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**COMMITTEE  
ON EXTERNAL AFFAIRS  
(2023-24)**

**SEVENTEENTH LOK SABHA**

**MINISTRY OF EXTERNAL AFFAIRS**

**COUNTERING GLOBAL TERRORISM AT REGIONAL AND INTERNATIONAL  
LEVELS**

**TWENTY EIGHTH REPORT**



**LOK SABHA SECRETARIAT  
NEW DELHI**

***FEBRUARY, 2024 / Magha, 1945 (Saka)***



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INTERNATIONAL LEVELS**

*Presented to Lok Sabha on 05 February, 2024*  
*Laid on the Table of Rajya Sabha on 05 February, 2024*



**LOK SABHA SECRETARIAT**  
**NEW DELHI**

***FEBRUARY, 2024 / Magha, 1945 (Saka)***

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## COMPOSITION OF THE COMMITTEE ON EXTERNAL AFFAIRS (2020-21)

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4. Shri Kalyan Banerjee
5. Kunwar Pushpendra Singh Chandel
6. Shri Dilleshwar Kamait
7. Shri Suresh Kumar Kashyap
8. Smt. Preneet Kaur
9. Smt. Goddeti Madhavi
10. Smt. Poonam Mahajan
11. Shri P. C. Mohan
12. Ms. Chandrani Murmu
13. Shri Ritesh Pandey
14. Dr. K. C. Patel
15. Shri N.K. Premachandran
16. Shri Navneet Ravi Rana
17. Shri Soyam Babu Rao
18. Shri Manne Srinivas Reddy
19. Shri Rebati Tripura
20. Vacant<sup>§</sup>
21. Vacant<sup>\*</sup>

#### Rajya Sabha

22. Shri K. J. Alphons
23. Smt. Jaya Bachchan
24. Smt. Misha Bharti
25. Shri P. Chidambaram
26. Shri Ranjan Gogoi
27. Shri Swapan Dasgupta<sup>#</sup>
28. Shri Kapil Sibal
29. Shri Abdul Wahab<sup>@@</sup>
30. Shri Brij Lal
31. Vacant<sup>@</sup>

<sup>§</sup> Shri Ram Swaroop Sharma passed away on 17 March, 2021.

<sup>\*</sup> Smt. Meenakshi Lekhi ceased to be Member of the Committee on her appointment as Minister w.e.f. 07.07.2021.

<sup>#</sup> Shri Swapan Dasgupta resigned on 17.03.2021 and has been re-nominated w.e.f. 11.06.2021.

<sup>@@</sup> Shri Abdul Wahab retired on 21.03.2021 and has been re-nominated w.e.f. 11.06.2021.

<sup>@</sup> Shri Jyotiraditya M. Scindia ceased to be Member of the Committee on his appointment as Cabinet Minister w.e.f. 07.07.2021.

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8. Smt. Goddeti Madhavi
9. Smt. Poonam Mahajan
10. Shri P. C. Mohan
11. Smt. Queen Oja
12. Shri Ritesh Pandey
13. Dr. K. C. Patel
14. Shri N.K. Premachandran
15. Smt. Navneet Ravi Rana
16. Shri Soyam Babu Rao
17. Shri Manne Srinivas Reddy
18. Shri Rebati Tripura
19. Dr. Harsh Vardhan
20. Shri E.T. Mohammed Basheer\*
21. Vacant

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24. Smt. Misha Bharti
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26. Shri P. Chidambaram
27. Shri Swapan Dasgupta
28. Shri Prakash Javadekar
29. Shri Sanjay Raut
30. Shri Kapil Sibal
31. Shri K. Somaprasad

\*

Shri E.T. Mohammed Basheer, Member of Parliament, Lok Sabha nominated to the Committee  
w.e.f. 7.02.2022.

## COMPOSITION OF THE COMMITTEE ON EXTERNAL AFFAIRS (2022-23)

**Shri P.P. Chaudhary - Chairperson**

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17. Shri Soyam Bapu Rao
18. Shri Vishnu Datt Sharma
19. Shri Rebaty Tripura
20. Dr. Harsh Vardhan
21. *Vacant*

### **Rajya Sabha**

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23. Smt. Misha Bharti
24. Shri Anil Desai
25. Shri Ranjan Gogoi
26. Shri Deepender Singh Hooda
27. Shri Prakash Javadekar
28. Dr. Wanweiroy Kharlukhi
29. Dr. Ashok Kumar Mittal
30. Shri Kapil Sibal
31. Shri Abdul Wahab



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30. Shri Kapil Sibal
31. Shri Abdul Wahab

#### Secretariat

- |    |                           |   |                  |
|----|---------------------------|---|------------------|
| 1. | Shri Anjani Kumar         | — | Joint Secretary  |
| 2. | Smt. Reena Gopalakrishnan | — | Director         |
| 3. | Ms. K Muanniang Tunglut   | - | Deputy Secretary |

## INTRODUCTION

I, the Chairperson, Committee on External Affairs (2023-24) having been authorized by the Committee to submit the Report on their behalf, present this Twenty Eighth Report (17<sup>th</sup> Lok Sabha) on the subject 'Countering Global Terrorism at Regional and International Levels'

2. The Committee selected the subject for detailed examination during 2020-21 and continued the examination during 2021-22, 2022-23 and 2023-24. Briefing by the representatives of the Ministries of External Affairs and Home Affairs on the subject was held on 22 June 2022. Thereafter, the Committee took oral evidence of the representatives of both the Ministries on 10 November, 2022. The Committee further took oral evidence of the representatives of the Ministries of External Affairs, Electronics and Information Technology and Department of Revenue on 29 March, 2023.

3. The Report was considered and adopted by the Committee at their Sitting held on 31 January, 2024. The Minutes of the Sitzings of the Committee are appended to the Report.

4. The Committee wish to express their gratitude to the Ministry of External Affairs, the Ministry of Home Affairs, the Ministry of Electronics and Information Technology and the Department of Revenue for placing material information as well as tendering evidence and views before the Committee.

5. For facility of reference, the Observations/Recommendations of the Committee have been printed in bold letters in the Report.

**NEW DELHI**  
**31 January, 2024**  
**11 Magha, 1945 (Saka)**

**P.P. CHAUDHARY,**  
***Chairperson,***  
***Committee on External Affairs***

## CHAPTER I

### DIMENSIONS OF TERRORISM

#### A. Global Terrorism Scenario

1.1 Terrorism continues to remain the gravest threat to humanity, in spite of efforts by the international community, including those led by the UN Security Council in the past two decades to combat and curb this menace. The threat of terrorism is not only growing and expanding at a rapid pace into new areas, particularly in Asia and Africa, but is also exacerbated by exploitation of new and emerging technologies by terrorist groups to achieve their vicious goals.

1.2 In the recent past, terrorist groups and their proxies are increasingly adapting to the use of new and emerging technologies such as Internet, social media, encrypted messaging services, crypto currencies, crowd funding platform to disseminate propaganda, recruit cadre and raise and transfer funds for financing terror activities. There has been notable increase in use of drones for cross-border trafficking of arms and drugs as well as launching terror attacks. In Africa, drones have been used by the terrorist groups to monitor movements of security forces and peacekeepers making them vulnerable to terrorist attacks.

1.3 Aerial terrorism is gradually emerging as a potent form of terrorism capable of causing massive damage to human life and infrastructure. Unmanned Aerial Vehicles (UAVs)/drones are being easily procured commercially and modified for cross border delivery of contraband like arms, Improvised Explosive Devices (IEDs)/Weapons/Narcotics. In recent past, terrorists launched cross-border drone attacks on UAE and Saudi Arabia targeting civilians and civilian infrastructure, which have resulted in loss of lives and injuries to Indian nationals as well. Drones were used for attacks on Jammu Air Force Station and frequent flying of drones near border areas has been noticed.

1.4 As virtual/crypto currencies crawl towards the mainstream, the share of digital mode of terror financing also increases. Most of them take measures like IP Masking and tout themselves to be "secure, private and untraceable". Continuing advancements in evolving technologies have immense potential to be abused by terrorists.

1.5 On being asked whether there is an universally accepted definition of terrorism, global terrorism and terrorist activities, the Ministry has informed that there is no universally accepted definition of terrorism or global terrorist or terrorist activities. Countries define terrorist activities as per their domestic laws.

1.6 In 1996, India proposed to the UN General Assembly the adoption of the Comprehensive Convention on International Terrorism (CCIT). Due to the position of some members on qualifying the definition of terrorism in CCIT, consensus on the draft text has not been achieved. In September 2005 at the World Summit, leaders stressed the need to make every effort to reach an agreement and conclude CCIT in that session itself. Following India's efforts, several countries have expressed support for CCIT. Following persistent efforts by India, leaders of

prominent multilateral groupings –NAM Summit (September 2016), BRICS (October 2016) and SCO (June 2017) have also called for an early finalization of CCIT.

**(i) Global Terrorist Groups**

1.7 Despite various counter terrorism efforts across the globe, the Global Terrorist Groups such as ISIS & AQ are still major challenges for the global peace and security. These groups remains a significant terrorist threat in Central, South Asia including North Africa region. It continues to harbour ambition to build capabilities to conduct external operations. After the debacle of IS, it has decentralized its approach of waging war across the world through intense radicalizing the youths using cyber space, social media etc. FTFs returnees from the conflict theatre have inclination toward IS ideology, act as epicenter of radicalization, recruitment and have the potential to carry out lone wolf attack.

1.8 GTGs like IS and AQ are aligned with the regional terror groups like LeT and JeM and trying to exploit the opportunity of communal tensions in India for instigating attacks in India through its misinformation and radical practices. Since 2016, IS has been unsuccessfully trying to extend its territory into J&K as a part of Islamic State of Khorasan Province (ISKP) and in order to show its presence in Indian territory IS-Core made propaganda of establishment of ‘Wilayah Hind’ in May 2019.

1.9 Recently, a module to IS has been busted in Addu city Maldives and 8 ISIS affiliates were arrested. In June 2023, an ISIS inspired terror financing module was also busted. In Italy, an ISIS inspired, Albanian national was arrested in 2022. The links of recent Coimbatore blast was also traced backed to ISIS inspired Sri Lankan youth. These worldwide incidents of ISIS indicates its global presence. Since the Taliban takeover of Afghanistan in August 2021, a renewed vigour was observed in Al Qaeda (AQ) propaganda activities. The lenient approach from Taliban had enabled AQ to rebuild the organizational capabilities along with re-orienting its propaganda strategies through ‘As-Sahab Media’ (official media wing of AQ).

1.10 The AQ remains a long terms threat because of its radical jihadi ideology oriented propaganda activities and ability to work with other terror groups. The attacks of GTSs are primarily targeted against political and religious personalities. They pose threat to large public events, international events, religious places.

1.11 The modus operandi of the Global Terrorist Groups is as under:

- There has been a quantum shift in terms of access to advanced technology by terrorist groups that has given terrorist groups a tactical edge to carry out their operations seamlessly.
- GTGs are highly dependents on the encrypted messaging platforms for instructions and preparations of terror attacks, revival of their sleeper cells.
- Crowd funding and virtual currencies like bitcoins are heavily used for terror financing.

- GTGs continue to urge sympathizers and followers across the world to carry out lone wolf attacks.
- They radicalized youth through misinformation and false narrative via extensive use of social media platforms.

1.12 The global response to GTGs are enumerated below:

- United Nations passed various resolutions like 1267(1999), 1989(2011) and 2253(2015) that are taken as guiding principles to adopt a preventive measures against GTGs viz. ISIL (Daesh), AQ and associated individuals. UNSC 1267 prescribes the travel ban, assets freeze and arms embargo for the GTGs.
- FATF through its grey and black list also encourage member state to regularize the financial discipline in case of money laundering/terror financing. Due to non-response behavior of FATF norms Pakistan had been in the grey list for a long time. Iran is still in the black list of FATF. This may pose additional restriction of the GTGs financing.
- Terrorist Designation by United Nations is another mechanism to prevent the mushrooming the activities of GTGs world wide. India has made efforts to secure terrorist designations at the United Nations (UN) and through bilateral channels.
- The Global Community have had a consensus to prohibit the accesses of advanced technologies in the hands of terrorist. Regular interactions among global leaders were held on the issues. Recently held UNCTC and 3<sup>rd</sup> NMFT meeting in India had a theme of countering misuse of technology for terrorist purposes.
- Bilateral/joint operations were also made for investigating terror related cases. India and Maldives, in a joint operation, busted a ISS Module in Addu City, Maldives in 2022. Recently (August 2023), a joint CT operation (Germany + Netherlands) arrested 9 individuals of Central Asian Origin having linked with ISKP.

## **(ii) Cyber Terrorism**

1.13 In its Background note furnished to the Committee, the Ministry of Electronics & Information Technology (MEITY) has stated that with the emergence of new technology and rise in the usage of Internet, increase in cyber incidents is a global phenomenon.

1.14 The MEA, in a written reply furnished to the Committee, has stated that there is lack of global regulations in the use of cyberspace for terrorism and terrorist related activities. Cyber Diplomacy Division of the Ministry has been raising the issue of misuse of information communication technology in the cyber environment including cyber terrorism. Cyber terrorism is yet to be defined in any of the UN convention. In the ongoing process of UN Ad Hoc Committee to elaborate a comprehensive international convention to counter the use of ICTs for criminal purposes, India proposed to include terrorism as a separate crime under the proposed convention but there was no significant support from Member States to include ‘cyber terrorism’ as a separate crime. However, effort is still being made to include ‘serious crime’ which may indirectly include cases related to terrorism on dual criminality basis and subject to certain other

conditions and safeguards as would be agreed upon in the proposed convention by member States.

1.15 When during the course of evidence on 29 March 2023 the Committee sought to know the number of countries coordinating in the field of cyber security, the DG CERT-In responded as under:

“... ransomware is one of these things for terrorism. In counter ransomware, there are 36 member States and EU who are coordinating with each other globally”.

1.16 On further asked the reasons why the other countries are not participating/coordinating in this regard, the DG CERT-In submitted:

“...there could be a combination of reasons. One is, sometimes the political will changes after signing it to ratify it or the composition of Legislature may change. Secondly, the domestic laws may not comply or yet to comply. That process itself may take some time. But in this sphere, not many countries can feel or preempt or probably, with their infrastructure, they do not feel that they are digitized enough. They do not feel the threat. They feel that they are too poor to be affected but everybody else is compromised in that sense but you are right that we will have to make more efforts”.

1.17 Elaborating on the need for a comprehensive and coordinated approach for countering global cyber terrorism, the DG CERT-In during the said evidence stated:

“...countering global cyber terrorism requires a multifaceted approach. It requires responsible involvement of stakeholders at regional and international levels. The borderless nature of cyberspace is widely exploited by terrorists for their activities. For countering cyber terrorism, efforts at the regional and international levels require a comprehensive and coordinated approach. By working together, countries can enhance their capabilities to prevent, detect and respond to terrorist threats.

Countries need to work together to develop joint strategies, cyber threat intelligence sharing mechanisms and cross border initiatives to combat cyber terrorism. Regional organisations such as the African Union, the EU, the Association of Southeast Asian Nations, and the UN can play a crucial role in promoting regional cooperation along with global cyber security and law enforcement organizations”.

1.18 During the course of evidence on 10 November 2022, the Additional Secretary in the Ministry of Home Affairs expressed concern over the increasing misuse of internet and social media platforms for proliferation of global terrorism as under:

“...increased misuse of internet and social media platforms for proliferation of global terrorism through radicalisation, recruitment, planning and execution of lone wolf attacks is also a cause of concern.

Crypto currencies and virtual assets too are prone to terror financing owing to anonymity and untraceability”.

1.19 When asked the global scenario regarding use of social media platforms and cyberspace for terrorism related activities and the coordinated global response, the MEA has stated that the announcement of the Christchurch mosque attacks in New Zealand and live streaming them on Facebook and repeatedly posting them on other social media platforms showed how terrorists use social media. Pursuant to its criminal and general law, for better or for worse, the US government has almost entirely outsourced its responsibility for content removal to the private sector. This means that the third parties, entrusted and duty-bound by law are responsible for the removal of content related to terrorism and related activity from the social media intermediaries.

1.20 Globally, after the Christchurch Call to Action Summit, which was a political summit initiated by New Zealand Prime Minister Jacinda Ardern that took place on 15 May 2019 in Paris, France two months after the Christchurch mosque shootings of 15 March 2019, States are making changes to their laws for tackling the online content on terrorism and related activities.

1.21 The issue related to use of social media platforms and cyberspace for terrorism related activities is very complex. Large number of countries especially western countries look at these issues in the light of freedom of expression; human rights; etc. The regulation of content in the cyberspace is very divisive internationally. Among international community, there is strong reservation on regulation and shutting down of internet. There is no broad consensus among international community how to deal with the social media platforms and its content. The issue goes beyond freedom of expression; human rights; etc and gets linked to geo-politics also. Social media platforms are used by State Actors, quasi State Actors, non-State Actors, organizations, individuals, etc.

1.22 Radicalization has been increasingly used as tool by regional and global terrorist organization around the world to attract vulnerable sections of the society like impressionable youth. Hate speech, misinformation and false narratives like terrorism, radicalization and violent extremism knows no geographical boundaries. World over, prisons have emerged not only as a centre of radicalization but also as hotbed of regrouping of violent extremist groups and ideologies. In Jan 2022, Gweiran prison, consisting of 3-4 thousand ISIS prisoners was broken in a targeted ISIS attack and released thousand of radicalized prisoners. Regaining power of Taliban in Afghanistan and returnees FTFs from conflict theatre also pose a serious threat of growing radicalization in the parent countries. Most of the African countries are presently facing this menace.

1.23 Following emergence of ISIS, there has been significant impact of ideologies of ISIS on Muslim youth. ISIS has been able to successfully penetrate the cyberspace and has launched propaganda offensive through social media sites by posting inflammatory messages/videos and spreading misinformation etc. which has gained a degree of popularity in international arena including India. Like elsewhere in the world, India also is faced with problem of radical and extremist thoughts influencing the populace, particularly youth. However, due to the principle

process in India are less visible. Radicalization instances in India are having oversea connections like Sikh extremism.

1.24 The coordinated global response in this regard are as under:

- Radicalization has emerged as a central theme of multilateral meetings of UN CTC, GCTF, SCO-RATs etc.
- Best practices have been shared by GCTF on the issues of countering violent extremism.
- India is also participating in SAN-PVE and Colombo Security Conclave (CSC) on the issues of Counter Radicalization measures.
- EU has started project based collaboration led by EU countries to foster exchange and cooperation prevention of radicalization.
- Various initiative are underway by multilateral organizations like GIFCT, EU etc for Cyber patrolling to prevent misuse of internet by terrorist to spread radicalization.
- Trail of Dedicated Institution based mechanism in the vulnerable areas are undergoing.

### **(iii) Financial Terrorism/Digital Mode of Terror Financing**

1.25 With respect to financial terrorism, mostly, all jurisdictions have the crime of financial terrorism categorized under three stages of *raising (collecting and storing)*, *moving* and *using* funds. Despite the different stages, the ways in which terrorism financing is done is similar and, in some cases, may be identical to the methods used to launder money.

1.26 The sources of terrorist funding vary. Firstly, they may originate from illegal activities, ranging from low-scale criminality to organised crime (e.g. trafficking in drugs, weapons or human beings.)

1.27 The origin of the funds might, however, also be legitimate, being provided for example by the members of the organisation (usually the newcomers) or obtained through the abuse of non-profit organisations. New funding techniques of terrorist organisations were recently identified by the FATF in respect of Da'esh (also known as the "Islamic State"). Given the way of its functioning, Da'esh resorted to new methods of funding which could be considered more inherent for a state, such as leveraging taxes or exploiting natural resources (such as in this case natural gas and oil).

1.28 The funding of terrorist activities often requires funds to be moved within or across jurisdictions. This might be done through official channels of the financial market and money remittances, through unregulated channels or hawala with the use of cash couriers. A clear similarity can be identified between terrorist financing and money laundering, as in both cases efforts are made to hide the funds from the scrutiny of state authorities. The techniques to do so are also often similar. After initial consideration of counter-terrorist financing measures together with the AML measures, the FATF more recently focuses on identifying the differences between



the two phenomena, with the view of adapting its standards to the particularities of terrorist financing (for example, based on the fact that not all terrorist financing sources are from illicit origin, such as the emphasis set on the abuse of NPOs).

1.29 The Federal Reserve (of the USA) and the European Central Bank have stated that Bitcoin is a highly speculative asset used in illegal financing activities (e.g., money laundering). Hence, a global regulatory consensus on Bitcoin is required. However, improving regulatory capacity usually lags behind financial technology innovation, providing new opportunities to finance terrorism. With the continuous development of internet technology, virtual currency, online payment, and dark web transactions have attracted great attention from terrorist organizations. International terrorist organizations, including the “Islamic State” (IS), use emerging technologies (e.g., the blockchain), to raise and transfer illegal funds. In October 2015, the Financial Action Task Force on Money Laundering released a report entitled “Emerging Terrorism Financing Risks,” which specifically analysed the terrorist financing risks of virtual currency. This report highlighted that virtual currencies, such as Bitcoin, have increasingly become “accomplices” to various illegal and criminal activities, facilitating money laundering and terrorist financing.

1.30 When the criminalization of terrorism financing was first addressed in an international instrument through the International Convention for the Suppression of the Financing of Terrorism in 1999, drafters were faced with the challenge of establishing a regime that would criminalize the funding of an act that had not been previously defined in a comprehensive manner. Making the financing of terrorism a legal offence separate from the actual terrorism act itself gives authorities much greater powers to prevent terrorism and it is a separate offence in almost all the developed and developing economies.

1.31 The Financial Action Task Force (FATF) 40 Recommendations on Money Laundering Terrorist Financing are recognized under Security Council resolution 1617 (2005) and the Plan of Action annexed to General Assembly resolution 60/288 (2006) as important tools in the fight against terrorism. The FATF Recommendations are a comprehensive set of measures for an effective national regime to fight money laundering and terrorism financing. They call for the criminalization of the financing of terrorism in accordance with the International Convention for the Suppression of the Financing of Terrorism, among other actions.

1.32 Several regional treaties and bilateral agreements on counter-terrorism and tackling of organized crimes have mechanisms in place to assist the member states in combating financial and digital terrorism.

1.33 The United Nations General Assembly’s Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes in its Sixth session held at New York between 21 August–1 September 2023 is the latest document under negotiation which is a

concerted response of the nations as a matter of priority, to develop a common criminal policy aimed at the protection of society against cybercrime, the use of information and communications technologies for criminal purposes by, inter alia, adopting appropriate legislation, establishing common offences and procedural powers and fostering international cooperation to prevent and combat such activities more effectively at the national, regional and international levels. India had also participated in this negotiation.

#### **(iv) CRBN Threats**

1.34 Potential threat from Chemical, Radiological, Biological and Nuclear (CRBN) includes use of CRBN materials by non state actors in the form of dirty bombs, dispersal devices and bio weapons. The 9<sup>th</sup> Biological Weapons Convention (BWC) Review Conference was held in Geneva from 28 November–16 December 2022. It decided to establish a Working Group (WG) open to all States Parties to identify, examine and develop specific and effective measures, including possible legally-binding measures, and to make recommendations to strengthen and institutionalize the Convention in all its aspects. The WG will meet annually. The first substantial meeting of the WG took place in Geneva from 7-18 August 2023. Notably, and in a positive departure from work in previous BWC Review Conference intersessional periods, one of the mandates of the WG has been identified as ‘measures on compliance and verification’. The 9<sup>th</sup> BWC Review Conference decided to develop with a view to establishing a mechanism open to all States Parties to facilitate and support the full implementation of international cooperation and assistance. The WG will make recommendations in order for this mechanism to be established. The 9<sup>th</sup> BWC Review Conference also decided to develop with a view to establishing a mechanism to review and assess scientific and technological developments relevant to the Convention and to provide States Parties with relevant advice. The WG will make recommendations in order for this mechanism to be established. The 9<sup>th</sup> BWC Review Conference created one new position at the BWC Implementation Support Unit (ISU) to strengthen its working.

1.35 The steps taken by India in collaboration with international community to meet the global challenge of CBRN terrorism are given below:-

- India’s annually tables a resolution in the United Nations General Assembly First Committee titled "Measures to prevent terrorists from acquiring weapons of mass destruction". The resolution calls upon UN Member States to take measures aimed at preventing terrorists from acquiring weapons of mass destruction and to support international efforts in this regard.
- India is party to all the 13 universal instruments against terrorism, including the International Convention for the Suppression of Acts of Nuclear Terrorism (ICSANT).
- India is a party to the Convention on the Physical Protection of Nuclear Material (CPPNM) and its Amendment.

- India has been implementing commitments under UN Security Council Resolutions 1540 and 1373, in its resolve to fight against terrorism and proliferation of weapons of mass destruction.
- India participates as a member of multilateral export control regimes towards the goals of non-proliferation of weapons of mass destruction and its delivery systems, related materials, equipment and technologies. This includes sharing of our best practices or implementation experiences in the area of export controls; participation in the development of guidelines for export controls and lists of materials, equipment and technologies regulated under the Missile Technology Control Regime (MTCR), Wassenaar Arrangement (WA) and Australia Group (AG); and harmonizing our national export control list (SCOMET) with that of these regimes and the Nuclear Suppliers Group (NSG). India also engages with relevant committees of the UN on specific matters relating to the measures on non-proliferation of weapons of mass destruction decided by the UN Security Council.
- India continues to participate and support the work of the Global Initiative to Combat Nuclear Terrorism (GICNT).
- India participates in the relevant work of the Nuclear Security Contact Group (NSCG).
- India is committed to combating illicit trafficking of nuclear and other radioactive material, including through enhanced radiological surveillance; voluntary information sharing within the frame of relevant databases including Incident and Trafficking 36 Database (ITDB) to which India contributes; and ensuring that the material cannot be used by non-State actors in criminal or terrorist acts or non-peaceful purposes.
- With regard to biological and chemical security, India actively participates in discussions at Biological Weapons Convention (BWC) and the Chemical Weapons Convention (CWC) aimed at preventing or mitigating the proliferation of biological or chemical weapons to non state actors. In BWC, India has made proposals for strengthening the national implementation and national export controls (under Article III). Likewise, India has made a proposal for strengthening the assistance mechanism through actualization of Art VII database in BWC in case of a bio-incident. We have also called for institutional strengthening of the BWC, and affirmed the need to negotiate a legally binding protocol for BWC and establish a compliance mechanism.

## **B. Domestic Terrorism Scenario**

1.36 Terrorism in India is mainly the cross-border terrorism, sponsored by neighboring country. The means and methods adopted by terrorists includes infiltration through the land borders, sea routes, illegal immigration through sea/land routes etc.

1.37 The Committee observed that India has been a victim of terrorism for more than three decades and enquired about the factors contributing to terrorism in India. They have been informed that the problem of terrorism in India is largely sponsored from across the border. Pakistan's Inter Service Intelligence (ISI) has close links with terrorist outfits like Lashkar-e-

Taiba (LeT), Jaish-e- Mohammad (JeM), Hizb-ul-Mujahideen (HM), Indian Mujahideen (IM), etc. and provides them safe havens, material support, finance and other logistics to carry out terrorist activities in India.

1.38 The Ministry of Home Affairs, in a written reply furnished to the Committee, has stated that the issue of cross-border terrorism sponsored from across the border had been raised with the Government of Pakistan, when situation was conducive for talks between the two countries. The last Home Secretary level talks between India and Pakistan were held in the year 2011. There has been no high-level interaction with the Government of Pakistan in the last three years.

