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U.S.–India Homeland Security Cooperation: Moving Forward

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On December 31, 2008, the Indian government passed legislation that would strengthen its ability to investigate, prosecute, and—most importantly—*prevent* acts of terrorism. Much like the effects of 9/11 on the U.S., the Mumbai attacks have catalyzed Indian efforts to adopt a more integrated and structured approach to homeland security. The U.S. and India alike should recognize the value of their shared experiences in the war on terrorism. Drawing on these experiences, India and the U.S. should pursue a robust dialogue through which to share counterterrorism strategies, thereby improving the security of both nations.

Countering Terrorism at Its Source. One of the most important aspects of terrorism prevention is undercutting the terrorists' support base while denying terrorists access to money, training, and weapons. Additionally, counterterrorism measures must disrupt terrorists' ability to propagate their message, recruit new members, and network with cohorts and other supporters. Therefore, the most important measures that can be taken to prevent another Mumbai-like attack anywhere in the world is for Pakistan to punish those involved in the inspiration, planning, training, and equipping of the terrorists while proactively undercutting the extremist propaganda that led to the Mumbai massacre.

Pakistan has allowed the Lashkar-e-Tayyiba (LT)—the terrorist organization responsible for the Mumbai attacks—to operate openly in the country since the early 1990s. However, since the Mumbai massacre, Islamabad has raided key LT training

facilities, shut down several LT offices throughout the country, arrested and detained key LT members, and pledged to turn over administration of the LT headquarters outside of Lahore, Pakistan, to government authorities. These are positive, albeit much belated, steps. But Islamabad must go further: It must prosecute individuals found to be involved in the Mumbai attacks and shut down LT's ability to sustain itself as a terrorist organization.

Mumbai Attacks Prompt Changes in Indian Anti-Terrorism Policies. The Mumbai attacks were a wake-up call for India regarding the urgent need to address its homeland security shortfalls and to institute a more effective nationwide approach to countering terrorism. As a result of the attacks, India passed legislation establishing a National Investigation Agency (NIA), much like America's FBI, to investigate threats or acts of terrorism. Senior NIA officers will have unique authority to pursue and investigate terrorism cases throughout the country, thereby addressing the challenge of separate jurisdictions between Indian states.

Furthermore, the Indian parliament acted to strengthen existing anti-terror laws by expanding definitions of terrorist attacks and instituting

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legal reforms and other judicial modifications, including establishing special courts for speedy trials and revising burdens of proof and search and seizure standards.¹

During a gathering of India's state chief ministers in early January, Home Minister Chidambaram defined two broad goals to improve India's counterterrorism efforts: first, to raise national preparedness to meet an increasingly sophisticated terrorist threat, and second, to enhance the speed and decisiveness of the nation's response to a terrorist threat or attack.

To meet these objectives, India has begun to modernize police weaponry as well as the way in which police departments operate. The Indian Home Minister also issued an executive order to start the functioning of the Multi-Agency Center (MAC) as an interagency counterterrorism center similar to the CIA's National Counterterrorism Center. The MAC was created several years ago to analyze intelligence flowing in from different organizations and to coordinate follow-up actions, but its work had been inhibited by lack of staffing and resources.² The government also intends to set up subsidiary MACs at the state level to streamline local intelligence gathering. On several occasions, Indian terrorism analysts have cited lack of coordination among the various Indian investigative and intelligence organizations operating across the country as a major impediment to improving terrorism prevention.

The U.S. Experience Following 9/11. Like India, the U.S. experience with the 9/11 attacks was a catalyst for widespread change in the American security model. In the aftermath of 9/11, the U.S. began to reevaluate its terrorism policies, homeland security efforts, and disaster response structure. Several of the priorities the U.S. identified included:

- **Integration.** The 9/11 attacks demonstrated that stovepipes of authority only led to a lack of information and confusion in the wake of disaster. As

a result, the Department of Homeland Security (DHS) was created, bringing together 22 different agencies, each with their own role to play in the homeland security enterprise. Along with the creation of DHS, the birth of the Homeland Security Council provided momentum for more robust national disaster planning. And Homeland Security Presidential Directive 8 established new requirements for national disaster readiness, which included a major role for DHS.

- **Resiliency.** Resiliency is the capacity to carry on in the wake of disaster. After 9/11, the U.S. realized that it was important to protect people from terrorism, but it was equally important to ensure that the nation can persevere in the case of disaster, natural or otherwise. For example, the U.S. developed a Target Capabilities List, which cut across 15 scenarios and examined what resources and responses were needed to protect against, prevent, respond to, or recover from a terrorist attack or natural disaster.
- **International Cooperation.** The U.S. learned that the transnational nature of contemporary terrorist threats, the interdependence of modern societies resulting from globalization, and the concept of using layered defense to thwart attack from conception to execution all demonstrated the need for multinational homeland security partnerships.

Shared Experiences, Common Goals. There is much room to expand U.S.–India cooperation on matters of intelligence and homeland security. Since 90 percent of counterterrorism concerns intelligence, Washington and New Delhi should focus on breaking down barriers to sharing intelligence. Indeed, the Mumbai attacks have already spurred greater U.S.–India counterterrorism cooperation.

New Delhi and Washington should also increase official diplomatic and non-governmental exchanges on improving counterterrorism cooperation. The level and frequency of the U.S.–Indian

1. Times of India, "Government Tables Bill to Set Up National Investigation Agency," December 16, 2008, at <http://timesofindia.indiatimes.com/articleshow/msid-3846827,prtpage-1.cms> (February 9, 2009).

2. Wilson John, "India's Intelligence Services Struggle with War on Terrorism," *Terrorism Monitor*, March 24, 2008, at http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=4805&tx_ttnews%5BbackPid%5D=7&cHash=6c0e698a42 (December 2, 2008).

Counterterrorism Joint Working Group (CTJWG) meetings should be raised. These meetings should include talks on ways to organize and streamline operations of various intelligence-gathering and investigative institutions as well as a free exchange of ideas on how to address the ideological foundations of terrorism. India's experience in addressing new terrorism threats that involve both home-grown and international elements should be a focal point of these discussions. To help introduce new ideas on the latest counterterrorism technology and research, the CTJWG talks should also incorporate private sector entities and think tanks specializing in counterterrorism.

Finally, the United States should position itself to be a resource to India, finding means of sharing the lessons it learned after 9/11. For instance, the U.S. could improve its international counterterrorism assistance programs by allocating more funding and authority to the DHS to lead those programs that are consistent with its mission sets. Currently, most of America's counterterrorism assistance programs are

controlled by the Department of Defense and the State Department. While these government agencies should remain at the forefront of U.S. international counterterrorism assistance, DHS can take the lead, for example, in programs that help other countries improve their disaster response efforts and aviation and maritime security policies.

Increased Cooperation Is Critical. As the U.S. and India both continue to look for strategies that can effectively protect their citizens from terrorism, each country stands to gain considerably by sharing experiences and best practices and increasing their overall intelligence cooperation against global and regional terrorist threats.

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