

Narco-terrorism kingpins: How to search for a black cat in a dark room

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OPINION

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The confluence between narco-trafficking and terrorist organisations is happening in different parts of the globe, including India. The issues of narco-terrorism, international drug trafficking, and global terrorist networks, are hampering peace and stability, spanning five continents and filled with harrowing stories about the world's most ruthless drug lords and terrorist networks.

On 9 December 1994, the General Assembly of the United Nations issued a Declaration on Measures to Eliminate International Terrorism wherein it expressed, inter alia, its concern "at the growing and dangerous links between terrorist groups and drug traffickers and their paramilitary gangs, which have resorted to all types of violence, thus endangering

the constitutional order of states and violating basic human rights." Since then, much stronger and broader statements have been made, especially in Security Council resolution 1373 (2001) wherein the Council "Notes with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms-trafficking, and illegal movement of nuclear, chemical, biological and other potentially deadly materials..."

There are five types of co-operation or linkage: operational, logistical, financial, political, and ideological. India's capacity to counter terrorist threats on all fronts has increased significantly. But the threat persists, and recent events occurring in different parts of the country remind us that threats can come from different directions, and unexpected quarters, that we cannot afford complacency in the face of a complex and evolving threat. The ongoing and multifaceted activities of government departments and agencies that are involved in counter-terrorism, and coun-

ter-narcotics interdiction, is a clear indication of the grave threat the nation faces from known and unknown enemies. Building resilience against narco-terrorists and drug traffickers is essential if individuals and communities are able to withstand violent extremist ideologies.

If India has to be resilient to terrorist attacks, like that occurring repeatedly in Kashmir, Assam and other sensitive border districts, active collaboration and co-operation between Central government agencies and state law enforcement agencies are very critical. Working through partnerships is central to the success of any kind of interdiction. Seamless cooperation continues to be critical to addressing the narco-terrorist threat.

Narcotics seizure of astronomical value, seized till date in the current year are alarming:

On April 29 2022 NCB made a seizure of 97 kilograms of heroin worth Rs 350 crore in Delhi's Shaheen Bagh.

On April 29 2022 the Gujarat ATS and DRI seized 295 kg of heroin worth Rs 450 crore at Pipavav port.

On 2 May 2022, in a joint operation carried out by the Gujarat ATS, NCB and New Delhi Police Special Cell, 210 kg of heroin was seized at Muzaffarnagar area of Uttar Pradesh, worth Rs 900 crore.

A total of 218 kg of heroin valued at approximately Rs 1,526 crore in the international market was seized on



A joint operation by Indian Army and J&K Police in Poonch from 25-28 May led to recovery of approximately 44 kg of narcotics near LoC. ANI

7 May off the Lakshadweep coast, in a joint operation conducted by the Directorate of Revenue Intelligence (DRI) and Indian Coast Guard (ICG) that was codenamed "Operation Khojbeen".

While seizures indicate that the enforcement agencies are doing an excellent job, the hunt for the narco-terror kingpins remains largely unsuccessful. The intriguing and sinister aspect is that the kingpins who are conspiring, plotting, and executing such massive movement of narcotics into the country remain incognito. The individual, coterie, cartels, intelligence agencies, and nations who are masterminding and financing such grandiose consignments, are safely ensconced behind a formidable iron curtain. Not only in the narco-trafficking enterprise, but also in the crippling

narco-funded agitations that India has recently seen, like the year-long 2021 agitation of farmers near Delhi border and the Shaheen Bagh disruptions that extended and stretched for a few months, the organisers and their identities, remain unravelled. What was touted as a mass movement, had all the trappings of a well-organized and executed blitzkrieg on the internal security structure. The agitation organizers had launched an all-out crusade not only within the country but also abroad. Foreign media, politicians, and terror groups were roped in to support the agitators. The lavish and ostentatious living of the agitators indicated that there was profligate funding on a scale that could have been possible only through drug-trafficking or gold smuggling. The scale of the narcotics sei-

zures of the last three years as well as the gold seizures clearly reveal an international nexus. But investigators continue to draw a blank, where it concerns tracing the kingpins.

A study by a research team of the US Library of Congress has indeed suggested this and attempted to identify ten factors making a nation "hospitable" to transnational crime and terrorism: 1. official corruption; 2. incomplete or weak legislation; 3. poor enforcement of existing laws; 4. non-transparent financial institutions; 5. unfavourable economic conditions; 6. lack of respect for the rule of law in society; 7. poorly guarded national borders; 8. lack of political will to establish rule of law; 9. geographic location (e.g., along arms or narcotics trafficking route); 10. regional geopolitical issues (e.g., long-standing territorial dispute). (Source: La Verle Berry, Nations Hospitable to Organized Crime and Terrorism. Washington, D.C., Library of Congress, 2003, p. 1. 15 Report on the Expert Group M)

India suffers from all these factors in varying degrees.

To strike at the foreign based forces, what India needs is an Act like the Foreign Narcotics Kingpin Designation Act (the "Kingpin Act") (21 U.S.C. 1901-1908, 8 U.S.C. 1182). Kingpin Act targets, on a worldwide basis, significant foreign narcotics traffickers, their organizations, and operatives. Its purpose is to deny significant

foreign narcotics traffickers, their related businesses, and their operatives' access to the US financial system and to prohibit all trade and transactions between the traffickers and U.S. companies and individuals. The Kingpin Act authorizes the President to take these actions when he determines that a foreign person plays a significant role in international narcotics trafficking.

Canada's Building Resilience against Terrorism: Counter-Terrorism Strategy is another excellent model. The strategy operates through four mutually reinforcing elements: prevent, detect, deny and respond. All government activity is directed towards one or more of these elements.

Prevent: Activities in this area focus on the motivations of individuals who engage in, or have the potential to engage in, terrorist activity at home and abroad.

Detect: This element focuses on identifying terrorists, terrorist organizations and their supporters, their capabilities and the nature of their plans.

Deny: Intelligence and law enforcement actions can deny terrorists the means and opportunities to pursue terrorist activities.

Respond: Terrorist attacks can and do occur. Developing capacities to respond proportionately, rapidly and in an organized manner to terrorist activities and to mitigate their effects is another aspect of the strategy.

This element also speaks to the importance of ensuring a rapid return to ordinary life and reducing the impact and severity of terrorist activity.

It is therefore of paramount importance to apprehend narco-terror kingpins, if we want to curb terrorism, and narco-trafficking. While seizures, especially mega-seizures, be it of narcotics or gold, boost the morale of the enforcement agencies, the risk also remains that terrorists and their supporters will seek to take undue advantage of India's open, democratic society, its generous legal and social networks, or exploit its financial and technology sectors to redirect resources in support of their diabolical causes. Strategic drivers, such as globalization, rapid technological change, an increasingly networked society and fragile states, create new and different vulnerabilities that terrorists will seek to exploit. As such, the Central government and more importantly the judiciary must keep pace with the multi-dimensional manifestation of terrorism in the form of narco-trafficking, gold smuggling, arms-trafficking, money laundering, illegal migration, recruitment for foreign terror organisations, luring girls of other communities into fake marriages, religious conversions and designed demographic alteration.

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