1.39 However, Government consistently raises the issue of Pakistan's continuing support to cross-border terrorism and terrorist infiltration at the bilateral, regional and multilateral level. Government has also briefed its Counter Terrorism partner countries and the international community at large on the continued concerns of cross-border terrorism emanating from Pakistan.

1.40 When enquired about the dimensions of terrorism prioritized by India and stressed upon regularly at the regional and international fora, the Ministry stated that India has highlighted cross-border terrorism regularly at the regional and international fora. On 12 January 2021, speaking in the Security Council at an open debate on counter-terrorism, the External Affairs Minister, S. Jaishankar called for greater commitment of international community towards zero tolerance for terrorism, effective action by member states and proposed an eight-point action plan to counter the menace of terrorism, which include, i) summon the political will – no justification or glorification of terrorism, ii) no double standards - terrorists are terrorists, distinctions are made only at our own peril, iii) no political instrumentalization of UN Sanctions regimes – no blocking or holding on listing requests without any reason, iv) objective enlisting and delisting of terrorists, terrorist entities in UN sanctions regimes – not to be done on political or religious considerations, v) discourage exclusivist thinking and be on guard against new terminologies and false priorities, vi) recognize the linkage to organized crime, vii) support and strengthen the international counterfinance standards such as those propagated by FATF, and viii) strengthen multilateral counter terrorism architecture under purview of UN office for counter terrorism by providing greater funding and resources to it.

1.41 Recently, India organized a special meeting of UN CTC in India on 28-29 October 2022. The Special Meeting of the CTC discussed a wide-range of counter terrorism related issues under the following three themes: countering terrorist exploitation of Information and Communication Technologies (ICTs); countering terrorism financing – threats and opportunities related to new payment technologies and fundraising methods and threats posed by terrorist use of Unmanned Aerial Systems (UAS).

1.42 Responding to a query regarding India's position in relation to other countries in the Global Terrorism Index 2022 and the action plan being formulated to improve India's status in this regard, the Ministry has stated that in the Global Terrorism Index 2022 prepared by the Institute of Economics and Peace, India is ranked at number twelve (12). The Govt. has taken various steps to curb the menace of terrorism in the country, including strengthening of legal framework, streamlining of intelligence gathering mechanism, setting up of NIA for

investigation and prosecution of terror related cases, establishment of various hubs of NSG, stepping up of border and coastal security, modernization of police forces.

1.43 India's efforts at counterterrorism has been highlighted by the Secretary (West) in the Ministry of External Affairs during the course of evidence on 29 March 2023 as given below:

“...our efforts at counterterrorism began in 1996 by proposing the Comprehensive Convention on International Terrorism which is still a work in progress. It still has not been accepted by several countries for a variety of reasons. Thereafter, I think globally 9/11 gave an impetus to the counterterrorism narrative. In our case, it was 26/11. You could also argue that Mumbai in 1993 was also one of the major reasons why we have taken this narrative to our heart and there is no multilateral, bilateral, or regional interface that India has which does not touch on the subject of counterterrorism.

As of today, we have 50 extradition treaties. We have additional extradition arrangement with 12 countries. Agreements on mutual legal assistance in criminal matters are enforced with 39 countries. We have 28 bilateral agreements and MoUs in security cooperation. India's Financial Intelligence Unit has signed 48 agreements with its counterpart FIUs in other countries.

I am happy to report that the Delhi Declaration is now part of the lexicon of counterterrorism narrative globally, and it will keep finding space for itself; And, the fact is that the Delhi Declaration focused on envisaging the way forward for addressing the challenges faced with emerging technologies for terrorist purposes. So, this is looking ahead”.

1.44 Regarding international cooperation to counter terrorism, the Additional Secretary in the Ministry of Home Affairs during the course of evidence on 10 November 2022 stated:

“As regards international cooperation to counter terrorism, our agencies have been cooperating with sister agencies of other countries on counter terror capacity enhancement. NSG conducts joint training and capacity building courses for friendly foreign countries in the field of counter terrorism and counter improvised explosive devices. Till now, it has trained 1590 personnel of friendly countries. NIA also organizes various workshops, training programmes with agencies of other countries.

It has arrangements with Federal Bureau of Investigation of United States, French experts and European Union. NIA has also entered into Memorandum of Understanding with the Royal Canadian Mounted Police for swift exchange of information and collaboration for capacity building among other investigational matters.

Efforts for enhanced cooperation with neighbouring countries to check smuggling of fake currencies, which is one of the channels for terror financing, are being made. A Memorandum of Understanding has been signed between India and Bangladesh to prevent and counter smuggling of fake currency notes. Standard Operating Procedure has been agreed upon by the two countries designating the nodal contact points in the border districts of both the countries for exchange of information. Joint Task Force meetings are held regularly in India and Bangladesh to review the action taken on issues of fake currency notes”.

1.45 When asked about the efforts made by the Government to check use of drones, virtual currencies and encrypted communications by terrorists and the nature of international cooperation in this regard, the Ministry has provided the following information:

(i) Implementation of Drone Rules by Ministry of Civil Aviation.

(ii) Drone and Anti-Drone courses are being run by NSG for State Police Forces and Central Armed Police Forces (CAPFs).

(iii) Procurement of Anti-Drone equipment's to counter Rogue Drones.

1.46 To combat the menace of virtual assets, India's law enforcement infrastructure, both at the Centre and in all States and Union Territories (UTs), is developing its capacity and infrastructure. Besides, RBI issued advisories to regulate the crypto currency market in India.

1.47 As regards encrypted communications, the Information Technology Act 2008, Section 66(F); IT rules 2009, IT Rules (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021 and subsequent amendment of 2022 provide Legal Framework for Encrypted Communications.

1.48 Concerns have been raised by India in various bilateral and multilateral security related meetings including meetings of Joint Working Group (JWG) on Counter Terrorism, BIMSTEC, SCORATS, BRICS, UN, FATF, Colombo Security Conclave etc.

1.49 In a written reply furnished to the Committee, the Ministry has stated that there is adequate focus to counter the threat from cyber terrorism. The URL/Domains & signature of malicious mobile based applications associated with suspicious terrorist activities are promptly being blocked under Section 69A of IT Act 2000 through MeitY.

1.50 The mandate of the National Investigation Agency has been expanded by including Cyber Terrorism in the list of scheduled offences.

1.51 Apart from the agencies working in the area of cyber security, a National Counter Ransomware Task Force has been constituted to mitigate the ransomware attacks in the country.

1.52 India is making concerted efforts for collaborating with countries and agencies at international level to enhance the cooperation in the area of cyber security through exchange of information, capacity building etc. A more collaborative effort is also being made within the country to enhance the capabilities of agencies working in the area of cyber security and cyber crime.

1.53 Elaborating on the strategy/approach of the Government as well as the challenges in prevention of use of cyberspace for terrorism and terrorist related activities, the Ministry, in a written reply, has informed that Indian Computer Emergency Response Team (CERT-In), has been designated under Section 70B of the Information Technology Act, 2000 to serve as the national agency in the area of cyber security incident response.

- (i) CERT-In has formulated Cyber Crisis Management Plan (CCMP) for countering cyber-attacks and cyber terrorism for implementation by all Ministries/Departments of Central Government, State/UT Governments and their organizations. In addition, guideline documents and templates have been published to assist development and implementation of sectoral Crisis Management Plans. CCMP provides strategic framework to coordinate recovery from a cyber-crisis.
- (ii) Indian Computer Emergency Response Team (CERT-In) has created a panel of 'IT security auditing organizations' for auditing, including vulnerability assessment and penetration testing of computer systems, networks & applications of various organizations of the Government and organizations across sectors.
- (iii) National Cyber Coordination Centre (NCCC) project has been launched by CERT-In with the objective to generate situational awareness of existing and potential cyber security threats and enable timely information sharing for proactive, preventive and protective actions by individual entities. Among others, Intelligence and Investigation agencies are also involved as stakeholders in the National Cyber Coordination Centre (NCCC) of CERT-In.
- (iv) Cyber Threat Intelligence (CTI) is collected, studied, analysed & generated by CERT-In and provided to Law Enforcement and intelligence agencies for immediate appropriate actions.
- (v) Strengthening International cooperation to effectively deal with cyber security issues has been one of the main focus areas of the Government.

This aspect is being dealt with by way of security cooperation arrangements in the form of Memorandum of Understandings (MoUs) between Indian Computer Emergency Response Team and its overseas counterpart agencies that are willing to work together and share information in a timely manner for preventing cyber incidents and cyber-attacks as well as collaborating for providing swift response to such incidents.

CERT-In entered into cooperation agreements in the area of cyber security with CERTs of 11 countries. At present such Memorandum of Understandings (MoU) have been signed with Bangladesh, Brazil, Egypt, Estonia, France, Israel, Japan, Maldives, Nigeria, Uzbekistan and Vietnam.

- (vi) Cyber security mock drills are being conducted to enable assessment of cyber security posture and preparedness of organisations in the Government and critical sectors. CERT-In participates and contributes in the cyber security drills and exercises conducted by international forums such as QUAD and Counter Ransomware Initiative.

1.54 Lack of global regulation in use of cyberspace for terrorism and terrorist related activities is a challenge. Without proper regulation, virtual assets, crowd funding are becoming a virtual safe haven for the financial transactions of criminals and terrorists. It requires responsible behaviour and cooperation within the States to counter the challenges.

1.55 During the course of evidence on 29 March 2023, the Committee pointed out the need to be proactive in regard to cyber attacks and sought to know the coordination between India and ICANN as well as the outcome of negotiations for having internet root servers in India. The DG CERT-In responded as under:

“We had a major negotiation on the root server. They have agreed for putting up a cluster. We are negotiating with them....Probably, we will get a cluster of 18 servers which will be now based somewhere in India. That is a good beginning.....

Looking at the way India is developing -- our digital systems, internet, 5G, telecom, digital infrastructure, etc. -- they are now looking at India and they cannot ignore India. Now, we are negotiating with a bit of strength and we are hopeful that we should be able to get some part of it to start. We are hopeful that we will be seeking some kind of a board level position in the coming AGM, which is likely to take place early next year. So, we are moving in that direction. That is important”.

1.56 On the role of social media platforms/networks towards radicalization and recruitment of youth in terrorism and the precautionary measures proposed to be taken by the Government to curb the same, the Ministry has stated as under:-

- The prevalence of internet, especially the Social Media and OTT platforms has been exploited by the terrorist groups and terrorists for the radicalization and recruitment of vulnerable and brainwashed youths. In order to mitigate and confront the problem of such radicalization and violent extremism, the country has adopted whole-of-the-Government approach taking all potent stakeholders of the society, especially community and the family, on board.
- The easy availability of radicalizing materials (audios, videos and literature), preaching extremism and openly denouncing other religions has contributed to radicalisation. The Government recognizes the misuse of internet and social media platforms for proliferation of global terrorism through radicalisation, recruitment, planning and execution of lone wolf attacks.
- On one hand, measures to confront institutions, individuals and ideas that promote radicalization and violent extremism are being adopted, while on the other hand, efforts are being made to create an environment conducive to individuals and institutions committed to bring communal harmony and peaceful co-existence in the society. These two strands form the bedrock of Indian approach towards countering radicalization. Most importantly, a large majority of such measures are primarily Community-owned and Community-driven.
- The Graded Police Response, like other counter and de-radicalization initiatives, takes on board the affected community by involving the local community representatives in the process. This adds to the legitimacy of the Policing Process in the eyes of affected communities. Family members are one of the most potent stakeholders in the process of counter radicalization. They are extremely efficient a player as far as Signaling, Mitigation or Countering Radicalization is concerned. Realizing the importance of family members, Graded Police Response actively involves them in counter radicalization process.



1.57 The steps/initiatives being taken by India to strengthen international cooperation in countering and exploitation of cyber space for propaganda, radicalization and recruitment by terrorist groups including global terrorist groups are given below:

i. Strengthening cooperation with all stakeholders to effectively deal with cyber security issues has been one of the main focus areas of the Government. As such, this aspect is being dealt with by way of security cooperation arrangements in the form of Memorandum of Understanding (MoU) between Indian Computer Emergency Response Team (CERT-In) and its overseas counterpart agencies that are willing to work together and share information in a timely manner for preventing cyber-attacks as well as collaborating for providing swift response to cyber security incidents.

ii. Currently, the Indian Computer Emergency Response Team (CERT-In) has 11 active Bilateral agreements in the form of MoUs in the area of cyber security with counterpart agencies in Bangladesh, Brazil, Egypt, Estonia, France, Israel, Japan, Maldives, Nigeria, Uzbekistan, Vietnam.

iii. Cyber security mock drills are being conducted to enable assessment of cyber security posture and preparedness of organisations in the Government and critical sectors.

(a) CERT-In contributed and participated in QUAD Counter-Terrorism working group exercise in October 2022. The objective of the exercise was to build consensus on developing framework to counter terrorism including cyber terrorism, information exchange and harmonization of crisis response plan.

(b) CERT-In in collaboration with Cyber Security Agency (CSA), Singapore conducted an International cyber security exercise “Synergy” for 13 Countries as part of the International Counter Ransomware Initiative- Resilience Working Group in August 2022.

(c) CERT-In along with European Centre of Excellence for Countering Hybrid Threats conducted a Joint Workshop and Table Top Exercise (TTX) on Cyber Vectors of Hybrid Influencing and Countering Hybrid Influencing in August 2018 in New Delhi. Hybrid influencing involves coordinated and synchronized actions that deliberately targets democratic states’ and institutions’ systemic vulnerabilities through a wide range of means. During the program multiple sessions were conducted for creating situational awareness on Global Cyber Norms & Legal Framework for countering Hybrid Influencing including radicalisation and best practices to counter influencing through cyber venues.

1.58 When enquired whether the Government is considering/has made use of soft interventions with the objective of reducing the lure of terrorism, especially among the youth, the Ministry has stated that India follows a holistic and comprehensive approach to counter religious extremist activities based on the tenets of the Indian Constitution which enshrines the inalienable Fundamental Rights of its citizens, Rule of Law, etc. The strategy to counter radicalization is holistic; from addressing the underlying conditions that promotes the growth and spread of violent extremism and building community resilience to radicalization through education and support, early intervention and rehabilitation programs and implementing appropriate legal regimes, consistent with ensuring respect of human rights and fundamental

freedoms. Family members are one of the most potent stakeholders in the process of counter radicalization. They are extremely efficient a player as far as Signaling, Mitigation or Countering Radicalization is concerned and therefore are involved in counter radicalization process.

1.59 Measures to neutralize institutions/individuals spreading radicalization and simultaneously promoting an environment, conducive to individuals committed to communal harmony and peaceful co-existence have been the bedrock of Indian approach. Most importantly, all such endeavors are primarily community-owned and community-driven thus covering all sections of the society. Further, Government's welfare measures are aimed at the uplifting minority communities towards progress and mainstream, which are also being carried out through varied exercises like, ensuring universal coverage of various govt. welfare schemes without discrimination, Special schemes for un-served and undeserved communities/areas, Promotion of composite culture and co-existence among various communities, efforts for ensuring fair representation of minorities and other less represented communities in all spheres of life.

1.60 On the issue of terror financing, the MEA in its background note has stated that India's Financial Intelligence Unit (FIU-IND) has signed 48 agreements with its counterpart FIUs of other countries for exchange of financial intelligence.

1.61 The Department of Revenue, in a written reply furnished to the Committee, has stated that the Government of India is committed to tackle the menace of terror financing in the country and prepare strategies accordingly. Further, it keeps on evolving its strategies to be on par with the terrorists' organizations. In terror financing cases, Directorate of Enforcement (ED) has a very important role both in tracing the proceeds of crime and its laundering by the terrorists. ED not only attaches the proceeds of crime and takes possession of the same, thus deprives the accused of enjoying fruits of crime. Further, Prosecution Complaints is also filed against the terror accused under the Prevention of Money Laundering Act (PMLA) for confiscation of proceeds of crime and conviction of accused. The Directorate of Enforcement takes action both under the provisions of PMLA and the Foreign Exchange Management Act (FEMA), 1999 to disrupt the TF activities in India.

1.62 Regarding the mechanism for countering the use of crypto currencies and virtual assets in terror financing, the Department of Revenue has stated that Virtual Digital Assets (VDA) Service Providers (SPs) have been notified as Reporting Entities (REs) with effect from 07.03.2023 under the Prevention of Money Laundering Act 2002.

1.63 Further, in order to enable the service providers to effectively detect and report suspicious transactions to FIU-IND, FIU-India has factored in various scenarios that could be indicative of terror financing into the Red-Flag indicators to be issued for the said Reporting Entities.

1.64 Directorate of Enforcement has the requisite expertise to investigate cases involving crypto currencies and virtual assets and has successfully identified trail of money laundering done by the use of crypto currencies and virtual assets in several money laundering cases other than TF cases. However, as on date, in none of the cases related to terror financing being

investigated by the Directorate of Enforcement, use of crypto currencies and virtual assets have been noticed/identified.

1.65 India's preparedness regarding threats of Chemical, Biological, Radiological and Nuclear (CBRN) weapons as instruments of terrorism has been enumerated below:

- India has system for prevention and detection of threats of malicious acts involving radioactive and nuclear materials, and also preparedness for response to such emergencies. Department of Atomic Energy (DAE) along with Ministry of Home Affairs (MHA) is the nodal department/ministry for any crisis arising due to release of radioactivity in public domain within country (including any release due to malicious act using radioactive material).
- DAE has prepared its 'Crisis Management Plan' which includes response during any crisis scenario arising due to malicious act during transport of radioactive/nuclear material or explosion of RDD (Radiological Dispersal Device). A 'Crisis Management Group' exists at DAE, to deal with any nuclear or radiological emergency in public domain. A 24x7 ECR (Emergency Communication Room) is maintained at DAE for emergency communications.
- The Atomic Energy Regulatory Board (AERB) provides robust regulatory measures for the security of nuclear and radiological material through continuous oversight carried out by a large pool of highly trained and specialized manpower dedicated for this purpose.
- In line with its commitment to maintaining effective security of radioactive sources throughout their life cycle, India has recently carried out an exercise on a campaign mode towards identification and safe disposal of unused radioactive -3- sources of Category 1 & 2.
- India has also recently further strengthened its national procedures for both export and import of radioactive sources based on the supplementary guidelines.
- To augment the national Nuclear Detection Architecture in India, 10 more Emergency Response Centers (ERC) have been set up in addition to the existing 25 ERCs. India has also developed "State of the Art" Radiation Monitoring Systems for large areas with radioactive contamination in case of nuclear and radiological emergencies/threats. The system can search, detect and provide quick qualitative and quantitative assessment of orphan radioactive sources. Training courses on 'Preparedness and Response to Radiation Emergencies' are routinely carried out for the response agencies and radiation emergency exercises are conducted at regular intervals.
- India has an inter-ministerial Counter Nuclear Smuggling Team (CNST) to strengthen the nuclear security regime by covering prevention, detection, and investigation including forensic support, and prosecution of the act of smuggling, and to strengthen the inter-agency platform for the exchange of information, coordination, cooperation to counter nuclear smuggling incidents to prevent illicit movement of radioactive material.
- NDRF is the lead Federal agency mandated to deal with all natural and man-made disasters in the country except fire. It is one of the agencies that responds to CBRN contingencies in the

public domain in coordination with other stakeholders under the supervision of Nodal Ministries/Agencies. 180 CBRN Teams each with a strength of 47 are authorized in NDRF and placed at various locations across the country.

- So far 9134 NDRF Officers and men have undergone CBRN Training including 61 Radiological Safety Officers (RSOs), 255 Training of Trainers (ToTs) Course, 120 Master Trainers (MTs) Course and 34 Mobile Radiation Detection System (MRDS) Course.
- NDRF conducts capacity building by conducting training of first responders including the SDRF, other stakeholders, Community and Volunteers. Besides awareness generation is also conducted by NDRF during the conduct of the Community Awareness Programme (CAP).
- NDRF also conducts Mock Drill Exercises in coordination with other stakeholders and expert agencies in CBRN. So far 316 Mock Exercises in CBRN contingencies have been conducted with 97,603 beneficiaries.
- CBRN Equipment profile of NDRF is periodically upgraded in coordination with DAE/DRDO.
- The National Authority Chemical Weapons Convention (NACWC) is a national focal point for effective implementation of the chemical weapon Convention. To ensure that India meets all its obligations under the international treaty, India has mainstreamed a lot of legal instruments to ensure its implementation.
- The NACWC is entrusted with the responsibility of fulfilling the national obligations of India under the Convention.
- Because the threat of chemical terrorism stems largely from the accessibility of toxic chemicals, the NCCWC addresses necessary measures to prohibit or restrict the accessibility of dual-use chemicals to indirectly address the challenge of countering terrorism.
- To raise awareness and to mitigate any possible chemical emergencies, a mobile application has been created by NACWC on the UMANG platform in October 22 and can be searched under the name of the National Authority Chemical Weapons Convention.
- The efforts of NACWC resulted in India becoming the world's fourth country to have both a Single Small Scale Facility for Protection Purpose (SSSF) and an Other Facility for Protection Purpose (OFPP).
- India is one of the initial signatories of the Chemical Weapons Convention. The Convention facilitates the exchange among States Parties of information and equipment that can help protect populations against the effects of a chemical weapons attack. It also mandates the Technical Secretariat to provide assistance to States Parties that request it. The OPCW's Rapid Response and Assistance Mission (RRAM) fulfils this task and can be deployed upon request of a State Party to the Chemical Weapons Convention that is in need of emergency assistance due to a chemical attack.

- The OPCW conducts a number of training courses either by itself or in collaboration with other States Parties for more effective implementation of the provisions of the Convention.

1.66 When during the course of evidence on 10 November 2022, the Committee sought to know the internal situation with respect to resource management, capacity enhancement on countering terror funding and inter-department and inter-agency coordination on cyber security, the Additional Secretary in the Ministry of Home Affairs stated:

“...efforts have been made on sharing resources by using common platforms, enhancing capacity by training of agencies and State Police forces and pooling available experts of the central agencies. This task is mainly being implemented by Intelligence Bureau, National Investigation Agency and National Security Guard.

The Police Modernisation Scheme of MHA has been the major channel through which the State Police forces are helped in modernising their equipment and other things so that they can also take a lead in this fight against terrorism as a first responder. Multi Agency Centre at IB has seen a constant upgradation in its capacity. All the agencies at the Centre as well as at the State level are meeting regularly at Delhi and at the State level also once in a week or fortnight.

As regards the coordination on cyber security front, cyber space has been a complex and dynamic environment for interaction among the people. It requires proactive protection of networks, IT infrastructure and critical information. National Cyber Security Coordinator at the National Security Council Secretariat has been assigned the responsibility of coordinating with different agencies at the national level for cyber security policy matters.

National Critical Information and Infrastructure and Protection Centre, NTRO has been tasked for taking required measures including research and development of cyber security of critical information and infrastructure. The Indian Computer Emergency Response Team(CERT-In) is the nodal agency responding to computer security incidents and dissemination of information on cyber incident forecasts and alerts of cyber security incidents and also formulating emergency measures for checking cyber security incidents.

In the Ministry of Home Affairs, Cyber and Information Security Division was created in 2017 keeping in view the current scenario. Its mandates include cyber security. Indian Cybercrime Coordination Centre (I4C) has been established. This works particularly for coordination on the front of cybercrime which may affect the cyber security also. National Intelligence Grid is functional now with the objective to tackle and bolster counter terrorism capacity of the country. Intelligence Bureau is the domestic agency responsible for analysing cyberspace contents relating to extremism, cyber terrorism and anti-national agenda. State liaison agencies are also being helped by way of training programme, modernisation and enhancing their capabilities by many central agencies”.

1.67 When asked to state the extent to which India’s approach and strategy towards combating terrorism in the country during the last three decades has been able to achieve the desired results,

the Ministry has stated that as a result of India's persistent efforts, there is enhanced concern in the international community at terrorism emanating from across our borders including the continuing activities of internationally designated terrorist entities and individuals such as Jamaat-ud Dawa (JuD), Lashkar-e-Taiba (LeT), Jaish-e-Mohammad (JeM), Hizbul Mujahideen, Al Qaida and other global terrorist groups.

1.68 Many terrorist entities and individuals who find shelter in neighbouring countries and are also engaged in terrorism against India have been proscribed by the United Nations (UN), the European Union and other countries. On 01 May 2019, the United Nations 1267 Sanctions Committee designated Masood Azhar, the self styled leader of Jaish-e-Mohammad as a UN proscribed terrorist.

1.69 Whole of the society approach along with the concerted and coordinated efforts of agencies/stakeholders and the actions taken by the Govt., the menace of terrorism has been curbed to a larger extent in the country.

1.70 While summing up his opening statement during evidence on 29 March 2023, the Secretary (West) in the Ministry of External Affairs stated:

“To conclude, I may suggest that MEA is approaching holistically to counterterrorism at regional and international level. Such an approach has helped us to bring our core concerns of cross-border terrorism to mainstream national discourse, which has led to the isolation of Pakistan and force it to take action on the terrorists operating and supported by Pakistan. At the same time, India is at the forefront of global standards setting on the issue of counterterrorism. Delhi Declaration is a testimony to that. Meanwhile, India’s leadership in countering terror financing will be well established once No Money for Terror Ministerial Conference Secretariat becomes functional in India. By having the No Money for Terror Secretariat in India, we will take ownership and leadership of the counterterrorism financing process.

Our agencies have gained a lot over the years to international cooperation, particularly cooperation in intelligence sharing and capacity building. This leads to an overall robust response of the Government of India”.

**1.71 The Committee note that despite efforts by the international community, including those led by the UN Security Council, terrorism continues to remain the gravest threat to humanity. The threat of terrorism is also expanding at a rapid pace into new areas, particularly in Asia and Africa. Aerial terrorism is gradually emerging as a potent form of terrorism while the share of digital mode of terror financing also increases. The Committee, however, note that there is no universally accepted definition of terrorism or global terrorist or terrorist activities. India had proposed the adoption of the Comprehensive Convention on International Terrorism (CCIT) to the UN General Assembly in 1996, but a consensus could not be achieved so far due to the position taken by some member countries on qualifying the definition of terrorism. The Committee understand that several countries have expressed support for CCIT and the leaders of**

**prominent multilateral groupings—NAM, BRICS and SCO have called for an early finalization of CCIT. The Committee are of the firm view that a comprehensive and coordinated approach is the need of the hour for countering global terrorism, especially as terrorists are increasingly making use of advancements in technologies to achieve their vicious goals. It also goes without saying that a formal Convention within the UN Counter Terrorism Architecture would be the most appropriate forum to start with. The Committee, therefore, urge the Ministry to step up its diplomatic efforts at multilateral, regional and bilateral levels stressing the need for the international community to reach an agreement on the draft text of the CCIT at the earliest. The Government may also take initiatives for a global counterterrorism movement focusing on abuse of new and emerging technologies like internet, social media platforms, encrypted messaging services, crypto currencies, unmanned aerial vehicles/drones, etc. for preventing and neutralizing terrorist threats and activities.**

**(Recommendation No. 1)**

**1.72 The Committee note that Global Terrorist Groups (GTGs) such as ISIS and Al Qaida are highly dependent on the encrypted messaging platforms for instructions and preparations of terror attacks, revival of their sleeper cells and have heavily made use of crowd funding and virtual currencies like bitcoins for terror financing. In addition to instigating lone wolf attacks, GTGs also radicalize youth through misinformation and false narrative *via* extensive use of social media platforms. The global response to GTGs includes passing of UN Resolutions, designation as terrorists, inclusion in the FATF grey and black list, prohibition of accesses of advanced technologies in the hands of terrorist, bilateral/joint operation in investigation of terror related cases, etc. Despite counter terrorism efforts across the globe, GTGs remain as a major challenge for global peace and security. In view of the threat to the global community and to humanity at large, the Committee desire that collective global efforts against GTGs should be strengthened and intensified through active coordination and effective implementation of the various UN resolutions and strict adherence to FATF norms for restricting the source of their financing. The Committee also urge the Government to initiate vigorous campaigns for collective action against these terrorist groups to prevent them from building capabilities to carry out terrorist attacks and disturbing global peace and security.**

**(Recommendation No. 2)**

**1.73** The Committee note that with the emergence of new technology and rise in the usage of internet, increase in cyber incidents is a global phenomenon. However, there is lack of global regulations in the use of cyberspace for terrorism and terrorist related activities. Though India proposed to include terrorism as a separate crime under the ongoing process of UN Ad Hoc Committee towards having a comprehensive international convention to counter the use of ICTs for criminal purposes, there was no significant support from member States to include ‘cyber terrorism’ as a separate crime. The Committee further note that effort is still being made to include ‘serious crime’ which may indirectly include cases related to terrorism on dual criminality basis and subject to certain other conditions and safeguards as would be agreed upon, in the proposed convention by member States. The Committee are of the view that a multifaceted approach involving the active participation of stakeholders including global cyber security and law enforcement organizations at regional and international levels is imperative to counter global cyber terrorism. The Committee, therefore, stress the need for the Government to make persistent efforts at the UN Ad Hoc Committee and work towards deeper cooperation amongst UN member countries so that a comprehensive international convention to counter the use of ICTs for criminal purposes is evolved at the earliest. The Committee also urge the Government to take initiatives for promoting regional and international cooperation in developing joint strategies, cyber threat intelligence sharing mechanisms, cross border initiatives, capacity building etc. to combat cyber terrorism.

