

**Statement before the House Foreign Affairs Committee,  
Subcommittee on Terrorism, Nonproliferation, and Trade**

***“U.S.-INDIA COUNTERTERRORISM  
COOPERATION: DEEPENING THE  
PARTNERSHIP”***

A Statement by

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Mr. Chairman, Mr. Ranking Member, Members of the Subcommittee, thank you for inviting me to testify today on the issue of U.S.-India counterterrorism (CT) cooperation. By way of introduction, I am a visiting fellow at the Center for Strategic and International Studies (CSIS) in the newly established Wadhwani Chair for U.S.-India Policy Studies. The program is among the first of its kind among Washington think tanks dedicated to India and, indeed our program motto has become “Unlocking the full potential of the U.S.-India relationship.” I want to mention at the outset that the views expressed in this statement and during my testimony today are my own and do not represent the views of CSIS or the Department of Defense.

As we sit here today shortly after the tenth anniversary of the 9/11 attacks, India has once again endured another attack which occurred a week ago at the High Court in New Delhi. As of this writing, current figures put the death toll at 13 individuals which may increase with many of the remaining 73 injured in critical condition. This attack followed another one in Mumbai on July 13 which consisted of three bomb blasts around the city that left 26 dead and 130 injured. These attacks were the latest in a series of attacks that have hit India since the terror attacks against Mumbai in November 2008.

While the investigation to identify the perpetrators continues, speculation has focused on the Indian Mujahideen (IM) as the possible culprit. The IM has emerged as one of a number of Islamist-based militant groups within India, along with the Students Islamic Movement of India (SIMI), the Harkat ul Jihadi al Islami (HUJI), and others, who have linkages with Pakistan-based Lashkar-e-Tayyaba (LeT).

Lashkar-e-Tayyaba represents one of the greatest threats to American and Indian interests in South Asia today. After the spectacular attacks in Mumbai in 2008, the U.S. undertook active shuttle diplomacy to dampen tensions between the nuclear armed neighbors. Another major attack on the scale of Mumbai 2008 that originates in Pakistan could lead to calls from the Indian public for retaliation. If India was to retaliate or threaten to retaliate, it could also adversely affect U.S. CT efforts in the Federally Administered Tribal Areas (FATA). Pakistan would most likely divert important assets and troops currently deployed in the FATA eastwards towards the Indian border. While

U.S. involvement in Indo-Pak crises has often played an important role, there is no guarantee the U.S. will have the same mitigating effect the next time around.

The recent attacks in New Delhi and Mumbai revealed that India has much work ahead to build the necessary capabilities to thwart another terror attack. Despite Indian government commitments after the Mumbai 2008 attacks to invest billions of dollars into building CT and coastal security capabilities, the recent attacks have demonstrated that India's ability to detect and deter terror attacks appears to have only marginally improved. To be sure, India has had success in the past against other forms of terrorism such as Khalistani terrorism in the Punjab during the 1980s. However, India needs to adopt a fresh approach that is built around a national strategy which combats terrorism through a multi-agency approach in close coordination with state governments.

As the U.S. and India have deepened their partnership over the last decade, CT cooperation has been touted as a key component of the relationship. Both sides have ritually condemned terrorism in all forms through various public forums and joint statements. However, it is useful at this juncture to evaluate the status of bilateral counterterrorism efforts, assess progress to date, understand existing challenges, and determine where greater progress might be made.

There have been successes in U.S.-India bilateral CT cooperation. Both sides have established a CT dialogue called the CT Joint Working Group which was established in 2000, and has regularly met on at least an annual basis. The group has been useful in exchanging perspectives on terror threats in South Asia and establishing areas of possible bilateral cooperation. In July of last year, the U.S. and India signed the Counterterrorism Cooperation Initiative (CCI) which outlined a range of areas for cooperation to include forensics training, investigative assistance, enhancing capabilities on money laundering, exchanging best practices on mass transit and rail security, and maritime security.<sup>1</sup>

This past May the Department of Homeland Security held its inaugural Homeland Security Dialogue in New Delhi with Secretary of Homeland Security Janet Napolitano meeting with her Indian counterpart P. Chidambaram. The dialogue is a good step forward as it will encompass the breadth of homeland security cooperation to include maritime security, infrastructure protection, and intelligence sharing.<sup>2</sup> Additionally, the U.S. and Indian armies trained together on counterinsurgency/counterterrorism scenarios in 2007 during their annual army to army exercise called Yudh Abhyas. Intelligence sharing, while always difficult to judge, appeared to deepen after the 26/11

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<sup>1</sup> "India-U.S. Sign Counter Terrorism Cooperation Initiative," Embassy of India website, July 23, 2010 at <http://www.indianembassy.org/prdetail1560/-india-U.S.-sign-counter-terrorism-cooperation-initiative> (September 12 2011)

<sup>2</sup> "India-U.S. Homeland Security Dialogue-Joint Statement," Embassy of India website, May 27, 2011 at <http://www.indianembassy.org/prdetail1722/india-u.s.-homeland-security-dialogue---joint-statement> (September 11, 2011)

Mumbai attacks as FBI officials closely collaborated with their Indian counterparts in what many FBI officials considered unprecedented cooperation.

