a professional police 'service' in a democratic society, which is efficient, effective, responsive to the needs of the people and accountable to the Rule of Law. The Act provided for social responsibilities of the police and emphasizes that the police would be governed by the principles of impartiality and human rights norms, with special attention to protection of weaker sections including minorities. The other salient features of Model Police Act include:-

**Functional autonomy:** While recognising that the police is an agency of the State and therefore accountable to the elected political executive, the Committee has specifically outlined the role of Superintendence of the State Government over the police. The Model Police Act suggested creation of a State Police Board, Merit-based selection and appointment of the Director General of Police, ensuring security of tenures, setting up of Establishment Committees,

**Encouraging professionalism:** To ensure an efficient, responsive and professional police service, the Model Act sought earmarking dedicated staff for crime investigation; and distinct cadre for Civil police vis-à-vis Armed Police,

**Accountability paramount:** the Act prioritised police accountability, both for their performance and their conduct.

**Improved service conditions:** The Act also aimed to provide better service conditions to the police personnel including rationalising their working hours, one day off in each week, or compensatory benefits in lieu. It suggested creation of a Police Welfare Bureau to take care, *inter alia*, of health care, housing, and legal facilities for police personnel as well as financial security for the next of kin of those dying in service. It further mandates the government to provide insurance cover to all officers, and special allowances to officers posted in special wings commensurate with the risk involved.

### **Forwarding of copies of the Draft Police Act to States/UTs :**

18. A copy of draft Model Police Act as framed by the Committee has been sent to States for consideration and appropriate action vide Home Secretary d.o. letter dated 31<sup>st</sup> October, 2006.

As per available information, 15 State Governments, viz., Assam, Bihar, Chhattisgarh, Haryana, Himachal Pradesh, Kerala, Meghalaya, Mizoram, Punjab,

Rajasthan, Sikkim, Tripura and Uttarakhand have formulated their State Police Acts and 02 State Governments, viz., Gujarat and Karnataka have amended their existing Police Acts (total 15 State Governments have either formulated State Police Acts or amended their existing Police Acts).

**Supreme Court judgment on 22.9.2006 on Police Reforms and the follow up action:**

19. The Supreme Court of India has passed a judgement on September 22, 2006 in Writ Petition (Civil) No.310 of 1996 – Prakash Singh and others vs UOI and others on several issues concerning Police reforms. The Court in the said judgement directed the Union Government and State Governments to set up mechanisms as directed by December 31, 2006 and file affidavits of compliance by January 3, 2007. The directions inter-alia were:

- (i) Constitute a State Security Commission on any of the models recommended by the National Human Right Commission, the Reberio Committee or the Sorabjee Committee.
- (ii) Select the Director General of Police of the State from amongst three senior-most officers of the Department empanelled for promotion to that rank by the Union Public Service Commission and once selected, provide him a minimum tenure of at least two years irrespective of his date of superannuation.
- (iii) Prescribe minimum tenure of two years to the police officers on operational duties.
- (iv) Separate investigating police from law & order police, starting with towns/ urban areas having population of ten lakhs or more, and gradually extend to smaller towns/urban areas also,
- (v) Set up a Police Establishment Board at the state level for inter alia deciding all transfers, postings, promotions and other service related matters of officers of and below the rank of Deputy Superintendent of Police, and
- (vi) Constitute Police Complaints Authorities at the State and District level for looking into complaints against police officers.
- (vii) The Supreme Court also directed the Central Government to set up a National Security Commission at the Union Level to prepare a panel for being placed before the appropriate Appointing Authority, for selection and placement of Chiefs of the Central Police Organisations (CPOs), who should also be given a minimum tenure of two years, with additional mandate to review from time to time measures to upgrade the effectiveness of these forces, improve the service conditions of its personnel, ensure that there is proper coordination between them and that the forces are generally utilized for the purposes they were raised and make recommendations in that behalf.

Out of the above seven directives, the first six were meant for the State Governments and Union Territories while the seventh directive related solely to the Central Government.

20. The matter was heard successively on different dates. On May 16, 2008, Hon'ble Supreme Court, as regards the implementation of the various directions made earlier in its judgement dated September 22, 2006, directed to set up a Committee under the Chairmanship of Justice K.T. Thomas, former retired Judge of the Supreme Court and two other Members. The Terms of Reference for the Committee, inter-alia, included - to

examine the affidavits filed by the different States and the Union Territories in compliance to the Court's directions with reference to the ground realities; advise the Respondents wherever the implementation is falling short of the Court's orders, after considering the Respondents' stated difficulties in implementation; bring to the notice of the Court any genuine problems the Respondents may be having in view of the specific conditions prevailing in a State or Union Territory etc.

This Committee's term initially was directed for a period of two years. The Committee submitted its report to Hon'ble Supreme Court and the said report has been circulated to States/ Union Territories by the Registry of Supreme Court on 04.10.2010.

### **Implementation of Supreme Court's Judgment dated 22.9.06 by MHA**

The Government considered the matter as regards the directions pertaining to **National Security Commission**. The Union Government vide order dated 02.01.2007 set up a Committee on National Security and Central Police Personnel Welfare. The composition of the Committee is as under:-

- (i) Union Home Minister Chairman
- (ii) National Security Advisor Member
- (iii) Cabinet Secretary Member
- (iv) Union Home Secretary Member
- (v) Director, IB Member

**Terms of Reference of the Committee** are (i) to prepare a panel of police officers for appointing as Head of Central Para Military Forces, (ii) to review issues pertaining to the service conditions of the Central police personnel and (iii) to make appropriate recommendations thereon and also to review and make recommendation on any other matter relevant or incidental to the above, referred to by the Government of India. The composition of the said Committee was changed by adding more members vide Office Memorandum dated 25.01.2007 and 13.07.2010.