**(Recommendation No. 3)**

**1.74** The Committee note that ransomware attack is one of the methods used in cyber terrorism. In counter ransomware, there are 36 member States and EU who are coordinating with each other globally. The Committee further note that there is a combination of reasons for non participation of the other countries in the coordinated global efforts to counter cyber terrorism. The Committee understand that some countries do not perceive the threat or feel that they would actually be affected by cyber attacks. However, the fact remains that cyber terrorism is a global phenomenon and the borderless



nature of cyberspace demands effective coordination amongst the international community to ensure that no country is compromised causing a cascading effect on the other countries. The Committee, therefore, urge the Government to make all out efforts for bringing the remaining countries under the coordinated efforts in countering ransomware for global cyber security.

**(Recommendation No. 4)**

1.75 The Committee note that regional and global terrorist organizations around the world have increasingly been using radicalization as tool to attract vulnerable sections of the society like impressionable youth. Radicalization has been taken as a central theme in the meetings of multilateral bodies like UN CTC, GCTF, SCO-RATs, etc. The GCTF has shared Best Practices on the issues of countering violent extremism and counter radicalization measures have been taken up in SAN-PVE and Colombo Security Conclaves. Project based collaboration has been started by EU countries to foster exchange and cooperation in prevention of radicalization. The Committee further note that various initiatives are underway by multilateral organizations like GIFCT, EU etc., for cyber patrolling to prevent misuse of internet by terrorists to spread radicalization. Trail of Dedicated Institution based mechanism in the vulnerable areas are also undergoing. The Committee are aware of the challenges being faced by India due to radical and extremist thoughts influencing the populace, particularly the youth and desire that the Government should be proactive and maintain close coordination with multilateral and regional bodies engaged in the prevention and spread of radicalization. India should also play a prominent role in working out/evolving counter radicalization measures and institution based mechanisms in collaboration with the international community for preventing the spread of radicalization and extremist ideology.

**(Recommendation No. 5)**

1.76 The Committee note that virtual currency, online payment and dark web transactions have attracted great attention from terrorist organizations. As per the report of the Financial Action Task Force(FATF) on Money Laundering entitled ‘Emerging Terrorism Financing Risks,’ virtual currencies such as Bitcoin, has increasingly been used

**in various illegal and criminal activities, facilitating money laundering and terrorist financing. The Committee are aware of the rapid stride in financial technology innovation by terrorists/terrorist groups and desire that the Government should work in close coordination with FATF and other bodies to bring about qualitative improvement in the regulatory capacity so that terrorists/terrorist organizations do not get new opportunity for financing of terrorism and related activities. Underlining the need to evolve a global regulatory consensus on bitcoin, the Committee urge the Government to make coordinated efforts amongst the global community in this regard.**

**(Recommendation No.6)**

**1.77 The Committee note that 40 recommendations on Money Laundering and terrorist financing of the FATF are recognized under the UN Security Council Resolution 1617 and the Plan of Action annexed to General Assembly resolution 60/288 as important tools in the fight against terrorism. These recommendations call for the criminalization of the financing of terrorism in accordance with the International Convention for the Suppression of the Financing of Terrorism, among other actions. The Committee further note that several regional treaties and bilateral agreements on counter-terrorism and tackling of organized crimes have mechanisms in place to assist the member States in combating financial and digital terrorism. The Committee are of the view that effective implementation of the FATF recommendations as well as the actionable points under the International Convention for the Suppression of the Financing of Terrorism by the global community would go a long way in combating money laundering and terrorist financing and hence, urge the Government to spread awareness on the need to take prompt action in this regard. The Committee also urge the Government to take initiatives for strengthening the mechanisms for combating financial and digital terrorism under various regional treaties and bilateral agreements.**

**(Recommendation No. 7)**

**1.78 The Committee note that potential threat from Chemical, Radiological, Biological and Nuclear (CRBN) includes use of CRBN materials by non state actors in the form of dirty bombs, dispersal devices and bio weapons. India actively participates in the discussions at the Biological Weapons Convention and the Chemical Weapons Convention**

aimed at preventing or mitigating the proliferation of biological or chemical weapons to non state actors. The Committee further note that in the 9<sup>th</sup> Biological Weapons Convention Review Conference held in Geneva from 28 November–16 December 2022, it was decided to establish a Working Group open to all States Parties to identify, examine and develop specific and effective measures, including possible legally-binding measures and make recommendations to strengthen and institutionalize the Convention in all its aspects. The Committee desire that the Government should extend all support and cooperation towards establishing a legally binding protocol and compliance and verification mechanism for the Biological Weapons Convention and the Chemical Weapons Convention to check the proliferation of biological and chemical weapons in the hands of terrorists. The Committee also desire that India should closely cooperate and collaborate with the UN and its relevant Committees/agencies as well as the member States in preventing terrorists from acquiring weapons of mass destruction.

**(Recommendation No.8)**

1.79 The Committee note that the problem of terrorism in India is largely sponsored from across the border. Terrorist outfits are provided safe havens, material support, finance and other logistics by Pakistan's ISI to carry out terrorist activities in India. The Committee are of the firm view that terrorist attacks in the country can only be curbed by dismantling all terrorist networks and safe havens and recommend that an action plan/mechanism may be worked out at the earliest for effective sharing of resources, capacity enhancement and pooling of available experts of the Central agencies as well as coordinated global efforts to root out terrorist networks and safe havens in the neighbouring countries.

**(Recommendation No. 9)**

1.80 The Committee note that the issue of cross-border terrorism in India was raised with the Government of Pakistan when situation was conducive for talks between the two countries. There has been no high-level interaction with the Government of Pakistan in the last three years. However, the Government consistently raises at the bilateral, regional and multilateral levels, the issue of Pakistan's continuing support to cross-border terrorism and terrorist infiltration and has also conveyed its continued concerns of cross-border terrorism emanating from Pakistan to its Counter Terrorism partner countries and the

international community at large. The Committee desire that the Government should keep up its diplomatic efforts to expose the nefarious activities of Pakistan and its links with various terrorist outfits at every fora while strengthening its land borders and sea routes to prevent terrorist infiltration. The Committee also desire that the Government should make regular assessment on whether the situation is conducive for resumption of high-level interaction with the Pakistan Government and take steps accordingly.

**(Recommendation No. 10)**

**1.81** The Committee note that the Government has made various efforts to check the use of drones, virtual currencies and encrypted communications by terrorists such as, implementation of Drone Rules by Ministry of Civil Aviation; Drone and Anti-Drone courses being run by NSG for State Police Forces and Central Armed Police Forces; Procurement of Anti-Drone equipments to counter Rogue Drones; developing capacity and infrastructure of India's law enforcement infrastructure, both at the Centre and in all States and Union Territories to combat the menace of virtual assets; issuance of advisories by RBI to regulate the crypto currency market in India; legal framework under the Information Technology Act 2008, IT Rules 2009, IT Rules 2021 and subsequent amendment of 2022, etc. The Committee further note that concerns have been raised by India in various bilateral and multilateral security related meetings. The Committee acknowledge the important steps taken by the Government in providing legal framework to check the use of drones, virtual currencies and encrypted communications by terrorists but further desire that collaborative efforts amongst different Ministries and agencies should be strengthened and enforcement of existing laws should be strictly monitored to ensure its effective implementation. Efforts may also be made at various bilateral, regional and multilateral fora to work out a Joint Action Plan to curb the use of drones, virtual currencies and encrypted communications by terrorists.

**(Recommendation No. 11)**

**1.82** The Committee note that the Indian Computer Emergency Response Team (CERT-In) which has been designated under Section 70B of the Information Technology Act, 2000 to serve as the national agency in the area of cyber security incident response, has been undertaking a number of measures including formulation of Cyber Crisis Management

**Plan (CCMP) for countering cyber-attacks and cyber terrorism for implementation by all Ministries/Departments of Central Government, State/UT Governments and their organizations; creation of a panel of IT security auditing organizations; launching of National Cyber Coordination Centre project; Cyber Threat Intelligence, Cyber security mock drills, etc. CERT-In has also entered into cooperation agreements in the area of cyber security with CERTs of 11 countries, viz, Bangladesh, Brazil, Egypt, Estonia, France, Israel, Japan, Maldives, Nigeria, Uzbekistan and Vietnam. The Committee further note that such MoUs have also been signed at the industry level. Keeping in view the fact that cyber attacks have become a global phenomenon, the Committee feel that greater global cooperation on cyber security is needed and urge the Government to secure the participation of all the countries in this regard. The Committee also urge the MEA and Indian Missions abroad to facilitate signing of such MoUs between CERT-In and CERTs of other countries as well as MoUs at the industry level.**

**(Recommendation No. 12)**

**1.83 The Committee further note that negotiations are ongoing with ICANN for setting up cluster of internet root servers in India. The Committee desire that the negotiations should be concluded at the earliest so that internet root servers are based in India to enable immediate response to cyber/malware attacks and contain/check such attacks at the ISP gateways itself. In view of the increasing incidents of cyber/malware attacks perpetrated by terrorists/terrorist organizations, the Committee stress the need to be proactive and not merely reactive towards such incidents and urge the Government to evolve a strong mechanism for collaborative efforts amongst the agencies concerned. The capabilities of these agencies to counter cyber/malware attacks in the country may also be enhanced.**

**(Recommendation No. 13)**

**1.84 The Committee note the misuse of internet and social media platforms by terrorists/terrorist groups for the radicalization and recruitment of vulnerable and brainwashed youths. The easy availability of radicalizing materials like audios, videos and literature; preaching extremism and openly denouncing other religions have contributed to radicalization. The Committee further note that a whole-of-the-Government approach**

taking on board all potent stakeholders of the society, especially community and the family, has been adopted to mitigate and confront the problem of radicalization and violent extremism. Under the Graded Police Response, family members of affected persons have actively been involved in counter radicalization process. The Committee acknowledge the important role of the community and family towards countering radicalization, but desire that legal measures for prevention of radicalization and recruitment of vulnerable and brainwashed youths should be put in place/enforced effectively. The Committee also desire that suitable action may be taken against those persons responsible for disseminating audios, videos and literature preaching extremism and openly denouncing other religions.

**(Recommendation No. 14)**

**1.85** The Committee note that India's Financial Intelligence Unit (FIU-IND), responsible for coordinating and strengthening the efforts of national and international intelligence, investigation and enforcement agencies in pursuing the global efforts against money laundering and terrorist financing has signed 48 agreements with its counterpart FIUs of other countries for exchange of financial intelligence. The Committee are aware of the increasing use of internet technology, virtual currency, online transactions, etc. by terrorists/terrorist groups and desire that the Government should maintain active coordination with the FIUs of other countries to ensure seamless flow of financial intelligence so as to prevent money laundering and financing of terrorism in the country. The Government should also explore the opportunity of signing more agreements with the remaining countries and constantly work towards strengthening the collection and sharing of financial intelligence through effective networking of FIUs at national, regional and international levels.

**(Recommendation No. 15)**

**1.86** The Committee note that the Government is committed to tackling the menace of terror financing in the country and keeps on evolving its strategies to be on par with the terrorists' organizations. To counter the use of crypto currencies and virtual assets in terror financing, Virtual Digital Assets Service Providers have been notified as Reporting Entities with effect from 07.03.2023 under the Prevention of Money Laundering Act 2002.

Further, in order to enable the service providers to effectively detect and report suspicious transactions, FIU-India has factored in various scenarios that could be indicative of terror financing into the Red-Flag indicators to be issued for the said Reporting Entities. The Committee also note that as on date, use of crypto currencies and virtual assets have not been noticed/identified in any of the cases related to terror financing being investigated by the Directorate of Enforcement. The Committee, however, desire that the Government should remain vigilant in the matter and tighten its detection and identification mechanism so that no cases of terror financing through crypto currencies and virtual assets occur in the country. The Committee also urge the Government to keep one step ahead of the financial technology innovation of terrorists/terrorist organizations.

(Recommendation No. 16)

1.87 The Committee note that the Atomic Energy Regulatory Board provides robust regulatory measures for the security of nuclear and radiological material through continuous oversight. India also has an inter-ministerial Counter Nuclear Smuggling Team to strengthen the inter-agency platform for the exchange of information, coordination, cooperation to counter nuclear smuggling incidents to prevent illicit movement of radioactive material. The Committee further note that the National Disaster Response Force under the Ministry of Home Affairs is one of the agencies responding to CBRN contingencies in the public domain in coordination with other stakeholders while the National Authority Chemical Weapons Convention is a national focal point for effective implementation of the Chemical Weapons Convention to which India is one of the initial signatories. The Committee acknowledge the mechanisms/systems put in place by the Government to deal with CBRN threats from terrorist organizations but desire that coordination amongst all the agencies and stakeholders concerned should be streamlined for prevention and quick response to CBRN contingencies. As there has been a quantum shift in terms of access to advanced technology by terrorist groups, the Committee underscore the need to remain vigilant and keep abreast of such terrorist groups through continuous updation/induction of advanced technology, intelligence sharing, capacity enhancement through training of agencies and security personnel, CBRN security exercises, increased collaborations and close cooperation with the international

community in this regard. The Committee also desire that assessment of India's preparedness for response to CBRN threats in the country should be a continuous process so that the Government is fully prepared to face such threats and is not found wanting in the event of CBRN emergencies/attacks.

(Recommendation No. 17)

1.88 The Committee note that the Ministry's holistic approach to counterterrorism at regional and international level has helped in bringing our core concerns of cross-border terrorism to mainstream national discourse. Many terrorist entities and individuals who find shelter in neighbouring countries and are also engaged in terrorism against India, have been proscribed by the United Nations, the European Union and other countries. The Committee understand that India is now at the forefront of global standards setting on the issue of counterterrorism and our agencies have also gained a lot over the years through international cooperation. The Committee, however, feel that a lot more needs to be done especially in the light of the prevailing domestic terrorism scenario. The Committee stress the need to build up on what we have gained after due assessment of the areas which are lacking, and focus on Joint efforts and strengthening international cooperation in the fight against the scourge of terrorism.

(Recommendation No. 18)



## CHAPTER II

### GUIDING PRINCIPLES AND LEGAL FRAMEWORKS FOR COUNTERING TERRORISM

#### A. Guiding Principles of India's Counter Terrorism Strategy

2.1 India's counter terrorism doctrine is based on the principle recognized by the UN that terrorism in all its forms is a criminal activity and is not justified on any ground be it political, religious, ethnic, social, etc.

2.2 The guiding principles and salient features of India's counter-terrorism doctrine/strategy are enumerated below:

- India is guided by its policy of 'zero tolerance' towards terrorism and is committed to combating terrorism in all its forms and manifestations.
  - India has a federal structure, where the primary responsibility for 'Public Order' and 'Police' rests with the State Governments as per the 7th Schedule of the Constitution of India. However, in matters such as terrorism, the Central Government assists the State Governments acknowledging it as a shared responsibility.
  - The problem of terrorism in India is largely sponsored from across the border. The Pak ISI has close links with terrorist outfits like Lashker-e-Toiba (LeT), Jaish-e-Mohammad (JeM), Hizbul Mujahideen (HM), Indian Mujahideen (IM), etc. and provides them safe havens, material support, finance and other logistics to carry out terrorist activities in India.
  - India has adopted multi-pronged CT approach. There are various laws to back Counter Terrorism efforts of the Government. However, Unlawful Activities (Prevention) Act (UAPA), 1967 and the National Investigation (NIA) Act, 2008 are at the fulcrum of Indian legal framework dealing with challenges from terrorism.
  - The UAPA is the flagship law to deal with terrorist activities and matters connected therewith. The Act has been amended in 2004, 2008, 2013 and 2019 to make it more stringent.
  - NIA was constituted under the NIA Act 2008 as a Special Agency for investigation and prosecution of terror related offences. The Act was amended in year 2019 to expand its jurisdictions to Indian property/citizens outside India and to include certain new offences to its schedule.
  - There is close and effective coordination amongst intelligence agencies/security agencies of the Centre and the State levels through Multi Agency Centre (MAC) platform for prompt action.
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- India is a staunch supporter of the United Nations' Global Counter-terrorism Strategy (GCTS) adopted in 2006. India is party to the 13 sectoral conventions on terrorism

adopted by the United Nations and is complying with the UN sanction regime against individuals and entities vide UNSCR 1267, 1373 and subsequent resolutions. India has entered Joint Working Group (JWG) on counter terrorism with 26 countries and 3 international organizations, namely, the European Union (EU), Bay of Bengal Initiatives for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) and BRICS.

- Terror Finance is oxygen for terrorism and to disrupt its channels effectively, the UAPA has criminalized the whole gamut of terrorist financing, which is aligned with the UN Security Council Resolutions 1267 and 1373. MHA has issued comprehensive guidelines for implementation of this provision.
- India has become a full member of the Financial Action Task Force (FATF), an inter-Governmental Body, which makes recommendations relating to Combating of Financing of Terrorism, Money Laundering, etc. In June, 2010. India is also a member of FATF Styled Regional Bodies (FSRBs), viz., Eurasia Group on Combating Money Laundering and Financing of Terrorism (EAG) and Asia Pacific Group on Money Laundering (APG).
- India actively engages with various regional bodies like ASEAN, ARF, SCO, EAS, G-20, BRICS and SAARC on counter terrorism. India is also member of several regional groups, on counter terrorism subjects, such as ASEAN, ARF, SCO, EAS, G-20, BRICS and SAARC.

2.3 The factors shaping India's counter-terrorism strategy are as under:

- India faces cross border terrorism. India's troubled neighbourhood, especially Afghanistan, Pakistan etc poses significant risk to India's security and has implications upon Counter Terrorism strategy of India
- Besides, India remains a recruitment target for global terror groups that are operating in South Asia, viz. AQ & ISIS. These groups are active in cyber space and radicalizing the vulnerable population to conduct terror attacks.

2.4 The Government has also taken the following initiatives in counter terrorism unilaterally and through multilateral approach :-

- Counter Terrorism strategy of the country is multi-pronged. This includes removing the conditions conducive to terrorism through a whole-of society approach, identification of vulnerable sections prone to exploitation by the radical elements, disseminating counter- and alternative narratives in close association with Civil Society/NGOs, as well as coordinated counter-radicalisation and CT efforts by different law enforcement agencies.
- The UA (P) Act, 1967 is the principal legal regime for CT purposes with NIA as the Lead Investigating Agency to investigate terror related cases. Government of India through relevant

amendments has made terror related laws more effective to deal with the emerging terrorist threats and challenges.

- Multi Agency Centre (MAC), the nodal agency at the centre coordinates and disseminates threat inputs with its member agencies including state Police for prompt counter action. Besides, agencies like FIU, ED, DRI, FICN Coordination Group (FCORD), Narco Coordination Centre (NCORD), etc. deal in a coordinated manner with the menace of Money laundering/Terror Financing.
- India is fully compliant with various United Nations Security Council Resolutions on terrorism. Besides agency-to-agency liaison, India has entered into various structured co-operation and dialogue mechanisms like JWG on CT, MLAT, ET etc. with the countries of interest. In addition, CT and other security concerns are also pursued through various regional/multilateral forums like SAARC, BIMSTEC, SCORATS, BRICS, UN, FATF etc. The fundamental rationale of all anti-terrorism measures is to protect human rights and democracy. The values of human life, dignity and freedom are enshrined in and guaranteed by the Constitution of India and any divergence is addressed in the court of law. India has set-up an overarching mechanism for monitoring human right violations covering all aspects of UN Charter, with institutions like NHRC, SHRCs, etc. An independent media as well as robust internal oversight mechanisms complement each other in keeping over reach on the part of executive under check.

### **Multilateral Approach**

- India is a staunch supporter of the United Nations' Global Counter-terrorism Strategy (GCTS) adopted in 2006. India is party to the 13 sectoral conventions on terrorism 7 adopted by the United Nations. India is not only fully complying with the UN sanction regime against individuals and entities vide UNSCR 1267, 1373 and subsequent resolutions, but has also, under its existing laws, declared 44 entities as terrorist organizations and 56 individuals as designated terrorists.
- India has entered Joint Working Group (JWG) on counter terrorism with 27 countries and three international organizations, namely, the European Union (EU), Bay of Bengal Initiatives for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) and BRICS.
- India has Mutual Legal Assistance Treaty with 45 countries, Extradition Treaties with 50 countries.
- India has become a full member of the Paris-based FATF on the 25th June, 2010. India is also a member of FATF Styled Regional Bodies (FSRBs), viz., Eurasia Group and Asia Pacific Group (APG). India actively engages with various regional bodies like ASEAN, ARF, SCO, BRICS and SAARC on counter terrorism.
- India is also member of several regional groups, on counter terrorism such as ASEAN, ARF, SCO, BRICS and SAARC.

2.5 When asked whether India's counter terrorism doctrine has undergone any change in the recent years, the Ministry has informed that due to emerging challenges in Counter Terrorism domain with increasing use of technology, drones, misuse of internet by terrorists, crypto transactions, use of encrypted communication platforms and social media by terrorists, the counter terrorism mechanism has been evolving continuously in terms of amendments in legislations, facilities and equipments for Law Enforcement Agencies, technological upgradation, skill enhancement of personnel etc.

2.6 In its Background note furnished to the Committee, the Ministry has also stated that India's call for zero tolerance to terrorism, rejection of any justification for any act of terror, delinking terror from religion, need for all countries to unite in the fight against terrorism, has found greater acceptance among the international community and is reflected in a number of outcome documents issued after bilateral Summits and other meetings with various countries and at regional and multilateral fora.

2.7 The outcome documents issued after bilateral summits and other meetings with various countries and at regional and multilateral fora are as under:

- (a) 1<sup>st</sup> India-Australia Annual Summit : Joint Statement (March 2023)
- (b) India-Italy Joint Statement during the State Visit of the President of the Council of Ministers (Prime Minister) of the Italian Republic to India (March 2023)
- (c) India-Egypt Joint Statement during the State visit of President of Egypt to India (January 2023)
- (d) Press Statement of the BRICS Minister of Foreign Affairs and International Relations on the margins of the 77<sup>th</sup> Session of the United Nations General Assembly (September 2022)
- (e) Samarkand Declaration of the Council of Heads of State of Shanghai Cooperation Organisation (September 2022)
- (f) India-Maldives Joint Statement during the Official visit of President of Maldives to India (August 2022)
- (g) XIV BRICS Summit Beijing Declaration (June 2022)
- (h) India-France Joint Statement during the visit of Prime Minister to France (May 2022)
- (i) Quad Joint Leaders' Statement (May 2022)
- (j) Joint Statement : 6<sup>th</sup> India-Germany Inter-Governmental Consultations (May 2022)
- (k) Joint Statement on the Visit of the Prime Minister of UK to India: Towards shared security and prosperity through national resilience (April 2022)
- (l) Joint Statement : India-Australia Virtual Summit (March 2022)

2.8 On being asked whether any review/monitoring has been done on the status of implementation of such outcome documents, the Ministry has informed that counter-terrorism is an ongoing issue. It is regularly monitored at various levels.

2.9 The Committee enquired whether the evolving India's counter terrorism strategy/mechanism has been able to keep pace with emerging challenges in counter terrorism domain with increasing use of technology, drones, misuse of internet by terrorists, crypto transactions, use of encrypted communication and social media platforms by terrorists, etc. the Ministry responded that the following have been successful due to the India's CT efforts on global arena:

- The UN CTC visited India for the first time to review Mumbai Terror Attack and its aftermath in order to bring perpetrators to justice.
- Last year India held annual Chair-ship of BRICS to deliberate and address issues related to Counter Terrorism, in unison with GCTF members.
- India is a participant in several prominent virtual meets of UNOCT, UNODC, BRICS and GCTF, explicitly to condemn and eradicate terrorism in all its forms and manifestations through coordinated international efforts.
- There is regular exchange of information with foreign partners/agencies and efforts are underway to setup recognized CT Nodal points for expeditious exchange of actionable inputs.
- India assumed the rotating Presidency of G20 from 01 December 2022 to 30 November, 2023 wherein the issues of counter terrorism and radicalization were deliberated.

## **B. Legal Frameworks for Countering Terrorism at Regional and International Levels**

2.10 The legal framework for combating transnational crimes and terrorism includes Mutual Legal Assistance Treaties (MLATs) in Criminal Matters, Extradition Treaties, Memoranda of Understanding/Agreements on Security Cooperation and Memoranda for setting up Joint Working Group on Countering Terrorism which are signed between India and other countries, etc. Such Treaties/ Agreements are signed with a view to securing cooperation and assistance to enable India to counter terrorism, organised crimes, drug trafficking, money laundering, counterfeiting of Indian currency notes, etc. Legal action against wanted terrorists in other countries is also pursued through the INTERPOL. Till date India has signed extradition treaties with 50 countries (yet to be ratified by Kazakhstan and Morocco) and has extradition arrangements with another 12 countries.

2.11 During the course of evidence on 10 November 2022, when the Committee enquired whether a uniform convention at the United Nations level was visualized at any point of time instead of signing extradition treaty with respect to various States, the Secretary (East), MEA submitted:

“... the challenge in the United Nations is this. In the comprehensive convention on terrorism, you know, there are issues of definition and also other issues. So, getting all the 193 members agreeing on a particular document becomes a long grown out process. Not to say, it does not happen. I think, the Biological and Chemical Weapons Convention and other treaties are case in point where things are done. So, while that could be followed, I think, we have been approaching the bilateral method. We have other countries I know where we have ongoing discussions and negotiations to conclude the extradition treaty. But your point is well taken, Sir. That is something to be considered upon”.

2.12 The Ministry has also stated that Mutual Legal Assistance Treaty (MLAT) in Criminal Matters is one of the significant instruments to improve and facilitate effectiveness of contracting countries in the investigation and prosecution of crimes, including crimes related to terrorism by providing necessary legal framework for rendering/ receiving legal assistance in criminal matters. As on date, Treaties/Agreements on Mutual Legal Assistance in criminal matters are in force with 41 countries.

