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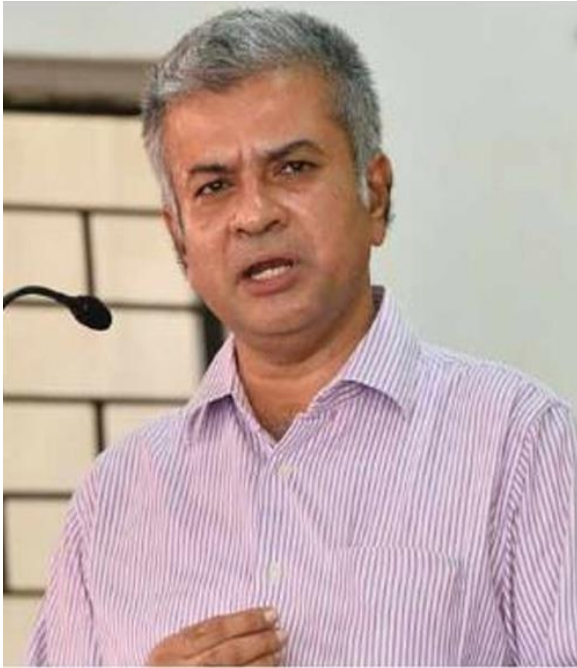
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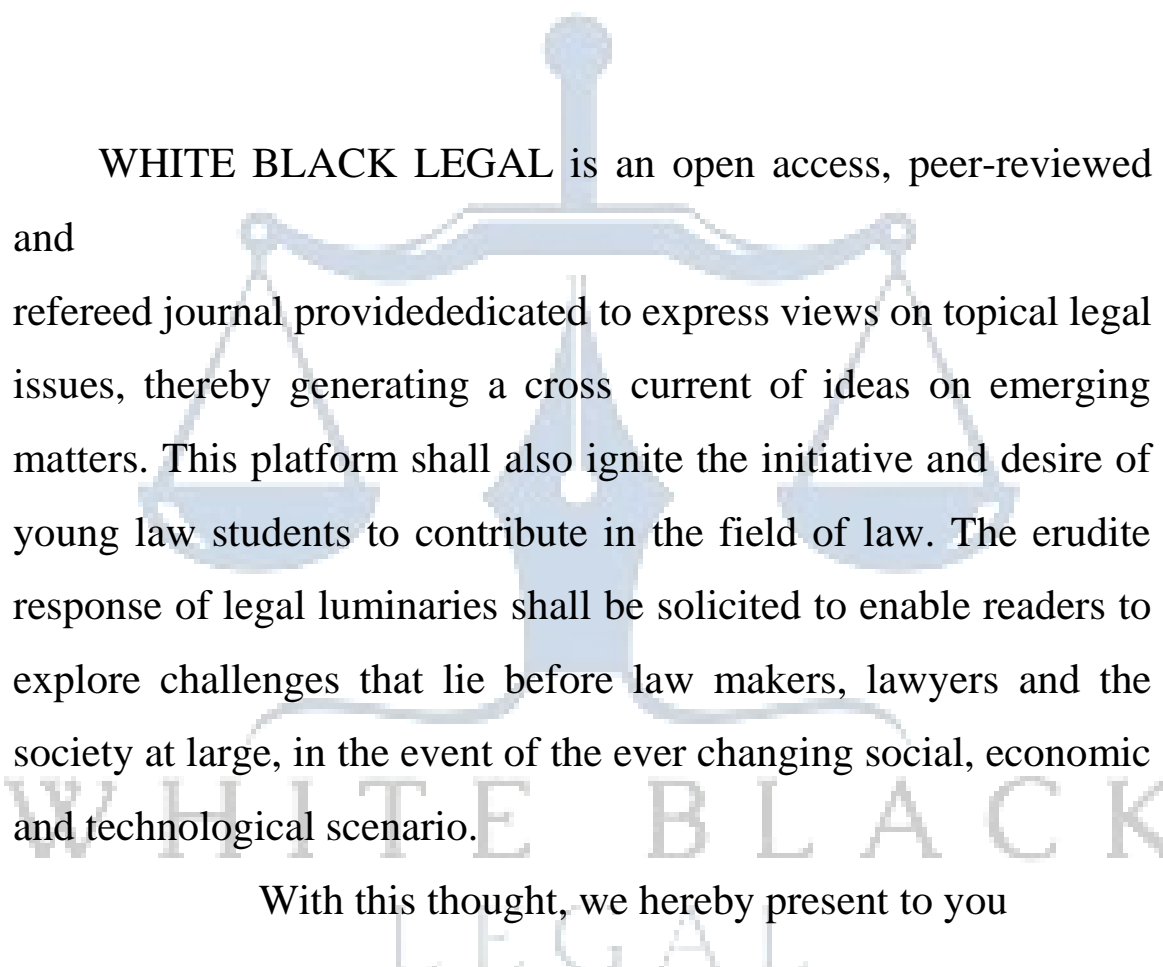


