



**Virtual Resources Center
in Social Work**

**Social
Research
Reports**

Volume 15

September 2010

Expert Projects, 2010

SOCIAL RESEARCH REPORTS

ISSN: 2066-6861 (print), ISSN: 2067-5941 (electronic)

TERRORISM IN SOUTH ASIA

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Social Research Reports, 2010, vol. 15, pp. 3-38

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TERRORISM IN SOUTH ASIA

Saroj Kumar RATH, Ph.D**

Abstract

Mumbai attacks remain a mystery for long despite the capture of a 'Lashkar-e-Taiba' terrorist on the night of November 26, 2008. Pakistan takes 77 days to admit its citizen's involvement, Mumbai police consumed 90 days to file the chargesheet and FBI takes a year to arrest a couple of conspirators. The plotters of the attacks belongs to five countries (US, Canada, Italy, Pakistan and India) involving three continents. Presently nearly a dozen courts across the world (India, Pakistan, US, Singapore, Italy, France and Japan) hearing the case. 'LeT' is now considered as the most dangerous terror group in recent time after al Qaeda. Unravelling the Mumbai conspiracy is challenging as with each passing day mysterious but fresh facts related to the attacks are trickling.

Keywords: terrorism; terror attacks; investigation; Mumbai attacks; conflict; Al Qaeda.

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Introduction

The article will analyse the operationalization of the Mumbai terror attacks looking primarily into the planning, execution and investigation of the attacks. Empirically the article examines the declassified documents and information regarding the Mumbai attacks and endeavours to connect the dots in the terrorist attacks case. I provide specific information about the whole terror module taking into account of the first hand information from the captured terrorist's confession and incriminating indictment materials produced before the ongoing trial at the special court on Mumbai terror attacks and the information shared by the government of the United States of America with India. With the interest in terrorism increasing, the findings of the study will be immensely useful in understanding terrorism in South Asia. This paper presents a brief review of the terror attacks on Mumbai. Subsequent section will describe about the involved actors, legal procedure, international cooperation, rhetoric and reality, technological as well as paper trail of the case. The final section will provide conclusion.

A heinous criminal conspiracy has been planned and hatched in Pakistan by the internationally banned *Lashkar-e-Taiba (LeT)* to execute a series of attacks at prominent places in Mumbai, the financial capital of India on November 26, 2008. This was with the express intention to destabilize India, wage war against the country, terrorize its citizens, create financial loss and issue a warning to other countries whose citizens were also targeted, humiliated and cold-bloodedly killed. 'This Fidayeen Mission was part of a larger criminal conspiracy planned in Pakistan for attacking the commercial capital of India with intent to wage war, to weaken India economically and to create terror and dread amongst the citizens of the Mumbai metropolis in particular and India in general¹.'

During the course of investigation in the terrorist attack cases, Mohammad Ajmal Mohammed Amir Kasab was arrested in D.B. Marg, Mumbai and on his interrogation he disclosed that the group of 10 terrorist started from Karachi. After traveling for few days on high sea, they landed near Badhwar Park, Mumbai at about 20.30 hrs on November 26, 2008. He further disclosed that when they were near Indian waters, they hijacked one Indian trawler 'MV Kuber' (Registered at

¹ Charge Sheet, 26/11 Attacks Case, 37th Court, Esplanade, Mumbai, pp-1.

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Porbandar, Gujarat). It was used by them to sail towards Mumbai. ‘When they reached near Mumbai coast, they murdered the captain of ‘MV Kuber’ Amarchand Narang Solanki and kept his body in the engine room of MV Kuber².’

On November 26, 2008 at 21.30 hrs, a team of two terrorists first struck at Hotel Leopold Café, in Mumbai and fired indiscriminately from AK-47 rifle and threw hand grenades at hotel causing 9 deaths. After this attack, both the terrorists ran towards Hotel Taj Palace and joined other team at Taj Hotel. Around 21.30 hrs a team of two terrorists struck at Hotel Taj Mahal International and carried out indiscriminate firing as well as grenade blasts. After initial attack at Hotel Leopold Café, the team of other two terrorists joined the attackers at Hotel Taj Palace. These terrorists then kept inmates of hotel as hostages. The terrorist fired indiscriminately, hurled hand grenades and set fire in the hotel. The terrorists attack resulted in death of 40 persons.

Another group of two terrorists strike at Nariman House, in Mumbai at 21.50 hrs. Around the same time, in a surprise attack, two terrorists carried out indiscriminate firing from AK-47 assault rifles as well as lobbing grenades on passengers waiting at the CST railway station, Mumbai. After the firing at CST, the terrorists rushed towards the nearby Cama Hospital by taking one of the railway foot over bridge. After moving away from the CST railway station and on their way to Cama Hospital, the said two terrorists further indulged in indiscriminate firing as well as grenade blasts resulting in death of 7 persons. In the meantime, on receipt of information that the terrorists after firing at CST, had entered at Cama Hospital, police teams lead by Hemant Karkare, Joint Commissioner of Police, Anti Terrorist Squad (ATS), Ashok Kamte, Additional Commissioner of Police, East Region, Vijay Salaskar, Senior Inspector of Police, Crime Branch, Mumbai rushed towards the Cama Hospital. However, since by that time, the terrorist had been repulsed out of Cama Hospital and has moved ahead at Badruddin Tayyabji Marg, near St. Xavier College. ‘he officers moved in a police vehicle in pursuit of the terrorists. ‘But were unfortunately, ambushed by the terrorist who sprayed a hail of bullets on their vehicle resulting in the death of seven police personnel including the three senior officers³.’

² ‘Kasab: 10 picked after a Year’s Training by *LeT*’, *Times of India*, pp-9.

³ ‘*Common Investigation in Terrorist Attack on Mumbai*’, File No.1, 37th Court, Esplanade, Mumbai, pp – 33-90, hereafter referred as ‘*Common Investigation*’.

After killing the above mentioned police party, the said two terrorists then took over the police vehicle of deceased police officers and drove away towards the nearby Metro Junction firing indiscriminately on their way resulted a total of 9 deaths. The terrorist group also planted IEDs in two taxi cabs, one of which exploded at Mazgaon BPT colony and another at Vile Parle in Mumbai. However as alert had already been sounded, on November 27, 2008, at 00.30 hrs, while conducting blockade, a team of officers from D.B. Marg Police Station, Mumbai noticed that a Skoda car was approaching them hence they signaled the car driver to stop and due to effective blockade, the said Skoda Motor Car was forced to stop. However, on being challenged, the terrorists inside the Skoda Motor Car opened fire towards police, resulting in death of an Assistant Sub Inspector. The police party however retaliated and in exchange of fire, one terrorist was killed and one terrorist was caught and detained.

Another incident of terrorist strike took place at Hotel Oberoi/Trident, where two terrorists entered the Hotel at about 21.55 hrs and carried out indiscriminate firing as well as grenade blasts resulting in death of 36 persons. These terrorists holed themselves up inside the hotel and offered resistance by taking few inmates of the hotel as hostages⁴. The terrorist attacks ended with the arrival of National Security Guard commandos to the crime site.

Motives behind the Attack

The genesis of hostility between India and Pakistan can be traced back to the partition of India in 1947. Kashmir and communal issues remained the regular irritants in the relations between the two nations. India fought many pitched battles with Pakistan to settle the Kashmir issue. Pakistan failed to capture Kashmir, even after three wars with India; Pakistan started using 'terror as a state policy'⁵. During the 1980s the Inter Service Intelligence (ISI) had supported Afghan resistance by providing money, weapons and by building training infrastructure for the Afghan rebels. The spectacular success of ISI in Afghanistan emboldened Pakistan to replicate similar success elsewhere in the region, more specifically in Kashmir. ISI started propaganda that if Pakistan could humble mighty Russia it could easily force

⁴ 'Common Investigation', p – 33-90.

⁵ Manmohan Singh, *Prime Minister's Address at the Chief Ministers Conference on Internal Security*, January 6, 2009. <http://pmindia.nic.in/speeches.htm>.

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India to concede Kashmir. Funds and weapons provided by the Central Intelligence Agency (CIA) to oppose Russia in Afghanistan were funneled into Kashmir and the state witnessed blood bath for two long decades. Initially Pakistan's involvement was restricted to Kashmir region only. But as former prime minister of Pakistan Benazir Bhutto admitted that there was a shift in ISI's Kashmir policy in 1990s and 'the arena of conflict was expanded beyond the disputed area and non-military targets, that are civilians, were also included as targets⁶.'

ISI supported a web of terror network across India by recruiting local unemployed Muslim youths. When the ISI felt that the local recruits lack the ferocity and deadly terror assault required for high degree terror attacks, it started sending hardened Pakistani terrorist into India by supporting Pakistani terror groups like *LeT*. The attacks on multiple places in Mumbai were part of that policy 'intended to create a sense of panic, by choosing high profile targets and indiscriminately killing foreigners.'⁷ Pakistan's involvement as the sponsor of terrorism was widely criticized as the Indian prime minister said, 'we will take up strongly with our neighbours that the use of their territory for launching attacks on us will not be tolerated, and that there would be a cost if suitable measures are not taken by them.'⁸ Pakistan could not tolerate a strong, prosper and big neighbor in its eastern border. Pakistan's army, ISI and Islamic extremists, who shared a common brotherhood in their faith, intent, motives and measures 'wanted to destabilize India's secular polity, create communal discord and undermine India's economic and social progress.'⁹

The extremist forces in Pakistan wanted to regain the 'lost Muslim lands'¹⁰ to which many in the ISI and army are sympathetic. The terror groups and extreme elements in Pakistan constantly try to mount pressure on India and Pakistan to conflagrate a

⁶ Krishna Dhar, '*Fulcrum of Evil ISI-CIA-Al Qaeda Nexus*', (New Delhi: Manas Publications, 2006), pp-65.

⁷ Manmohan Singh, '*Prime Minister's Address to the Nation*', November 27, 2008.