2.13 The names of the countries with which India signed Mutual Legal Assistance Treaty Agreement in Criminal Matters are given below:

<b>S.No.</b>	<b>NAME OF COUNTRY</b>
1.	Turkey
2.	Switzerland
3.	United Kingdom
4.	Canada
5.	Russia
6.	France
7.	United Arab Emirates
8.	Kyrgyz Republic
9.	Kazakhstan
10.	Uzbekistan
11.	United States of America
12.	Mongolia

13.	Tajikistan
14.	Ukraine
15.	South Africa
16.	Kuwait
17.	South Korea
18.	Bahrain
19.	Thailand
20.	Singapore
21.	Mauritius
22.	Belarus
23.	Spain
24.	Bulgaria
25.	Vietnam
26.	Mexico
27.	Egypt
28.	Australia
29.	Iran
30.	Hong Kong SAR
31.	Bosnia & Herzegovina
32.	Bangladesh
33.	Sri Lanka
34.	Myanmar
35.	Indonesia
36.	Malaysia
37.	Azerbaijan
38.	Israel
39.	Oman
40.	Cambodia (Not in Force)
41.	Morocco (Not in Force)
42.	Maldives

43.	Brazil (Not in Force)
44.	Belgium
45.	BIMSTEC Convention (Not in Force)
46.	Poland (Not in Force)

2.14 The details of Agreements/MoUs signed by India on Security Cooperation with other countries are as under:

S. No.	Name of country and subject of the Agreement/MoU
1.	Agreement on cooperation and interaction between the Ministry of Home Affairs of Republic of India and the Federal Security Service of the Russian Federation. Note: Amendments to this Agreement were made vide Protocol signed on 28.11.2017.
2.	Agreement between India and Bulgaria for cooperation in combating organized crime, international terrorism and illicit participating in Narcotic drugs and psychotropic substances
3.	Agreement between the Government of the Republic of India and Government of Romania regarding cooperation in combating organized crime, international terrorism, illicit trafficking of narcotic drugs and psychotropic substances and other illegal activities
4.	Cooperation Agreement between The Government of the Republic of India and The Government of the Arab Republic of Egypt to Combat all forms of Criminal Acts particularly Terrorist, Transnational and Organized Crimes.
5.	Memorandum of Understanding on Joint cooperation for combating crime between Government of the Republic of India and the Government of Oman
6.	Agreement on cooperation to combat Terrorism organized crime and illicit Trafficking in narcotic drugs and psychotropic substances between the Government of the Republic of India and The Government of the Italian Republic
7.	Cooperation agreement between Government of Republic of India and Government of Republic of Croatia on Combating International Illicit Trafficking in Narcotics Drugs and psychotropic substances, international terrorism and organized crime
8.	Agreement between The Government of the Republic of India and The Government of Republic of Poland on cooperation in



	combating organized crime and international terrorism
9.	Agreement on combating international terrorism, organized crime and illicit drug trafficking between India and Cambodia
10.	Agreement between India and Cyprus on combating international terrorism, organized crime and illicit drug trafficking.
11.	MoU between India and Qatar on cooperation on Security and Law enforcement matters.
12.	Agreement on combating international terrorism, organized crime and illicit drug trafficking between India Bangladesh
13.	India-US counter terrorism cooperation initiative.
14.	MoU between India and Maldives on combating international terrorism, illicit drug trafficking and enhancing bilateral cooperation in capacity building, disaster management and coastal security
15.	Agreement on security cooperation between India and United Arab Emirates (UAE)
16.	Agreement on security cooperation between India and Mozambique
17.	Agreement on combating international terrorism and illicit Drug Trafficking with Sri Lanka
18.	Agreement on combating international terrorism and illicit Drug Trafficking with Sri Lanka
19.	Memorandum of Understanding between The Ministry of Home Affairs of the Republic of India and The Ministry of Justice of Mongolia for enhancing co-operation in Border guarding , policing and surveillance
20.	Memorandum of Understanding (MoU) between the Ministry of Home Affairs of the Republic of India and the Federal Ministry of the Interior of the Federal Republic of Germany on Security Cooperation
21.	Agreement between GoI and Govt. of Kingdom of Bahrain on cooperation in combating International terrorism, Transnational organized Crime and trafficking in illicit drugs, narcotic drugs, narcotic and psychotropic substances and precursor chemicals.
22.	Memorandum of Understanding between the Government of the Republic of India and the Government of Australia on cooperation in combating international terrorism and transnational organized crime (Valid up to 10 years w.e.f. 10.04.2017)
23.	Agreement on Cooperation between the Ministry of Home Affairs of the Republic of India and the Ministry of the Interior of the Russian

	Federation
24.	Memorandum of Understanding between The Ministry of Home Affairs of the Republic of India and The Home Office of the United Kingdom of Great Britain and Northern Ireland Regarding Co-operation and the Exchange of Information for the Purposes of Combating International Criminality and Tackling Serious Organized Crime. (Not in force)
25.	Agreement on Cooperation between Ministry of Home Affairs of the Republic of India and Ministry of Public Security of the People's Republic of China. (Valid upto 21.10.2029)
26.	Memorandum of understanding between the Ministry of Home Affairs of the Republic of India and the Korean National Police Agency of the Republic of Korea on combating transnational crime and developing police cooperation (Not in force)
27.	Agreement on Security Cooperation between the Government of the Republic of India and the Government of Kingdom of Saudi Arabia
28.	Agreement between the Ministry of Home Affairs of the Republic of India and the Ministry of Internal Affairs of the Republic of Uzbekistan on Cooperation in the field of Combating Transnational Organized Crime and International Terrorism

2.15 When enquired whether any proposal is under consideration for signing such Treaties/Agreements currently and assessment of the requirement for signing such treaties/Agreements with the remaining countries, the Ministry has stated that signing of Mutual Legal Assistance Treaty in Criminal Matters with Germany & Mozambique are at final stage. Further, negotiation meetings are going on with Kenya, Philippines and Nepal for finalisation of text of the Treaty. Proposals for signing of Security Cooperation Agreements etc. with USA, Brazil, Mongolia, Belarus etc. are in pipeline.

2.16 The Committee sought to know how far such Treaties/Agreements have been beneficial in countering terrorism and related activities in India, they have been informed that MLAT in Criminal Matters is one of the significant instruments to improve and facilitate effectiveness of contracting countries in the investigation and prosecution of crime, including crimes related to terrorism by providing necessary legal frame work rendering *I* receiving legal assistance in criminal matters. These bilateral instruments improve the effectiveness of both countries in prevention, investigation, prosecution and suppression of

crimes and to continue cooperation between the intelligence and law enforcement agencies of the participants.

2.17 Security Cooperation Agreements between India and other countries are signed with a view to establish an institutional mechanism to enhance cooperation for combating transnational crimes and international terrorism, cyber crimes, drug trafficking, money laundering, counterfeiting of Indian currency notes, human trafficking etc. These platforms which are established under the security cooperation agreements etc. are used to raise issues of mutual concerns and explore the possibilities to address these security concerns.

2.18 On the measures taken for capacity enhancement on counter terrorism, the Ministry has stated that in order to enhance capacity on Counter Terrorism, India has established Joint Working Groups on Counter Terrorism (JWG-CT) with 27 countries namely Australia, Canada, China, Egypt, France, Germany, Indonesia, Israel, Italy, Japan, Kazakhstan, Malaysia, Maldives, Mauritius, Morocco, Netherlands, Nigeria, Philippines, Russia, Singapore, Tajikistan, Tanzania, Turkey, Saudi Arabia, United Kingdom, United States of America and Uzbekistan.

2.19 India has been engaged with regional bodies such as Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC), South Asian Association for Regional Cooperation (SAARC), Association of South East Asian Nations (ASEAN) Regional Forum, Shanghai Cooperation Organisation (SCO), BRICS and QUAD forum.

2.20 Regular training courses, conferences and joint exercises are conducted in collaboration with State police and foreign partners to keep abreast of latest security methods/solutions and best practices to counter terrorism as well as in the field of emerging technologies. New technological tools are being procured for enhancing capacity in Counter Terrorism operations.

2.21 The ambit of Multi Agency Centre dealing with Counter Terrorism has been expanded to include linkages of other crimes with terrorism. National Security Guard (NSG) and NIA nodes and capacities have been expanded to deal with Counter Terrorism responses.

2.22 India has been engaged with regional multilateral bodies such as BIMSTEC, SAARC, and ASEAN.

### **Coordination with INTERPOL**

2.23 When enquired about the mechanism for coordination with INTERPOL for taking legal action against wanted terrorists in other countries, the achievements in this regard including the number of legal action proposed to INTERPOL and actually taken against wanted terrorists in other countries, the Ministry has stated that each of member countries hosts an INTERPOL National Central Bureau. This connects their national law enforcement with other countries and with the General Secretariat via secure global police communications network. Central Bureau of Investigation (CBI) is designated as National Central Bureau for India.

2.24 INTERPOL Notices are used to share criminal intelligence and geolocate terrorists. INTERPOL Red Notice is used for locating and detaining criminals with the member countries. INTERPOL maintains various database relating to terrorist and terror offences.

2.25 NIA is the central investigation and prosecution agency for terror related offences. A total of 91 Red Notices relating to terror offences have been published by INTERPOL on behest of NIA through NCB.

### **Countering Terrorism at Bilateral Level**

2.26 India has established Joint Working Groups on Counter Terrorism (JWG-CT) with 27 countries namely Australia, Canada, China, Egypt, France, Germany, Indonesia, Israel, Italy, Japan, Kazakhstan, Malaysia, Maldives, Mauritius, Morocco, Netherlands, Nigeria, Philippines, Russia, Singapore, Tajikistan, Tanzania, Turkey, Saudi Arabia, United Kingdom, United States of America and Uzbekistan.

2.27 Since November 2022 till date, India has organised meeting on JWG-CT with USA, Morocco, Canada and Egypt. In the JWG-CT meetings, India and the counterparts discussed issues of shared interests in combating terrorism, strengthening counter-terrorism collaboration, exchange of good practice and sharing of information.

2.28 India-UK Round-Table on 'Preventing Terrorist Use of Internet (PTUI) and End to End Encryption (E2EE)' was held on 19 January 2023 in virtual mode.

2.29 When asked whether any study on best international practices on countering terrorism has been conducted by the Government, the Ministry has informed that on the basis UN Counter Terrorism Strategy, a draft National Counter Terrorism Strategy has been formulated and shared with MHA. Besides, during the regular JWG-CT and other bilateral meetings best practices on CT have been exchanged with the participating countries.

## **C. Legislative Frameworks and Institutional Mechanisms for Countering Terrorism at the National Level**

### **(i) Framework under MHA**

2.30 The Unlawful Activities (Prevention) Act, 1967 (UAPA), is the flagship law to deal with certain unlawful activities of individuals and associations and for dealing with terrorist activities and matters connected therewith. The Act defines the terrorist act as any act done with intent to threaten or likely to threaten the unity, integrity, security or sovereignty of India or with intent to strike terror or likely to strike terror in the people or any section of the people or in any foreign country. The Unlawful Activities (Prevention) Act, 1967, has been amended in 2004, 2008, 2013 and 2019 to make it more stringent.

2.31 The UAPA Act empowers the Central government to declare an organization or individual as terrorist organization or terrorist, if it or he/she commits or participates in acts of terrorism, prepares for terrorism, promotes or encourages terrorism or otherwise involves in

terrorism. Till date, the Government of India has declared 44 organizations as terrorist organizations and 56 individuals as terrorists under the said Act.

2.32 The National Investigation Agency (NIA) was constituted under the NIA Act of 2008 as a Special Agency for investigation and prosecution of terror related offences. The NIA headquarters is at New Delhi and it has 18 branch offices which are located at Hyderabad, Guwahati, Kochi, Lucknow, Mumbai, Kolkata, Jammu, Raipur, Chandigarh, Chennai, Imphal, Ranchi, Ahmadabad, Jaipur, Bhubaneshwar, Bengaluru, Patna and Bhopal. A total of 50 NIA Special Courts have been constituted in the States/Union Territories for speedy trial of NIA cases. The Central Govt. has given 568 cases to the NIA for investigation and prosecution, so far.

2.33 The National Security Guard acts as the federal counter terrorism response force. NSG has its hubs at various places like New Delhi, Chennai, Kolkata, Hyderabad, Mumbai and Gandhinagar.

2.34 There is close and effective coordination amongst intelligence agencies at the Centre and the State levels.

2.35 Institutions like Multi Agency Centre (MAC) and Subsidiary Multi Agency Centre (SMAC) have been re-organized to enable it to function on 24x7 basis for real time collation and sharing of intelligence with central security agencies and law enforcement agencies of States for prompt action.

**(ii) Mechanism under Department of Revenue**

2.36 The Department of Revenue is actively engaged in countering the financing of terrorism, both as the nodal body for international cooperation under the aegis of Financial Action Task Force, and as an apex coordination body for action against financing of terrorism.

2.37 Financial Intelligence Unit–India (FIU-IND) is the Central National Agency responsible for receiving, processing, analyzing and disseminating information related to suspected financial transactions. It is also responsible for coordinating and strengthening efforts of national and international intelligence, investigation and enforcement agencies in pursuing global efforts against terror financing. FIU disseminates Suspicious Transaction Reports (STRs) and Cash Transaction Reports (CTRs) to intelligence and enforcement agencies on a regular basis. FIU-IND has negotiated and entered into bilateral MoUs with 47 FIUs in foreign jurisdictions. It is also a member of Egmont group and exchanges intelligence on terrorist financing with other FIUs.

2.38 When enquired about the role played by the MEA to foster international cooperation for facilitating exchange of financial intelligence, the Ministry has informed that India's Financial Intelligence Unit (FIU-IND) has signed 48 agreements with its counterparts FIUs of other

countries for exchange of financial intelligence. MEA during its various interaction with foreign counterparts invites FIU India as per requirements of agenda. Issues of Intelligence Cooperation including exchange of Financial Intelligence are discussed in various Joint Working Group-Counter Terrorism meetings. MEA also facilitates FIU to FIU exchanges between friendly foreign countries.

2.39 Regarding the coordination that exists between the other investigating agencies and the financial intelligence unit, the Additional Secretary (Revenue) during the course of evidence on 29 March 2023, stated as under:

“we have a multi-agency centre which is constantly working together, which includes Intelligence Bureau, Cabinet Secretariat, FIU, all the law enforcement agencies, including NIA, State Police, and CBI. We are all connected, and the information is shared on real-time basis. There are regular meetings to have an assessment of the information. The report is published regularly for these agencies to share the information with each other and act on it. As I said, if there is any credible information that comes out, which needs action, that is shared through this inter-agency coordination to the law enforcement agency to act on that”.

**(iii) Institutional Framework under MEITY**

2.40 Government of India under the Information Technology Act, 2000 has established two distinct institutional mechanisms for prevention of the use of cyberspace for terrorism and terrorist related activities:

- I. National Critical Information Infrastructure Protection Centre (NCIIPC) has been set up under Section 70A of IT Act 2000 and notified as the national nodal agency in respect of Critical Information Infrastructure Protection.
- II. Under the provisions of section 70B of the Information Technology Act, 2000, the Indian Computer Emergency Response Team (CERT-In) is designated as the national agency for responding to cyber security incidents.

2.41 CERT-In entered into cooperation agreements in the area of cyber security with CERTs of 11 countries. At present such Memorandum of Understandings (MoU) have been signed with Bangladesh, Brazil, Egypt, Estonia, France, Israel, Japan, Maldives, Nigeria, Uzbekistan and Vietnam.

**(iv) Cyber Diplomacy Division of MEA**

2.42 The Committee observed that the Cyber Diplomacy Division of the MEA is the nodal point for discussions on cyber security issues, data protection, cyber crime and internet governance in consultation with other Government of India stakeholders and sought to know the issues discussed and consultations held with the stakeholders along with the outcome during the

last two years and in the current year along with the manner in which the Division coordinates with the stakeholders. The Ministry responded that Cyber Diplomacy Division, MEA leads the Cyber Diplomacy Dialogues with participation of various Government of India stakeholders like MHA, MEITY, CERT-In, NCIIPC, DRDO, CBI, NSCS, etc. It leads the UN Open Ended Working Group on Security in the use of ICTs (OEWG). The OEWG has the mandate for 2021-25. Its meetings are held in New York. Till now 5 substantive meetings have taken place and the Chair of OEWG has issued two consensus annual reports. The OEWG is engaged in negotiating more confidence building measures, capacity building of nation states, strengthening the existing norms, rules and principles of State behavior, etc. The ongoing discussions in OEWG process have become highly politicized due to current geo-political situation, acrimonious and progress, if any, is extremely slow. India as proposed to establish a universal directory under the OEWG progress which could provide information related to initiatives, programmes, points of contact, etc. at one place. The Indian initiative has been taken note of.

2.43 UN Ad Hoc Committee to elaborate a comprehensive international convention to counter the use of ICTs for criminal purposes (UN AHC) was established by a UNGA Resolution which was co-sponsored by India along with Russia and other countries. The UNGA Resolution was opposed by Western countries and those who were members of Budapest Convention on cybercrime, a regional convention. India is not a member of Budapest Convention on Cybercrime. Indian view was that a UN Convention on ICT crimes would have a universal application and hence preferable. Cyber Diplomacy Division, MEA led the Indian delegation in UN Ad Hoc Committee to elaborate a comprehensive international convention to counter the use of ICTs for criminal purposes (UN AHC) till 3<sup>rd</sup> Session. 4<sup>th</sup> and 5<sup>th</sup> Session of UN AHC was co- led by MEA and MEITY. The 6<sup>th</sup> Session of UN AHC was co-led by MEITY and MHA as deals with the crimes issues and Cyber Diplomacy Division provided the diplomatic support. The draft text convention was discussed during the 6<sup>th</sup> Session of UN AHC but member States moved large number of amendments to it. Hence, Chair of UNAHC decided that she will circulate a final draft text convention prior to 7<sup>th</sup> and last Session of UN AHC scheduled in January / February 2024. MHA, MEITY and other stakeholder will examine the draft text of convention as and when it made available sometime in December 2023 to prepare Indian response.

2.44 NSCS have separate Cyber Security Dialogues to specifically deal with the Cyber security issues. Issues related to data protection and internet governance are core areas where MEITY has been leading the policy making. The policy making in Cybercrime is specifically being dealt by MHA. On all these issues Cyber Diplomacy Division, MEA does provide diplomatic support in international forums on the basis of inputs received from these stakeholders. Cyber Diplomacy Division has been leading the working groups on ICT in BRICS, SCO and ASEAN Regional Forum (ARF). There has not been much progress in these forums due to diverse priorities of participating countries and their inter-personal relationships. The tangible progress under BRICS in the last working group meeting held in Johannesburg was that BRICS countries have exchanged the Points of Contact of their CERTs who could eventually be

contacted on cyber incidents. Participation in ARF forum on ICT is very diverse which includes major countries like USA, EU, Russia, China, Japan, Australia, some countries of Asia and Africa also and this forum is lead by Association of South East Asian Nations (ASEAN). There is some progress on establishing Points of Contact in this forum on voluntary basis. From India, NSCS and CERT-In are the Points of Contacts for reporting the cyber incidents.

2.45 To strengthen the Indian cyber security, Cyber Diplomacy in MEA is at the forefront in facilitating the MOU/MOCs for CERT-In. It has been encouraging CERT-In to have MOU/MOCs with more and more countries. In 2020, CERT-In had 16 number of MOU/MOCs. Cyber Diplomacy Division has proposed to CERT-In another 27 number of MOU/MOCs in last two years i.e. 2022 and 2023 and the current CERT-In MOU/MOCs are 13 and another 12 are in various stages of renewal. Cyber Diplomacy Division continues to encourage and recommend CERT-In to initiate discussions/negotiations with majority of countries as it will help India in cyber security. In this regard other GOI stakeholders could help CERT-In by providing necessary and urgent clearances.

2.46 On the role played by the Cyber Diplomacy Division to secure international cooperation on cyber related issues along with the cyber dialogues held with other countries and the outcome thereof, the Ministry has informed that the developments in the Cyberspace are evolving. There is no specific international law that governs the cyberspace. The diplomatic outreach made by Cyber Diplomacy Division through Cyber Dialogues and its various engagements in regional, multilateral and UN processes is an ongoing process. All these efforts are made to put forth the Indian perspective at all these forums. In the regional, multilateral and UN processes, no single country determines the outcomes. Some of the tangible outcomes where Indian delegation participation contributed are: (i) UN GGE report 2015, (ii) UNOEWG 2021-25 – two annual consensus reports, (iii) UN AHC ongoing negotiations, (iv) Exchange of CERT Points of Contacts in BRICS format, etc.

2.47 On being asked to suggest ways and means for a more pro-active role by the Cyber Diplomacy Division globally and in collaboration with the National Critical Information Infrastructure Protection Centre (NCIIPC) and the Indian Computer Emergency Response Team (CERT-In) under the Ministry of Electronics and Information Technology at the national level to prevent cyber attacks by terrorists/terrorist organizations, the Ministry has stated that Cyber space is increasingly becoming important for all countries. Realizing its importance, all the major countries like USA, Russia, China, UK, France, Germany, EU, Japan, Brazil, etc have deployed large diplomatic teams to safeguard their interests and articulate their views in the field of cyber space at the international level. The efficiency and effectiveness of Cyber Diplomacy Division in MEA could be increased by providing enhanced man power so that it can play more pro-active role globally.



2.48 National Critical Information Infrastructure Protection Centre (NCIIPC) and the Indian Computer Emergency Response Team (CERT-In) under the Ministry of Electronics and Information Technology should proactively provide regular updates to the Cyber Diplomacy Division on the incidents that come to their knowledge and their origins so that the information could be leveraged diplomatically at appropriate time and level. This can also open up opportunities for international collaboration, capacity building and building trust.

2.49 Regarding the efforts made by the MEA for cooperation and coordination with MeitY and other stakeholders/agencies in the country to address the cyber security challenges emanating from terrorist threats/activities are lack of cyber security skilled manpower, lack of indigenous cyber security products, lack of global regulations in the use of cyber space for terrorism and terrorist related activities, the Committee have been informed that Cyber Diplomacy Division, MEA leads the Cyber Diplomacy Dialogues with participation of various Government of India stakeholders like MHA, MEITY, CERT-In, NCIIPC, DRDO, CBI, NSCS, etc. Issues related to data protection and internet governance are core areas where MEITY has been leading the policy making. The policy making in Cybercrime is specifically being dealt by MHA. On all these issues Cyber Diplomacy Division, MEA does provide diplomatic support in international forums on the basis of inputs received from these stakeholders. CT Division of MEA also invites MEITY, CERT-IN, NTRO, NSCS etc in various counter terrorism related meetings as per requirements of agenda.

2.50 When enquired whether MEA has an institutionalized mechanism for cooperation and coordination with CERT-IN, the Ministry has stated as under:-

- (i) CERT-In coordinates with Chief Information Security Officer (CISO) of MEA for any cyber security incidents pertaining to MEA.
- (ii) CERT-In has conducted cyber security exercise on detecting & countering cyber threats for officials of MEA in October, 2022.
- (iii) CERT-In also contributed as part of MEA led delegation for QUAD Counter Terrorism Workstream meeting and Tabletop Exercise 2022 hosted by Australia in 26-29 October, 2022.
- (iv) CD Division, MEA has been facilitating the international cooperation of CERT-In with other countries.

**(v) Inter-Ministry Cooperation**

2.51 All concerned Ministries, Departments and Agencies of Government of India are represented in the JWG-CT meetings depending on the agenda of the meetings. These include, *inter alia*, Ministry of External Affairs, Ministry of Home Affairs, Intelligence Bureau, Cabinet Secretariat, National Investigation Agency, National Security Guard, Bureau of Police Research

and Development, Financial Intelligence Unit, Department of Revenue, National Security Council Secretariat, Central Bureau of Investigation, Bureau of Civil Aviation Security etc, thus presenting a whole of the Government approach in countering terrorism.

2.52 On being asked to elaborate on the mechanism for coordination and cooperation amongst various agencies of the Government as well as with foreign intelligence agencies for checking radicalization of youth, planning attacks and executing terror strikes by Global Terrorist Groups and their affiliates through social media platforms/cyberspace, the Ministry has stated that Government has increased its engagements of experts of CT related efforts bilateral as well as multilaterally. During bilateral engagements like Joint Working Groups on CT, among other issues, topics like countering misuse of internet by terrorist groups, including misuse of latest and advanced technologies viz Crypto currencies, Virtual Assets, Darknet Unmanned Aerial Systems etc. are regularly discussed with a view to bring together a common consensus, exchange of best practices including mutual agreement on training programmes, etc. Government of India also regularly raise these issues on multilateral forums such as SCO-RATS, UNOCT, GCTF other UN allied meetings, BIMSTEC, BRICS, EU etc.

2.53 India hosted special session of UNCTC (October 28-29,2022) wherein the overarching theme was countering the use of internet and drones by terrorist groups, In another meeting, NMFT (November 18-19, 2022), the issues of emerging technologies in the field of terror financing were discussed. On Regional level, Government adopted pro-active approaches to identify and accordingly, countering the use of modern technologies by terrorist groups. Apart from amending legislations, Government institutions have been dedicating substantial resource to prevent the Cyber access for procuring the latest technologies and use by terrorists. Besides, social monitoring cell, graded police response for countering online radicalization were initiated. MAC platform is also being used for capacity building as well as for real time coordination among LEAs responsible for counter terrorism.

2.54 When enquired whether there is any mechanism for coordination amongst MEA, Ministry of Home Affairs and Ministry of Finance (Department of Revenue), Enforcement Directorate to prevent the menace of terrorist financing and use of cryptocurrencies and virtual assets, the Ministry has informed that MAC platform is being used as a coordinated platform among various ministries including MHA, MEA and MoF etc on the issue of CT including terror financing. FCORD in IB also provide a platform for dissemination of information related to terror financing. A Standing Focus Groups (SFGs) on Economic Intelligence has also been functional on MAC platform for coordination among stakeholder on the issue of terror financing.

2.55 Regarding the mechanism for cooperation amongst various Ministries/Departments/Agencies for dealing with terror financing, monitoring and intelligence sharing, the representatives of the Department of Revenue stated during the course of evidence on 29 March 2023 as under:

“In India, the mechanism for intelligence sharing is a MAC mechanism. It is called Multi Agency Coordination Network, which is created under the Ministry of Home Affairs. So,

under the MAC mechanism, all the intelligence agencies in the country are part of the information sharing protocol. Regarding all the information that is coming from the suspicious transaction, reports are generated from the financial system and we get the reports from EGMONT Protocol, where all the FIUs are interconnected. Any alert that is raised from the financing point of view, which can point out to any terror activity, that gets reported to Indian FIU. Then, FIU India shares that information in the MAC platform. In the MAC, the Intelligence Bureau, RAW and State police agencies also come in. So, this information gets collated and if there is any credible actionable information, that gets passed on to the law enforcement agencies to act on it.

There have been a number of cases where intelligence has been found to be credible and action has been taken, both, as part of the preventive part for terror financing as well as for the investigation purpose. It is because, if there is a case registered of terror financing, then, in investigation, the information of intelligence agencies has been used and FIU is actually an agency which also helps the investigation agencies to have detailed forensic investigation of financial flow of any funding that comes to any terror suspect or any terrorist organisation. There has been a recent spurt in activity of terror financing through technology as has been rightly pointed out. There has been a perceptible increase in activity of terror financing through virtual currencies which includes bit coin etc. There was a recent instance in Bangalore in November 2022 where there was a bomb blast in a three-wheeler and there was a suspect called Mohd. Sharikh who was arrested. When we did the investigation in the financial flows in his account, we found that small amounts of money had come through the virtual assets. Through the international virtual asset exchange the money had come. It was tracked but the travel rule, that is the originator information from where the money has come in, was not accessible because of the protocol of information sharing not being very clear. Internationally, on money flow or through virtual assets, that is a major challenge that we are facing. As has been pointed that the Ministry of IT has brought guidelines for implementation of KYC and CDD of the virtual asset service providers, the Ministry of Finance has also issued a new notification under the Prevention of Money Laundering Act where all virtual asset service providers have been covered as a service which has to now to take the KYC and CDD of all customers who are there on their portal and they also have to become reporting entities to report to suspicious transactions to FIU. It has been implemented from 7<sup>th</sup> of March this year. Now, we have brought all the virtual service providers on board and the red flag indicators are being finalised. Now, they will be reporting to us in case any suspicious transaction through virtual assets including bit coins are transacted”.