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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

AN OVERVIEW OF COUNTER-TERRORISM POLICIES IN INDIA: BALANCING NATIONAL SECURITY AND CIVIL LIBERTIES IN THE FACE OF EMERGING THREATS AND THEIR IMPACTS

AUTHORED BY - SHIBAYAN CHATTOPADHYAY¹

Abstract-

In the intricate tapestry of India's struggle against terrorism, the shadows of historical tensions with Pakistan loom large, compounded by threats from both domestic and foreign factions. The harrowing events of the 2008 Mumbai attacks served as a catalyst for significant legislative measures, such as the Unlawful Activities (Prevention) Act (UAPA), and the formation of the National Investigation Agency (NIA) to tackle the menace head-on. While these initiatives have made strides in dismantling terrorist networks, they have also sparked debates about the potential infringement on civil liberties. Prominent figures in this ongoing battle include the likes of Indira Gandhi, K.P.S. Gill, Ajit Doval, Ajai Sahni, and B. Raman, each playing a pivotal role in shaping counter-terrorism strategies. However, these efforts have not come without consequences, straining diplomatic ties with Pakistan and raising the specter of military confrontations. As we gaze into the future, the path of counter-terrorism in India appears fraught with uncertainty, necessitating innovative strategies to address the ever-evolving threats while also tackling the root causes of terrorism. To navigate this complex landscape, India must confront the challenges of homegrown radicalization and the technological advancements leveraged by terrorist organizations. Striking a delicate balance between safeguarding national security and upholding individual rights is paramount. By embracing a holistic approach that champions democratic values, India can forge a path to effectively combat terrorism while ensuring the protection of civil liberties for all its citizens.

Keywords- India, Terrorist, Civil Liberties, Counter-terrorism, Terrorism.

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INTRODUCTION

India faces the most important security challenges from internal and external terrorist threats. These threats make counter-terrorism a vital part of national security. The country has developed complete counter-terrorism strategies through laws, policies, and specialized agencies to curb these evolving threats. These measures want to protect India's sovereignty and uphold democratic values and constitutional principles.

India's counter-terrorism legal framework has several key laws. The Unlawful Activities (Prevention) Act, National Investigation Agency Act, and National Security Act form the backbone. These laws work with specialized agencies to prevent terrorist activities and protect internal security. The National Investigation Agency (NIA), Intelligence Bureau (IB), and Research and Analysis Wing (RAW) lead these efforts. The security forces need proper coordination to implement these measures. They must also respect human rights and follow judicial oversight.

HISTORICAL CONTEXT OF TERRORISM IN INDIA

India finds itself navigating a labyrinth of security hurdles, with terrorism emerging from a myriad of origins. According to the Home Ministry, the nation grapples with a greater number of terror organizations than many others, earning it a spot as the 13th most affected country on the Global Terrorism Index for 2022.² The nation's battle with terrorism covers several forms of threats including Islamist terrorism, ultranationalist terrorism, and left-wing extremism that affect regions throughout the country.