<http://pmindia.nic.in/speeches.htm>

⁸ Manmohan Singh, '*Prime Minister's Address to the Nation*', November 27, 2008.

<http://pmindia.nic.in/speeches.htm>

⁹ Manmohan Singh, '*Lok Sabha Debate*', Fourteenth Series, Vol. XXXV, Fourteenth Session (Part-II), 2008, December 11, 2008.

¹⁰ Ashley J Tellis, 'Roadblocks to Peace', *Times of India*, March 18, 2010, pp-22.

border conflict, as they believe that by this way Pakistan can acquire Kashmir. On the night of November 28, 2008, as the siege on Mumbai was painfully winding to a close, Omar Sayeed Sheikh posing as Pranab Mukherjee, then foreign minister of India, called Pakistani President Asif Ali Zardari and threatened war if Pakistan does not behave. Omar Sayeed, the man who was freed by India in 1999 in Kandahar and who is in Hyderabad jail in Pakistan on death row for the killing of American journalist Daniel Pearl in 2002 had almost brought the two countries to the brink of war¹¹. The incident shows how fragile is the Indo-Pak relation and also tells what the intension of the terrorist is.

The Mumbai attack cannot be possible without the active participation of state actors in training, technical and materials support to the terrorists¹². The revelation of technological evidences, confession of the captured terrorists and Pakistani-American David Headley's plea agreement with the United States of America made it clear that Pakistani army personnel and ISI alumnus were involved in the 26/11 Mumbai attacks. ISI is using *LeT* as Trojan horse to unsettle New Delhi.

Lashkar-e-Taiba – the Government Terrorist

The biggest breakthrough in the Mumbai attack case came to the Mumbai police when they captured one of the ten *fidayeens*, Mohammad Ajmal Mohammad Amir Kasab alive, at 00.30 am on November 27, 2008. The terrorist had sustained bullet injuries and rushed to the Nair Hospital of Mumbai. During the interrogation at the hospital police asked Kasab about the name of his organization to which, Kasab said '*Lashkar-e-Toiba*¹³.' Investigation report, forensic analysis and other telling evidences of the 26/11 terror attacks forced Pakistan to admit that it is *LeT*, which was behind the Mumbai terror attacks.

¹¹ Ritu Sarin, 'Jail Never a Bar for Terror Mastermind', *Indian Express*, November 30, 2009, pp-9.

¹² Raj Chengappa, 'The Real Boss', *India Today*, December 22, 2008, pp-17-25.

¹³ ACP Tanaji Ghadge's interrogation of Kasab at Nair Hospital shortly after he was nabbed on November 27, 2008, excerpts from the 6 minute-clip leaked to the media and available at You Tube at

<http://www.youtube.com/watch?v=W7DWd-pm0oo> .

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LeT emerged as the military wing of the Markaz Daawat ul Irshad (MDI), was founded in 1986 by two Pakistani Engineering professors, Hafiz Muhammad Sayeed and Zafar Iqbal. Abdullah Azzam, a close associate of Bin Laden, who was affiliated with the Islamic University of Islamabad and the Maktab ul Khadamat (Bureau of Services for Arab mujahideen), also provided assistance¹⁴. Azzam, a Palestinian with a Wahhabi bent of mind, was an important player during the Afghan war of the 1980s¹⁵. Dissatisfied with the mode of struggle in Palestine, he left for Afghanistan and joined Afghan mercenaries against Russia and proved vital for Osama bin Laden, CIA and ISI. After the Afghan war he wanted to replicate the same in Palestine but before that he was killed in Peshawar in November 24, 1989. Although Zafar Iqbal was the moderate face of MDI, Hafiz Sayeed was the main architect of the organization. Sayeed's family had migrated from India to Pakistan in 1947 while sadly losing thirty-six members of the extended family unit in the Hindu-Muslim riots that accompanied the partition of India¹⁶.

The activities of MDI's military wing the *LeT* were first noticed in the year 1989 at the Kunar and Paktia provinces of Afghanistan. Later the *LeT* shifted its base to Muridke near Lahore in Pakistan. When the Pakistani military wanted a new army of proxies to revitalize the flagging guerrilla campaign in Kashmir and replenish the cadres that the Indian military had decimated, two new groups, Harkat-ul-Mujahideen and *Lashkar-e-Taiba*, both Deobandi, were formed, trained and sent over the LoC. The *LeT* had its roots in the Ahl-e-Hadith movement, a relatively small Wahhabi group that had existed in Pakistan since partition but had grown swiftly, largely thanks to Saudi private funds, during the 1980s¹⁷. The Ahl-e-Hadith sect of Islam is analogous to the South Asian version of Wahhabism though today the preferred term is Salafism. Like the Deobandi movement to which the Taliban believes, the Ahl-e-Hadith (People of the Traditions of the Prophet) also emerged

¹⁴ Christine Fair, 'Antecedents and Implications of the November 2008 Lashkar-e-Taiba (LeT) Attack Upon Several Targets in the Indian Mega-City of Mumbai', Testimony presented before the House Homeland Security Committee, Subcommittee on Transportation Security and Infrastructure Protection on March 11, 2009.

¹⁵ Hassan Abbas, '*Pakistan's Drift into Extremism*' (New Delhi: Pentagon Press, 2007), pp-210.

¹⁶ Abbas '*Pakistan's Drift into Extremism*', pp-211.

¹⁷ Jason Burke, '*Al Qaeda*', (London: Penguin, 2007), pp-99; see Alexander Evans, 'Talibanising Kashmir?', *World Today*, December 2001.

out of Northern India during the time of British colonial rule. However, unlike the Deobandis who followed the Hanafi school of Sunni jurisprudence, the Ahl-e-Hadith believe all that is needed for oral and ethical guidance can be found in the Quran and the Hadith (traditions of the Prophet) and that traditional schools of jurisprudence are tantamount to imitation¹⁸.

The leader of the organization Hafiz Muhammad Sayeed, with the aim of liberating Kashmir and establishing Islamic rule in India, started *LeT*'s operation in India in 1993. The agenda as outlined by a pamphlet of *LeT* 'Why are we waging Jihad' advocates the 'restoration of Islamic rule in all parts of India, plant the flag of Islam in Washington, Tel Aviv and New Delhi and to unite all Muslim majority regions in the countries that surround Pakistan.'¹⁹ Hafiz Sayeed said that the purpose of Jihad is to carry out a sustained struggle for the dominance of Islam in the entire world. He and his organization consider India, Israel and the US to be their worst enemies. The most favoured and dreaded means of terrorism opted by this organization is *Fidayeen* attack. At the 'All Pakistan Ulema (religious leader) Convention' held on July 17, 2003 he said, 'Jihad is the only way through which Pakistan can achieve dignity and prosperity.'

The *LeT* functions as a prototype of a government in Pakistan. *LeT*'s spherical logo boasts a black AK-47 rifle, placed against a sun, and protruding vertically from an open Quran. These images are set against a sky blue background. Along the top curve of the logo reads a semi-circular Quranic phrase which translates to: "*And fight them on until there is no more tumult or oppression, and there prevails justice and faith in Allah.*" Below that in white lettering against a red background bears the group's original name: Markaz al-Dawa wal al-Arshad or "the Centre for Preaching and Guidance"²⁰.

¹⁸ Stephen Tankel, '*Lashkar-e-Taiba: From 9/11 to Mumbai*', The International Centre for the Study of Radicalisation and Political Violence, April/May 2009, pp-7.

¹⁹ '*Lashkar-e-Toiba – Army of the Pure*', South Asia Terrorism Portal, Institute for Conflict Management, http://www.satp.org/satporgtp/countries/india/states/jandk/terrorist_outfits/Lashkar_e_t_oiba.htm; See Jayshree Bajoria, '*Lashkar-e-Taiba*', Council of Foreign Relations. <http://www.cfr.org/publication/17882/>.

²⁰ The '*Lashkar-e-Taiba*' website provides about its preaching and guidance at <http://www.jamatdawah.org/>; see Qandeel Siddique, '*What is Lashkar-e-Taiba?*', Forsvarets Forskningsinstitut, Norwegian Defence Research Establishment, pp-1.

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LeT's headquarter at Muridke; nearly 30 km away from Lahore in a 200 acre of land is a world of its own. Built by the donations of Muslims across the world, especially from the Middle East, *LeT*'s headquarter hosts many facilities which include but not restricted to a huge Mosque, a garments factory, an iron foundry, a furniture factory, playing/sports facilities, markets, and residential blocks for the trainees/students. A new educational complex is also under construction at the site that will cater to around six thousand additional students²¹. It has spread its tentacles across Pakistan which helps *LeT* to recruit, indoctrinate and train its cadre for different purposes including terrorist activities. It is believed that *LeT* has 16 Islamic institutions, 135 secondary schools, an ambulance service, mobile clinics, blood banks and several seminaries across under its command.

To disseminate its view, the *LeT* has its own websites www.jamatdawah.org and www.dawakhidmat.org²² and publishes as many as six weekly/monthly journal. Its monthly Urdu journal, *Al-Dawa* has a huge circulation of 80,000. Apart from this *LeT* publishes three other monthly journal with specific reader base; *Voice of Islam* in English for general reader, *Al-Rabat* in Arabic for the reader of Middle East, *Mujala-e-Tulba* in Urdu for student. Two weekly journals also published by the *LeT* both in Urdu, *Gazwa* and *Jehad Times*²³.

There is a well defined command structure of the *Lashkar-e-Toiba*. There is a detailed of command structure with Chief Commander, Divisional Commander, District Commander and Battalion level head. The captured terrorist in the Mumbai terror attacks, Mohammad Ajmal Kasab in his 40 page confessional statement

²¹ Abbas, 'Pakistan's Drift into Extremism', pp-212.

