

Chapter 14

Case Study:

India – Terrorism and Terrorist Use of the Internet/Technology

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ABSTRACT

The purpose of this chapter is to analyze terrorist use of technology in the Mumbai attacks of November 2008 and the use of law to prosecute terrorists availing themselves of technological measures to plan and carry out attacks. The Mumbai attacks are also placed in the context of terrorism in India, by looking at identified terrorist groups and incidents. It should be noted that India adopted amendments to its 2000 IT Act in December 2008, following the attacks, and these amendments include provisions related to cyber terrorism, which might be applied going forward if necessary. It should also be noted that Pakistan adopted similar legislation in 2007 and in 2008, and Bangladesh states that it is in the process of adopting such legislation. Both India and Pakistan have made cyber terrorism punishable by death penalties. The definitions of cyber terrorism in their legislation are provided in this chapter. The chapter also analyzes the level of technological know-how exhibited by the alleged terrorists currently on trial in India, Pakistan, and the United States for planning and executing the Mumbai attacks. Recent measures taken by the Indian government to avoid future use of technology by terrorists are also discussed in the context of a democracy needing to balance security with the privacy and liberty of its citizens.

1. PUTTING THE MUMBAI ATTACKS OF NOVEMBER 26, 2008 (“26/11”) INTO CONTEXT: INDIAN TERRORISM 2008

The U.S. Department of State annual report on terrorism is an excellent source for presenting an overview of the situation in India around the time of the Mumbai attacks, although it does not provide details of technology used in the 26/11 attacks, which are provided elsewhere in this chapter.

1.1 OVERVIEW – U.S. Department of State – Country Reports on Terrorism 2008 – India

The following excerpt from the State Department’s 2008 annual report on terrorism puts the Mumbai attacks in context in relation to terrorism in general in the country during that period. Readers may wish to compare that report with subsequent reports to determine whether Indian government measures have been effective in curbing terrorism following the Mumbai attacks.

In 2008, India ranked among the world’s most terrorism-afflicted countries. On November 26 in a pivotal moment that is now called “26/11,” terrorists struck at a variety of locations in Mumbai, killing at least 183 people, including 22 foreigners, six of whom were Americans, and 14 members of the police and security forces. Over 300 more were injured.

The attacks in Mumbai targeted places frequented by foreigners and wealthy Indians. The attackers entered Mumbai from the sea and attacked people in two hotels, a Jewish center, the main train station, and additional locations (see Figure 1). They also planted bombs in two taxis that later exploded in different locations in the city. The terrorists appeared to have been well-trained and took advantage of technology, such as Global Positioning System trackers. Local and state police proved to be poorly trained and equipped, and lacked central control to coordinate an effective

Figure 1. Steps to the restored banquet hall of the Taj Mahal Hotel, Mumbai. Photo courtesy of the author.¹



response. This attack was the most recent in a long list of lethal terrorist incidents that year.

Among the major events:

- **May 13:** Jaipur experienced serial bomb blasts at crowded market areas and at Hindu temples. At least 60 people were killed, and more than 150 injured.
- **June 29:** Maoist insurgents attacked and killed 33 security forces in Malkangiri district in the eastern state of Orissa.
- **July 7:** Indian interests were attacked in Afghanistan when terrorists drove a vehicle-borne IED into the outer perimeter of the Indian Embassy in Kabul on July 7. Two Indian diplomats died, and a number of Afghan citizens were wounded.

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