➤ Major Terrorist Incidents

The impact of terrorism on India has been nothing short of catastrophic. From 2005 to 2016, these heinous acts claimed 707 lives and left more than 3,200 individuals injured, casting a long shadow over the nation.³ The harrowing events of the Mumbai attacks on November 26, 2008, marked a pivotal moment in India's approach to counter-terrorism. This tragedy not only reshaped the nation's security policies but also paved the way for the establishment of the National Investigation Agency (NIA), a crucial step in bolstering the country's defenses against

² *Terrorism in India*, Wikipedia (May 20, 2005), https://en.wikipedia.org/wiki/Terrorism_in_India.

³ *Id.*

future threats.⁴

➤ **Cross-Border Terrorism**

Cross-border terrorism stands as a formidable threat to India's security landscape. The evidence paints a stark picture of Pakistan's role in facilitating the movement of terrorists across borders. These nefarious groups are not just relying on traditional methods; they are employing a diverse arsenal of unconventional strategies, ranging from cyber warfare and political manipulation to deploying armed proxies in their sinister agenda.⁵ The landscape of border security is a tangled web of challenges:

- ❖ Terrorists cunningly transport drugs, firearms, and weaponry across borders, slipping through the cracks;
- ❖ The shadows of illegal migration cast new security dilemmas;
- ❖ Militant factions establish their strongholds just beyond our borders;
- ❖ The harrowing events of 26/11 laid bare the fragility of our coastal defenses.⁶

➤ **Internal Security Challenges**

India's security scene is a complex tapestry woven with numerous challenges that call for a united front from various agencies. Since gaining independence, the nation has grappled with a series of insurgencies that have flared up in diverse regions. Notably, the hotspots of Jammu and Kashmir, the North East, and Central India have seen these movements thrive, each presenting its own unique set of hurdles.⁷ The landscape of security has grown increasingly intricate, shaped by a myriad of factors:

- ❖ Terrorist groups have found a new playground in the realms of social media and the dark web, where their activities flourish;
- ❖ The persistent menace of drug trafficking and arms smuggling looms large, casting shadows of danger;
- ❖ The tides of illegal migration and the movement of refugees introduce fresh hurdles to navigate;

⁴*Drishti IAS Coaching in Delhi, Online IAS Test Series & Study Material*, <https://www.drishtias.com/printpdf/cross-border-terrorism>.

⁵ *Id.*

⁶ *Id.*

⁷Arvind Gupta, *India's Internal Security Challenges*, Vivekananda International Foundation (Mar. 17, 2023), <https://www.vifindia.org/article/2023/march/17/indias-internal-security-challenges>.

- ❖ Meanwhile, the rise of cyber threats and disinformation campaigns adds another layer of chaos, undermining the quest for peace.⁸

The government is taking proactive steps by establishing dedicated agencies and enhancing border management strategies. Since the repeal of Article 370, the number of terrorism-related incidents in Jammu and Kashmir has seen a notable decline. Meanwhile, a blend of development projects and diplomatic endeavors has played a crucial role in curbing insurgency in the Northeast.⁹ The Multi Agency Center (MAC) has emerged as a crucial hub for coordinating counter-terrorism initiatives, especially following its overhaul in the wake of the 26/11 attacks.¹⁰

According to the South Asia Terrorism Portal (SATP), India has seen the rise and fall of approximately 180 terrorist groups over the past twenty years. At present, 38 of these organizations have been outlawed under the Unlawful Activities (Prevention) Act of 1967.¹¹ This varied threat landscape requires a detailed approach to counter-terrorism that combines law enforcement, intelligence gathering, and community engagement strategies.

LEGAL FRAMEWORK FOR COUNTER-TERRORISM

India's legal framework to curb terrorism has gone through several legislative changes that reflect the country's expanding security needs while protecting Constitutional principles. The framework has Constitutional safeguards, criminal laws, and special anti-terror legislation that work together to prevent and curb terrorist activities.