²² Pakistani crackdown also left untouched many of the terrorist group's allied organisations, the most prominent being Idara Khidmat-e-Khalaq (IKK, loosely translated as Humanities Services Institution), a charity organisation which became the main conduit for the *LeT*'s fund collections after the October 2005 earthquake in Pak occupied Kashmir. IKK's relief and rehabilitation work after the quake firmly established *LeT*'s presence in the area and its popularity as a charity organisation across the country. IKK also became a hub of fund collection from abroad, especially the UK and the US. IKK's website--www.dawakhidmat.org-- is also running as ever despite the claims by the authorities of having shut down the websites run by the terrorist group.

²³ '*Lashkar-e-Toiba – Army of the Pure*', South Asia Terrorism Portal, Institute for Conflict Management. http://www.satp.org/satporgtp/countries/india/states/jandk/terrorist_outfits/Lashkar_e_toiba.htm.

before a judicial magistrate revealed about the command structure of *LeT*. Kasab revealed that during his weapon training, his trainer known as Master Abu Kahfa introduced him to the 'Aamir (Leader of head) of *Lashkar-e-Taiba*, Hafeez Sayeed, Operational Commander Zhaki-ur-Rehman Lakhvi, Area Commander Abu Al Kama, Muzzamil alias Yusuf, training in charge Abu Umar Sayyid and Abu Hamza²⁴.' Haji Mohammed Ashraf is the group's chief of finance whereas Mahmoud Mohammed Bahaziq, a Saudi national who served as the leader of *Lashkar-e-Taiba* in Saudi Arabia, is a senior financier²⁵. It is said that Hafiz Sayeed's son Talha looks after the *LeT* camp in Muzaffarabad, the capital of Pakistan Occupied Kashmir (POK) and his son-in-law, Khalid Waleed is part of *LeT* office in Muridke. Kasab also shed light on the media wing of the *LeT*. He said when his colleague Ismail and he asked their trainer Kahfa about Zarar Shah 'Kahfa informed that Zarar Shah and Ibrahim are the *Aamirs* (Leaders or head) of the organization's media wing²⁶.' *LeT* draws its cadres mainly from Pakistan but there is also an inflow of recruits from Afghanistan, Sudan, Bahrain and Libya. In the operational matters, the ISI provided them with sensitive maps and access to arms and ammunition, but *LeT* local commanders mostly chose their targets by themselves and the ISI did not have much say in this²⁷.

Although Jammu and Kashmir was its primary battle ground, *LeT* has wrecked havoc in many important cities of India including, Delhi, Varanasi, Kolkata, Hyderabad, Bangalore, Ahmadabad and Mumbai. Since the late 1990s, *LeT* has cultivated significant operational reach beyond Kashmir and into India. In an interview former Prime Minister Benazir Bhutto revealed that, she differed with the Kashmir policy of the ISI where she noticed three major changes. Bhutto said, 'three crucial changes took place in the Kashmir policy. First, the leadership of All Parties Hurriyat Conference was effectively replaced with Harkat-ul-Mujahideen and *Lashkar-e-Taiba*. Second, the arena of conflict was expanded beyond the

²⁴ Recording of Confession in C.R. No. 198 OF 2008, before Mrs. R. V. Sawant Waghule, Addl. Chief Metropolitan Magistrate, 3rd Court, Esplanade, Mumbai by Mohd. Azmal Mohd. Amir Kasab @ Abu Mujahid, aged about 22 years, r/o. Faridabad, Dist. Okara, Pakistan at the court's chamber under section 164 of Code of Criminal Procedure on 20/2/2009 and 21/2/2009, pp-13, here after referred as 'Confession of Kasab'.

²⁵ Charge Sheet, '26/11 Attack Case', 37th Court, Esplanade, Mumbai, pp-2.

²⁶ 'Confession of Kasab', pp-21.

²⁷ Abbas, 'Pakistan's Drift into Extremism', pp-214.

disputed area. Third, non-military targets, that are civilians, were also included as targets. This was led to a sea shift in the perceptions with regard to the Kashmir dispute²⁸. While Indian citizens were recruited for militant actions within Indian-administered Kashmir and the Indian hinterland, *LeT* has successfully cultivated active cadres and figures preeminently in founding of the *Indian Mujahideen*. *LeT* has moved Indian personnel into and out of Pakistan via Bangladesh and other countries through criminal syndicates as well as other Islamist and militant groups such as the *Students Islamist Movement of India* (SIMI) and *Harkat-ul-Jihad-Bangladesh* (HUJI-B) among others²⁹. Its training camps and offices are spread all over Pakistan which includes cities like Lahore, Peshawar, Islamabad, Rawalpindi, Karachi, Multan, Quetta, Gujranwala, and Sialkot and in Pakistan occupied Kashmir in Muzaffarabad and Gilgit. Arrests made during March-April 2004 near Baghdad brought to light links between the *LeT* and Islamist groups fighting the United States military in Iraq when US forces detained Pakistani national Dilshad Ahmad and four others in Baghdad. Ahmad was a long-time *Lashkar* operative from the Bahawalpur area of the Punjab province of Pakistan³⁰.

Indian government banned *LeT* in India under the Unlawful Activities (Prevention) Act in October 2001³¹. After the World Trade Centre attacks in 2001, the US designated it as a Foreign Terrorist Organization on 26 December 2001³². Britain banned on 20 March 2001 and United Nations proscribed it in May 2005. Pakistan forced to ban it under international pressure in the post 9/11 attacks on 1 January 2002.

²⁸ Benazir Bhutto's interview on May 20, 2000 as mentioned in Dhar, '*Fulcrum of Evil ISI-CIA-Al Qaeda Nexus*', pp-65.

²⁹ Christine Fair, 'Antecedents and Implications of the November 2008 Lashkar-e-Taiba (LeT) Attack Upon Several Targets in the Indian Mega-City of Mumbai', Testimony presented before the House Homeland Security Committee, Subcommittee on Transportation Security and Infrastructure Protection on March 11, 2009.

³⁰ '*Lashkar-e-Toiba*' – Army of the Pure, South Asia Terrorism Portal, Institute for Conflict Management.
http://www.satp.org/satporgtp/countries/india/states/jandk/terrorist_outfits/Lashkar_e_t_oiba.htm.

³¹ 'Banned Organizations', Ministry of Home Affairs, Government of India, www.mha.nic.in/uniquepage.asp?id_pk=292

³² 'Foreign Terrorist Organizations', Department of State, Government of USA, <http://www.state.gov/s/ct/rls/rpt/fto/>

There are various estimates about the actual size of *LeT*. But the group probably has several thousand members, predominantly Pakistani nationals seeking a united Kashmir under Pakistani rule. Its members have been arrested in Iraq and Afghanistan, and the group also recruits internationally, as evidenced by the indictment of 11 *LeT* terrorists in Virginia in 2003³³. The capture of Abu Zubaydah, a senior al Qaeda member in March 2002 from an *LeT* safe house in Faisalabad, suggests that the *LeT* has close collaboration with the al Qaeda. Abu Zubaydah, arrested in Pakistan in March 2002, has been in US custody for seven years, four-and-a-half of them spent incommunicado in solitary confinement in undisclosed locations³⁴. The *LeT/JUD* and its leader, Hafiz Sayeed, continue to advocate armed jihad, and spread virulent rhetoric condemning the United States, India, Israel, and other perceived enemies.

Since its establishment in 1986 in Afghanistan, the *LeT* spread its tentacles all over Pakistan with considerable success. As the group involved itself in Proselytisation and charity activities, Pakistani society started joining and admiring the group's activities. With the passing of time, the group increased its presence in Kashmir and started collecting donations from across the world. In the long history of its existence, the *LeT* never attacked any target, civilian or military, inside Pakistan and for this unblemished track record it has been rewarded adequately by the Pakistani government. With a strange and delicate balance of charity and extremism, *LeT* outperformed all other terror groups inside Pakistan. Its hardened cadre, committed volunteers and proven deadly terror assault all over India made the group lucrative for Pakistan's long term strategy of unsettling India. To advance its strategic objective in Kashmir, Pakistan started promoting *LeT* by adopting it as a front organization in its defense against India. *LeT*'s vision of a pan-Islamic Caliphate, liberation of Kashmir and destruction of India had endeared the organization with the government of Pakistan. The common Punjabi root of the *LeT* leaders, top rank Pakistani military and ISI officials further enabled their close proximity. The outstanding understanding shared between the government and *Lashkar* made it almost impossible to detect any physical connection between the two. *Lashkar* knows what it must do to protect the Pakistan government from being exposed in

³³ National Counter Terrorism Centre, *Lashkar-e-Tayyiba*, Counter Terrorism Calendar 2010, <http://www.nctc.gov/site/groups/LeT.html>.

³⁴ 'President Obama's First 100 Days: Case study', <http://www.amnesty.org.au/hrs/comments/20872/>

the violent operations that it runs in Kashmir and elsewhere³⁵. Because of all these, despite the group being outlawed in Pakistan in 2002, the group's bank accounts remain unmolested by the Pakistani government, which gives *Lashkar* quite a lot of running room³⁶. In the aftermath of Jaish-e-Mohammad attack on Indian parliament in 2001, when Musharraf was forced to crackdown terrorist organizations operating in Pakistan, *LeT* escaped almost entirely unscathed³⁷. Because of government's disproportionate support to *Lashkar* and the later's softness towards the government targets inside Pakistan, other terrorist group in Pakistan calls *Lashkar* as government's terrorist. It was highly suspected that *Lashkar* received sea training from the military at the Mangla dam in Rawalpindi. It is believed that Corps Commander Rawalpindi, Lieutenant General Tahir Mahmood, visited the training near Mangla many times before the attacks on Mumbai to oversee the preparation³⁸. The collaboration between the two was also confirmed by David Coleman Headley, who is now in the US custody, and has identified five-six serving officers of Pakistan army among the leaders of the Karachi Project, which seeks to organize attacks on India through fugitive Indian jihadis being sheltered in Karachi by the ISI-*Lashkar* combine³⁹. Headley has reportedly identified Major Sayeed, Major Iqbal, Major Sameer and Colonel Shah as the officers involved in the 26/11 attack⁴⁰.