**2.56 The Committee note that India's counter terrorism doctrine is based on the principle recognized by the UN that terrorism in all its forms is a criminal activity and is not justified on any ground be it political, religious, ethnic, social, etc. India is guided by its policy of 'zero tolerance' towards terrorism and has adopted a multi-pronged approach in regard to counter terrorism. Besides being fully compliant with various United Nations Security Council Resolutions on terrorism, India has entered into various**

structured co-operation and dialogue mechanisms like Joint Working Group on Counter Terrorism, Mutual Legal Assistance Treaties, Extradition Treaties, etc. with the countries of interest. India also pursue counter terrorism and other security concerns through various regional/multilateral forums like SAARC, BIMSTEC, SCO RATS, BRICS, UN, etc. and is also a full member of the Paris-based FATF and FATF Styled Regional Bodies viz, Eurasia Group and Asia Pacific Group. The Committee further note that due to emerging challenges in counter terrorism domain with increasing use of technology, drones, misuse of internet by terrorists, crypto transactions, use of encrypted communication platforms and social media by terrorists, India's counter terrorism mechanism has been evolving continuously in terms of amendments in legislations, facilities and equipments for Law Enforcement Agencies, technological up-gradation, skill enhancement of personnel, etc. The Committee acknowledge the efforts made by the Government to upgrade its counter terrorism apparatus but stress the need for continuous review of such mechanisms to keep pace with new and emerging challenges in the counter terrorism domain such as aerial terrorism, encrypted messaging services, digital mode of terror financing, etc. Going by the *modus operandi* of global terrorist groups, the Committee desire that the Government should keep one step ahead and create a pool of dedicated experts for new and emerging technologies, cyber related matters and financial technology innovation in coordination with all the Ministries/Departments /Agencies concerned.

(Recommendation No. 19)

2.57 The Committee note that a number of outcome documents have been issued after bilateral Summits and other meetings with various countries and at regional and multilateral fora. The Ministry of External Affairs has also stated that counter terrorism is an ongoing issue and the status of implementation of such outcome documents is regularly monitored at various levels. The Committee are of the considered view that the desired impact in countering terrorism can only be seen in the effective implementation of the outcome documents by all the countries concerned and recommend that a mechanism for Joint assessment at bilateral and multilateral levels should be proposed/evolved and follow up action taken on a continuous basis.

(Recommendation No. 20)

**2.58** The Committee note that as a result of India's counter terrorism efforts on the global arena, there is regular exchange of information with foreign partners/agencies and efforts are underway to setup recognized CT Nodal points for expeditious exchange of actionable inputs. The Committee desire that the exercise of setting up Nodal points for counter terrorism should be completed at the earliest to facilitate seamless flow of intelligence on terrorist threats and for initiating prompt response against the ruthless designs of terrorists/terrorist groups.

**(Recommendation No. 21)**

**2.59** The Committee understand that extradition treaty is one of the legal frameworks for combating transnational crimes and terrorism. India has signed extradition treaties with 50 countries (treaties with Kazakhstan and Morocco are yet to be ratified ) while extradition arrangements are in place with another 12 countries. The Committee hope that these treaties would serve as an effective tool to secure cooperation and assistance to enable India in countering terrorism, organized crimes, drug trafficking, money laundering, counterfeiting of its currency notes, etc. The Committee are also aware that successful operation of extradition treaties hinge upon harmonious working relations between the signatory countries and desire that the Government should work towards strengthening its diplomatic ties and maintaining closer cooperation with each one of them. The scope for signing more extradition treaties with other countries may be assessed and concrete steps taken in that direction. Despite the challenges in arriving at a consensus in the United Nations, the Committee recommend that the Government should consider pitching for a uniform Convention on Extradition at the United Nations.

**(Recommendation No. 22)**

**2.60** The Committee note that Mutual Legal Assistance Treaty (MLAT) in Criminal Matters is in force with 41 countries. India has also signed 28 Agreements/MoUs on security cooperation with other countries. The Ministry has also stated that signing of Mutual Legal Assistance Treaty in Criminal Matters with Germany & Mozambique are at final stage while negotiation meetings are going on with Kenya, Philippines and Nepal for finalisation of text of the Treaty. Proposals for signing of Security

Cooperation Agreements etc. with USA, Brazil, Mongolia, Belarus etc. are in the pipeline. The Committee understand that MLAT in Criminal Matters would improve the effectiveness of the contracting countries in prevention, investigation, prosecution and suppression of crimes and enable continued cooperation between the intelligence and law enforcement agencies of the participants. At the same time, Security Cooperation Agreements provide an institutional mechanism to enhance cooperation for combating transnational crimes and international terrorism, cyber crimes, drug trafficking, money laundering, counterfeiting of Indian currency notes, human trafficking etc. The Committee, therefore, desire that the ongoing process of negotiations and signing of MLATs and Security Cooperation Agreements should be completed at the earliest. The potential for signing of such treaties/agreements with the remaining countries should also be explored and efforts made for effective operationalization of these treaties/agreements.

(Recommendation No. 23)

2.61 In order to enhance its capacity on counter terrorism, India has established Joint Working Groups on Counter Terrorism (JWG-CT) with 27 countries. It has engaged with regional bodies such as BIMSTEC, SAARC, ASEAN Regional Forum, SCO, BRICS and QUAD forum. Regular training courses, conferences and joint exercises are conducted in collaboration with State police and foreign partners and new technological tools are being procured for enhancing capacity in Counter Terrorism operations. The ambit of Multi Agency Centre dealing with Counter Terrorism has been expanded to include linkages of other crimes with terrorism. National Security Guard (NSG) and NIA nodes and capacities have been expanded to deal with Counter Terrorism responses. Besides, legal action against wanted terrorists in other countries is also pursued through the INTERPOL. The Ministry has further informed that on the basis of the UN Counter Terrorism Strategy, a draft National Counter Terrorism Strategy has been formulated and shared with MHA. Besides, during the regular JWG-CT and other bilateral meetings, best practices on CT have been exchanged with the participating countries. The Committee while acknowledging all the efforts made by the Government, desire that in view of India's continued vulnerability to terrorism and its consequences, the Government should

improve its counter terrorism strategy by incorporating best practices on counter terrorism of other countries, enhance its domestic counter terrorism infrastructure by infusing resources, upgrading its capabilities and making use of new technological tools. Stressing the need to make the JVGs and regional bodies more effective and outcome oriented, the Committee recommend that a comprehensive assessment of their working may be carried out and an action plan be prepared accordingly. The Committee also urge the Government to strengthen its coordination with the INTERPOL and utilize its database relating to terrorist and terror offences to pre-empt and respond to terrorist strikes/attacks in the country swiftly and decisively.

(Recommendation No. 24)

2.62 The Committee note that both legislative frameworks and institutional mechanisms exist under various Ministries like Home Affairs, Finance, Electronics and Information Technology, etc. for countering terrorism in the country. All concerned Ministries, Departments and Agencies of the Government including, *inter alia*, Ministry of External Affairs, Ministry of Home Affairs, Intelligence Bureau, Cabinet Secretariat, National Investigation Agency, National Security Guard, Bureau of Police Research and Development, Financial Intelligence Unit, Department of Revenue, National Security Council Secretariat, Central Bureau of Investigation, Bureau of Civil Aviation Security etc, are represented in the JVG-CT meetings depending on the agenda of the meetings. The Committee appreciate the ‘whole of Government approach’ in countering terrorism but are of the considered view that the challenges in coordination amongst multiple agencies in the execution of counter terrorism measures should be overcome and seamless flow of intelligence and real time sharing of inputs be ensured so that the desired impact is felt on the ground. The Committee urge the Government to maintain close inter-Ministry and inter-agency cooperation amongst all the stakeholders involved in counter terrorism to anticipate and respond to all forms of terrorist threats and terrorist attacks in the country promptly. It should be the endeavour of the Government to strengthen and upgrade its institutional mechanisms on a continuous basis through induction of trained personnel and experts in the field of new and emerging technologies, innovative technological tools and international collaborations.

(Recommendation No. 25)

**2.63** The Committee note that the Cyber Diplomacy Division of the MEA leads the Cyber Diplomacy Dialogues with the participation of various Government of India stakeholders like MHA, MEITY, CERT-In, NCIIPC, DRDO, CBI, NSCS, etc. The Division also leads the UN Open Ended Working Group on Security in the use of ICTs (OEWG) and working groups on ICT in BRICS, SCO and ASEAN Regional Forum (ARF). The Committee further note that the Cyber Diplomacy Division provide diplomatic support in international forums on the basis of inputs received from NSCS, MHA and MEITY which specifically deals with cyber security dialogues, policy making in cyber crime and on issues related to data protection and internet governance respectively. The Committee are of the view that greater cooperation and coordination must exist amongst all the agencies/stakeholders on cyber related issues and urge the MEA/Cyber Diplomacy Division to play a more proactive role in obtaining real time cyber related inputs from the agencies/stakeholders concerned so as to leverage the same in its diplomatic outreach through Cyber Dialogues and its various engagements in regional, multilateral and UN at appropriate time and level. The Committee also urge the MEA to actively work at facilitating new opportunities for international collaboration, capacity building and building trust in the area of cyber security and take fresh initiatives to activate/energise the working groups on ICT in BRICS, SCO and ARF so that so that tangible progress may be made in these forums.

(Recommendation No. 26)

**2.64** The Cyber Diplomacy Division in MEA is also at the forefront in facilitating the MoUs/MoCs for CERT-In and has been encouraging CERT-In to have MoUs/MoCs with more and more countries. During 2022 and 2023, Cyber Diplomacy Division has proposed 27 MoUs/MoCs to CERT-In. Currently, the number of MoUs/MoCs of CERT-In are 13 while another 12 are in various stages of renewal. The Committee desire that the MEA/Cyber Diplomacy Division and Indian Missions abroad, where required should actively facilitate negotiations/signing of MoUs/MoCs by CERT-In with the remaining countries so as to strengthen cyber security in the country. The Committee further desire that the MEA/Cyber Diplomacy Division should proactively coordinate with other GOI



stakeholders so that necessary and urgent clearances are given to CERT-In for MoUs/MoCs with other countries smoothly and promptly.

(Recommendation No. 27)

2.65 The Committee note that the Multi Agency Centre (MAC) platform is being used as a coordinated platform among various Ministries including MHA, MEA and MoF, etc. on the issue of counter terrorism including terror financing. MAC platform is also being used for capacity building as well as for real time coordination among Law Enforcement Agencies responsible for counter terrorism. Further, the ambit of MAC dealing with counter terrorism has been expanded to include linkages of other crimes with terrorism. Multi Agency Centre and Subsidiary Multi Agency Centre have also been re-organized to function on 24x7 basis for real time collation and sharing of intelligence with central security agencies and law enforcement agencies of States for prompt action. The Committee further note that a Standing Focus Groups on Economic Intelligence has also been functional on MAC platform for coordination among stakeholders on the issue of terror financing. The Committee acknowledge the pivotal role played by the MAC as a coordinated platform on the issue of counter terrorism and desire that it should be strengthened and fortified with adequate resources, infrastructure and infusion of teams of IT experts. The functioning of Multi Agency Centre and Subsidiary Multi Agency Centres should be made more responsive through enhancement of its capabilities, optimum use of artificial intelligence and new technological solutions. The Committee also stress the need for Government agencies to keep abreast of the latest technologies and technological tools used by global terrorist groups through identification of new instruments of terrorism, adopting pro-active measures to counter it effectively and sharing of real time intelligence on terrorist threats. Coordinated efforts may also be made amongst the Ministries concerned for continuous upgradation of the counter terrorism mechanism and technological tools in the country.

(Recommendation No. 28)

## CHAPTER III

### COUNTERING GLOBAL TERRORISM AT REGIONAL LEVEL

3.1 At the Regional Level, India actively participates in the discussions and regional efforts made to counter terrorism at Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC), South Asian Association for Regional Cooperation (SAARC), Association of South East Asian Nations (ASEAN) Regional Forum, Shanghai Cooperation Organization (SCO), BRICS and QUAD forum. Also India has JWG-CT with 5 regional bodies, viz. ASEAN, BIMSTEC, BRICS, European Union (EU) and the Quad. Besides, India also participates in the meetings of BRICS and BIMSTEC Joint Working Group on Counter Terrorism and their sub-groups.

#### A. BIMSTEC

3.2 BIMSTEC regional organization Cooperation in Counter Terrorism is an area of high priority in the BIMSTEC framework. India is the lead country for security issues under the BIMSTEC framework. India has been regularly participating in the meetings of the BIMSTEC JWG-CT on Counter Terrorism and Transnational Crime and also in its sub-groups.

3.3 The Seventh Meeting of BIMSTEC Sub-Group on Prevention of Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Precursor Chemicals was held in Chiangmai, Thailand, from 7-9 December 2022. India hosted the 10<sup>th</sup> Meeting BIMSTEC Joint Working Group on Counter Terrorism on 12 & 13 January 2023 in New Delhi. All representatives from BIMSTEC Member Countries, including BIMSTEC Secretariat attended the meeting.

3.4 On being asked about the efforts made to counter terrorism, major resolutions adopted and status of implementation of the resolutions adopted in respect of BIMSTEC, the Ministry has stated that cooperation in Counter-Terrorism within the BIMSTEC framework is a work in progress. India leads the security pillar in regional cooperation under BIMSTEC of which Counter Terrorism and Transnational Crime (CTTC) is a sub-sector.

3.5 The principal dialogue mechanism for the CTTC sub-sector of cooperation under the Security pillar is the Joint Working Group (JWG) on CTTC which was mandated by the 1<sup>st</sup> BIMSTEC Summit in 2004. So far 10 meetings of the JWG were held. The 10<sup>th</sup> meeting was hosted by India in January 2023.

3.6 The CTTC sector has 06 sub-groups, i.e. (i) Sub-Group on Intelligence Sharing (SGIS); (ii) Sub-Group on Legal and Law Enforcement Issues; (iii) Sub-Group on Anti- Money Laundering and Combating the Financing of Terrorism (SGAML-CFT); (iv) Sub-Group on Narcotic Drugs, Psychotropic Substances and Precursor Chemicals (SGNDPSPC); (v) Human Trafficking and Illegal Migration (set up at 7<sup>th</sup> JWG on CTTC, Bangkok, August 2015); and (vi) Cooperation on Countering Radicalization and Terrorism (set up at 17<sup>th</sup> Senior Officials Meeting in 2017).

3.7 The 15<sup>th</sup> BIMSTEC Foreign Ministers Meeting (August 2015, Kathmandu) approved the Terms of Reference (ToR) on future cooperation in combating drug trafficking, including sharing and exchange of information and intelligence in the field of narcotics, capacity building programmes, sharing of yearly drug control report by Member States and publishing of BIMSTEC Annual Drug Report. All countries have designated nodal points for exchange of intelligence and for informal interaction among intelligence agencies.

3.8 The BIMSTEC Convention on Cooperation in Combating International Terrorism, Transnational Organized Crime and Illicit Drug Trafficking, signed in December 2009 in Myanmar, has entered into force on 16 March 2021.

3.9 The BIMSTEC Convention on Mutual Legal Assistance in Criminal Matters was signed at the 5<sup>th</sup> BIMSTEC Summit (Colombo, March 2022).

3.10 NSCS is the nodal agency on security sector cooperation under BIMSTEC. BIMSTEC National Security Chiefs (NSCs) have held three Meetings so far (March 2017 in New Delhi; March 2018 in Dhaka and March 2019 in Bangkok).

3.11 In addition, a track 1.5 BIMSTEC Security Dialogue Forum was organized by IDSA in September 2017. India organized training programmes in order to build capacities of personnel in countering terrorism and other security related activities in the region. India offered 100 training slots for capacity building at SVP NPA, Hyderabad. The first batch of 36 officers were trained in February-March, 2019. Training for the second batch is due to commence shortly. A Track II conference in the security domain was organized by Vivekananda International Foundation, New Delhi on 27-29 November 2019.

## **B. SAARC**

3.12 The SAARC Member States identified the need for cooperation in matters related to terrorism. Collective action in fighting the menace or terrorism was emphasized in many SAARC meetings while condemning terrorism, in all its forms and manifestations. Accordingly, the following SAARC mechanisms have been created, viz.

- i) SAARC Regional Convention on Suppression of Terrorism (signed in 1987) and its additional protocol signed in 2004 and came into effect in 2006;
- ii) High Level Group of Eminent Experts to strengthen the SAARC Anti-Terrorism Mechanisms;
- iii) SAARC Convention on Mutual Assistance in Criminal Matters (signed in 2008);
- iv) Cooperation in Police Matters;
- v) SAARC Terrorist Offences Monitoring Desk (STOMD).

3.13 The 31<sup>st</sup> Session of the Council of Ministers (Colombo, 27-28 February 2009) adopted a SAARC Ministerial Declaration on Cooperation in Combating Terrorism. SAARC Terrorist Offences Monitoring Desk (STOMD) was established in 1995 in Colombo. The main objectives of STOMD are to collate, analyze, dissemination and sharing of information on crimes related to terrorism and exchange of expertise, experience, methodology and strategies to combat terrorism and other related organized crimes.

3.14 Matters related to security are reviewed under the mechanism of the meetings of the Interior/Home Ministers and Secretaries. The above mechanism exists but it is difficult to ascertain how far these are being utilized.

### **C. ASEAN Regional Forum**

3.15 Established in 1994, the ASEAN Regional Forum (ARF) is an important platform for security dialogue in the Indo-Pacific. It provides a setting in which members can discuss current security issues and develop cooperative measures to enhance peace and security in the region. The ARF is composed of 27 members: the 10 ASEAN member states (Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam); 10 ASEAN Dialogue Partners (Australia, Canada, China, the European Union (EU), India, Japan, New Zealand, the Republic of Korea (ROK), Russia and the United States); Bangladesh, the Democratic People's Republic of Korea, Mongolia, Pakistan, Sri Lanka, Papua New Guinea, and Timor-Leste. The ARF has five work streams: **Counter-Terrorism and Transnational Crime (CTTC)**; Information and Communications Technology (ICT) Security; Disaster Relief; Maritime Security; and Non-Proliferation and Disarmament.

3.16 During Inter-sessional year 2021-22, the following ARF meetings and activities were conducted under CTTC pillar :

- a) ARF Seminar on the Role of Youth in Building Digital Resilience to Prevent and Counter Terrorism and Violent Extremism Conducive to Terrorism (VECT), videoconference, 15 March 2022;
- b) 18th ARF ISM on Counter-Terrorism and Transnational Crime, video conference, 12 May 2022;

3.17 Under ARF Hanoi Action Plan of Action II (2020-2025) adopted in 2020, ARF countries agreed to support the work of the ARF Inter Sessional Meeting on Counter-Terrorism and Transnational Crime (CTTC) as a framework to address regional terrorism, transnational crime including new and emerging forms of transnational crime and to enhance cooperation and exchange of best practices in the field of law enforcement, and strengthen cooperation, including in the area of border management and illicit drug trafficking, while ensuring respect for international law.

<https://aseanregionalforum.asean.org/wp-content/uploads/2020/09/ARF-Ha-Noi-Plan-of-Action-II-2020-2025.pdf>

3.18 The 18th ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime (ARF ISM on CTTC) was held virtually on 12 May 2022. India participated in the meeting. The meeting discussed the Priority Areas identified in the ARF Work Plan for CTTC, as follows : (i) illicit drugs; ii)chemical, biological, radiological and nuclear (CBRN) matters; (iii) preventing and countering violent extremism; and (iv) trafficking in persons. In the meeting no new activities in support of the ARF Work Plan for CTTC for 2022-2023. have been decided. The 19th ARF ISM on CTTC is scheduled to be held in hybrid mode on 24 May 2023.

3.19 The 29th ARF under the Chair ship of Cambodia was held on 5 August 2022 in Phnom Penh. The statement issued informed that ‘the Meeting stressed the importance of enhancing the ARF’s relevance and effectiveness in addressing the increasingly complex challenges amidst the continuously evolving regional landscape. In this connection, the Meeting noted that the ARF has been successful in the promotion of peace and stability in the region through enhanced cooperation in the areas of disaster relief, counter-terrorism and transnational crime, maritime security, non-proliferation and disarmament, peacekeeping operations, defence cooperation, and security of and in the use of information and communication technologies (ICTs).

#### **D. RATS-SCO**

3.20 India is a Member of Shanghai Cooperation Organization since 2017 by virtue of which it is also Member of the Regional Anti-Terrorist Organization of SCO (RATS-SCO), which is Permanent body of the SCO dealing with counter-terrorism, with its headquarters at Tashkent, Uzbekistan. NSCS is ‘the Competent Authority’ for representing India at RATS-SCO. The List of major decisions of Council of Regional Anti-Terrorist Structure of Shanghai Cooperation Organization (RATS SCO) to counter terrorism & status on their implementation is as under:

<b>S. No.</b>	<b>Decision of Council of RATS SCO</b>	<b>Status of implementation</b>
1.	India hosted Joint Anti-Terrorist Exercise (JATE) “Manesar Anti-Terror-2022” in 2022	India’s National Security Guard (NSG) was nominated the lead agency to conduct JATE-2022.  i) <b>Stage-I</b> of JATE “Manesar Anti-Terror-2022” SCO was held from 27 July 2022 to 1 August 2022 in the territories of respective SCO member countries.  ii) <b>Stage-II</b> of JATE-2022 was held from 08-13 October 2022 at NSG Campus Manesar, Haryana, India. Closing ceremony (13 October 2022) of JATE witnessed demonstration by NSG to counter attempts of terrorists for hostage situation in a school. Representatives from Russia, Uzbekistan, Kazakhstan, Tajikistan

		and Kyrgyz Republic participated by sending their CT experts. China and Pakistan participated as Observers. Other international organizations CSTO, CIS-ATC, UNOCT, UNODC, etc. also participated as “Observers”.
2.	<p>Conducting of Joint Border Operation (JBO)</p> <p>i) JBO “Border of Friendship – 2022”</p> <p>ii) JBO “Solidarity-2023.”</p>	<p>i) India’s Border Security Force (BSF) conducted JBO-2022 on India-Bangladesh Border and its Outcome Report was submitted to Executive Committee (EC) of RATS SCO.</p> <p>ii) Action Plan on conduct of JBO-2023 is still under consideration.</p>
3.	Joint Measures by SCO member States for countering threats of terrorism from Afghanistan	The joint measures as proposed by EC RATS SCO for creating a borders security mechanism around Afghanistan are violative of Article 2 of the SCO Charter and India has opposed the proposal on the grounds that it affects India’s sovereignty and territorial integrity.
4.	Kyrgyz Republic to host Joint Anti-Terrorist Exercise (JATE) “Eurasia Anti-Terror” in 2023	Action Plan on conduct of JATE-2023 is still under consideration. India has not yet decided for the participation in the JATE-2023.
5.	Conduct of Joint Information Operations (JIO) to prevent the misuse of internet by Terrorists, Separatists and Extremists (TSEs)	The Regulations for conduct of Joint Information Operations (JIO) has been finalized in the meeting of Council of RATS SCO on 7 April 2023. The Action Plan on conduct of JIO in 2023 is yet to be finalized.
6.	Updation of “RATS SCO Unified Search Register (USR) of wanted TSEs”	India has already shared with RATS SCO a list of 38 terrorists (declared by GoI till 31 December 2022) for adding into their Unified Search Register on ‘wanted’ terrorists. This List includes 10 names which India has proposed for designations under UNSCR 1267. In addition, India has also shared with RATS SCO Lists of 42 ‘Terror Organizations’ and 13 ‘Unlawful Associations’ (declared by GoI till 31 December 2022) for addition to RATS

		SCO List of Terrorist, Extremist and Separatist Organizations.
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**E. BRICS**

3.21 The subject matter of Counter-Terrorism is discussed at the level of Leaders, Foreign Ministers, as well as National Security Advisors. CT Division leads on this subject matter in MEA and coordinates with relevant line agencies.

3.22 The BRICS Counter-Terrorism Working Group reports to the BRICS National Security Advisors. The BRICS Counter-Terrorism Working Group held its 1st meeting in 2016 under India’s BRICS Chairship. Five BRICS Counter-Terrorism Sub-Groups were established in 2019 under Brazil’s BRICS Chairship. Each Sub-Group is led by a BRICS country as follows: (i) Capacity Building (Lead country – Brazil), (ii) Countering Foreign Terrorist Fighters (Lead country – Russia), (iii) Preventing the Misuse of Internet for Terrorist Purposes (Lead country – India), (iv) De-radicalization (Lead country – China), and (v) Countering Terrorist Financing (Lead country – South Africa).

3.23 The latest meetings of the five BRICS CT Sub-Groups took place on 19-20 April 2022 in virtual format under China’s BRICS Chairship. The 7<sup>th</sup> meeting of the BRICS Counter-Terrorism Working Group took place on 21 April 2022 in virtual format under China’s BRICS Chairship.

3.24 Hon’ble Prime Minister Shri Narendra Modi speaking during the BRICS Summit 2017 had noted that “BRICS Countries should come together to fight against terrorism. We need to adopt a BRICS Counter-Terrorism Strategy for joint action.” The BRICS Counter-Terrorism Strategy was adopted in 2020 under Russia’s BRICS Chairship. Thereafter, the BRICS Counter-Terrorism Action Plan was adopted in 2021 under India’s BRICS Chairship.

3.25 The Ministry has also stated in its written reply that the main outcome of the 6th BRICS Counter Terrorism Working Group (CTWG) meeting was the finalisation of the BRICS Counter Terrorism Action Plan containing specific measures to implement the BRICS Counter Terrorism Strategy adopted by BRICS Leaders in 2020. The BRICS Counter Terrorism Action Plan was endorsed at the 13<sup>th</sup> BRICS Summit held virtually on 9<sup>th</sup> September 2021. The BRICS CT sub-groups will propose activities under the Action Plan for implementation.

**F. QUAD**

3.26 In its Background note furnished to the Committee, the Ministry has stated that during the Quad Foreign Ministers Meeting held in March 2023, Foreign Ministers in their Joint Statement announced formation of Quad Working Group on Counter Terrorism.

3.27 When further enquired regarding the achievements so far under the Quad in countering terrorism and the status of formation of Quad Working Group on Counter terrorism, the Ministry has stated that India hosted QUAD Table Top Exercise (TTx) twice in 2019 and 2021. Australia hosted third TTX in 2022 to explore further cooperation. USA will be hosting fourth round of

Quad TTX in December 2023. Quad Consequence Management Workshop was hosted by USA in June 2023. Table Top Exercise and Consequence Management Workshop helped Quad partners to understand each other response in case of terrorist incident and learn from each other best practices. Quad Working Group on Counter terrorism was announced during the QUAD Foreign Ministers Meeting hosted by India in 2023.

## **G. CICA**

3.28 India is a member of the Confidence on Interaction and Confidence Building Measures in Asia (CICA). At the 6<sup>th</sup> CICA Summit held on 13 October 2022, the leaders adopted the ‘CICA Plan of Action on the Implementation of the United Nations Global Counter-Terrorism Strategy’. As Coordinator in CICA in the priority area of ‘Combating Terrorism’ under the ‘New challenges and threats’ dimension of the CICA Catalogue of Confidence Building Measures, India hosted virtual workshops titled ‘Counter Radicalization’ and ‘Misuse of Internet’ on 2-3 February and 25-26 May 2023 respectively.