➤ **Constitutional Provisions**

Articles 20 and 22 of the Indian Constitution serve as crucial shields for individuals facing accusations of terrorism. Article 20 stands as a robust guardian against retroactive laws, the threat of being tried twice for the same offense, and the peril of self-incrimination. Meanwhile, Article 22 lays out essential rights concerning the processes of arrest and detention, ensuring that justice is upheld even in the most challenging circumstances.¹² These Constitutional provisions strike a balance between security requirements and individual rights through these significant protections:

- ❖ Prevention of detention beyond 24 hours without magistrate authorization;

⁸ *Id.*

⁹ ARVIND, *supra* note 7.

¹⁰ DRISHTI, *supra* note 4.

¹¹ TERRORISM, *supra* note 2.

¹² *Terrorism_A.doc*, (June 7, 2012), https://nhrc.nic.in/sites/default/files/Terrorism_A.pdf.

- ❖ Right to legal representation and defense;
- ❖ Protection against self-incrimination;
- ❖ Safeguards against arbitrary preventive detention.

➤ **Criminal Laws**

India's criminal justice system serves as the bedrock of its counter-terrorism strategy, bolstered by targeted anti-terror laws. A pivotal moment came in 1999 with the introduction of the Maharashtra Control of Organized Crime Act (MCOCA), a key state-level measure aimed at tackling organized crime and terrorism head-on. This legislation boasts expansive definitions of terrorist activities and includes provisions designed to combat the incitement of rebellion, making it a formidable tool in the fight against such threats.¹³

<u>Legislation</u>	<u>Key Features</u>	<u>Implementation Period</u>
TADA	Confessions to police officers admissible	1985-1995
POTA	Special courts and procedures	2002-2004
UAPA	Designation of terrorist organizations	1967-Present

➤ **Special Anti-Terror Legislations**

Since the inception of the Terrorist and Disruptive Activities (Prevention) Act (TADA) in 1985, India's approach to combating terrorism has undergone significant transformations. The journey continued with the introduction of the Prevention of Terrorism Act (POTA) in 2002. Today, the Unlawful Activities (Prevention) Act (UAPA) stands as the cornerstone of the nation's anti-terrorism legal framework, reflecting the evolving landscape of security measures.¹⁴ The UAPA, with major changes in 2004 and 2019, offers detailed measures that include:

- ❖ Designation of terrorist organizations and individuals;
- ❖ Extended pre-charge sheet custody period from 90 to 180 days;
- ❖ Restrictions on bail provisions;

¹³ Aakanshi Bansal, *Evolution of India's Anti-Terrorism Law*, CENTRE FOR LAND WARFARE STUDIES (CLAWS) (Sep. 10, 2022) <https://www.claws.in/evolution-of-indias-anti-terrorism-law/>.

¹⁴ *Id.*

- ❖ Improved powers for investigation agencies.

These regulations have encountered numerous hurdles along the way. Between 2016 and 2019, the success rate for convictions under the UAPA was a mere 2.2%.¹⁵ The National Security Act (NSA) operates in harmony with these specialized laws, granting the power of preventive detention for a duration of up to one year, all in the name of safeguarding security.¹⁶

The 2019 amendments to the UAPA have empowered the National Investigation Agency (NIA) with greater autonomy, allowing them to carry out searches, seizures, and arrests across state lines without the need to inform local authorities beforehand.¹⁷ This change aims to optimize operations but raises questions about federal oversight and civil liberties.

The Armed Forces Special Powers Act (AFSPA) remains in effect in select regions, granting enhanced authority to security personnel in areas deemed ‘disturbed.’ The conversation around this legislation is far from settled, with ongoing discussions about its relevance and impact on civil liberties, particularly in the states of Nagaland, Manipur, Assam, and parts of Tripura.¹⁸

THE UNLAWFUL ACTIVITIES (PREVENTION) ACT

India’s main anti-terrorism legislation, the Unlawful Activities (Prevention) Act (UAPA), offers complete measures to prevent and deal with terrorist activities. The government enacted this law in 1967 and made most important amendments to make its provisions stronger and adapt to new security challenges.