Hatching the Mumbai Conspiracy

The Mumbai conspiracy was plotted by the LeT and ISI with the support of their operatives from the US, Canada, Italy and India. The inputs and assistance provided by Indian nationals Fahim Arshad Mohammad Yusuf Ansari and Sabauddin Ahmed Shabbir Ahmed were vital for the implementation of the attacks. In December 2007 and January 2008 Fahim tried to rent a room at Budhwar Park under the alias of

³⁵ Steve Cole, 'Lashkar-e-Taiba', The New Yorker's Think Tank, December 1, 2008.

³⁶ Steve Cole, 'Lashkar-e-Taiba', The New Yorker's Think Tank, December 1, 2008.

³⁷ Stephen Tankel, '*Lashkar-e-Taiba: From 9/11 to Mumbai*', The International Centre for the Study of Radicalisation and Political Violence, April/May 2009, pp-5

³⁸ Press Release, Ministry of Defence, Government of Pakistan, Rawalpindi, No 13/2008-ISPR, November 12, 2008.

³⁹ 'Headley spills beans on Pak army officers', *Times of India*, March 27, 2010, pp-1.

⁴⁰ 'Headley names Pak Army officers', *The Hindu*, March 27, 2010, pp-10.

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Sahil Pawaskar on leave and license basis but failed. ‘The location of Badhwar Park was important to the scheme of the conspiracy, keeping in mind its proximity to the targeted locations in South Mumbai. This fact is further corroborated by the terrorists selecting Badhwar Park, Machhimar Colony as the point of landing on Indian shores and dispersing towards their respective destinations from there on the fateful evening of 26-11-2008’⁴¹. Ultimately, he rented a room at Patthe Bapurao Marg, Mumbai from where he conducted elaborate reconnaissance of the iconic and important locations in Mumbai. Further to camouflage his nefarious activities, Fahim secured admission at Soft Pro Computer Educational Council, situated at Engineer premises, opposite Bombay Stock Exchange and conducted detailed reconnaissance of the targeted locations, the information of which was provided by him to Sabauddin Ahmed⁴².

On 10 February 2008, Uttar Pradesh police arrested Fahim Ansari for his involvement in the attack on a Central Reserve Police Force camp in Rampur on the intervening night of 31 December 2007/1 January 2008. He was arrested along with five others including Pakistani nationals Amar Singh (alias Romej) and Ajay Malhotra (alias Sehwez) and Indian nationals Soheli, Sabauddin and Baba Jung Bahadur. Road maps of Mumbai, with important buildings marked, were seized from Ansari, when he was arrested by the Uttar Pradesh police. Sabauddin, along with another terrorist known as Abu Hamza, were also behind the 2005 attack and murder of a professor at the Indian Institute of Science in Bangalore in 2005⁴³. Later Sabauddin became the leader of *Lashkar-e-Taiba* in Nepal, and aided in smuggling *Lashkar* terrorists across the border between India and Pakistan. He also established a *Lashkar-e-Taiba* base in Kathmandu. Bharat Thakur, an auto rickshaw driver in Mumbai and Nooruddin Shaikh, witnesses of 26/11 trial during their deposition told to the 26/11 Special Court that both of them had gone to Nepal in January 2008. Thakur, as per Nooruddin’s testimony, had fallen sick and told him to proceed to Kathmandu. Nooruddin informed the court that he met Ansari there and was present when Ansari handed over the maps to Sabauddin at the guesthouse. The chargesheet filed by Mumbai police said, ‘the arrested accused Sabauddin Ahmed who was a very important functionary of the *LeT* in India thence got in touch with his *LeT* bosses viz: Zaki-ur-Rehman Lakhvi and Abu Kahfa and informed them as

⁴¹ Charge Sheet, ‘26/11 Attacks Case’, 37th Court, Esplanade, Mumbai, pp-6.

⁴² Charge Sheet, ‘26/11 Attacks Case’, 37th Court, Esplanade, Mumbai, pp-6.

⁴³ Atik Khan, “Six Militants Involved in Attacks on IISc, CRPF camps held in Uttar Pradesh”, *The Hindu*, February 11, 2008.

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regards the receipt of these important documents so very essential for the success of the Mumbai Mission. The *LeT* co-conspirators then made arrangements for fetching the maps etc. from Sabauddin Ahmed at Kathmandu, Nepal'⁴⁴.

The Mumbai metropolitan magistrate had ordered the Mumbai Anti Terrorism Squad to bring Fahim Ansari and Sabauddin Shaikh from Bareilly Central Jail to Mumbai. On December 12, 2008 the Court of Additional Sessions Judge of Rampur Mr. Jai Sheel Pathak allowed the police to take Fahim Ansari and Sabauddin, the suspected *Lashkar-e-Taiba (LeT)* activist lodged in the Bareilly Central Jail, to Mumbai for interrogation about the Mumbai terror attacks⁴⁵. The interrogation of Fahim Ansari revealed that he had performed reconnaissance over twelve places in Mumbai, including government, police, transportation, tourist and financial sites over the period of two months. The hand-drawn maps were part of the documents in Fahim Ansari's case file in the Rampur court. He marked places like offices of Mumbai Police Commissioner, Director General of Police, Gateway of India, Tajmahal hotel, Churchgate railway station, Reliance energy and AKSA beach⁴⁶. Fahim told the interrogators that at Baitul Mujahideen camp, located near Shivai Nallah in Pakistan-occupied-Kashmir, he was shown Mumbai in the Google earth map and was asked to point out important places in Mumbai. Besides this, Fahim said the Baitul Mujahideen camp commander, identified as Kahfa, was keen to know about the availability of taxis near the DGP's office. Fahim informed the interrogators that the camp commanders were also interested in finding out information about height of the airport wall, wire fencing and the location of aircraft runway from the nearest building. A total of 21 such sketches were seized by the Uttar Pradesh Anti Terrorism Squad from Fahim Ansari on February 8, 2008 which was later provided to the Special Court of 26/11.

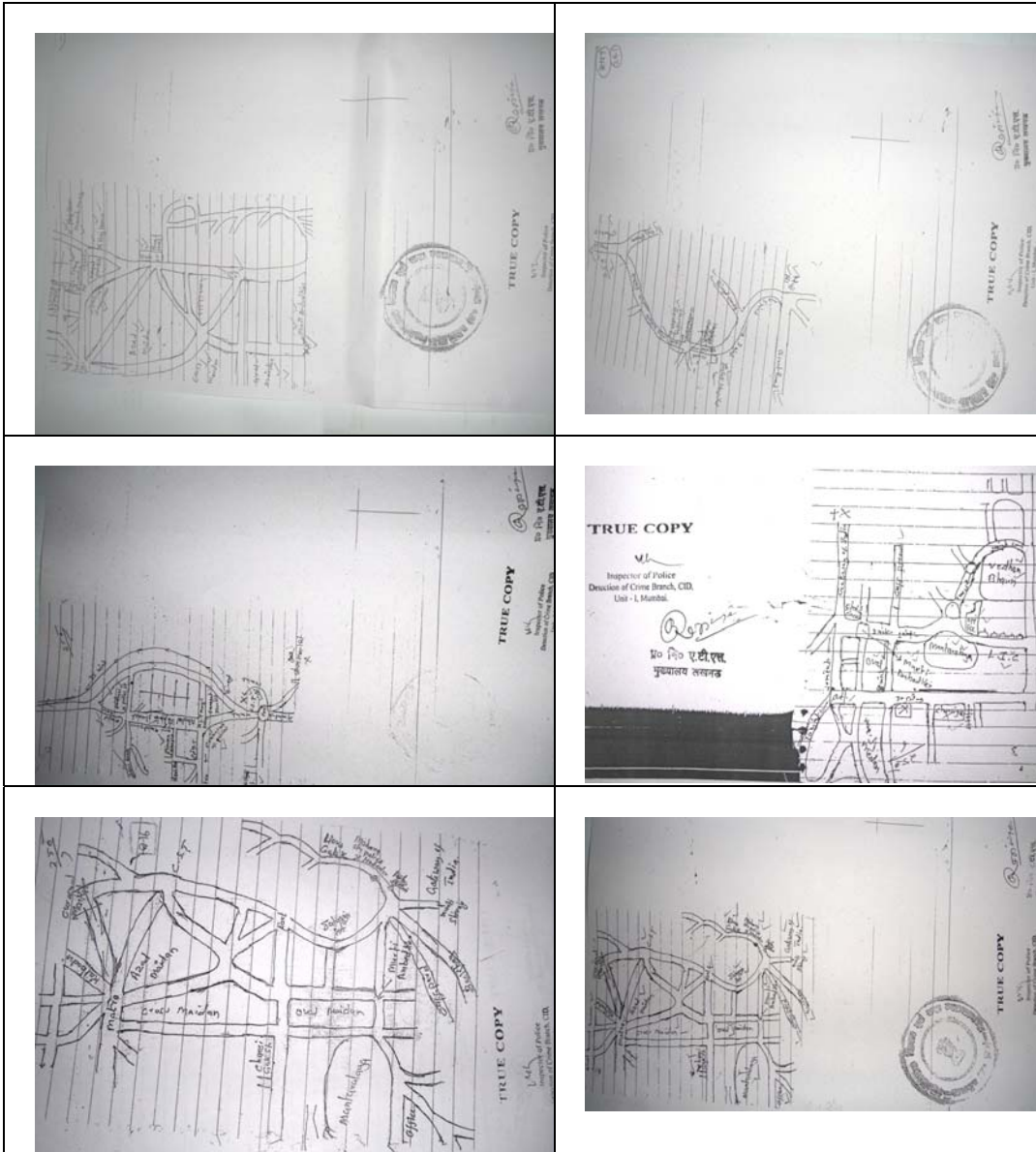
⁴⁴ Charge Sheet, '26/11 Attack Case' 37th Court, Esplanade, Mumbai, pp-2.