The Supreme Court was not satisfied with the compliance of the direction by Central Government and extended the time to file the affidavits by 10.04.2007 vide its order dated 11.1.2007. An application was filed by Union Government on 12.02.2007, stating the difficulties in the implementation of the said direction, for modifications / clarifications, which has not yet been taken up by the Court.

### **Compliance of Supreme Court directions by UTs**

The position varies widely in respect of UTs because of their unique characteristics in terms of legal, administration demographic situation specific to each Union Territory. Affidavits were filed by UTs in the Supreme Court on or around 3.1.2007, stating difficulties like some UTs do not have a legislature, the Administrator administers the UT under overall control of MHA, directions of Hon'ble Court to be implemented in consultation with and as per the directions of MHA, Soli Sorabjee Committee is under active consideration of MHA, MHA has decided to frame a new Police Act for the UTs as soon as possible, proposed legislation will address the issues covered by Hon'ble Court, there is no DGP and Administrator discharges responsibility

of IGP on ex-officio basis, posting of both the Administrator and SP is done by the MHA etc.

By its order dated 11.1.2007, the Hon'ble Court, upon consideration of affidavits filed by Union of India, States and UTs, ordered that in so far as directions contained in para 31(2) (selection and tenure of DGP), 31(3) (minimum tenure of IG of Police and other officers) and 31(5) (Police Establishment Board) of its judgment dated 22.9.2006 were concerned, these were self-executory and that steps be taken to comply with them forthwith and in any case, within four weeks. With regard to directions contained in para 31(1) (State Security Commission), 31(4) (separation of investigation) and 31 (6) (Police complaints authority) of judgment dated 22.9.2006, the Hon'ble Court granted time upto 31.3.2007.

The Ministry of Home Affairs filed another application dated 12.2.2007 in respect of UTs in the Hon'ble Court stating the difficulties in the implementation of its directions and sought modification of orders dated 22.9.2006 and 11.1.2007.

While the above application has not yet been disposed, following steps have been taken to implement the directions pending disposal of the application.

- (a) Orders constituting a Security Commission for all UTs (except Delhi) have been issued on 07.02.2013. It has been decided that there shall be separate Security Commission for each of the UTs (except Delhi) with the Union Home Secretary as Chairman. Before 07.02.2013, there was only one Security Commission for all UTs (except Delhi). Two meetings of the Security Commission for UTs (except Delhi) have been held on 18.1.2013 and 13.2.2013. The decision with regard to Delhi is that the Security Commission for Delhi should be headed by the L.G., Delhi. The State Security Commission for Government of NCT of Delhi has been constituted and four meetings of the Commission have been held.
- (b) Orders constituting Police Complaint Authorities (PCAs) in UTs have been issued on 23<sup>rd</sup> March, 2010. In respect of Delhi, the request of Govt. of NCT of Delhi to treat its Public Grievances Commission as the PCA had been accepted as an interim arrangement till enactment of the Delhi Police Act.
- (c) Regarding selection methodology and minimum tenure of Chief of Police and key functionaries such as Zonal IGs, Range DIGs, District SPs and SHOs of UTs, the Ministry has taken a policy decision that senior level of police functionaries would have minimum tenure of two years in the constituents, as far as possible, subject to superannuation. UTs have been advised through successive advisories / instructions in this regard. The draft Delhi Police Bill, presently under consideration of the Government provides for minimum tenure of two years, subject to their attaining the age of superannuation for key functionaries, including the Commissioner of Police, Joint Commissioner of Police/Additional Commissioner of Police in charge of a Range, District DCP and SHO.
- (d) Regarding separation of law and order from investigation, the separation has to start in towns/urban areas having population of 10 lakh or more. Only Delhi qualified under this criterion and it has been implemented in Delhi and separate IO is appointed. The draft Delhi Police Bill provides for creation of Crime Investigation Units in all Police Stations for investigation of economic and heinous crimes. However, in major Police Stations of UT of Puducherry, there is already a separation of law and order from investigation. An enabling provision

has been made in the Punjab Police Act, 2007 as extended to Chandigarh, regarding creation of Crime Investigation Units in police stations.

- (e) Regarding setting up of a Police Establishment Board, the direction has been complied in all UTs, keeping in view the divergent Police / Administrative hierarchies in the various territories. However, it has been prayed in the modification application dated 12.2.2007 filed in the Supreme Court that Police Establishment Board may not be entrusted with the Appellate functions as it would dilute the functional control and authority of the supervisory police officers.

Thus in UTs, there has been a significant and substantial compliance by the Government of India except only those issues in which appropriate clarification and modifications have been sought in application dated 12.2.2007 before Supreme Court.

The matter last came for hearing on 16.10.2012. All the States, Union Territories and the Union of India were directed to submit status reports as to how far they have acted in terms of the directions which had been given by this Court on 22<sup>nd</sup> September, 2006 by 4<sup>th</sup> December, 2012. The Ministry of Home Affairs has filed a Status Report by way of Affidavit in the Hon'ble Supreme Court on 26.2.2013. The matter sub-judice and is under active consideration of the Hon'ble Supreme Court.