➤ Key Provisions and Amendments

The UAPA law saw a significant transformation with the 2019 amendment, which empowered authorities to label individuals as terrorists, in addition to organizations.¹⁹ This Act has special procedures that deal with terrorist activities and contains these provisions:

- ❖ Detention periods extend up to 180 days with 30 days in police custody;
- ❖ Bail provisions remain strict with reversed presumption of innocence;
- ❖ The power to freeze and seize terrorist assets;
- ❖ The right to designate terrorist organizations and individuals.

¹⁵ *Id.*

¹⁶ Tehmina Janjua, *Impact of Anti-Terrorism Laws on Human Rights*, (Feb. 29, 2008), https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session1/IN/LIB_IND_UPR_S1_2008_Liberation_uprsubmission.pdf.

¹⁷ AAKANSHI, *supra* note 13.

¹⁸ TEHMINA, *supra* note 16, at 5.

¹⁹ Unlawful Activities (Prevention) Amendment Act, 2019, § 35, No. 28, Acts of Parliament, 2019 (India).

The Act lays out a comprehensive definition of terrorist activities, weaving together the principles of nine international treaties. Among these are the 1997 Convention for the Suppression of Terrorist Bombings and the 1979 Convention against Taking of Hostages, both pivotal in shaping our understanding of terrorism on a global scale.²⁰ The 2019 amendment added the International Convention for Suppression of Acts of Nuclear Terrorism (2005) to its scope.

➤ **Designation of Terrorist Organizations and Individuals**

The Ministry of Home Affairs designates terrorists through a well-laid-out process. The designation framework has these categories:²¹

<u>Designation Details</u>	<u>Present Figures</u>	<u>Legal Framework</u>
Solo Terrorists	54 individuals	Listed under Schedule IV of the UAPA
Terrorist Groups	44 organizations	Outlined in Schedule I of the UAPA

The Ministry identifies individuals as terrorists under Section 35 of the UAPA by following a set of clear guidelines:

- ❖ First, there must be credible information from law enforcement that suggests a solid basis for suspicion;
- ❖ Second, there should be tangible proof linking the individual to acts of terrorism;
- ❖ Lastly, the designation must align with the stipulations outlined in UN Security Council Resolution 1373.²²

➤ **Investigation and Prosecution Procedures**

Law enforcement agencies, especially the National Investigation Agency (NIA), possess extensive investigative powers under the Act. These powers include:

- ❖ Officers of the NIA holding the rank of Inspector and higher are equipped to take charge of investigations;²³
- ❖ Property seizures need approval from NIA's Director General;
- ❖ Officers can conduct searches and arrests beyond state borders;

²⁰ *Id.*

²¹ *Designation of Organisations/individuals as 'Terrorist Organization'/'Terrorist' under the Unlawful Activities (Prevention) Act, 1967 (UAPA)*, <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1900222>.

²² MINISTRY OF HOME AFFAIRS, https://www.mha.gov.in/sites/default/files/2023-09/Procedurefordesignating_12092023.pdf (last visited Nov. 28, 2024).

²³ UNLAWFUL, *supra* note 19, at 3.

- ❖ Investigations can proceed without the need for approval from the state government.²⁴

Recent figures shed light on the hurdles faced in prosecutions. A deep dive into crime statistics reveals a disheartening conviction rate of just 2.2% in UAPA cases spanning from 2016 to 2019. Authorities have shelved 11% of these cases, citing insufficient evidence, while a significant number remain in limbo, still yearning for closure.²⁵

The implementation of the Act has sparked a wave of civil liberty worries. Back in 2021, the Delhi High Court highlighted the challenge of differentiating between the fundamental right to protest enshrined in the Constitution and actions deemed as terrorism when it came to granting bail to activists. Meanwhile, UN human rights experts have expressed their apprehensions, pointing out that the Act seems to be honing in on journalists, human rights advocates, and dissenters.²⁶