⁴⁵ 'Mumbai Police get Fahim Ansari's Custody', *Times of India*, December 24, 2008; 'Police get custody of Sabauddin, Fahim Ansari', *The Indian Express*, January 13, 2009.

⁴⁶ 'FBI wants to quiz Fahim Ansari', *The Indian Express*, February 1, 2009.

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(Source: Common Investigation, File No – 2, 26/11 Attack Case, 37th Court, Esplanade, Mumbai)

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Although the prosecutor charged Fahim Ansari and Sabauddin Ahmad with preparing the maps that guided the *Lashkar*'s fidayeen to their targets in Mumbai, the mystery over the surveillance of luxury hotels persisted till the FBI arrested David Coleman Headley in Chicago.

Even a year later of the attacks, the origin of the 26/11 conspiracy was still to be unravelled when on October 3, 2009 the FBI arrested Pakistani-American David Coleman Headley while he was boarding a flight from Chicago to Philadelphia. The arrest of Headley was followed by the arrest of his co-conspirator Tawahhur Rana in Chicago on October 16, 2009. Interrogation of Headley shed new light into the Mumbai conspiracy when FBI filed charge sheets separately against Headley, Rana and their co-conspirators Ilyas Kashmiri and Abdur Rehman Pasha for their complicity in the attacks. Headley and Rana made several surveillance trips to India. The chargesheet said, 'it was part of the conspiracy that in or about late 2005, *Lashkar* Member A, *Lashkar* Member B, and *Lashkar* Member D advised defendant David Coleman Headley that Headley would be travelling to India to perform surveillance of potential targets for attack by *Lashkar*, and recommended that Headley take steps to conceal his association with Pakistan and his Muslim religion during his travels in India'⁴⁷. *LeT* trains its cadres the camouflage and concealment technique, which was applied by Headley in February 2006 when he changed his given name of 'Daood Gilani' to 'David Coleman Headley'. This was done in order to facilitate his activities on behalf of *Lashkar* by enabling him to present himself in India as an American who was neither Muslim nor Pakistani. To cover their operation in India and work for the conspiracy during the spring of 2006, Headley discussed with his *LeT* operatives the idea of opening an immigration office in Mumbai, as a cover for his surveillance activities in India. Tawahhur Rana, the Pakistani-Canadian businessman provided Headley approximately \$25,000 in July 2006 to, among other purposes, establish and operate the Mumbai office of 'First World' and pay for living expenses while Headley carried out his assignments for *Lashkar*.

The high profile targets of Mumbai needed to be surveyed by a person of higher rank as Fahim Ansari and Sabauddin were not fit for the job. Headley made a set of surveillance visit to India of possible targets of attacks by *Lashkar* in September

⁴⁷ FBI Charge Sheet, "United States of America v. Ilyas Kashmiri, Abdur Rehman Hashim Syed, a/k/a "Major Abdur Rehman," a/k/a "Pasha," David Coleman Headley, a/k/a "Daood Gilani," Tahawwur Hussain Rana", United States District Court, Northern District of Illinois, Eastern Division, pp- 4.

2006, February 2007, September 2007, April 2008, and July 2008. During his visit to Mumbai, Headley stayed at least twice in Mumbai's Hotel Taj Mahal Palace and Towers, more than a year before it was targeted on 26/11. He ran 'Immigrant Law Centre', a visa facilitation agency out of a leased office in AC market in South Mumbai's Tardeo area between March 2007 and November 2008⁴⁸. Headley and Rana made frequent trips to India between 2006 and 2009. Apart from Mumbai, the duo covered various parts of India which includes Delhi, Ahmadabad, Pune and Kochi. Prior to Headley's departure for each of these trips, *Lashkar* Members instructed Headley regarding locations where he was to conduct video surveillance in and around Mumbai as well as other locations in India. Ansari had first surveyed places in Mumbai and provided rough sketches of the targets to the *Lashkar-e-Taiba*. The *Lashkar* men studied the maps and passed on the information to Headley, who went to Mumbai to conduct a detailed survey of the targets.

David Headley's plea agreement with the United States of America said that 'in or around February 2007, Headley returned to Mumbai and conducted video surveillance of various locations, including but not limited to, extensive video of the second floor of the Taj Mahal Hotel in Mumbai'⁴⁹. After each trip, Headley travelled to Pakistan, where he met with members associated with *Lashkar* to report on the results. Working on a need-to-know basis, neither Headley nor Ansari were told about each other and both went about their jobs independently. Ansari, who lived in Mumbai, conducted one reconnaissance, whereas Headley had surveyed the targets many times through the two years.

The Indoctrination before Attacks

As the *LeT* runs scores of educational institutions and other religious seminaries (Madrassa), its functioning reflects a strong managerial as well as indoctrination system. Around half a million people attend the annual congregation of *LeT* in Pakistan. *LeT* uses these occasions to expand its network by propagating its success stories in Kashmir; by linking up with extremist groups operating in other parts of the world, as representatives from such groups are routinely invited; and, last but

⁴⁸ 'The Headley Trail', *The Indian Express*, November 2009, p-11.

⁴⁹ 'Plea Agreement', 'United States of America Vs. David Coleman Headley', No.09 CR 830-3, United States District Court, Northern District of Illinois, Eastern Division, pp-6.

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not least, by sending a message to the government about its growing size and strength⁵⁰. Suitable cadres are picked up from various parts of Pakistan as well as other Muslim countries and the outfit provides training to both militant cadres and the Ulema (religious scholars). The Ulema are provided with a 42-days course. At the time of induction, the young recruits are made to go through a fresher course called Bait-ur-Rizwan. *LeT* started its marine operation in 2005. Western journalist who travelled to the POK to report on the earthquake discovered that in Muzaffarabad, a large rubber pontoon boat of Jamat-ul-Dawa was carrying passengers in the Neelum River. The *Lashkar* practice amphibious operations on a lake at its base headquarters campus at Muridke⁵¹.

The plan of Mumbai terror attacks never prepared overnight. Although most of the training offered to the Mumbai attackers was the same, there was a marked change in one area of the training. The Mumbai attackers had to undergo the sea training, first of its kind and never done earlier. Although RDX, gun and illicit cargo used for the 1993 Mumbai blasts came from Pakistan through the sea route, armed terrorist never come via sea previously. It was only *LeT* commanders who had used a commercial fishing boat to send a fidayeen squad to Mumbai in 2007 to test the route⁵².

While Headley, Rana, Fahim and Sabauddin were doing the basic ground work of surveillance and reconnaissance, Hafiz Sayeed and Zaki-ur-Rehman Lakhvi were left with the principal responsibilities of arranging sponsor, recruiting and indoctrinating field fighters and collaborating with the ISI and Pakistan army.

Although the suicide attack was started by a 13 year old Iranian boy named Hossein during the Iran-Iraq war⁵³, the Liberation of Tamil Tiger Elam (LTTE) in Sri Lanka

⁵⁰ Abbas, 'Pakistan's Drift into Extremism', pp-214

⁵¹ Steve Cole, 'Lashkar-e-Taiba', The New Yorker's Think Tank, December 1, 2008.

⁵² Praveen Swami, 'Lashkar tested sea route to Mumbai in 2007 dry run', *The Hindu*, November 28, 2008, pp-14.

⁵³ Ex-CIA field officer Bob Baer explores the roots of suicide bombing use of martyrdom in the battlefield by Shia armed forces in Iran and Lebanon. Iranian Hossein Fahmideh was the first suicide bomber. He threw himself under an Iraqi tank with a grenade in his hand during the Iran-Iraq war of 1980. Fahmideh was made a national hero, and following his death, thousands of young Iranians carrying "keys to paradise" walked and ran across minefields, killing themselves for God and the Islamic regime.

specialized in suicide attack. *LeT* picked up this deadly terror trick from terror outfits like LTTE and using it widely in Kashmir and in other parts of India. *LeT*'s fidayeen squad formed two sub-groups called 'Jaan-e-Fidai' and 'Ibn-e-Tayamiah'. While the first group consists of highly motivated terrorists, the second comprises terrorists suffering from incurable diseases.

The captured terrorist Kasab's confession before a judicial magistrate tells 'how the entire plan for Mumbai attack operated over a period of two years'. Each terrorist had to go through a series of training and indoctrination session. More than 5000 madrassas in Punjab, Sindh and North West Frontier Province (NWFP) operated by the *LeT*, *Jamait-e-Islami* and *Jammat-ul-Ulema-I-Islami* organizations churn out militants after picking them up for religious and jihadist training from impoverished families. They are also given a compensation package, depending on individual expertise and efficiency⁵⁴. Trainings received by the 10 terrorists are as follow:

- '*Daura-e-Sufa*' – *the 29 Days Preliminary Training*: In his 40 pages elaborate confession before a judicial magistrate, Kasab told that, in December 2007 he got the address of *Lashkar-e-Taiba* from a Maulavi and reached the office of *Lashkar* in 'Raja Bazar, Rawalpindi'. From there he was guided to Muridke with a letter '*Daura-e-Sufa Markas Taiba Muridke*' written on it. He was also provided the address of Muridke where he had to go. After thorough search he was allowed to go inside the camp and a man named Fahadullah noted his name and address and he was included. Kasab told that, 'in the 29 days training of '*Daura-e-Sufa*', first they converted us from Sunni into Ahale-Hadis and we were taught the customs of Hadis. Those who use to give this training were called masters. Apart from this there were speeches on Jihad and on the importance of Jihad. During this training our Masters were Fahaudallah and Mufti Sayeed. This training was concluded during the December 2007 and January 2008'⁵⁵.
- '*Daura-e-Ama*' – *the 21-Day Combat Course*: '*Daura-e-Sufa*' was followed by '*Daura-e-Ama*'. After receiving *Daura-e-Ama* it is necessary to again prove one's ability to go for further training. Kasab revealed that in February 2008 he was selected for the training of '*Daura-e-Ama*'. Master Fahaduallah forwarded him to Mansera Markaz Aksa along with a letter where it was written '*Bhai Wasul Daura-e-Ama*'. Once the letter produced at the gate of Mansera Markaz Aksa

⁵⁴ Dhar, 'Fulcrum of Evil ISI-CIA-Al Qaeda Nexus' pp-142.