3.29 The virtual workshops were coordinated by Ministry of External Affairs and hosted by Bureau of Police Research & Development (BPR&D) of Ministry of Home Affairs jointly with its outlying training unit Central Detective Training Institute (CDTI). Representatives from several CICA Member States participated in the virtual workshops. During the ‘Counter Radicalization’ workshop, speakers shared their expertise on various topics including radicalization and extremism; rise of fundamentalism and its global impact; misuse of social media as a tool for radicalization; models of de-radicalization; and radicalization & international terrorism. During the ‘Misuse of Internet’ workshop, speakers shared their expertise on various topics including the Misuse of Internet in Organised Crime; Use of Malware and Ransomware as a tool for Financial Crime; Prevention of Information and Communication Technology Crime against Women and Children; Use of Dark Web and Cryptocurrency in Illegal Trade and Terror; and Futuristic Information and Communication Technology Crime and Internet of Things Hacks.

**3.30 The Committee note that India leads the security pillar in regional cooperation under BIMSTEC of which Counter Terrorism and Transnational Crime (CTTC) is a sub-sector. The CTTC has six sub-groups focusing on intelligence sharing, legal and law enforcement issues, anti- money laundering and combating the financing of terrorism, narcotic drugs, psychotropic substances and precursor chemicals, human trafficking and illegal migration and cooperation on countering radicalization and terrorism. The principal dialogue mechanism for the CTTC sub-sector of cooperation under the Security pillar is the Joint Working Group (JWG) on CTTC. The Committee understand that BIMSTEC regional organization cooperation in counter terrorism is an area of high priority in the BIMSTEC framework and cooperation in Counter-Terrorism within the**



**BIMSTEC framework is a work in progress and desire that the JWG on CTTC should be strengthened to ensure deeper cooperation amongst the member countries and to activate and re-energize all the sub-groups to function as effective instruments for countering terrorism and transnational crime. Acknowledging the important role of BIMSTEC in fostering regional cooperation in counter terrorism, the Committee recommend that concerted efforts should be to made to make this organization more responsive to cross border terrorism faced by India and other emerging forms of transnational crime. Formal and informal interaction amongst intelligence agencies of India and BIMSTEC countries should also be enhanced so that inputs on terrorist threats and imminent terrorist attacks are shared on real time and responded to promptly. In addition to security dialogues, the Committee also recommend that the Government should take initiatives for organizing more capacity building programmes on CTTC for security personnel and law enforcement officers under the BIMSTEC framework.**

**(Recommendation No. 29)**

**3.31 The Committee note that SAARC mechanisms viz, SAARC Regional Convention on Suppression of Terrorism, High Level Group of Eminent Experts, SAARC Convention on Mutual Assistance in Criminal Matters, Cooperation in Police Matters and SAARC Terrorist Offences Monitoring Desk have been created towards collective action in fighting the menace of terrorism. The Committee further note that matters related to security are reviewed under the mechanism of the meetings of the Interior/Home Ministers and Secretaries. However, though the above mechanism exists, it is difficult to ascertain how far these are being utilized. The Committee are of the view that regional cooperation is vital for countering terrorism and renewed coordinated efforts should be made by SAARC to combat the menace of terrorism for peace, stability and development in the region. As a founding member of SAARC, the Committee desire that India should play a more pro-active role in this Regional Body and spearhead fresh initiatives for effective functioning and optimum utilization of the SAARC's mechanisms for countering terrorism. The Committee underline the need for constant review of security matters at the Highest level and urge the Government to actively coordinate with member countries in this regard. The Committee also urge the Ministry to strive for**

outcome oriented, measurable and quantifiable goals in the fight against global terrorism.

(Recommendation No. 30)

**3.32** The Committee note that the ASEAN Regional Forum (ARF) provides a setting in which members can discuss current security issues and develop cooperative measures to enhance peace and security in the Indo-Pacific region. The Committee further note that in the 18th ASEAN Regional Forum Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime held virtually in 2022, the Priority Areas identified in the ARF Work Plan for CTTC *viz*, illicit drugs; chemical, biological, radiological and nuclear matters; preventing and countering violent extremism and trafficking in persons were discussed. However, no new activities in support of the ARF Work Plan for CTTC for 2022-2023 have been decided. In view of the ASEAN Regional Forum (ARF) being an important platform for security dialogue in the Indo-Pacific, the Committee desire that the Government should continue to actively participate in the various work streams of the ARF and its meetings and expand its diplomatic outreach amongst the members of the Forum so that the issue of cross border terrorism, infiltration and illegal migration resorted to by terrorists against India find mention in the priority areas of the ARF Work Plan. The Committee also urge the Government to contribute towards enhancing the ARF's relevance and effectiveness in addressing the increasingly complex challenges amidst the continuously evolving regional landscape.

(Recommendation No. 31)

**3.33** The Committee note that as a member of the Shanghai Cooperation Organization, India is also a member of the Regional Anti-Terrorist Organization of the Shanghai Cooperation Organization (RATS-SCO), a Permanent body of the SCO dealing with counter-terrorism. The Committee further note that the Council of RATS SCO has taken various decisions to counter terrorism such as Joint Anti-Terrorist Exercise (JATE), Joint Border Operation (JBO), Joint Information Operations (JIO), Updation of RATS SCO Unified Search Register of wanted Terrorists, Separatists and Extremists, etc. The Committee understand that Action Plans on conduct of JBO-2023, JATE-2023 and JIO-

2023 are still under consideration. The Committee are of the view that members of RATS SCO would be better equipped in countering terrorism through the said Joint Exercise/Operations and desire that Action Plans for conducting the Joint Exercise/Operations should be finalized without further delay. The Committee, therefore urge the Government to take up the matter with the RATS SCO and extend all assistance for expeditious conduct of the same.

(Recommendation No. 32)

3.34 The Committee note that the BRICS Counter Terrorism Action Plan containing specific measures to implement the BRICS Counter Terrorism Strategy adopted by BRICS Leaders in 2020 was finalized at the 6<sup>th</sup> BRICS Counter Terrorism Working Group (CTWG) meeting and subsequently endorsed at the 13<sup>th</sup> BRICS Summit held virtually on 9<sup>th</sup> September 2021. The Committee further note that the BRICS CT sub-groups will propose activities under the Action Plan for implementation. The Committee recommend that the Government should identify the activities needed to be incorporated in the said Action Plan in the context of India and make efforts to include these activities for implementation by BRICS. The Committee also recommend that the Government should evolve a mechanism for monitoring the status of implementation of the Action Plan in letter and spirit and propose the same to the BRICS CT sub-groups.

(Recommendation No. 33)

3.35 The Committee note that the QUAD Working Group on Counter Terrorism was announced during the QUAD Foreign Ministers Meeting hosted by India in 2023. The Committee hope that formation of this working group would go a long way in furthering cooperation and coordinated response among the QUAD nations and sharing of experiences and best practices in countering terrorism and urge the Government to make all out efforts for the effective functioning of the QUAD Working Group on Counter Terrorism.

(Recommendation No. 34)

3.36 The Committee note that as Coordinator in the Confidence on Interaction and Confidence Building Measures in Asia (CICA) in the priority area of 'Combating

**Terrorism’ under the ‘New challenges and threats’ dimension of the CICA Catalogue of Confidence Building Measures, India has hosted virtual workshops titled ‘Counter Radicalization’ and ‘Misuse of Internet’ in February and May 2023 respectively. The Committee are pleased that India is playing an active role in CICA and urge the Government to forge strong bonds with CICA member States for coordinated response to terrorism in all its forms and manifestations as well as sharing of intelligence, expertise and best practices in this field. More workshops on counter terrorism measures on all aspects of new and emerging technologies adopted by terrorist groups may also be organized and all the CICA member States may be encouraged to participate. As the CICA Plan of Action on the Implementation of the United Nations Global Counter-Terrorism Strategy has also been adopted, the Committee recommend that the Government should take the initiative to evolve an effective mechanism to monitor the implementation of the United Nations Global Counter-Terrorism Strategy by CICA member States.**

**(Recommendation No. 35)**

## CHAPTER IV

### COUNTERING GLOBAL TERRORISM AT INTERNATIONAL LEVEL

#### A. India and the United Nations

4.1 India has been supportive of all efforts, particularly in the UN, to combat terrorism and has played a leading role in shaping international opinion and urging the international community to prioritize the fight against terror. In terms of multilateral arrangements and agreements, India is party to all the 13 UN Sectoral conventions relating to terrorism. It has supported UNSC Resolution 1269 and 1368 which clearly identify terrorism as a threat to international peace and security. In addition, India has supported and fully implemented resolutions 1267, 1333 and 1363 relating to terrorism by Taliban regime in Afghanistan. Besides, the Terror related domestic laws (UAPA) has been amended in order to ensure action against UN designated individuals and entities.

4.2 As a victim of terrorism for more than 3 decades, India has strongly advocated for strengthening multilateral efforts to fight terrorism, strengthening the UN Counter Terrorism architecture led by United Nations Office of Counter Terrorism (UNOCT), by providing it adequate financial resources and support.

4.3 India fully leveraged its current non permanent membership of the Security Council, by sensitizing the Council on the issue of terrorism, encouraging it to send strong message to those supporting terrorism.

4.4 India organized a special meeting of United Nations Counter Terrorism Committee (UNCTC) in India on 28-29 October 2022. The Special Meeting of the UNCTC discussed a wide-range of counter terrorism related issued under the following themes:

- i. Countering terrorist exploitation of Information and Communication Technologies (ICTs).
- ii. Countering terrorism financing – threats and opportunities related to new payment technologies and fund raising methods
- iii. Threats poses by terrorist use of unmanned aerial systems (UAS)
- iv. As an out come of the Special UNCTC Meeting, a document titled ‘Delhi declaration’ was adopted.
- v. As a result of India's persistent efforts, there is enhanced concern in the international community at terrorism emanating from Pakistan including the continuing activities of internationally designated terrorist entities such as Jamaat-ud Dawa (JuD), Lashkar-e-Taiba (LeT), Jaish-e-Mohammad (JeM), Hizbul Mujahideen, etc.

**(i) UN Counter Terrorism Architecture**

4.5 The initiatives taken so far by India for strengthening the UN Counter Terrorism architecture including the UN Office of Counter Terrorism (UNOCT) are as under.

- (1) As a victim of terrorism for more than 3 decades, India has strongly advocated for strengthening multilateral efforts to fight terrorism, strengthening the UN Counter Terrorism architecture led by United Nations Office of Counter Terrorism (UNOCT), by providing it adequate financial resources and support.
- (2) India fully leveraged its non-permanent membership of the Security Council in 2021-22, by sensitizing the Council, and through this platform the international community on the issue of terrorism, encouraging the Council to send a strong message to those supporting terrorism.
- (3) During its tenure in the UNSC in 2021-22, India submitted names of five known terrorists [*Abdul Rehman Makki, Abdul Rauf Asghar, Sajid Mir, Shahid Mehmood and Hafiz Talha Saeed*] for listing under the UNSC 1267 [Al-Qaeda and ISIL] Sanctions regime. Out of these, the Sanctions Committee accepted to list Abdul Rehman Makki in the sanctions list on 16 January, 2023.
- (4) Our priorities and concerns on counter-terrorism were enunciated by the External Affairs Minister at the very beginning of India's term in the Security Council. On 12 January 2021, speaking in the Security Council at an open debate on counter-terrorism, India's External Affairs Minister, S. Jaishankar called for greater commitment of international community towards zero tolerance for terrorism, effective action by member states and proposed an eight-point action plan to counter the menace of terrorism, which include, i) summon the political will – no justification or glorification of terrorism, ii) no double standards - terrorists are terrorists, distinctions are made only at our own peril, iii) no political instrumentalization of UN Sanctions regimes – no blocking or holding on listing requests without any reason, iv) objective enlisting and delisting of terrorists, terrorist entities in UN sanctions regimes – not to be done on political or religious considerations, v) discourage exclusivist thinking and be on guard against new terminologies and false priorities, vi) recognize the linkage to organized crime, vii) support and strengthen the international counter-finance standards such as those propagated by FATF, and viii) strengthen multilateral counter terrorism architecture under purview of UN office for counter terrorism by providing greater funding and resources to it.
- (5) India is a member of Advisory Board to the UN Counter Terrorism Center (UNCCT), which has recently been renewed for another 3 years. Since 2018, India contributed more than \$1 million to support various UNOCT programs in this regard. India is also member of Group of Friends of Victims of Terrorism, which was launched in June 2019. India

also co-sponsored the General Assembly resolution 73/305 on “Enhancement of International Cooperation to Assist Victims of Terrorism.”

- (6) During India’s Presidency of the Security Council for the month of August 2021, the Security Council adopted four Press statements strongly condemning activities of terrorist groups, including the attacks in Afghanistan. In its Presidential Statement adopted by consensus, the Security Council deplored the terrorist threat to maritime security. On August 19, India organized a Ministerial level briefing on the threat posed by the ISIL or Da’esh, highlighting the rise of ISIL’s regional affiliates in several countries of Africa as well as in Afghanistan.
- (7) During its term in the Security Council, India also Chaired the important Counter Terrorism Committee (CTC) of the Security Council (also known by the UNSC Resolution as the 1373 Committee) in 2022. The committee plays a very important role in UN led efforts to strengthen the collective international efforts to prevent and counter terrorism by fortifying the institutional, legislative and policy framework of member states, keeping in mind the national perspective to effectively prevent and counter terrorism in all its forms and manifestations.
- (8) As a Chair of the CTC, India hosted a Special Meeting of the UNSC’s CTC in Mumbai and Delhi on 28 and 29 October 2022, which adopted a “Delhi Declaration” on “Countering the use of new and emerging technologies for terrorist purposes”. This was the first time ever that the UN Security Council held a meeting in India in any format. This was also the first time that the entire UN Security Council of 15 Member States jointly paid tributes to victims of 26/11 Mumbai terror attacks at the memorial wall in Taj Mahal Palace Hotel in Mumbai.
- (9) On 29 October 2022, addressing the Security Council’s CTC Special Meeting in New Delhi, External Affairs Minister announced India's contribution of US\$ 500,000/- to the United Nations Trust Fund for Counter-terrorism for year 2022-23. The contribution has ensured India's continued support to the United Nations Office of Counter-Terrorism (UNOCT)'s Global Programmes capacity building programmes for UN Member-States and has taken India’s cumulative contribution to CT Trust Fund since 2018 to US\$ 2.1 million.
- (10) India has also been undertaking multiple efforts to ensure accountability and fight the impunity of terror, and in this regard extended financial support to the UN Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL or UNITAD to investigate the crimes committed by ISIL/Da'esh against the people of Iraq and the citizens of other countries, including 39 Indians.

- (11) Besides this, India participated in high-level counter terrorism meetings organized in General Assembly and Security Council. Shri V. Muraleedharan, Minister of State for External Affairs participated in the Security Council Debate on “Peace and Security in Africa: Strengthening the fight against the financing of armed groups and terrorists through the illicit trafficking of natural resources” on 6 October 2022, organized by Gabon. During the high-level week, Shri Sanjay Verma, Secretary (West) participated in ministerial level meetings – the Global Counter Terrorism Forum (GCTF) on 21 September 2022 as well as the Ministerial meeting of the Group of Friends of Victims of Terrorism (GOFVOT) on 22 September 2022.
- (12) Global Congress of the Victims of Terrorism: The first Global Congress of the Victims of Terrorism held in United Nations headquarters on 8-9 September 2022. From India, Mr Karambir Kang, a victim of 26/11 Mumbai attacks and Ms Nidhi Chaphekar, a victim of 2016 Brussels airport bombings participated in the victim’s segments.
- (13) India actively participated in the meetings and deliberations of 1267/1989/2253 Al-Qaida and ISIL/Da’esh Sanctions Committee. We strived of updating the working methods of the Committee aimed at enhancing transparency and objectivity in the working of the Committee. We continue to engage the Analytical Support and Sanctions Monitoring Team (MT) on the issue of improving the effectiveness of reporting Asset-Freeze and exemption measures.
- (14) As a part of India’s high level signature events during its Presidency of the UN Security Council in December 2022, EAM Dr. S Jaishankar chaired a UN Security Council briefing on “Global Counter Terrorism Approach: Challenges and Way Forward” on 15 December in New York. The meeting was also attended by Foreign Ministers of Ireland, UAE, UK, USA, Kenya and Ghana and high-level representatives from other UNSC Member States. Ambassador Vladimir Voronkov, the Under-Secretary General for Counter Terrorism and Acting Executive Director Weixiong Chen briefed the Security Council. In his remarks at the briefing, EAM emphasized that the international community cannot let another “9/11 of New York” or “26/11 of Mumbai” happen again.
- (15) A number of countries have commended India for its focus on the important issue of counter-terrorism throughout its UN Security Council, and also for successful hosting of the Special Meeting of the Security Council’s Counter Terrorism Committee in Mumbai and Delhi on 28-29 October 2022.

4.6 On being asked the response of the international community regarding strengthening of the UN Counter terrorism architecture led by the United Nations Office of Counter Terrorism (UNOCT) by providing it adequate financial resources and support, advocated by India and the efforts made to convince the UN member States, the Ministry has stated that international community has been very appreciative and supportive of India’s role and stance on CT related



matters at UN. India will be making a voluntary contribution of half a million dollars in the UN Trust Fund for Counter Terrorism this year, to augment the efforts of UNOCT in providing capacity building support to Member States in preventing and countering the threat of terrorism

**(ii) Global Counter Terrorism Strategy**

4.7 The salient features of the Global Counter Terrorism Strategy (GCTS) of the UN, India's role, contributions and the implementation aspect of the GCTS is enumerated below:

4.8 The UN GCTS is unique global instrument to enhance national, regional and international efforts to counter terrorism. It was adopted by consensus in 2006. It composed of 4 Pillars:

a) Addressing the conditions conducive to the spread of terrorism.

b) Measures to prevent and combat terrorism.

c) Measures to build states capacity to prevent and combat terrorism and to strengthen the role of the UN system in this regard.

d) Measures to ensure respect for human rights for all and the rule of law as the fundamental basis for the fight against terrorism.

4.9 India constructively contributed during the negotiations of the recently concluded 7th review of the Global Counter Terrorism Strategy (GCTS) accentuating discussion on strengthening member states' obligations towards countering financing of terrorism, addressing use of new technologies by terrorist groups for organizing funding, recruiting cadre and spreading propaganda and false narratives, and upholding the rights of victims of terrorism. India also raised its voice against any attempts to divide and dilute the global efforts to fight terrorism by focusing on few manifestations of terrorism while ignoring the rest, and was successful in deterring such efforts. India's efforts and contributions were duly noted and appreciated by several member states.

4.10 The Ministry has also stated that as a founding member of Global Counter Terrorism Forum (GCTF) since its launch in 2011, India regularly participates at senior official level in its meetings. With the establishment of the UN Global Counter Terrorism Coordination Compact in 2019, a close and mutually reinforcing relationship between GCTF and UN has evolved.

4.11 Formation of UN Global CT Compact (Global Compact) comprising 42 entities, including INTERPOL, Inter Parliamentary Union and World Customs Organisation, streamlined and strengthened the UN system-wide prioritization and implementation of CT and Preventing Violent Extremism (PVE) measures. Today, UNOCT, in partnership with various counterterrorism global compact entities, international and regional organizations as well as

member States, runs more than 20 global capacity building programs to assist member States to prevent and counter the threat of terrorism.

### (iii) UN Security Council Committees

4.12 There are three main subsidiary bodies established by the UN Security Council that deal with terrorism related issues.

(i) **The 1267/1989 Al-Qaida Sanctions Committee** [*Security Council Committee pursuant to resolution 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities*] - The Al Qaida sanctions regime was first established by UNSC Resolution 1267 (adopted on 15 October 1999) and has been modified and strengthened by subsequent resolutions. All these resolutions were adopted under Chapter VII of the UN Charter and require all States to take measures in connection with any individual or entity associated with Al-Qaida, as designated by the Committee: Measures include:

- freezing without delay the funds and other financial assets or economic resources of designated individuals and entities [**assets freeze**];
- preventing the entry into or transit through their territories by designated individuals [**travel ban**]; and
- preventing the direct or indirect supply, sale and transfer from their territories or by their nationals or using their flag vessels or aircraft, of arms and related materiel to designated individuals and entities [**arms embargo**].

4.13 The sanctioned list under this currently has 255 individuals and 88 entities on it. Any State may request the Committee to add/delete names to either of the Sanctions Lists.

4.14 The States are expected to inform the Committee on the actions they have taken to implement the sanctions regime against the individuals and entities placed on the Al-Qaida Sanctions List.

4.15 The States are expected to inform the Committee on the actions they have taken to implement the sanctions regime against the individuals and entities placed on the Al-Qaida Sanctions List.

(ii) **The Counter-Terrorism Committee (CTC)** [1373 Committee; responsible for monitoring the implementation of UNSC Resolution 1373, which requested countries to implement a number of measures intended to enhance their legal and institutional ability to counter terrorist activities]; and

(iii) **The 1540 Committee** [which deals with preventing non-State actors from acquiring weapons of mass destruction].

4.16 All these Committees comprise the members of the UN Security Council. By its resolution 2610 (2021), adopted on 17 December 2021, the Security Council extended the mandates of the Analytical Support and Sanctions Monitoring Team pursuant to resolutions 1526 (2004) and 2253 (2015) concerning ISIL (Da'esh), Al Qaida and the Taliban and associated individuals and entities and of the Office of the Ombuds person until 17 June 2024.

4.17 In 2004, CTC established the Counter-Terrorism Committee Executive Directorate (CTED) as a special political mission and charged it with assisting the Committee in its work. The mandate of CTED was renewed for another 4 years up to 31 December 2025, through the Security Council resolution 2617 adopted on 30 December 2021.

4.18 India believes that the Security Council's Sanctions regimes, particularly the ISIL/Al-Qaida sanctions committee (*also known as 1267/1989/2253 Sanctions Committee*) can be an effective tool in countering the activities of terrorists and terrorist groups by restricting their travel and suppress their funding avenues. However, it also seek de-politicization of sanctions regime, evidence-based, listing and de-listing by the Committee, and need for a greater transparency in its working methods. Besides, India also submitted listing proposals of terrorists who were involved in cross-border terrorist attacks on India. On 16 January 2023, India's efforts bore fruits when the ISIL/Al-Qaida Sanctions Committee designated Lashkar-E-Tayyiba terrorist Abdul Rehman Makki to the sanctions list. Makki was involved in several terrorist attacks on Indian soil, including the 26/11 Mumbai terrorist attack. This was the first listing of a Pakistani terrorist by India, as a designating state to the listing proposal.

4.19 India has been continuously supporting the UN efforts, including through providing financial support for various UN counter terrorism related capacity building programmes. In recent years, India has contributed more than US\$ 2 million to the UN Office of Counter Terrorism in support of its global programmes to counter financing of terrorism as well as stemming terrorists' travels.

4.20 The Committee observed that during its chairmanship of the Counter Terrorism Committee (1373 Committee) of the UN in 2022, India has prioritized the issues of terrorism in South Asia, expansion of terrorism in Africa, use of Internet and ICT for terrorist narratives, maritime security and use of new and emerging technologies for terrorist purposes. When further asked to state the initiatives spearheaded by India to counter terrorism in South Asia and to meet the challenges on account of expansion of terrorism in Africa along with the tangible outcome in this regard, the Ministry has informed that during its tenure in the UNSC in 2021-22, India submitted the names of five known terrorists [Abdul Rehman Makki, Abdul Rauf Asghar, Sajid Mir, Shahid Mehmood and Hafiz Talha Saeed] for listing under the UNSC 1267 [Al-Qaeda and ISIL] Sanctions regime. Out of these, the Sanctions Committee accepted to list Abdul Rehman Makki in the sanctions list on 16 January, 2023.

4.21 It may be noted that the Sanctions Committees of the UNSC work on the basis of consensus by the membership of the UNSC and even one member state placing a "hold" delays

the decision of the Committee, until the member state lifts the “hold” or “objects” to the proposal.

4.22 Regarding the manner in which the Internet and ICT as well as new and emerging technologies have been used for terrorist narratives/purposes and the counter measure adopted by the Counter Terrorism Committee during India’s chairmanship, the Ministry has stated that during its term in the Security Council, India chaired the important Counter Terrorism Committee (1373 Committee) during the year 2022. The Committee plays a very important role in UN led efforts to strengthen the collective international efforts to prevent and counter terrorism by fortifying the institutional, legislative and policy framework of member states, keeping in mind the national perspective to effectively prevent and counter terrorism in all its forms and manifestations.

4.23 As a Chair of the CTC, India also hosted a Special Meeting of the CTC in Mumbai and Delhi on 28 and 29 October 2022, which adopted a “Delhi Declaration” on “Countering the use of new and emerging technologies for terrorist purposes”.

4.24 The Internet and ICT as well as new and emerging technologies have been used for terrorist narratives/purposes in the following manners:-

(i) As Facilitator: The Internet is actively exploited by terrorists to carry on terrorist acts, incitement to commit acts of terrorism, radicalization and recruitment of terrorists, dissemination of illegal content, facilitating communication between terrorist actors and the training of potential recruits.

(ii) As Propaganda mechanism: The posting of journalist beheadings online and the arrests of numerous nationals attempting to join terrorist organizations are examples to suggest that terrorists are increasingly using social media to spread their ideology and false narrative to attract and recruit members.

(iii) As Proxy: Further, "About 90% of organized terrorism on the Internet is being carried out through social media." Al-Qaeda, ISIS and other prohibited terrorist organizations have moved their online presence to You Tube, Twitter, Facebook, Instagram, and other social media outlets.

(iv) Use of Virtual Private Network (VPN) / Virtual Private Service (VPS) to bypass geo-fencing feature and target Government Infrastructure.

4.25 When asked to furnish the details of measures taken, viz, assets freeze, travel ban, arms embargo, etc. by the 1267/1989 Al-Qaida Sanctions Committee in respect of India and other member countries during the last three years, the Ministry responded that the UNSC 1267 [Al-Qaida and ISIL] Sanctions Committee has taken various action on amending the list of the Sanctioned individuals and entities, including through listing and delisting of some of those. The action taken by the Committee in the last three years are available on :

<https://www.un.org/securitycouncil/sanctions/1267/press-releases> and the consolidated list is available at : <https://www.un.org/securitycouncil/content/un-sc-consolidated-list>

4.26 In India, adequate measures have been taken in the form of legislation and institutional framework for implementation of sanctions for assets freeze, travel ban and arms embargo. The Unlawful Activity (Prevention) Act, 1967 is the principal legal regime for the purpose of freezing of assets. As per MHA's order dated 02.02.2021, the procedure has been enumerated. However, no assets have been attached and no account has been frozen under Section 51A of the Unlawful Activity (Prevention) Act, 1967 in respect of UNSCR 1267/1989 Al-Qaida Sanction List as no match was found.

4.27 The consolidated list of individuals and entities placed on the Al-Qaida Sanctions List, country-wise is available at: <https://www.un.org/securitycouncil/content/un-sc-consolidated-list>.

4.28 On the action taken against those States who have not taken any action to implement the sanctions regime against the individuals and entities placed on the Al-Qaida Sanctions List, the Committee have been informed that the determination of violation of sanctions and action against such countries under Chapter VII of the UN Charter are to be taken by the UN Security Council, including those provided under Article 41 of the Charter (The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.”)

4.29 From India, only one person namely Dawood Ibrahim Kaskar has been placed under listing criteria (QDi 135) by the UNSC 1267 Sanctions Committee.