ROLE OF LAW ENFORCEMENT AND INTELLIGENCE AGENCIES

India's approach to counter-terrorism is built upon a robust framework of law enforcement and intelligence agencies, forming the very backbone of its operational strength. These entities, while each playing unique roles, are intricately linked in their mission to safeguard national security. The nation's federal political system has given rise to a complex security network, where central and state agencies collaborate seamlessly to combat the ever-present threat of terrorism.²⁷

➤ National Investigation Agency (NIA)

Established in the wake of the harrowing Mumbai terror attacks in 2008, India's foremost counter-terrorism force, the National Investigation Agency (NIA), sprang into action. Operating under the aegis of the Ministry of Home Affairs, the NIA wields exceptional authority, enabling it to tackle terror-related offenses across the nation without the need for special clearance.²⁸ The Agency boasts a comprehensive operational framework that

²⁴ Abdul Khader Kunju S, *Investigation Of UAPA Cases – Does The NIA Act Offend The Federal System?*, DIRECTORATE OF PROSECUTION, KERALA, (July 7, 2022), https://prosecution.kerala.gov.in/images/pdf/20201_Crimes_P_105_HC_092806.pdf.

²⁵ *India: Arrests, Raids Target Critics of Government*, Human Rights Watch (Oct. 13, 2023), <https://www.hrw.org/news/2023/10/13/india-arrests-raids-target-critics-government>.

²⁶ *Id.*

²⁷ Paul Staniland, *Improving India's Counterterrorism Policy After Mumbai*, 2 CTC SENTINEL 1-3 (2009).

²⁸ *List of Indian intelligence agencies*, Wikipedia (July 14, 2004), https://en.wikipedia.org/wiki/List_of_Indian_intelligence_agencies.

encompasses:

- ❖ Authority to carry out searches, seizures, and arrests across the country;
- ❖ Capabilities to dismantle threats to our national integrity and safety;
- ❖ Expertise in managing extensive databases of terrorist groups and their affiliates;
- ❖ Dedicated courts designed to expedite cases linked to terrorism.²⁹

The NIA has celebrated significant triumphs in its operations, leading to numerous successful convictions. By September 2023, the agency had meticulously unraveled 37 cases tied to ISIS, resulting in the apprehension of 168 suspects.³⁰ With a network of 12 branch offices spread across India, the NIA is on the front lines, providing comprehensive coverage and tackling terror threats with a unified approach.³¹

➤ **Intelligence Bureau (IB)**

With a rich history spanning 136 years, the Intelligence Bureau proudly holds the title of the oldest intelligence agency in the world. Operating under the auspices of the Ministry of Home Affairs, this esteemed institution is dedicated to safeguarding India from internal security challenges.³² The agency's core functions include:

<u>Function</u>	<u>Operational Area</u>
Counter-Intelligence	Internal Security
Threat Assessment	Domestic Territory
Inter-Agency Coordination	State Police Forces
Intelligence Sharing	Multi-Agency Center

The IB oversees a cutting-edge interagency counterterrorism hub that aligns with global benchmarks, seamlessly collaborating with both state and central agencies via specialized committees and task forces.³³

➤ **Research and Analysis Wing (RAW)**

RAW stands as India's premier foreign intelligence agency, operating under the direct

²⁹National Investigation Agency, Wikipedia (Dec. 15, 2008), https://en.wikipedia.org/wiki/National_Investigation_Agency.

³⁰United States (U.S.) Department of State (.gov), <https://www.state.gov/reports/country-reports-on-terrorism-2021/india/> (last visited Nov. 28, 2024).

³¹ NATIONAL, *supra* note 29.

³² LIST, *supra* note 28.

³³ NATIONAL CRIME INVESTIGATION BUREAU'S, <https://www.ncib.in/anti-terrorism-unit.php> (last visited Nov. 28, 2024).

oversight of the Prime Minister. Its mission transcends mere intelligence gathering, encompassing a diverse array of critical functions, such as:

- ❖ Gathering and analyzing foreign intelligence;
- ❖ Conducting counter-terrorism operations across international lines;
- ❖ Engaging in counter-proliferation efforts;
- ❖ Promoting and safeguarding strategic national interests.³⁴

Since its inception, RAW has developed impressive skills in both technical prowess and human insight. As of 2013, the agency boasts a workforce of around 5,000 individuals, which is a notable 40% short of the optimal number needed for full operational strength.³⁵ Despite these shortages, RAW maintains active connections with international agencies and plays vital roles in major security operations.