⁵⁵ 'Confession of Kasab', pp.13.

camp, he was allowed to enter and taken for the next round of training. During the 21 days of 'Daura-e-Ama' training the recruits are trained in physical activities, running, mountaineering, Kalashnikov, rifles, pistol opening and closing and firing⁵⁶. The training also includes lectures and practical demonstrations in concealment, camouflage, reconnaissance and intelligence gathering⁵⁷.

- *Daura-E-Khaas - the 75 Days Advanced Combat Course*: After the above two courses, cadres of *LeT* are allowed to go and spread themselves across India and start their own sleeper cell. But those who are part of *LeT*'s mainstream design and ongoing plan, they are supposed to stay and have to undergo more specialized training called 'Daura-E-Khas'. Describing about the specialized training, Kasab told the judicial magistrate that, he was forwarded to the next level of training 'Daura-e-Khas' by the master of 'Daura-e-Aam' to the office of *Lashkar-e-Taiba* in Model Town in Okara district of Pakistan. He was supposed to collect a secret paper with the stamp of *LeT* for future verification called 'Daura-e-Khasa ka Rukka'⁵⁸. After thorough inquiry and confirmation of credential through telephone he was handed over a letter with the writing 'Bhai Vasul' in it and stamped it with the flag of *Lashkar-e-Taiba*.

Unlike the previous two trainings, this training is hard and different. In the word of Kasab, 'this training camp is heavily guarded. In this training it is prohibited to go outside or come inside without the permission of the Master. Abu Maviya was the Master during this training. The training was undertaken during the months of May, June and July 2008⁵⁹.' The recruits for this camp were made solid Jihadis during this two and half month of training. Here the recruits were taught about Namaj, Hadis Quran. With this they are also taught how to open and close Kalashnikov and other rifles and pistol, firing of gun, operation of rocket launcher and use of hand grenade. Apart from this they are trained in how to use satellite phone, G.P.S System, map reading and how to survive sixty hours without food and still climb mountain with heavy load. Kasab told that due to the ruthlessness and severity of the training, 10 Mujahed of his batch fled the training camp.

⁵⁶ 'Confession of Kasab', pp- 14.

⁵⁷ Dhar, 'Fulcrum of Evil ISI-CIA-Al Qaeda Nexus', pp-142.

⁵⁸ Rukka means official stamp/signature. Those who possessed the stamp of *LeT* with unique instruction only allowed for further training.

⁵⁹ 'Confession of Kasab', pp-17

The training also includes handling of sophisticated/heavy weapons including rocket launchers, MMGs/LMGs, AK-47/56/74's, MI/sniper rifles, mortars, remote control devices, anti-personnel/tank mines and explosives, including IEDs⁶⁰.

- *Daura-e-Ribat – 30 days Training on Intelligence Agencies:* The 'Daura-e-Ribat' is the specialized training, given only to the special recruits, who are part of an ongoing or future mission. Information about country specific security laws and skills and strategies of security agencies are given during this training and the trainees are asked to rehearse how to dupe, snoop and mislead security agencies. Kasab informed that only a select few are allowed for the training of 'Daura-e-Ribat' at the Markas Taiba Muridke. This training was for one month. In this training the recruits are taught the name of the intelligence agencies. Here the skills taught are includes 'how to enquire about the target, how to keep an eye on the target, how to follow the target and if someone is following you how to mislead him and finally how to hide ones identity⁶¹.'

The training also includes the finer aspects of ambushes/raids, operation of walkie-talkie sets, first aid/para-medical training and audio-visual education on commando operations. After initial arms training, some terrorists are imparted wireless communication training (Morse and computer-based data mode) for ensuring direct link of terrorists with Pakistan authorities⁶². This is the same technique which was applied in the Mumbai attacks.

The Mumbai Attack

Kasab told to the judicial magistrate how he and others received the sea training. The training included 'how to read map and how to use it, how to measure the depth of the sea, how to use G.P.S. for the sea route, how to use the net of fishermen and how to operate ship⁶³.' He also revealed that the recruits were trained how to use the net of fisherman because they were told by the trainer that there is every possibility that while going through the sea, the Indian navy may enquire about the

⁶⁰ Dhar, 'Fulcrum of Evil ISI-CIA-Al Qaeda Nexus', pp-142.

⁶¹ 'Confession of Kasab', pp-18.

⁶² Dhar, 'Fulcrum of Evil ISI-CIA-Al Qaeda Nexus', pp-142-143.

⁶³ 'Confession of Kasab', pp-19.

journey. So to mislead the navy with the impression that all of them are fishermen they were asked to learn fishing.

The direction of attacking Mumbai through the sea route was made known to the Jihadis by the top *LeT* brass first time on the 13th day of Roza of the year 2008 that is November 12, 2008. Kasab revealed that ‘on 13th day of Roza Aamir Hafiz Sayeed, Zaki-ur-Rehman Lakhvi, Muzammil alias Yusuf, Abu Alkama, Abu Hamza, Abu Kahfa and Abu Umer Sayeed, all of these call us to the office of the Betul Mujahid. Here Aamir Hafiz Sayeed told us that, ‘now the time for Jihad has come. Now we have to decide how to attack India.’ After that Zaki-ur-Rehman Lakhvi said, “the prosperity of India is because of Bombay, so we have to attack Bombay. All of you Mujahedins are trained well in sea route. We will attack Mumbai through the sea route⁶⁴.”

The information gathered about the target places in Mumbai by the field surveyors like Headley and Fahim Ansari were shown to the terrorists and adequate instruction about the mode of attacks were provided. Kasab revealed that, the 10 terrorists prepared for the Mumbai terror attacks were taken to a hall by Hafiz Sayeed, Zaki-ur-Rehman Lakhvi, Muzammil alias Yusuf, Abu Alkama, Abu Umer Sayeed, Abu Hamza and Zazar Shah. Kasab said, ‘after reaching that hall we saw two three TV. Zazar Shah told us that, that was the control room of the media wing. In a large screen he has shown us all the roads that lead to our target in Bombay. That time Zazar Shah had shown the CD depicting V.T.S. and Malabar Hill to Ismail and me. While showing the CD Zazar Shah was informing us about the roads to V.T.S. and Malabar Hill. Through the Google Earth website in a laptop Kahfa had shown us the map how to reach V.T.S. and Malabar Hill from Budhwar Park⁶⁵’.

Kasab also informed the interrogator that Kahfa had shown him handmade maps prepared by Sabauddin Ahmad and Fahim Ansari. The date of attack was fixed as 26th of November 2008. In the language of the top brass of *LeT* as Kasab revealed, ‘this time Zaki-ur-Rehman Lakhvi told us that ‘on 27th day of Roza you have to go Bombay and launch the fidayeen attack’. Aamir Hafiz Sayeed told us, ‘you have to hijack a Hindustani boat to reach Bombay from Karachi. In that boat you have to go to Bombay⁶⁶’.

⁶⁴ ‘Confession of Kasab’, pp. 20.

⁶⁵ ‘Confession of Kasab’, pp-24.

⁶⁶ ‘Confession of Kasab’, pp-22.

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The final voyage of the terrorists to Mumbai started on the afternoon of 23rd November, 2008. The 10 terrorists and a few other *LeT* operatives, with the help of criminal force, captured 'MV Kuber', a fishing trawler in the Jakhau area within the Indian territorial waters. Immediately, the Pakistani terrorists, who were in the Pakistani/*LeT* boat 'Al Husaini', forcibly entered the Indian fishing trawler MV Kuber. Out of the 5 sailors on board MV Kuber, 4 sailors were taken into the Pakistani/*LeT* boat 'Al Husaini' whilst the navigator of the MV Kuber Amarchand Solanki was forcibly kept on the Indian fishing trawler MV Kuber⁶⁷.

The detailed planning also entailed the transfer of adequate diesel fuel from the Al-Husaini to MV Kuber to facilitate the further direct journey towards the destination Mumbai. On completion of this task, the seven Pakistani terrorists who were on board of the Pakistani/*LeT* 'Al Husaini', left towards Pakistan along with the 4 sailors from the Indian fishing trawler MV Kuber. They navigated the 582 nautical miles journey to Mumbai with the help of the G.P.S device and reached approximately 4 nautical miles off the coast of Mumbai on November 26, 2008 at approximately 16.00 hours⁶⁸. At this juncture, the terrorists killed Amarchand Solanki and kept his body in the engine of MV Kuber which was later discovered by the security forces. After a few days, the bodies of the rest of the four passengers of MV Kuber were found in the high sea.

Then the terrorists shifted to a dinghy inflated with the assistance of a foot operated pump and through the dinghy they reached to the Mumbai shore at the Bhai Bhandarkar Machimar Colony opposite Badhwar Park at approximately 2030/2100 hrs of November 26, 2008. Eight terrorist landed at Budhwar Park and left for their destination, while the rest of the two terrorists again sailed towards the Hotel Oberoi/Trident. All the terrorists reached their destinations undetected as well as unopposed, except with a minor scuffle with one of the residents of the Machimar colony, who informed the police but it was too late as all the terrorists had taken their position.

⁶⁷ Charge Sheet, '26/11 Attacks Case', 37th Court, Esplanade, Mumbai, pp-11.

⁶⁸ Charge Sheet, '26/11 Attacks Case', 37th Court, Esplanade, Mumbai, pp-11.

The Undeniable Evidence: Technological Trail

The modus operandi adopted by the terrorists to attack Mumbai required the help of a series of technological devices. As the terrorists were supposed to travel through the waterway from Karachi to Mumbai, for the purpose of communication, they were provided a satellite phone. The 10 terrorists selected for the attack were grouped in 5 pairs of two terrorists each. Each of the five groups were provided one GPS system to track their way to Mumbai and then to find way to each of their target.