4.30 When enquired whether India has sent any request for addition of names in the Al-Qaida Sanctions List and the outcome of the same, the Ministry has stated that during its tenure in the UNSC in 2021-22, India submitted names of five known terrorists [Abdul Rehman Makki, Abdul Rauf Asghar, Sajid Mir, Shahid Mehmood and Hafiz Talha Saeed] for listing under the UNSC 1267 [Al-Qaeda and ISIL] Sanctions regime. Out of these, the Sanctions Committee accepted to list Abdul Rehman Makki in the sanctions list on 16 January, 2023.

4.31 On being asked about the efforts being made by India for de-politicization of sanctions regime, evidence-based, listing and de-listing by the Al-Qaida Sanctions Committee, need for a greater transparency in its working methods and the response received in this regard, the Ministry has informed that as member of the UNSC during 2021-22, India participated in the review process of the Guidelines for operation of the UNSC 1267 [Al Qaida and ISIL] Sanctions

Committee at the UN Security Council and persistently put forth its suggestions on amending the guidelines, focusing on depoliticization of the functioning of the Committee and making its decisions on listing and delisting evidence-based and transparent. The review is ongoing and will be carried out by the current membership of the UNSC.

4.32 Further, during its tenure in the UNSC in 2021-22, India strongly took up the case for depoliticization of the Committee, along with making its decisions on listing and delisting evidence based and transparent, with various members of the UNSC. The same case was also made in the statements delivered in the UNSC, including by our External Affairs Minister.

4.33 The Committee also observed that the Counter-Terrorism Committee (CTC) is responsible for monitoring the implementation of UNSC Resolution 1373, which requested countries to implement a number of measures intended to enhance their legal and institutional ability to counter terrorist activities. On further asked whether the CTC has asked India to implement any measure intended to enhance its their legal and institutional ability to counter terrorist activities, the Ministry has informed that UNSCR 1373 is a Resolution by the UNSC, which calls on all member states to implement the measures intended to curb terrorism and as such India also takes measures in the same spirit.

4.34 The Ministry of Home Affairs, Government of India designates/lists individual terrorist or organization under Section 35 of the Unlawful Activities (Prevention) Act, 1967 on its own motion or pursuant to requests received from other countries through the MEA, under the UNSCR 1373 (2001).

4.35 Measures have been taken in the form of legislation and institutional framework for implementation of sanctions for assets freeze, travel ban and arms embargo. The Unlawful Activity (Prevention) Act, 1967 is the principal legal regime.

4.36 The Government of India issued revised procedure on 2<sup>nd</sup> February, 2021 for expeditious and effective implementation of Section 51A of Unlawful Activity (Prevention) Act, 1967 and subsequent modification dated 15<sup>th</sup> March, 2023, making the provision applicable to the individual terrorist/terrorist organizations designated domestically, and providing for basic expenses and unfreezing of funds, financial assets or economic resources.

4.37 Further, India is fully complying with the UN sanction regime against individuals and entities *vide* UNSCR 1267, 1373 and subsequent resolutions. Till now, the Government has declared 44 entities as terrorist organizations and has designated 56 individuals as terrorists.

4.38 The Committee observed that India organized a Ministerial level briefing on the threat posed by the ISIL or Da'esh, highlighting the rise of ISIL's regional affiliates in several countries of Africa as well as in Afghanistan and enquired about the global response to counter the rise of ISIL's regional affiliates in several countries of Africa as well as in Afghanistan. The Ministry has informed that as a result of India's efforts, there is enhanced concern and awareness in the international community regarding rise of ISIL's regional affiliates in several countries of Africa and Afghanistan and challenges arising out of it. On 29th August 2021, the Security Council adopted a resolution demanding, inter alia, that Afghan territory is not used to threaten or attack any country or to shelter or train terrorists or to plan or finance terrorist attacks against any country. The Resolution also refers to individuals and entities designated under the 1267 Al-Qaeda Sanctions Committee [which includes Laskar-e-Tayyiba (LeT) and Jaish-e-Mohammad (JEM)].

4.39 The Ministry has also stated that a special meeting of the Counter Terrorism Committee was held in Mumbai and New Delhi on 28 and 29 October, 2002. At the end of the special meeting, the Delhi Declaration on countering the use of new and emerging technologies was issued. On being asked about the countries which participated in the said meeting, the Ministry has stated that as the Committee comprises of members of the UNSC, the meeting saw participation from all members of the UNSC viz. India, US, UK, China, Russia, France, Brazil, UAE, Kenya, Gabon, Ghana, Albania, Ireland, Mexico and Norway. Further, the representatives from incoming member states of the UNSC also participated viz. Malta, Switzerland, Mozambique, Japan and Ecuador.

4.40 On the strategies proposed to be adopted and the outcome of the Delhi Declaration so far, the Committee have been informed that the Delhi Declaration calls on member states to take measures to counter the terrorists' use of new and emerging technologies and mainly sets the tasks for the Counter Terrorism Committee (CTC) such as :

(a) The CTC to work on recommendations on the three themes of the CTC meeting namely "Countering Terrorist Exploitation of ICT and Emerging Technologies", "Threats and opportunities related to new payment technologies and fund raising methods" and "Threats posed by misuse of unmanned aerial systems (UAS) by terrorists" after the conclusion of the Special Meeting.

(b) The CTC to continue to assist Member States, with the support of CTC Executive Directorate (CTED), to achieve full implementation of all relevant Security Council resolutions that pertain to countering the use of new and emerging technologies for terrorist purposes, and

(c) The CTC may develop, with the support of CTED, set of non-binding guiding principles, taking into consideration the above, with a view to assisting Member States to counter the threat posed by the use of new and emerging technologies for terrorist purposes, including by compiling good practices on the opportunities offered by the same set of technologies to counter the threat, consistent with international human rights and international humanitarian law.

4.41 As such, it is for the CTC and CTED to take forward the outcome of the Delhi Declaration.

4.42 On being asked whether there is any mechanism to review the status of implementation of the Delhi Declaration, the Ministry has informed that the “Delhi Declaration” does not provide for any mechanism to review the status of implementation of the Declaration. It is incumbent on the UN Member States to strive to implement the Declaration.

4.43 Regarding the initiatives taken so far for countering exploitation of information and communication technologies by terrorists, the Committee have been informed that to counter such acts Government has intensified Cyber Patrolling for identifying terror networks and along with Counter Terrorism (CT) hotspots, surveillance over the encrypted devices as well dark web besides initiating capacity building programmes for Law Enforcement Agencies (LEAs).

4.44 NIA is empowered to probe cases of cyber terrorism under the NIA (Amendment) Act, 2019. A dedicated division namely, “Anti-Cyber Terrorism Division” has been created in the NIA for focused investigation of offences relating to cyber terrorism, including exploitation of information and communication technologies by terrorists.

4.45 Besides, India hosted special session of United Nations Security Council Counter-Terrorism Committee (UNCTC) (October 28-29, 2022) wherein the overarching theme was countering the use of Internet and drones by terrorist groups. In another meeting, ‘No Money For Terror’ (NMFT) (November 18-19, 2022), the issues of emerging technologies in the field of terror financing were discussed.

4.46 When enquired about the initiatives taken and achievements so far to ensure maritime security, especially in the Indo-pacific region, the Ministry has stated that during India’s Presidency of the UNSC in August 2021, India hosted a High-Level Open Debate on 'Enhancing Maritime Security - A Case for International Cooperation' on 9 August 2021. In more ways than one, this was a historic first. It was Chaired by the Hon’ble PM and it was the first case when an Indian PM Chaired and addressed a UNSC meeting. The event saw high level participation from UNSC members. Russia, Kenya and Vietnam participated at the level of Head of State/Head of Government, and seven other Foreign and other Ministers also participated.

4.47 It was also the first time that maritime security was discussed under the agenda item of international peace and security. While the council has in the past discussed issues related to piracy and armed robbery at sea, this was the first such holistic discussion.

4.48 The outcome document of this meeting was a Presidential Statement (PRST) on Maritime Security piloted by India. It was first such UNSC product adopted by the unanimous consent of all 15 (fifteen) member states with a holistic view of maritime security including UNCLOS, terrorism, freedom of navigation, piracy, trans-national crimes and other illicit activities,



trafficking in arms, humans and others, strengthening international and regional cooperation, including capacity building. It was well received by the UNSC Members and India's stewardship of anchoring this important issue in the UNSC for the first time, with a holistic view was widely appreciated by the larger UN audience. India's success in steering the council to discuss an issue that had remained outside its consideration represented a remarkable breakthrough.

4.49 Domestically, in its winter session of 2022, Parliament passed the Maritime Anti-Piracy Bill (MAPB) 2022 moved by External Affairs Minister (EAM) Dr. S. Jaishankar. MAPB 2022 will provide the necessary enabling domestic legal framework to try piracy related offences in India. The provisions of MAPB 2022 are applicable to the high seas, where the offense of piracy is committed. The Bill defines 'piracy' as a criminal offence and provides sound legal basis, certainty and clarity for speedy trial of piracy related offences in India. It will act as a deterrent against pirates and promote safety of India's maritime trade, including the safety of our vessels and crew members. The legislation will also be a step forward towards further cooperation with the signatories of the UN Convention on the Law of the Sea (UNCLOS), 1982 – which India ratified in 1995.

## **B. INDIA and FATF**

4.50 The FATF is an inter-governmental body established in 1989. Its Secretariat is housed at the Organisation for Economic Cooperation and Development (OECD) headquarters in Paris. Its objective is to set standards and promote effective implementation of legal, regulatory and operational measures for combating money laundering, terrorist financing and other related threats to the integrity of the international financial system. The FATF is therefore a "policy-making body" which works to generate the necessary political will to bring about national legislative and regulatory reforms in these areas. The FATF has expanded its work to include Proliferation Financing and Virtual Assets in its Agenda.

4.51 It has 40 members - 38 countries and 2 regional bodies (i.e. the European Commission and the Gulf Cooperation Council). All P-S countries and most of the EU countries are members of the FATF. In addition, major economies like India, Brazil, Argentina, Mexico, Canada, Malaysia, Singapore are also members. The decisions in the FATF are based on consensus.

4.52 The FATF works through its Plenary meeting, which takes place three times per year. The report of the FATF Plenary meeting is submitted to G-20 Finance Ministers through an elected President from among its member states. The term of the President is for 2 years. Mr. T. Raja Kumar of Singapore is the current President of the FATF.

4.53 So far, the FATF has issued 40 Recommendations. It monitors progress in implementing these Recommendations through "peer reviews" (Mutual Evaluations). Evaluation is carried out on (a) technical compliance i.e. existence of legislative measures and (b) effectiveness of legislative measures to curb money laundering and terror financing risks. In case a country is found significantly deficient on these aspects, a high level political commitment is sought from the country concerned and an Action Plan with definite timelines is framed and the country is put in the FATF list of countries under increased monitoring, i.e. 'Grey List'. In case, a country is

unable to complete a large part of the Action Plan within the stipulated time, it runs the risks of being included in the ‘**Black List**’. Inclusion in the ‘**Grey List**’ entails enhanced caution and scrutiny with respect to financial transactions of the country concerned whereas inclusion in the ‘**Black List**’ may entail initiation of counter measures against the non-compliant country in order to safeguard the international financial system from money laundering and terror financing risks emanating from such country. At present, North Korea, Iran and Myanmar are the countries in the Black List while 23 countries are in Grey List.

4.54 In a written reply furnished to the Committee, the Ministry has informed that India has been a member of FATF since 2010. It has actively participated in the discussions in FATF revolving around AML/CFT/CPF efforts undertaken by different jurisdictions. In particular, India, along with other FATF members has time and again highlighted the risk posed by Pakistan to the global financial system through its ML and TF activities.

4.55 India has actively participated in FATF as well as in FATF Style Regional Bodies (FSRB). It participates in periodic sharing of intelligence updates on financing of Al Qaeda, ISIL, and their affiliates.

4.56 India also actively participated in development of a guidance by FATF titled ‘Terrorist Financing Risk Assessment Guidance’ in 2019. This report helps jurisdictions assess the terrorist financing threat posed by global and regional terrorist groups, their systemic vulnerabilities, risk posed by the threats and vulnerabilities. The report presents rational methodologies that can be used for national risk assessment of terrorism financing. India also participated in formulation of revised guidance on Beneficial Ownership as part of FATF work project. It is also participant of many other live projects of FATF.

4.57 India as a FATF member works together with other members in the form of a task force toward the common objectives of the FATF Ministerial Mandate to tackle money laundering, terrorist and proliferation financing.

4.58 India participates in the discussions and decision-making of the task force, including through:

- Assumption of leadership / advisory positions (FATF President and Vice President, Steering Group members, working group co-chairs, other sub-group co-chairs and project leads). The Head of the India delegation to FATF, Mr. Vivek Aggarwal, Additional Secretary (Revenue) is a part of the Steering group.
- Making proposals to the Plenary and working groups on policy issues and seeing them discussed.
- Having access to all of the confidential and non-confidential documents, including but not restricted to Plenary, working group or other subgroup, conference, training, or consultation documents, within enough time prior to meetings or events to allow appropriate consideration of and internal co-ordination on the subjects considered by the FATF or its subgroups.

- Providing input – in writing or orally – to the discussions and decision-making processes of the FATF, its working groups and other subgroups.
- Having a voice in the selection of the FATF President, Vice-President, members of the Steering Group and working group co-chairs, as well as the strategic planning and resource allocation for the FATF and its various subgroups in accordance with its Ministerial Mandate.
- Having adequate representation (at least one seat) in any FATF, working group or subgroup meeting. India fulfils its obligations relating to financial, technical and human resource contributions, as well as other aspects of the work of the FATF.
- Provides adequate financial support through Annual contribution as agreed by the Plenary to ensure the good functioning of the task force.
- Providing experts for other task force initiatives (country reviews, policy discussions, conducting research, drafting documents, etc.). India is a part of the contact group for reviewing membership of Indonesia in FATF.
- Designating representatives (Heads of Delegation) who serve as the main point of contact and participate in FATF meetings or other activities.
- Contributing to FATF outreach to the private sector, including through active participation in FATF initiatives with the private Sector. India has nominated private sector representatives to the Private Sector consultative Forum, 2023.
- Directly participates in FATF mutual evaluations (assessors and reviewers). India had given assessors for the mutual evaluation of New Zealand, Qatar and MER review for Iraq, British Virgin islands. Reviewers for grey and black listed countries like Myanmar, south Africa, Nigeria, Tanzania, Vietnam, Philippines.

4.59 FATF Cell, Department of Revenue, Ministry of Finance acts as the national focal point for effective liaison with the FATF and other FATF styled Regional Bodies. FATF Cell looks after the coordination of work related to FATF/APG/EAG Secretariats. FATF Cell regularly coordinates with agencies of India’s anti ML/CFT infrastructure namely ED, FIU-IND, RBI, SEBI, IRDAI, MHA, NIA, MEA etc.

4.60 The names of countries included in the ‘Grey List’ and ‘Black List’ of the FATF List are as under:-

**FATF Black List (As on 28 April 2023)**

1. North Korea/Democratic People’s Republic of Korea (DPRK)
2. Iran
3. Myanmar

**FATF Grey List (As on 28 April 2023)**

1. Albania
2. Barbados
3. Burkina Faso
4. Cayman Islands
5. Democratic Republic of Congo
6. Gibraltar
7. Haiti
8. Jamaica
9. Jordan
10. Mali
11. Mozambique
12. Nigeria
13. Panama
14. Philippines
15. Senegal
16. South Africa
17. South Sudan
18. Syria
19. Tanzania
20. Turkiye
21. Uganda
22. United Arab Emirates
23. Yemen

4.61 During the course of evidence on 29 March 2023, the Committee sought to know whether Artificial Intelligence is installed with respect to detecting the transfer of virtual assets to which the representative of the Department of Revenue responded as under:

“...so far as the suspicious transactions and Virtual Asset Service Providers’ red flags are concerned, they are through the FIU Artificial Intelligence System where the STRs are being reported and they will get monitored under the AI module of FINNet that we have built in FIU”.

4.62 On the global response regarding terror financing activity through virtual assets, the representative of the Department of Revenue during the course of evidence, stated:

“So far as the global response is concerned, FATF has revised its standards and under the revised standards, terror financing activity through new technology, that is, virtual assets, is to be monitored. The travel rule is now compulsory to be implemented by all the countries. There is a different level of implementation by different jurisdictions. Europe has implemented the complete regulations on virtual assets and the movement of money on new technology. US has done part of it but much of the developing world has not done much on this particular activity including our neighbours which are our major

concern. Getting the information from the areas of concern is still a challenge for us including the flow of money from our neighbouring countries. We have four major terror theatres that is, our western borders which is J&K and Punjab, our North-eastern borders where there is an issue of insurgency, the left-wing extremism and radicalization theatres. All these theatres are now being very closely monitored by all the intelligence agencies. We have regular meetings. We have our daily information sharing protocol and wherever there is a red-flag indication from the information that is coming in from any of these agencies in the MAC platform, there is an operational analysis and that is shared with law enforcement agencies. There is a robust mechanism that India has developed. Of course, the challenges are there but as the challenges are coming, we are meeting them, by bringing in the proper regulatory framework as well as the actionable implementation framework”.

4.63 Responding to the query of the Committee regarding protocol for information sharing on virtual assets, the representative of the Department of Revenue stated as under:

“...there is a protocol for information sharing for virtual assets in the entire world but the problem is that only in those countries credible information is coming where they have the travel rule applicable in their own law.

Like in USA, it is there now. In Europe it is there. But suppose you take information from United Arab Emirates or Pakistan or some of the countries which are areas of concern for us, even African countries, this protocol is not fully applicable, those jurisdictions are being now persuaded by FATF as a global network to implement it. Once the FATF standard is implemented all over the world, then this information flow will come. But presently, it is a challenge. The full information flow is not there. But so far as Indian Virtual Asset Service Providers are concerned, now the law has been made clear that all Indian exchanges which are dealing with virtual assets, will have to maintain the information of the sender, if the sender is from any other country, then that information also will have to be maintained. But that is only for transactions that will be through organised exchanges. But if the transaction is not through the virtual asset service provider of Indian origin, then it is a challenge for us to get the information even now”.

4.64 When asked whether there is any regular mechanism to monitor Terrorist Financing and Terrorist Financing risk on an ongoing basis, the Ministry has stated that the Directorate of Enforcement has strong internal mechanism to monitor Terror Financing Risk. At the headquarters level a Special Task Force unit has been established which specifically look after the Drug related and Terror Financing ML offenses. Information related to the relevant scheduled offence is sought from NIA & state Police authorities at regular intervals through correspondence as well as multi- agency meetings to initiate action under provisions of PMLA. Further, inputs are also received from intelligence agencies.

4.65 On the challenges being faced in countering terrorist financing and assessing Terrorist Financing risk in the country as well as the counter terrorist financing strategies of the Government, the Ministry has stated that the main challenge in Terror Financing (TF) cases is identifying trail of money as generally the proceeds of crime are transferred through hawala channels or in form of religious donations of small amounts. Further, unlike in money laundering cases, in TF cases no rotation of funds is observed.

4.66 The Government of India is committed to tackle the menace of Terrorist Financing in the country and prepare strategies accordingly. Further, the Government of India keeps on evolving its strategies to be on par with the terrorists' organisations. As stated in above reply, it is again submitted that in terror financing cases, ED has a very important role both in tracing the proceeds of crime and its laundering by the terrorists. ED not only attaches the Proceeds of Crime and takes possession of the same, thus, deprives the accused of enjoying fruits of crime. Further, Prosecution Complaints is also filed against the terror accused under the PMLA for confiscation of proceeds of crime and conviction of accused. The Directorate of Enforcement takes action both under the provisions of PMLA and the Foreign Exchange Management Act, 1999 (FEMA) to disrupt the TF activities in India.

### **C. NMFT Ministerial Conference**

4.67 The Committee observed that 'No Money for Terror' (NMFT) Ministerial Conference on Countering Terror Financing was held on 18 & 19 November 2022 in New Delhi and enquired about the issues discussed, consensus arrived at and outcome of the Conference. In a written reply, the Ministry has stated that Illicit Flow of Funds (IFFs) is one of constantly growing major issues that has captured the attention of the international community in recent years, due to its high incidence. In this connection, the 3rd No Money for Terror (NMFT) Conference on Counter Terrorism Financing was held on 18-19 November, 2022 in continuation to first two conferences, held in France and Melbourne in 2018 and 2019, respectively.

4.68 The conference discussed on technical, legal, regulating and co-operational aspects of terrorist financing. During the conference, deliberations were focused on: -

- ◆ Global trends in terrorism & terrorism financing.
- ◆ Use of formal and informal channels of funds for terrorism.
- ◆ Emerging technologies & terror financing
- ◆ International cooperation to address challenges in combating financing terrorism.

4.69 The conference was attended by 77 Countries and 16 Multi lateral organizations. This was proved a unique forum for participating countries and organizations to discuss the effectiveness of the current international regime of combating the Financing of Terror, and to discuss solutions to emerging challenges. On November 19, 2022,

during the concluding session, Union Home Minister offered to establish a Permanent NMFT Ministerial Conference (NMC) Secretariat in India, in order to sustain the continued global focus on countering the financing of terrorism.

#### **D. Counter Terrorism under India's G-20 Presidency**

4.70 The Committee observed that India has prioritized counter terrorism under its Presidency of G-20 and enquired about the means and mechanism in this regard. The Ministry has informed that India's G20 priorities include international peace and harmony, of which cooperation in the field of Counter Terrorism is an important element. The Chair's Summary and Outcome Document of the G20 Foreign Ministers Meeting (FMM) in New Delhi on 1-2 March 2023, stated as follows:

“Recalling the Leaders' Declaration in Antalya (2015), Hamburg (2017) and Osaka (2019), we condemn terrorism in all its forms and manifestations, including those on the basis of xenophobia, racism and other forms of intolerance, or in the name of religion or belief, recognizing the commitment of all religions to peace. It constitutes one of the most serious threats to international peace and security. We strongly condemn all terrorist acts against critical infrastructure, including critical energy facilities, and against other vulnerable targets. All acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed. Effective counter-terrorism measures, support for the victims of terrorism and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing. A holistic approach on the basis of international law can effectively counter terrorism.

The nature and scope of linkages between terrorism and organized crime, including trafficking in arms and drugs, corruption, money laundering and other crimes which may support terrorism, vary by context, and require effective criminal justice responses. Efforts to increase the effectiveness of international cooperation should be strengthened to deny terrorist groups safe haven, freedom of operations, movement and recruitment, as well as financial, material or political support. The international community should step up efforts to effectively combat these growing threats including through enhancing collective measures to counter money laundering and terrorism financing. We will also step up our fight against corruption.

We express concern about illicit trafficking and diversion of small arms and light weapons. International cooperation among States is critical to combat these phenomena, including export, import controls, and tracing.”

Cooperation in the field of Counter Terrorism is pursued through relevant bilateral, regional and multilateral frameworks.”

4.71 When enquired about the issues discussed and declarations adopted for countering global terrorism including de-radicalization strategies during the G20 Summit held recently and India's role and contributions in this regard, the Ministry has stated that during India's G20 Presidency high priority has been accorded to the subject of counter-terrorism; and serious efforts have been made to achieve consensus on effective global counter terrorism measures. In February, 2023, during the first G20 Finance Ministers and Central Bank Governors Meeting, the G20 members recognized "the urgent need to establish effective anti-money laundering and counter-terrorism financing regulations and oversight of virtual assets, especially to prevent their use in money laundering and terrorism financing, in line with FATF Standards". In March, 2023 during the G20 Foreign Ministers' Meeting (FMM), India was successful in including a separate section on counter-terrorism in the FMM Outcome Document wherein all Foreign "condemned terrorism in all its forms and manifestations, including those on the basis of xenophobia, racism and other forms of intolerance, or in the name of religion or belief". Since February, India has positively worked towards prioritizing discussion on counter-terrorism in various G20 fora in order to enhance global counter-terrorism efforts and to build consensus on the subject. In July, India hosted the G20 Conference on "Crime and Security in the Age of NFTs, AI and Metaverse" where traditional, non-traditional and new and emerging challenges, including terrorism and its financing, money laundering, misinformation and disinformation were discussed in detail by subject experts and practitioners from the G20 and guest countries. Such strong language on counter terrorism in the G20 New Delhi Leaders' Declaration is a significant improvement from past G20 Presidencies.

4.72 The G20 Leaders in the G20 New Delhi Leaders' Declaration recognized terrorism as "one of the most serious threats to international peace and security" and "condemn(ed) terrorism in all its forms and manifestations, including those on the basis of xenophobia, racism and other forms of intolerance, or in the name of religion or belief, recognizing the commitment of all religions to peace." They "strongly condemn(ed) all terrorist acts against critical infrastructure, including critical energy facilities, and against other vulnerable targets while acknowledging that all acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed." They emphasized that "efforts to increase the effectiveness of international cooperation should be strengthened to deny terrorist groups safe haven, freedom of operations, movement and recruitment, as well as financial, material or political support."

4.73 On being asked whether there is any mechanism for the implementation aspect of such declarations, the Ministry informed that G20 Declarations and commitments resonate across the world and are carried forward by concerned international organizations and sovereign governments, through specific actions and concrete steps. G20 is a premier agenda setting body of the World. In the field of counter-terrorism, the commitment of the G20 Leaders is expected



to be further amplified by international fora such as the UN System, including its Counter-terrorism Committee, and FATF, including for framing the global policy approach in this area.

**4.74** The Committee note that India is party to all the 13 UN Sectoral conventions relating to terrorism and has supported UNSC Resolution 1269 and 1368 which clearly identify terrorism as a threat to international peace and security. Further India has fully implemented resolutions 1267, 1333 and 1363 relating to terrorism by Taliban regime in Afghanistan. India has also taken several initiatives for strengthening the UN Counter Terrorism architecture led by United Nations Office of Counter Terrorism (UNOCT) and regularly contributed towards various UNOCT programmes and the UN Trust Fund for Counter Terrorism. The Committee further note that India has also successfully hosted the Special Meeting of the UN Security Council's Counter Terrorism Committee (UNCTC) in Mumbai and Delhi on 28-29 October 2022. Besides, the Terror related domestic laws have been amended in order to ensure action against UN designated individuals and entities. The Committee acknowledge the Government's commitment to countering terrorism and desire that it should continue to prioritize the fight against global terrorism by fortifying its institutional, legislative and policy framework domestically and at the same time strongly advocating the need for UN member States to do so. The Committee also desire that India should persistently advocate the need for actively supporting the efforts of the UN and its bodies including its global capacity building programmes, regular and substantial contribution to the UN Trust Fund for Counter Terrorism, effective implementation of all the resolutions of the UN General Assembly and Security Council in letter and spirit etc. by member States. The Committee further urge the Government to play a pro-active role in strengthening the collective international efforts to prevent and counter terrorism through the United Nations Office of Counter Terrorism.

**(Recommendation No. 36)**

**4.75** The Committee note that during its tenure in the UNSC in 2021-22, India has submitted the names of five known terrorists for listing under the UNSC 1267 [Al-Qaeda and ISIL] Sanctions regime. Out of these, Abdul Rehman Makki has been accepted for listing by the Sanctions Committee on 16 January, 2023. The Committee desire that India

should continue to pursue the matter of listing the remaining four terrorists under the sanctions regime to thwart/curb the nefarious activities of these terrorists against the country.