While bilateral CT cooperation has rhetorically become an important area of collaboration, some key challenges still remain. One of the biggest challenges is getting the American and Indian bureaucracies optimally aligned to facilitate better communication and coordination. There are currently a number of bilateral working groups that have CT equities and are spread across various USG agencies to include Homeland Security, State, Treasury, and Defense. On the U.S. side, many of these dialogues do not regularly communicate or coordinate with one another, and several dialogues have overlapping areas of cooperation. One suspects the same situation on the Indian side where interagency communication and coordination can be scarce.

After reading the joint statement of the Homeland Security Dialogue and the press release on the CCI, one is struck by the overlap between the two documents. On the U.S. side, this overlap naturally raises the question of which agency has the lead for particular areas of cooperation, and who has overall responsibility for assigning agencies to the various areas of cooperation. Simply put, there is often a question of which agency is in charge when dealing with a particular area of CT cooperation. Secretary Napolitano was asked about this issue on June 2 at CSIS after returning from the Homeland Security Dialogue. Specifically, she was asked about the myriad CT-related dialogues and how the various dialogues might de-conflict or coordinate with each other. She responded by saying, "I don't see it as deconfliction as much as trying to--consolidation...There are other dialogues that deal with offshoots of this...But I think what will happen over time is that there will be some consolidation that occurs. And one of the things that we will do is...say, okay, what now, after having had this inaugural discussion, makes sense to consolidate within for the next session." While this approach makes sense, the process of consolidation will be difficult as each agency relishes its own exclusive bilateral dialogue with India. Once dialogues are established, they are exceedingly difficult to dismantle (from either side) even if they are seen as redundant or unproductive.

The limited Indian bureaucratic capacity and centralized decision-making present challenges to effective CT cooperation as well. The Indian system can be easily overwhelmed with various USG agencies attempting to engage it on various dimensions of CT cooperation. For India, terrorism is a domestic law enforcement issue that resides with the Home Ministry. In its dealings with Washington, the Home Ministry has eschewed entreaties from DoD to engage it on CT cooperation despite DoD's wide ranging CT capabilities. The Indian bureaucracy also does not have analogous agencies or offices for every area of cooperation making it common for one joint secretary or director to be responsible for multiple areas of cooperation. South Block's highly centralized decision making system, in which decisions on routine activities and cooperation are frequently referred to higher levels, can cause delays and sometimes outright cancellations. The opaque nature of Indian decision making can be a significant deterrent to closer cooperation. Finally, the relationship between the Indian central and state governments is important to note. According to the Indian

Constitution, the state is given primary responsibility for law enforcement matters. To that end, it is the state governments that have arrest authority and are the first responders to terrorist attacks. The nature of center-state relations also complicates bilateral cooperation since the USG cannot directly engage state governments without first going through the central government.

Another major challenge to effective CT cooperation is how each side views the terrorist threat. While both sides agree the scourge of terrorism needs to be addressed, there are concerns in New Delhi about Washington's relationship with Pakistan. For India, Pakistan represents the epicenter of the terror threat against India, and Indian officials are frustrated that Washington does not push the Army leadership in Rawalpindi more aggressively to dismantle LeT's infrastructure. The U.S. on the other hand, has been occupied with trying to get the Pakistan Army to sustain current operations in FATA while undertaking new ones in North Waziristan. For Washington, asking Rawalpindi to also aggressively pursue the dismantling of LeT as vigorously as militants in the FATA could stretch Pakistani capacity and detract from Washington's primary aim of disrupting al-Qaida (AQ) and the Afghan Taliban in the FATA. The current state of U.S.-Pakistan relations in the wake of the Raymond Davis case and the killing of Osama bin Laden further limits how much pressure Washington can apply to Rawalpindi to dismantle LeT. While Washington realizes the danger that LeT poses to regional stability and has been vocal about bringing the Mumbai attackers to justice, it still does not meet Indian expectations of placing it on an equal plane with AQ and the Afghan Taliban.