These organizations collaborate through various avenues, such as the Multi-Agency Center and the Joint Intelligence Committee, to ensure seamless communication and coordination.³⁶ This integrated framework offers a comprehensive evaluation of threats and a robust response mechanism, yet the collaboration among agencies can be a bit tricky. Both state and central authorities collaborate through intelligence agencies and coordination networks to harmonize information collection and foster a collective understanding of potential dangers.³⁷

Recent crackdowns highlight the effectiveness of this collaborative approach among various agencies. It played a pivotal role in bringing to justice eight terrorists from Jamaat-ul-Mujahideen Bangladesh, who were behind a series of explosive attacks. Additionally, three members of Lashkar-e-Tayyiba faced the music for their involvement in weapons smuggling. However, challenges remain, as budget constraints, staffing shortages, and inadequate equipment continue to hinder efforts, particularly in safeguarding India's extensive maritime and land borders.³⁸

CHALLENGES IN IMPLEMENTING ANTI-TERROR LAWS

India's anti-terrorism laws are navigating a labyrinth of intricate challenges that impact the delicate balance between safeguarding national security and upholding civil liberties. A glance at court records reveals a striking statistic - from 2016 to 2019, cases under the Unlawful

³⁴Research and Analysis Wing, Wikipedia (July 12, 2004), https://en.wikipedia.org/wiki/Research_and_Analysis_Wing.

³⁵ *Id.*

³⁶ NATIONAL, *supra* note 33.

³⁷ PAUL, *supra* note 27, at 2.

³⁸ UNITED, *supra* note 30.

Activities (Prevention) Act (UAPA) boasted a mere 2.2% conviction rate.³⁹ These numbers raise major concerns about how these legal frameworks work.

➤ **Balancing Security and Civil Liberties**

India's counter-terrorism initiatives encounter significant challenges in reconciling the imperatives of national security with the preservation of fundamental human rights. Current law enforcement practices permit the monitoring of internet activity and the retrieval of educational, commercial, and financial records without the necessity of obtaining warrants, raising substantial ethical and legal concerns.⁴⁰ The current anti-terror laws have created several problems:

- ❖ People can be detained longer without formal charges;
- ❖ Getting bail has become harder;
- ❖ Law enforcement agencies have gained more power;
- ❖ Personal freedoms and privacy rights have suffered.

The landscape of public sentiment regarding the balance between security and civil liberties has seen some intriguing changes over time. Back in 2003, a poll conducted by TNS in collaboration with the Washington Post and ABC News revealed that a solid 65% of respondents were in favor of detention centers for suspected terrorists. However, by June 2006, that figure had dipped to 57%, indicating a notable shift in perspective.⁴¹ These numbers reveal how complex public attitudes are toward balancing security measures with personal freedoms.

➤ **Judicial Scrutiny and Human Rights Concerns**

Judicial systems serve as crucial watchdogs, keeping a close eye on the enforcement of anti-terrorism legislation. According to human rights advocates, a staggering 60-75% of individuals in custody remain incarcerated as they await their day in court, with a notable 65% ultimately being exonerated.⁴² This reality has sparked several concerns:

<i><u>Issue</u></i>	<i><u>Impact</u></i>
Pretrial Detention	Extended periods without charges
Conviction Rate	Only 2.2% success in UAPA cases

³⁹Sheikh Saaliq, *India's harsh anti-terror law comes under rare scrutiny*, AP News, (Aug. 16, 2021), <https://apnews.com/article/india-991831e0e69d516fe2eff4a7a928f2df>.