Once the terrorists reached near Mumbai in the hijacked Indian boat named MV Kuber, they inflated a rubberized dinghy with a Yamaha motor on it and commenced the last leg of their journey to Mumbai coast. In the aftermath of the attack, behind the death and destruction, the terrorists left a long list of technological devices which proved vital for the Indian security agencies to establish the conspiracy and its root.

All these above mentioned devices seized after the Mumbai attacks were sent to the FBI's digital forensic laboratory under the 'Treaty on Mutual Legal Assistance in criminal matters between Government of United States of America and Republic of India⁶⁹.' The Treaty provides for a broad range of cooperation in criminal matters and related proceedings. Five GPS handsets, Satellite Phone including the ITS SIM Card and the CD containing intercepted Voice of wanted accused were sent to the Digital Evidence Laboratory, Quantico, Virginia. The response sought from the FBI was related to:

1. Information related to Callphonex and Direct Inward Dialling Numbers

⁶⁹ Treaty Between The Government Of The Republic Of India On Mutual Legal Assistance In Criminal Matters, Signed At New Delhi On October 17, 2001, Source: 107th Congress, 2nd Session, Senate, Treaty Doc 107-3; On April 8, 2002 — Treaty was read the first time, and together with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed for the use of the Senate; In his message to the Congress President Bush said, 'The Treaty is one of a series of modern mutual legal assistance treaties that the United States has concluded or is negotiating in order to counter criminal activities more effectively. The Treaty should be an effective tool to assist in the investigation and prosecution of a wide variety of modern crimes, including terrorism-related crimes, drug trafficking, and "white collar" crimes. The Treaty is self-executing.'

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2. Details regarding the Yamaha Boat
3. Forensic Analysis of the Five G.P.S. Handsets
4. Information with respect to GSM Mobile Phones
5. Report regarding a threatening email described in the Request⁷⁰.

The FBI conducted investigation related to United States based telephone number (201) 253-1824, which was associated with International Connection Service, Incorporated (ICS), a private corporation registered in the state of Delaware, United States of America. ICS provides Voice Over Internet Protocol (VoIP) services under the brand-marketing name Callphonex.

ICS owned telephone number (201) 253-1824 until January 6, 2009. Every call made by Callphonex customers displays telephone number (201) 253-1824 as the number from which the call is originated regardless of where the customer is at the time of the call, unless the terminating carrier blocks the appearance of said number. On October 20 and 21, 2008, an individual identifying himself as Kharak Singh contacted Callphonex through its website and indicated that he was a VoIP reseller located in India. Singh indicated that he was interested in establishing an account with Callphonex. Singh and Callphonex negotiated a down payment of approximately \$120-\$150 and an initial commitment of approximately one month. On or about October 27, 2008, Callphonex established various accounts for Singh. Singh's accounts consisted of 15 PC To Phone (PC2Phone) accounts, 10 Common Client accounts, and five Direct Inward Dialing (DID) Austrian phone numbers⁷¹.

Investigation proved that the calls received by the 26/11 terrorists were originated from the telephone number of Mr. Kharak Singh. Two payments were made to Callphonex for Singh's accounts. On October 27, 2008, the initial payment of \$250.00 was wired to Callphonex via Moneygram and the sender for this payment was Muhammad Ishfaq who used MoneyGram agent Paracha International Exchange located at Road Anarkali Fayazuddin in Lahore, Pakistan and provided

⁷⁰ *LeTter* from the Office of International Affairs dated February 18, 2009 to Ministry of Home Affairs, Government of India acknowledging the request from India; (the *LeTter* is attached in the Charge Sheet of 26/11 Attacks Case).

⁷¹ '*Common Investigation*', File No.2, pp-17-19.

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his address as Post Office Mall Awn, Tehshil Gujar K, Peshawar, Pakistan. But the second payment of \$229.00 was wired to Callphonex on November 25, 2008 via Western Union. The name of the sender this time was Javaid Iqbal who used Madina Trading, located in Bescia, Italy. For identification, Iqbal provided Madina Trading with Pakistani passport number KC092481⁷².

In an internal PowerPoint presentation the Italian police and their top anti-terrorist unit, the DIGOS (Divisione Investigazioni Generali e Operazioni Speciali Antiterrorismo), spell out exactly how Pakistani operatives, using a series of false identities, activated a U.S.-based Voice-over-Internet Protocol (VOIP) which was used by handlers in Pakistan to give orders to Pakistani terrorists during the November 26, 2008 Mumbai attacks.

Slide No 6 of the presentation states that: “On November 25, 2008 [underlined] from Brescia, a person of Pakistani origin used Western Union to make a second payment for the VOIP account again using the phantom name of Kharak Singh. This payment was communicated to the Callphonex user by the so-called Kharak Singh via email and gave details about the person making the payment. This email, obtained by the FBI from Callphonex, confirms the payment and identifies the sender as Javaid Iqbal, born on 31 December 1962, and whose address is given as No. 125 Via Milano in Brescia⁷³.”

The presentation further states: “Investigations carried by DIGOS of Brescia in coordination with the Public Prosecutor’s office revealed that: Iqbal Javaid (sic) had never transited through Italian territory and that he was residing legally in the Barcelona region of Spain; the persons running the Western Union agency via Madina Trading in Brescia had used Iqbal Javaid’s identity and details and those of other subjects, without their knowledge, to carry out money transfer operations with the specific intention of hiding the identity of the real senders of the money because they could not or did not wish to be identified. From 2006 to 2008 Madina Trading used the identity of Iqbal Javaid over 300 times to send money to various countries totaling over 400,000 Euros⁷⁴.”

⁷² ‘Common Investigation’, File No.2, pp-113.

⁷³ Vaiju Naravane, ‘Italian Police explain how VOIP was used on 26/11’, *The Hindu*, New Delhi, November 23, 2009, p-1.

⁷⁴ Vaiju Naravane, ‘Italian Police explain how VOIP was used on 26/11’, *The Hindu*, New Delhi, November 23, 2009, p-1.

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When the owner of the Callphonex noticed that neither of the wire transfers were sent from India, on November 25, 2008, he emailed Singh and asked, 'By the way, if you are in India, why Western Union Transfers are coming from Pakistan?'⁷⁵ The question never been answered but next day attacks happened on Mumbai and the same phone lines were used for the handling of the attacks.

Kharak Singh had numerous email exchanges with Callphonex with the email id kharak_telco@yahoo.com and FBI found that the email account of Kharak Singh was created on October 20, 2008, via Internet Protocol (IP) address 66.90.73.125. Between October 20, 2008, and November 28, 2008, a user with access to this account logged in from the following IP addresses, which, according to open-source information, resolve to the corresponding geographic locations:

| IP Addresses | Location ⁷⁶ |
|-----------------|------------------------|
| 58.27.167.153 | Pakistan |
| 66.90.73.125 | US – apparent proxy |
| 67.159.44.63 | US – apparent proxy |
| 80.78.132.155 | Kuwait |
| 82.114.138.18 | Russia |
| 118.107.140.138 | Russia |
| 203.81.224.201 | Pakistan |
| 203.81.224.202 | Pakistan |

⁷⁵ Email conversation of CallPhonex Sales (sales@callphonex.net) and Kharak Singh (kharak_telco@yahoo.com) dated November 25, 2008, the last of a series of email conversations. Print of the email conversation produced at the Special Court for Mumbai attack in the 'Common Investigation in Terrorist Attack on Mumbai', File No.2, pp – 281.

⁷⁶ 'Common Investigation', File No.2, pp – 113-115;

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The FBI was not sure about the true physical location of the IP addresses. When Callphonex suspected the credibility of Kharak Singh and asked why payments were made from Pakistan, it was already November 25, 2008. The next day Mumbai was attacked and once the attacks were over on November 28, 2008, the user abandoned the service of Callphonex. Callphonex closed Singh's account because there has been no payment, no activity and no communication from him since November 28, 2008⁷⁷.

On February 11, 2009, the Mumbai Police provided the serial number of the Yamaha Enduro outboard boat motor engine to the FBI for investigation. The FBI in its answer dated February 18, 2009 said, the Yamaha Motor Corporation document reveals that the engine identified with serial number 67 CL 1020015 was manufactured in Japan and thereafter shipped to Business and Engineering Trends in the Republic of Pakistan⁷⁸.