India also harbors doubts about U.S. commitment to bilateral CT cooperation due to a perception that Washington is not fully transparent. The David Headley case was a prime example of where India was surprised by accounts that the U.S. was aware of Headley before his arrest as a terrorist.<sup>3</sup> India's doubts about U.S. transparency were compounded when Indian queries to question Headley were not immediately granted. A subsequent U.S. investigation into the David Headley affair ordered by Director of National Intelligence James Clapper ultimately revealed that while some information was available to U.S. officials before the Mumbai attacks, it was not sufficient to link Headley to a terror plot in India.<sup>4</sup> However, among some segments of Indian government officials and its strategic elite, there may be a lingering perception that Washington will not divulge information that could possibly compromise its relations with Pakistan.

## The Way Ahead

While there are significant challenges to optimizing bilateral CT cooperation, the strategic stakes are too high for both sides to allow their efforts to lag. In an effort to rejuvenate CT cooperation, there are a few recommendations for both sides to consider:

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<sup>3</sup> Jane Perlez, "U.S. Had Warnings on Plotter of Mumbai Attack," New York Times, October 16, 2010 at <http://www.nytimes.com/2010/10/17/world/asia/17headley.html?pagewanted=all> (September 12, 2011)

<sup>4</sup> Vinay Kumar, "Slip-ups over Headley Issue: U.S. Review Findings to India," The Hindu, November 9, 2010 at <http://www.thehindu.com/news/international/article875931.ece> (September 12, 2011)

### *Streamline Working Groups and Bureaucratic Procedures*

To provide better organization for CT efforts, the U.S. and India should agree to have the Department of Homeland Security and the Home Ministry, respectively, as the conduits for all CT cooperation. The U.S. side should also undertake an active effort to examine all working groups and dialogues and consolidate those groups where there are overlaps or redundancies. The Indian side should endeavor to decentralize some of its decision making, establish authoritative points of contact for all CT engagement, and facilitate more seamless approval processes for CT activities.

### *Maintain maritime and coastal security separate from overall CT efforts*

Coastal and maritime security are critical components of a solid CT approach but should be handled through the maritime agencies of the respective governments. The Indian Navy was put in charge of all maritime security operations to include coastal security after the 26/11 attacks. On the U.S. side, the Coast Guard and Navy could engage with Indian counterparts through the Navy Executive Steering Group, held annually.

### *Apply consistent pressure on Rawalpindi to dismantle LeT infrastructure*

Washington needs to consider LeT with the same importance as AQ and the Afghan Taliban. To that end, Washington must apply continual pressure on the Pakistani military establishment to dismantle LeT infrastructure and refrain from using LeT as an asymmetric capability against India. The current state of U.S.-Pakistan relations will make this difficult in the near term but LeT's ability to upset regional stability between India and Pakistan is arguably greater than other terror threats faced by the U.S.

### *Intensify bilateral intelligence dialogue on Afghanistan*

As Washington begins to withdraw its troops from Afghanistan, there will be keen interest in New Delhi about how the domestic situation in Afghanistan evolves. The U.S. and India should intensify their intelligence dialogue about Afghanistan to include the political situation, tribal politics, the strength of the national government, and the role of various regional actors.

### *Harden the Indian Periphery*

Aside from bilateral CT efforts, both sides should also consider a regional dimension to their cooperation. Terror groups such as the LeT and HUJI have become adept at exploiting weak borders and ungoverned spaces along India's borders in Nepal, Bangladesh, Sri Lanka, and the Maldives. For India, it is not only strategically essential to build its domestic CT capabilities, but also to *harden its periphery* and deny the use of its neighbors' territory as facilitation nodes for terrorist group operations such as transit, money laundering, and recruiting.

In Nepal, the country has recently emerged from a brutal civil war in which a fragile government is trying to form a constitution and determine an acceptable way to integrate cadre from the People's Liberation Army into the Nepalese Army. While Kathmandu wrestles with these challenges, the LeT reportedly established operations in Nepal in the Terai where a majority of Nepal's Muslims reside. Muhammad Omar Madni ran LeT's operations in Nepal and traveled widely throughout Nepal, Bangladesh, and the Gulf States recruiting, seeking funding and logistical support,<sup>5</sup> until he was eventually apprehended by Indian authorities in June 2009.<sup>6</sup>

In Bangladesh, LeT has worked to establish a terror infrastructure by forging ties with HUI-Bangladesh (HUI-B) and the Jamaat ul Mujahideen Bangladesh (JMB)<sup>7</sup>, and used Bangladeshi territory as a transit point for counterfeit currency and recruitment.<sup>8</sup> The Maldives is an archipelago consisting of approximately 1200 islands, only 200 of which are inhabited. This wide swath of ungoverned maritime space was reportedly explored by LeT commander Faisal Haroon as a possible logistical base.<sup>9</sup> The Maldives also suffered its first terrorist attack in Male at Sultan Park in September 2007 in which 12 foreign tourists were injured.<sup>10</sup> In March 2009, Pakistani authorities arrested nine Maldivian nationals in Waziristan Province, some of who may have been drawn there through LeT's charitable front Idara Khidmat-e-Khalq which carried out relief operations after the 2005 tsunami. Sri Lanka was also reportedly seen by LeT as an attractive location for transit operations with its large Muslim population in the eastern region of the country.