(Recommendation No. 37)

4.76 The Committee note that the Global Counter Terrorism Strategy (GCTS) of the United Nations which was adopted by consensus in 2006 is a unique global instrument to enhance national, regional and international efforts to counter terrorism. The Committee understand that during the negotiations of the 7<sup>th</sup> review of the GCTS, India has succeeded in deterring efforts against any attempts to divide and dilute the global efforts to fight terrorism by focusing on few manifestations of terrorism while ignoring the rest. The Committee desire that the Government should continue to constructively engage in the negotiations during upcoming reviews of GCTS after taking stock of the progress in implementation of the Strategy, identification of the priority areas for focus and coming up with constructive suggestions for future implementation by the UN system. The Committee also stress the need for member States to develop strong political will to root out terrorism, strengthening member States' capacity to counter terrorist threats and ensuring better coordination with the UN Counter Terrorism Architecture and programmes and urge the Government to take further initiatives in this regard.

(Recommendation No. 38)

4.77 The Committee note that the UN Global Counter Terrorism Coordination Compact was established in 2019 and has a close and mutually reinforcing relationship with the Global Counter Terrorism Forum (GCTF). The formation of the UN Global CT Compact comprising of 42 entities including INTERPOL, Inter Parliamentary Union and World Customs Organisation has streamlined and strengthened the UN system-wide prioritization and implementation of CT and Preventing Violent Extremism (PVE) measures. The Committee further note that presently, UNOCT in partnership with various counterterrorism global compact entities, international and regional organizations as well as member States, runs more than 20 global capacity building programmes to assist member States to prevent and counter the threat of terrorism. The Committee understand that effective utilization of the UN Global CT Compact platform and active participation in

**the global capacity building programmes of the UNOCT would enhance collaboration, joint mobilization of resources and implementation of joint programmes and projects on counter terrorism and prevention of violent extremism and hence urge the Government to maintain close cooperation and coordination with all the entities.**

**(Recommendation No. 39)**

**4.78 The Committee note that the three main subsidiary bodies established by the UN Security Council that deal with terrorism related issues are the 1267/1989 Al-Qaida Sanctions Committee, the Counter Terrorism Committee or 1373 Committee and the 1540 Committee dealing with preventing non-State actors from acquiring weapons of mass destruction. The Committee understand that effective implementation of the UN Security Council's Sanctions regime can be an effective tool in countering the activities of terrorists and terrorist groups by restricting their travel and suppressing their funding avenues and urge the Government to support the UN efforts wholeheartedly and collaborate actively with member States in this regard. On the need for de-politicization of the sanctions regime, evidence-based listing and de-listing with greater transparency by the Sanctions Committee, the Committee urge the Government to make persistent efforts at the UNSC to achieve the same.**

**(Recommendation No. 40)**

**4.79 The Committee note that at a Special Meeting of the UNSC's Counter Terrorism Committee hosted by India in Mumbai and Delhi on 28 and 29 October 2022, a strong Delhi Declaration on countering the use of new and emerging technologies for terrorist purposes was adopted. The Declaration focused on the threat from unmanned aerial systems including drones, online radicalization and recruitment as well as terrorist financing through crypto currencies and other virtual means. The Committee stress the need for effective implementation of the Delhi Declaration by member States in the global fight against terrorism and urge the Government to take up the issue of conducting periodic review of its implementation in the Counter Terrorism Committee of the UNSC.**

**(Recommendation No. 41)**

**4.80** The Committee note that during India's Presidency of the UNSC in August 2021, a High-Level Open Debate on 'Enhancing Maritime Security-A Case for International Cooperation' was held on 9 August 2021. The outcome document of this meeting was a Presidential Statement on Maritime Security piloted by India, the first such UNSC product adopted by the unanimous consent of all 15 member States with a holistic view of maritime security. The Committee hope that India will continue to take further initiatives to ensure maritime security, especially in the Indo-Pacific region. The Committee also urge the Government to work towards furthering cooperation with member States for effective implementation of the UN Convention on the Law of the Sea, freedom of navigation, enhancing capacities and capabilities on maritime security, etc. and strengthening the collective efforts and regional and international cooperation in combating piracy, trans-national crimes, human trafficking, trafficking in arms and other illicit activities through the maritime route.

**(Recommendation No. 42)**

**4.81** The Committee note that the Financial Action Task Force (FATF) is an inter-governmental body established in 1989 with the objective of setting standards and promoting effective implementation of legal, regulatory and operational measures for combating money laundering, terrorist financing and other related threats to the integrity of the international financial system. It has 40 members - 38 countries and 2 regional bodies (i.e. the European Commission and the Gulf Cooperation Council). The Committee further note that the FATF has expanded its work to include Proliferation Financing and Virtual Assets in its Agenda. The Committee are aware of the new mode of terror financing adopted by terrorists/terrorist groups including virtual assets and stress the need for monitoring this new terror financing mode closely. The Committee desire that the Government should work in close coordination with the FATF and implement all the standards set by the body to curb the use of virtual assets by the terrorist groups and constantly monitor the progress in this regard. The need for implementation of the complete regulations on virtual assets by all the countries, particularly our neighbours must be voiced at various regional and multilateral fora. The Committee also desire that the Government should evolve an effective actionable implementation framework and

constantly review the working of the regulatory framework on virtual assets as well as the actionable implementation framework to meet any challenges emanating from use of new technology for terrorist financing in the country.

(Recommendation No. 43)

4.82 The Committee note that India has actively participated in FATF as well as in FATF Style Regional Bodies (FSRB). It participates in periodic sharing of intelligence updates on financing of Al Qaeda, ISIL, and their affiliates. India also actively participated in development of a guidance by FATF titled ‘Terrorist Financing Risk Assessment Guidance’ in 2019, formulation of revised guidance on Beneficial Ownership as part of FATF work project and other live projects of FATF. India as a FATF member works together with other members in the form of a task force towards the common objectives of the FATF Ministerial Mandate to tackle money laundering, terrorist and proliferation financing. The Committee are of the view that focus should be given to pre-empt and prevent terrorist financing through new technology and virtual assets through optimum use of Artificial Intelligence and sharing of real time inputs. The Committee, therefore, recommend that India and the FATF should work towards up-gradation of periodic sharing of intelligence updates on financing of Al Qaeda, ISIL, and their affiliates to real time sharing of intelligence updates to achieve the said goal. The Committee also desire that the Government should play a more pro-active role in FATF and improve its coordination with members of the task force to achieve the common objectives of tackling money laundering, terrorist and proliferation financing.

(Recommendation No. 44)

4.83 The Committee note that the FATF Cell in the Department of Revenue, Ministry of Finance acts as the national focal point for effective liaison with the FATF and other FATF styled Regional Bodies. FATF Cell looks after the coordination of work related to FATF/APG/EAG Secretariats. FATF Cell regularly coordinates with agencies of India’s anti ML/CFT infrastructure namely ED, FIU-IND, RBI, SEBI, IRDAI, MHA, NIA, MEA etc. The Committee desire that the Government should work towards strengthening the

**FATF Cell and expand its diplomatic outreach with FATF Cells of other countries to ensure closer cooperation and coordination.**

**(Recommendation No. 45)**

**4.84 The Committee note that for monitoring of Terrorist Financing Risk, the Directorate of Enforcement has strong internal mechanism with a Special Task Force unit established at the headquarters level. The Committee also note that in Terror Financing cases, the main challenge is identifying the trail of money as generally the proceeds of crime are transferred through hawala channels or in the form of religious donations of small amount. The Committee stress the need for overcoming the challenge in identifying the trail of money in Terror Financing cases and urge the MEA to extend all cooperation to the Directorate of Enforcement in this regard through diplomatic outreach and coordination with international agencies and organizations.**

**(Recommendation No. 46)**

**4.85 The Committee note that the 3<sup>rd</sup> No Money for Terror (NMFT) Ministerial Conference on Countering Terror Financing was held on 18 & 19 November 2022 in New Delhi in which 77 countries and 16 multi lateral organizations participated. The Committee further note that at the concluding session, Union Home Minister has offered to establish a Permanent NMFT Ministerial Conference (NMC) Secretariat in India, in order to sustain the continued global focus on countering the financing of terrorism. The Committee are of the view that establishment of a permanent NMC Secretariat would enhance cooperation and collaboration amongst the international community in suppressing the sources of terror funding and curbing the growth and expansion of terrorist activities globally. As a victim of terrorism for more than three decades, India would also benefit from the focused attention to countering the financing of terrorism. The Committee, therefore, urge the Government to pursue the matter for early finalization of all the modalities so that a permanent NMC Secretariat is established in India.**

**(Recommendation No. 47)**

4.86 The Committee note that during India's G20 Presidency, high priority has been accorded to the subject of counter-terrorism and serious efforts have been made to achieve consensus on effective global counter terrorism measures. The G20 Leaders in the G20 New Delhi Leaders' Declaration recognized terrorism as one of the most serious threats to international peace and security and condemned terrorism and all terrorist acts. The Committee also note that the G20 Leaders emphasized that efforts to increase the effectiveness of international cooperation should be strengthened to deny terrorist groups safe haven, freedom of operations, movement and recruitment, as well as financial, material or political support. The Committee hope that India would play a pivotal role in strengthening international cooperation and ensuring effective coordinated response to root out safe havens of terrorist groups and curbing their freedom of operations, movement, recruitment and financial, material or political support. The Committee also desire that the Government should advocate the need to take specific actions and concrete steps by all the member States to combat all forms of terrorism and terrorist acts through the G20 forum and other international fora like the UN system and the FATF.

(Recommendation No. 48)

NEW DELHI  
31 January, 2024  
11 Magha, 1945 (Saka)

P.P. CHAUDHARY,  
Chairperson,  
Committee on External Affairs

**ANNEXURE- I**

**MINUTES OF THE ELEVENTH SITTING OF THE STANDING COMMITTEE ON  
EXTERNAL AFFAIRS (2021-22) HELD ON 22 JUNE, 2022**

The Committee sat from 1400 hrs. to 1625 hrs. in Main Committee Room, Parliament House Annexe, New Delhi.

**Present**

**Shri P.P. Chaudhary** – **Chairperson**

**MEMBERS**

**LOK SABHA**

2. Smt. Preneet Kaur
3. Smt. Goddeti Madhavi
4. Shri P.C. Mohan
5. Smt. Queen Oja
6. Dr. K.C. Patel
7. Shri N.K. Premchandran
8. Smt. Navneet Ravi Rana
9. Shri E.T. Mohammed Basheer

**RAJYA SABHA**

10. Shri K. J. Alphons
11. Shri Brijlal
12. Shri Prakash Javadekar



**MINISTRY OF EXTERNAL AFFAIRS**

<b>S.No.</b>	<b>Name</b>	<b>Designation</b>
1.	Shri Saurabh Kumar	Secretary (East)
2.	Shri Rudrendra Tandon	AS (BIMSTEC & SAARC)
3.	Shri Mahaveer Singhvi	JS (CT)
4.	Ms. Yojna Patel	JS (SCO)
5.	Shri Anil Kumar Rai	JS (Parliament & Coordination)
6.	Shri J.P. Singh	JS (PAI)
7.	Shri Devesh Uttam	JS (CPV)
8.	Shri Raghuram S.	Director (UNP)

**MINISTRY OF HOME AFFAIRS**

<b>S.No.</b>	<b>Name</b>	<b>Designation</b>
1.	Shri Praveen Vashista	AS (CTCR), MHA
2.	Maj. General Manish Erry	IG (Ops), NSG
3.	Shri Ashish Batra	IG, NIA
4.	Ms. Chanchal Yadav	Director (CT)

**SECRETARIAT**

1. Dr. Ram Raj Rai - Joint Secretary
2. Ms. Reena Gopalakrishnan - Director
2. Ms. K. Muanniang Tunlut - Deputy Secretary

At the outset, Hon'ble Chairperson welcomed the Members of the Committee and the representatives of the Ministries of External Affairs and Home Affairs to the sitting of the Committee convened to have briefing in connection with detailed examination of the subject 'Countering Global Terrorism at Regional and International Level'. He then drew the attention of all the witnesses to Direction 55 (1) of the Directions by the Speaker, Lok Sabha pertaining to maintaining the confidentiality of the Proceedings and Direction 58 of the Directions by the Speaker, Lok Sabha. Outlining the issues to be discussed, he requested the witnesses to introduce themselves before making submissions before the Committee.

2. The Secretary (East) in the Ministry of External Affairs highlighted the initiatives taken by India in the global efforts to counter terrorism which *inter alia* included initiative to pilot the draft comprehensive Convention on International Terrorism; raising the issue of Pakistan's continued support to cross border terrorism at bilateral, regional and international fora; advocating the need for strengthening of multilateral efforts to fight terrorism and strengthening the UN counter terrorism architecture led by UNOCT; focusing on new financial instruments and digital technology being used by terrorists; supporting the UN's efforts to strengthen the capacity of member States through financial contribution and close engagement with the UNCTC; spearheading several initiatives on counter terrorism including maritime security during its Presidency of the UN Security Council; eight point action plan to counter terrorism; organizing special Ministerial meeting on the threat posed by ISIL or Da'esh; active participation in the FATF; active involvement in the meetings of BRICS and BIMSTEC Joint Working group on Counter terrorism and their sub-groups as well as other regional organizations; establishment of JWG's on counter terrorism, signing of agreements on Mutual Legal Assistance in Criminal Matters, Extradition treaties etc.

3. The representative of the Ministry of Home Affairs briefed the Committee on the initiatives taken by the Government in the recent past to counter terrorism including amendments in the Unlawful Activities Prevention Act and the National Investigation Agency Act; joint training, counter terrorism related training and capacity building courses conducted by NSG; strengthening of the mechanism for exchange of information on real-time basis; exchange of information with the Enforcement Directorate on terror financing;

capacity building of NIA in terms of manpower and equipment; plans for organizing Ministerial Conference on Counter Terrorism etc.

4. Thereafter, the Members raised various issues which *inter alia* included definition of terrorism; terrorist activities and radicalization; activities of PFI and STPI; role of NIA in dealing with terrorists and issue of terrorism; role of UN in countering terrorism; action against Indian Mujahideen; State sponsored terrorism and fake Indian currency; massacre inside place of worship; need for sincere efforts to combat terrorism at the global level; need to check foreign funding of terrorism; effectiveness of NSG and its resources and manpower; cyber attacks and coordination between Ministries/Departments/Agencies on cyber security; media coverage of terrorist activities etc.

5. The representatives of the Ministries responded to the queries of the Members. Before the Sitting concluded, the Chairperson directed the witnesses to furnish written replies on the points raised by the Members to the Secretariat of the Committee at the earliest.

*The witnesses then withdrew*

*The Committee then adjourned*

A verbatim record of the Proceedings has been kept.

**MINUTES OF THE FOURTH SITTING OF THE STANDING COMMITTEE ON  
EXTERNAL AFFAIRS (2022-23) HELD ON 10 NOVEMBER, 2022**

The Committee sat from 1000 hrs. to 1130 hrs. in Committee Room 'D', Parliament House Annexe, New Delhi.

**Present**

**Shri P.P. Chaudhary** – **Chairperson**

**MEMBERS**

**LOK SABHA**

2. Smt. Goddeti Madhavi
3. Smt. Poonam Mahajan
4. Shri Ritesh Pandey
5. Dr. K.C. Patel
6. Shri N.K. Premchandran
7. Shri Manne Srinivas Reddy
8. Shri Rebati Tripura
9. Dr. Harsh Vardhan

**RAJYA SABHA**

10. Shri Anil Desai
11. Shri Prakash Javadekar

**MINISTRY OF EXTERNAL AFFAIRS**

<b>S.No.</b>	<b>Name</b>	<b>Designation</b>
1.	Shri Saurabh Kumar	Secretary (East) [Leader of Delegation]
2.	Shri Mahaveer Singhvi	JS(CT)
3.	Smt Yojna Patel	JS (SCO)
4.	Shri Anil Kumar Rai	JS (Parl. & Coord.)
5.	Shri Prakash Gupta	JS (UNP)
6.	Shri J.P. Singh	JS(PAI)
7.	Shri Raghuram S.	Director (UNP)

**MINISTRY OF HOME AFFAIRS**

<b>S.No.</b>	<b>Name</b>	<b>Designation</b>
1.	Shri Praveen Vashista	Additional Secretary, MHA
2.	Shri Nitish Kumar	IG, NIA
3.	Brigadier KTG Krishnan	DIG, NSG

**SECRETARIAT**

1. Dr. Ram Raj Rai - Joint Secretary
2. Smt. Reena Gopalakrishnan - Director
3. Ms. K. Muanniang Tunlut - Deputy Secretary
4. Ms. Maya Menon - Under Secretary

At the outset, the Chairperson welcomed the Members of the Committee and the representatives of the Ministries of External Affairs and Home Affairs to the Sitting of the Committee convened to have evidence in connection with detailed examination of the subject 'Countering Global Terrorism at Regional and International Level'. Highlighting the issues to be discussed, Chairperson drew the attention of all the witnesses to Direction 55 (1) of the Directions by the Speaker, Lok Sabha pertaining to maintaining the confidentiality of the Proceedings and Direction 58 of the Directions by the Speaker, Lok Sabha. He then requested the witnesses to introduce themselves before making submissions before the Committee.

2. The Secretary (East) in the Ministry of External Affairs presented an overview of the international dimension regarding the developments on countering global terrorism in the past and recently during 2022 which *inter alia* included raising the issue of Pakistan's continued support to cross-border terrorism at bilateral, regional and multilateral fora; need for concerted action against all terrorist groups; extradition and mutual legal assistance agreements in criminal matters; MoUs on security cooperation; coordination amongst Financial Intelligence Units; counter terrorism measures under the UN including meeting of CTC in New Delhi recently and need for strengthening the counter terrorism architecture of the UN; misuse of internet, ICT, new and emerging technologies for terrorist activities; initiatives taken under FATF; India's engagement with RATS of SCO; initiatives under BIMSTEC and QUAD; JWGs on counter terrorism; definition on CCIT; efforts to be made on countering terrorism during India's Presidency of G20, etc.

3. The representative of the Ministry of Home Affairs made a submission before the Committee on various aspects of terrorism such as, proliferation of global terrorism through radicalization, recruitment and lone wolf attacks; terror financing through crypto currencies and virtual assets; international cooperation amongst various agencies on counter terror capacity enhancement; joint training and capacity building courses organized by NSG; modernization of police forces and weaponry; check on the smuggling of fake currencies; hosting of Conference on Counter Terrorism Financing; cyber security etc.

4. Thereafter, the Chairperson and the Members raised various issues which *inter alia* included roadmap for countering terrorism relating to cyber space and biological weapons;

extradition of fugitives in countries with which India does not have extradition treaty or agreement; efforts for extradition treaty at UN level; steps to counter the use of crypto and virtual currencies by terrorists; cyber security; need for automated intelligence; need for Sanction Committee for a bigger policy in UN; need to develop network with other countries to stop the activities of terrorists etc.

5. The representatives of the Ministry of External Affairs and the Ministry of Home Affairs responded to the queries of the Members. The Chairperson then thanked the representatives of the Ministries for valuable and insightful inputs on the subject and also directed them to furnish written replies on the points raised during the discussion, to the Secretariat of the Committee at the earliest.

*The witnesses then withdrew*

*The Committee then adjourned*

A verbatim record of the Proceedings has been kept.

**MINUTES OF THE FIFTEENTH SITTING OF THE STANDING COMMITTEE ON  
EXTERNAL AFFAIRS (2022-23) HELD ON 29 MARCH, 2023**

The Committee sat on Wednesday, the 29<sup>th</sup> March 2023 from 1525 hrs. to 1645 hrs. in Main Committee Room, Parliament House Annexe, New Delhi.

**Present**

**Shri P.P. Chaudhary – Chairperson**

**MEMBERS**

**LOK SABHA**

2. Shri Dileshwar Kamait
3. Smt. Goddeti Madhavi
4. Smt. Poonam Mahajan
5. Smt. Queen Oja
6. Dr. K C Patel
7. Shri N. K. Premchandran
8. Shri Manne Srinivas Reddy
9. Shri Rebati Tripura
10. Dr. Harsh Vardhan
11. Shri E. T. Mohammed Basheer

**RAJYA SABHA**

12. Shri Anil Desai
13. Dr. Wanweiroy Kharlukhi
14. Dr. Ashok Kumar Mittal



**MINISTRY OF EXTERNAL AFFAIRS**

<b>S. No</b>	<b>Name</b>	<b>Designation</b>
<b>1.</b>	<b>Shri Sanjay Verma</b>	<b>Secretary (West)</b> <b>[Leader of Delegation]</b>
<b>2.</b>	<b>Smt. Vani Rao</b>	<b>AS(AMS)</b>
<b>3.</b>	<b>Shri Sandeep Chakravorty</b>	<b>JS(EW)</b>
<b>4.</b>	<b>Shri Anil K. Rai</b>	<b>JS(Parl &amp; Coord)</b>
<b>5.</b>	<b>Shri Prakash Gupta</b>	<b>JS(UNP)</b>
<b>6.</b>	<b>Shri J.P. Singh</b>	<b>JS(PAI)</b>
<b>7.</b>	<b>Shri Devesh Uttam</b>	<b>JS(CPV)</b>
<b>8.</b>	<b>Shri K.D. Dewal</b>	<b>JS(CT)</b>
<b>9.</b>	<b>Shri M. Keivom</b>	<b>Dir (CT)</b>

**MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY**

<b>S. No</b>	<b>Name</b>	<b>Designation</b>
<b>1.</b>	<b>Shri Alkesh Kumar Sharma</b>	<b>Secretary</b>
<b>2.</b>	<b>Shri Amit Agrawal</b>	<b>Additional Secretary</b>
<b>3.</b>	<b>Dr. Sanjay Bahl</b>	<b>DG CERT-In</b>

4.	<b>Dr. Sandip Chatterjee</b>	<b>Scientist G and Group Coordinator - Cyber Law</b>
5.	<b>Dr. S. Sathyanarayanan</b>	<b>Scientist E</b>

**DEPARTMENT OF REVENUE**

<b>SR No.</b>	<b>Name</b>	<b>Designation</b>
1.	<b>Sh. Vivek Aggarwal</b>	<b>AS(Revenue)</b>

**SECRETARIAT**

1. Dr. Ram Raj Rai - Joint Secretary
2. Smt. Reena Gopalakrishnan - Director
3. Ms. K Muanniang Tunlut - Deputy Secretary

2. XXXX XXXX XXXX XXXX
3. XXXX XXXX XXXX XXXX
4. XXXX XXXX XXXX XXXX
5. XXXX XXXX XXXX XXXX

6. Thereafter, Chairperson welcomed the representatives of the Ministry of External Affairs, the Ministry of Electronics and Information Technology and the Department of Revenue to the Sitting of the Committee convened to have evidence in connection with detailed examination of the subject 'Countering Global Terrorism at Regional and International Levels'. Highlighting the issues to be discussed, Chairperson drew the attention of all the witnesses to Direction 55 (1) of the Directions by the Speaker, Lok Sabha

pertaining to maintaining the confidentiality of the Proceedings and Direction 58 of the Directions by the Speaker, Lok Sabha. He then requested the witnesses to introduce themselves before making submissions before the Committee.

7. The Secretary (West), Ministry of External Affairs elaborated on the Government's efforts at countering terrorism post November 2022 which *inter alia* included the status of the Comprehensive Convention on International Terrorism; cross-border terrorism emanating from Pakistan; extradition arrangements and agreements on mutual legal assistance in criminal matters with other countries; bilateral agreements and MoUs on security cooperation; debate on Global Counter-Terrorism Approach: Challenges and Way Forward; Delhi Declaration on countering terrorism; India's ranking in the Global Terrorism Index; designation of LeT terrorist in the UN Sanctions List; initiatives taken under FATF; 9<sup>th</sup> INTERPOL General Assembly in Delhi; No Money for Terror Conference; initiatives under G20 Framework; de-radicalization strategies under SCO and CICA; meeting of BIMSTEC Joint Working Group on Counter Terrorism; formation of QUAD Working Group on counter terrorism; international cooperation in intelligence sharing and capacity building, etc.

8. The representative of the Ministry of MeitY highlighted the initiatives taken for cyber security in view of the emergence of new technology and rise in the use of internet; role of CERT-In and NCIIPC; coordination with MHA and other intelligence agencies to contain cyber threats and cyber attacks on India; mechanism to detect malware attacks and its containment; strengthening of ISP gateways; specific directions issued on crypto assets and virtual assets service providers, etc. The DG, CERT-In also briefed the Committee about the legal provisions in the IT Act, 2000 for deterring cyber terrorism including use of malware, worms, ransomware, etc. and negotiations with ICANN for root servers based in India.

9. On the issue of terror financing, the representative of the Department of Revenue briefed the Committee regarding coordination and mechanisms for intelligence sharing through the Multi Agency Coordination network; role of FIU; increased use of virtual currencies like bit coin; reporting of suspicious transaction through virtual assets; regulatory and actionable implementation frameworks on terror financing; revision of FATF standards on terror financing; challenges of detecting virtual assets transaction through the service providers/exchange outside of India, etc.

10. Thereafter, the Chairperson and the Members raised various issues which *inter alia* included use of technology to cripple the economy; preparedness of India to deal with cyber attacks and the proactive steps taken in this regard; international cooperation on prevention of cyber attacks; membership of ICANN and setting up of internet root servers in India; artificial intelligence for thwarting cyber attacks; role of CERT-In; budgetary allocation for cyber protection; cyber protection policy for Government and private sectors; mechanisms for detecting, monitoring and countering terror financing including transaction through virtual assets and bit coins; regulation/law on virtual assets; artificial intelligence system for detecting suspicious virtual assets transactions; coordination between various investigating agencies and FIU; etc.

11. The representatives of the Ministry of External Affairs, the Ministry of MeitY and the Department of Revenue responded to the queries of the Members. The Chairperson then thanked the representatives of the Ministries/Department for valuable and insightful inputs on the subject and also directed them to furnish written replies on the points raised during the discussion, to the Secretariat of the Committee at the earliest.

*(The witnesses then withdrew)*

*The Committee then adjourned*

A verbatim record of the Proceedings has been kept.

**MINUTES OF THE NINTH SITTING OF THE STANDING COMMITTEE ON  
EXTERNAL AFFAIRS (2023-24) HELD ON 31 JANUARY, 2024**

The Committee sat from 1730 hrs. to 1930 hrs. in Main Committee Room Parliament House Annexe, New Delhi.

**Present**

**Shri P.P. Chaudhary – Chairperson**

**MEMBERS**

**LOK SABHA**

2. Shri P. C. Mohan
3. Smt. Queen Oja
4. Dr. K. C. Patel
5. Shri N. K. Premachandran
6. Smt. Navneet Ravi Rana
7. Shri Manne Srinivas Reddy
8. Shri E.T. Mohammad Basheer
9. Shri Vishnu Datt Sharma

**RAJYA SABHA**

10. Shri Anil Desai
11. Shri Abdul Wahab
12. Dr. Ashok Kumar Mittal

## SECRETARIAT

- |    |                           |   |                  |
|----|---------------------------|---|------------------|
| 1. | Shri Anjani Kumar         | - | Joint Secretary  |
| 2. | Smt. Reena Gopalakrishnan | - | Director         |
| 3. | Ms. K. Muanniang Tunlut   | - | Deputy Secretary |
| 4. | Ms. Maya Menon            | - | Under Secretary  |

2. At the outset, the Chairperson welcomed the Members to the Sitting of the Committee.

3. The Committee took up for consideration the draft Report on the subject “Countering Global Terrorism at Regional and International Levels”.

4. The Chairperson invited the Members to offer their suggestions, if any, for incorporation in the draft Report. After some deliberations, the Committee adopted the draft Report without any modifications.

5. The Committee then authorized the Chairperson to present the Report to Parliament.

6.      XXXX                      XXXX                      XXXX                      XXXX

7.      XXXX                      XXXX                      XXXX                      XXXX

8.      XXXX                      XXXX                      XXXX                      XXXX

*The Committee then adjourned.*

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(Matters not pertaining to the Report)