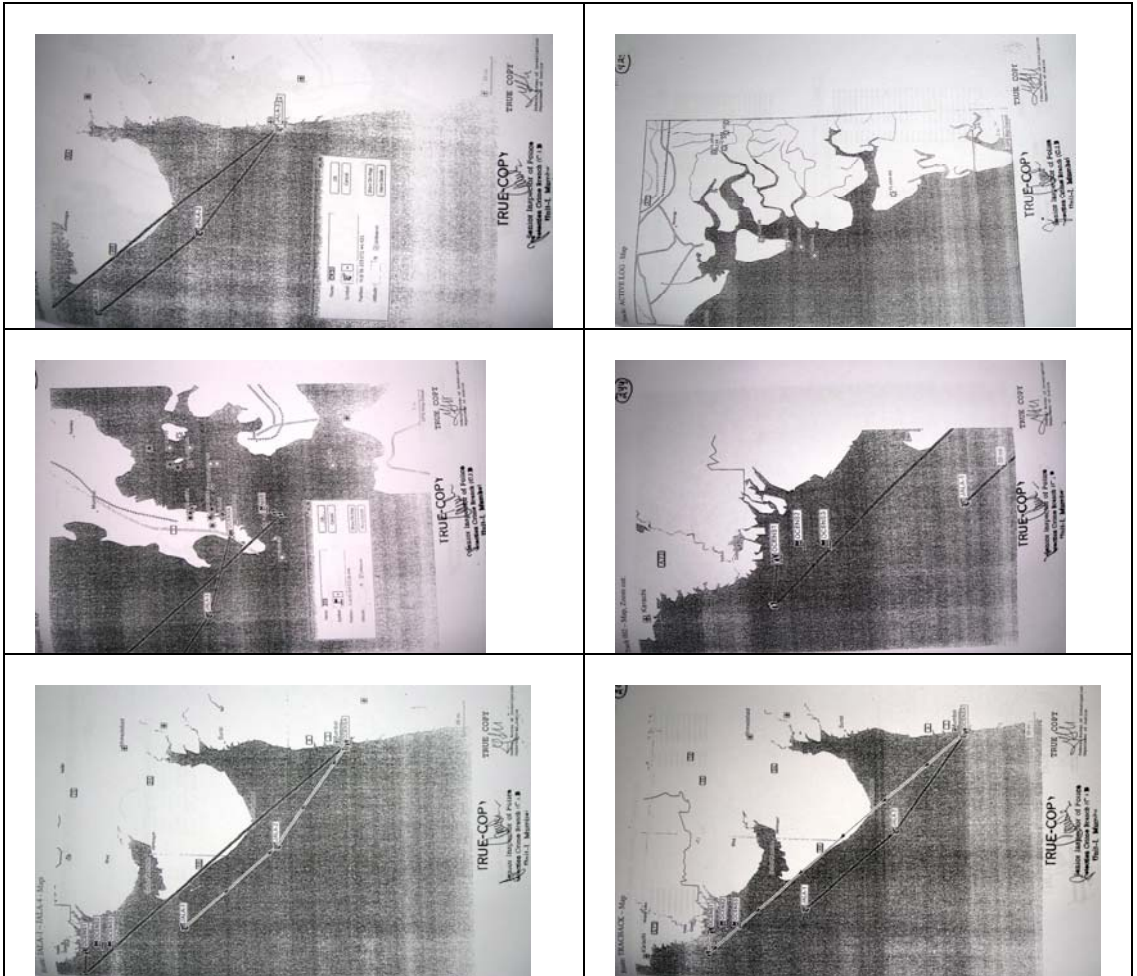
The Mumbai Police further provided the five GPS set to FBI for investigation. The details of the sets are: GPS – 1 (Cr. No. 186/08), GPS – 2 (Cr. No. 197/08), GPS – 3 (Cr. No. 194/08), GPS – 4 (Cr. No.194/08), GPS – 5 (Cr. No. 197/08). These GPS sets along with the Thuraya Hughes-7101 Satellite Telephone with International Mobile Equipment Identity (IMEI) no: 352384-00-054152-6 were examined at the FBI Digital Evidence Laboratory, Quantico, Virginia.

⁷⁷ 'Common Investigation', File No.2, pp-115.

⁷⁸ 'Common Investigation', File No.2, pp-211.

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(Prints of the maps taken from the stored data of the GPS devices seized from the abandoned trawler MV Kuver and from the possession of the deceased terrorists after the Mumbai Terror Attacks. Source: 'Common Investigation in Terrorist Attack on Mumbai', File No.2, The Special Court was provided 60 pages of such prints)

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The Hughes-7101 telephone can operate via the Thuraya satellite network⁷⁹ or on a Global System for Mobile communications network. Inside the high Sea the terrorists communicated with their handlers in Pakistan with the help of the satellite phone. GPS was helpful for the terrorists along with the service of Amarchand Solanki to find their way to Mumbai. Print out of the maps taken from the stored data of GPS system established the fact that, the terrorist started their journey from Karachi, which was ended in Mumbai.

During the course of offence, the terrorists used five mobile handsets for communicating and seeking instructions from their handlers in Pakistan. The terrorists also used mobile phones of the hostages and the number they have dialed from those mobiles were traced to Pakistan. Investigation into the five Nokia 1200 handsets with IMEI Nos 353526/02/584223/5, 353526/02/5828739, 353526/02/404/945/1, 353526/02/584089/0, 353526/02/593362/0 revealed the fact that these were manufactured at the Nokia factory, at Dong Guan, China and shipped to 12 Pakistan Pvt. Limited, Karachi, Pakistan⁸⁰.

On 27/11/2008 at 00.26 hours a threatening mail was received by mail@indiatvnews.com from deccanmujahideen@gmail.com. The FBI has determined that the account deccanmujahideen@gmail.com was created on November 26, 2008, 7.48.38 PM GMT via the IP address 82.114.141.99. A secondary e-mail identified for this account is abx@yahoo.com. The FBI determined through Yahoo! that abx@yahoo.com is not a valid email address. Investigations reveal that the IP address resolves a proxy server in Russia⁸¹.

The gadgets and technologies used by the terrorists for the terror attacks proved to the fact that the planners, handlers, designers and foot soldiers of the Mumbai attacks were from Pakistan based terrorists organization *Lashkar-e-Taiba*. The commando style attacks and the method of instrumentalities used in the attacks indicate the involvement of military establishment of Pakistan. Kasab revealed that

⁷⁹ Thuraya is a regional satellite phone provider. Its coverage area is most of Europe, the Middle East, North, Central and East Africa, Asia and Australia. The company is based in the UAE and distributes its products and service through authorized service providers. Source:

http://www.thuraya.com/en/media/get/20081023_coverage2008.jpg.

⁸⁰ 'Common Investigation', File No.2, pp-431-433.

⁸¹ 'Common Investigation', File No.2, pp-441-443.

one ‘Major General Saab’⁸², whose real name and identity is not known, was inspecting the training at the training camp. When India and Pakistan resumed foreign secretary level dialogue on February 25, 2010, after a 14 month gap, India asked for two serving Pakistani army officers, Major Iqbal and Major Samir Ali to be handed over, giving three dossiers to Pakistani foreign secretary⁸³. The investigation of FBI reveals that one Abdur Rehman Hashim Syed, who was involved in the Mumbai attack planning, was a retired Major in the Pakistani military and a resident of Lahore. He was arrested by the Pakistani authorities in summer 2009 after FBI’s complain and released later⁸⁴.

Conclusions

Contemporary terrorism is a form of political violence and awe inspiring method used by terror groups to achieve irredentist goals. Starting from 1980s, there is an increase in terrorist attacks across international boundaries. In the recent years, the focus of terrorism has been shifted from a low intensity conflict to a strategic threat to world powers. Hardly any part of the world is untouched by the menace of terrorism. India is at the forefront of terror attacks and one of the worst victims of international terrorism. During the 1980s India witnessed militancy in Punjab with the demand of a separate nation by the country’s Sikh inhabitants. Prime Minister Indira Gandhi crushed the militancy at the cost of her life. After a lull, Kashmir erupted to insurgency in late 1980s with a similar demand. Pakistan quickly backed the insurgency and converted it into a militant struggle to destabilize India. Kashmir embraced militancy with the support of an international brotherhood of Muslims with Pakistan at the forefront of the supporters. Afghan and Pakistani mercenaries infiltrated into Kashmir to wage a low intensity proxy war. After September 11 attacks and the subsequent US war on terror, Pakistan exchanged its previous policy of supporting anti-Indian insurgencies with that of supporting terrorist groups like

⁸² The designation ‘Major General’ is used only in the Government military establishment, which indicates to the fact that either a serving or a retired military person was involved in the Mumbai attacks. Saab is an Urdu word whose meaning is Noble Man or a person in the nobility, lately the word also meant ‘Sir’.

⁸³ ‘India ask Pak to hand over two army officers’, *Times of India*, February 26, 2010, p-1.

⁸⁴ Saroj Kumar Rath, ‘26/11 Attacks: Looking into the Legal Questions’, *Social Research Report*, Vol.9, March 2010, pp-14. www.researchreports.ro.

LeT, which mounted the deadly assault on Mumbai in November 26, 2008. Now the theatre of terrorism is no more limited to Kashmir, which spread across India as Pakistan using 'terror as a state policy'⁸⁵.

Internal security of India has been deteriorated to such an extent that terrorists can hit the country from anywhere, anytime and from all the way – land, sky and water. India needed a strong set of measures to counter terrorism. It is imperative to mobilize the international community into dealing sternly and effectively with the source of terrorism, which is located in Pakistan. Unless and until the terrorist camps located in Pakistan are dismantled, the world and India are not safe from the menace of terrorism. Without strong action against those responsible for these acts, it is difficult to arrest such attacks in future. Pakistan's strategy to use terrorism as a state policy required adequate and strong counter measures from India. By blaming a foreign government may not serve the purpose of ending terrorism. India needs to ensure that such acts of terrorism do not recur. India must convince Pakistan through dialogue or coercive diplomacy that their territory must not be allowed to launch such attacks. It is important on the part of India to devise measures to restrict not only terrorism but also every perpetrator, organizer and supporter of terror, irrespective of his affiliation or religion or location. The Mumbai incident has highlighted gaps in the preparedness of Indian police system to deal with these kinds of assaults. Indian police need to equip itself more effectively to deal with this unprecedented threat and challenge to the integrity and unity of the country.

There is a need for stronger measures to protect coastline and strengthen maritime security against asymmetric threats from the sea. Since there are currently multiple agencies tasked with coastal security, there is a need to bring it to the sole responsibility of one agency. Arrangements for securing air space taking into account conventional as well as non-conventional threats needed to be streamlined. The attacks highlighted the need to be able to act in response to such incidents with much greater speed. The terrorist also targets the fragile religious demography of the country with the intension of inciting communal divide. Citizen participation must be encouraged to fight against terrorism. After the September 11 attacks, the US brought all the security and intelligence agencies under the Department of Homeland Security. With atleast nine major intelligence agencies working in different fronts and often for cross-purposes, India's security establishment lacks effective combat strategy. With a billion plus people, India's overpopulated cities

⁸⁵ Manmohan Singh, *Prime Minister's Address at the Chief Ministers Conference on Internal Security*, January 6, 2009. <http://pmindia.nic.in/speeches.htm>.

with clumsy lanes, unplanned streets, packed structures and suffocating human habitation, it is difficult to attend and guard each nook and corner of Indian cities. But with clarity in a counter-terrorism doctrine, a modern as well as effective police system and Special Weapons and Tactics (SWAT) squads, India can reduce her unceasing vulnerability to terror attacks.

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