In order to better *harden India's periphery*, the U.S. and India should explore possibilities for working together on strengthening borders, building CT capacity, improving maritime security, and improving the professionalism of security forces in India's neighboring states. By working trilaterally with regional states, the U.S. will be able to work cooperatively with their Indian partners in building capacity, while respecting Indian sensitivities as the dominant regional power. While India has typically

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<sup>5</sup> Animesh Roul, "Lashkar-e-Taiba's Financial Network Targets India from the Gulf States," Terrorism Monitor, Volume 7, Issue 19 (July 2, 2009), at

[http://www.jamestown.org/single/?no\\_cache=1&tx\\_ttnews%5Btt\\_news%5D=35221](http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=35221) (September 11, 2011)

<sup>6</sup> "Terror Suspect has links with Saeed: Chidambaram," Indian Express, June 5, 2009 at <http://www.indianexpress.com/news/terror-suspect-has-links-with-saeed-chidamb/471662/> (September 11, 2011)

<sup>7</sup> "The Threat from Jamaat ul Mujahideen Bangladesh," International Crisis Group, Number 187 (March 1, 2010), pg. i. Also see David Montero, "Pakistani Militants Expand Abroad, Starting in Bangladesh," Christian Science Monitor, August 5, 2010 at <http://www.csmonitor.com/World/Asia-South-Central/2010/0805/Pakistani-militants-expand-abroad-starting-in-Bangladesh> (September 11, 2011).

<sup>8</sup> Animesh Roul, "Lashkar-e-Taiba and the Strategy of 'Encircling' India," Terrorism Monitor, Volume 8, Issue 38 (October 21, 2010) at [http://www.jamestown.org/programs/gta/single/?tx\\_ttnews%5Btt\\_news%5D=37056&cHash=b2f2164427](http://www.jamestown.org/programs/gta/single/?tx_ttnews%5Btt_news%5D=37056&cHash=b2f2164427) (September 11, 2011)

<sup>9</sup> Praveen Swami, "Nine Maldives Jihadists Held in Pakistan," The Hindu, April 4, 2009 at <http://www.hindu.com/2009/04/04/stories/2009040452281100.htm> (September 11, 2011)

<sup>10</sup> "Tourist hurt in Maldives Blast," BBC News, September 29, 2007, at [http://news.bbc.co.uk/2/hi/uk\\_news/7019929.stm](http://news.bbc.co.uk/2/hi/uk_news/7019929.stm) (September 11, 2011)

been resistant to such proposals in the past, New Delhi should consider the benefits of leveraging U.S. assistance.

U.S. Pacific Command has already undertaken some capacity building work throughout South Asia. In testimony to the Senate Armed Service Committee in April of this year, PACOM Commander Admiral Willard stated, “We know that Lashkar-e-Taiba is currently laid down throughout South Asia. We’re currently working in Nepal, Bangladesh, Sri Lanka, Maldives, and India in order to build those nations’ capacities or assist in building their capacities to attempt to contain LET in those areas.”<sup>11</sup> While DOD has begun work to build CT capacity on India’s periphery, there are limits to what it can do. Given the sensitivities about the region’s colonial legacy, any American efforts at engaging neighboring states must be respectful of each country’s sovereignty. High profile American engagement has the potential to antagonize host governments and cause concern in New Delhi about prominent American presence in a region that it considers its sphere of influence. Any engagement with regional South Asian states needs to be executed discreetly and, wherever possible, in close coordination with India. Being mindful of these sensitivities, the U.S. and India could use this opportunity to work trilaterally or multilaterally with regional states to build CT capacity. An example of this could be trilateral or quadrilateral CT exercises among the region’s CT forces. Or perhaps a multilateral training seminar that discusses the principles of effective coastal security. In this way, the United States and India could take their CT cooperation to a new level by cooperating on CT initiatives outside of India’s borders.

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<sup>11</sup> “Hearing to Receive Testimony on U.S. Pacific Command and U.S. Forces Korea in Review of the Defense Authorization Request for Fiscal Year 2012 and the Future Years Defense Program,” Committee on Armed Services, April 12, 2011.