⁴⁰*The Delicate Balance Between Civil Liberties and National Security*, https://www.venice.coe.int/sacjf/2006_08_moz%20maputo/hamilton_delicate_balance.htm.

⁴¹ *Id.*

⁴² TEHMINA, *supra* note 16, at 1-4.

Case Closure	11% cases closed for lack of evidence
Rights Violations	Disproportionate impact on minorities

The Supreme Court highlights that safeguarding human rights through legal means is a powerful tool in the fight against terrorism. When individuals feel disillusioned with the justice system, they may be tempted to seek refuge in extremist paths.⁴³ Justice Chandrachud emphasizes that the judiciary should act as the primary safeguard against the infringement of citizens' freedom.⁴⁴

➤ **Inter-Agency Coordination**

Counter-terrorism initiatives are grappling with significant hurdles, primarily stemming from a lack of seamless collaboration among various security agencies. The tragic events of 9/11 underscored the critical necessity for enhanced teamwork across these entities. In the shadows, terrorist groups are adept at taking advantage of institutional weaknesses and the muddle of overlapping duties.⁴⁵ Several coordination challenges persist:

- ❖ Bureaucratic competition among agencies;
- ❖ Reluctance to share intelligence;
- ❖ Duplication of efforts;
- ❖ Trust deficits between partner organizations.

Agencies are gradually shifting from a “need to know” approach to embracing a “need to share” philosophy, but the transition is sluggish. A lingering sense of caution still hampers the flow of information between them.⁴⁶ Several mechanisms now help tackle these challenges:

- ❖ Creation of intelligence fusion cells;
- ❖ Establishment of national counter-terrorism centers;
- ❖ Formation of governmental working groups;
- ❖ Development of joint task forces.

Effective collaboration between agencies requires dismantling the formidable obstacles entrenched in legal frameworks, institutional mindsets, organizational hierarchies, and jurisdictional duties. The case of Anders Breivik in Norway serves as a stark reminder of the

⁴³ *Law.Indd*, (Aug. 18, 2006), <https://www.orfonline.org/public/uploads/posts/pdf/20230724121217.pdf>.

⁴⁴ SHEIKH, *supra* note 39.

⁴⁵ States, *Interagency Cooperation in Counter-Terrorism*, Connections: The Quarterly Journal (Sept. 11, 2011), <https://connections-qj.org/article/interagency-cooperation-counter-terrorism>.

⁴⁶ *Id.*

repercussions that arise from poor communication between agencies.⁴⁷

Since 2006, the General Assembly has consistently reinforced the UN Global Counter-Terrorism Strategy, emphasizing the vital balance between safeguarding rights and ensuring security.⁴⁸ Rights violations often backfire and can accelerate armed extremism instead of controlling it. The solution lies in developing initiatives through a collaborative process that includes all UN member states and civil society. This ensures proper rights protection while maintaining effective counter-terrorism measures.

CONCLUSION

India's counter-terrorism framework combines legal mechanisms, specialized agencies, and security measures to deal with complex threats. The development of anti-terror laws, especially the UAPA, and dedicated agencies like NIA, IB, and RAW shows India's steadfast dedication to building resilient defense systems against terrorism. These institutions work together to curb various security challenges that range from cross-border terrorism to internal insurgencies while staying within Constitutional limits.

India's counter-terrorism efforts don't deal very well with several challenges, as shown by low conviction rates and civil liberty concerns. The 2.2% conviction rate in UAPA cases clearly shows that this country needs better implementation strategies and boosted coordination between agencies. Counter-terrorism success depends on protecting human rights, better intelligence sharing among agencies, and stronger institutional capabilities that uphold democratic values. These measures must adapt to new threats while keeping the delicate balance between national security needs and fundamental rights.

⁴⁷ *Id.*

⁴⁸ Letta Tayler, *India's Abuses at Home Raise Concerns About Its Global Counterterrorism Role*, Human Rights Watch (Oct. 28, 2022), <https://www.hrw.org/news/2022/10/28/indias-abuses-home-raise-concerns-about-its-global-counterterrorism-role>.