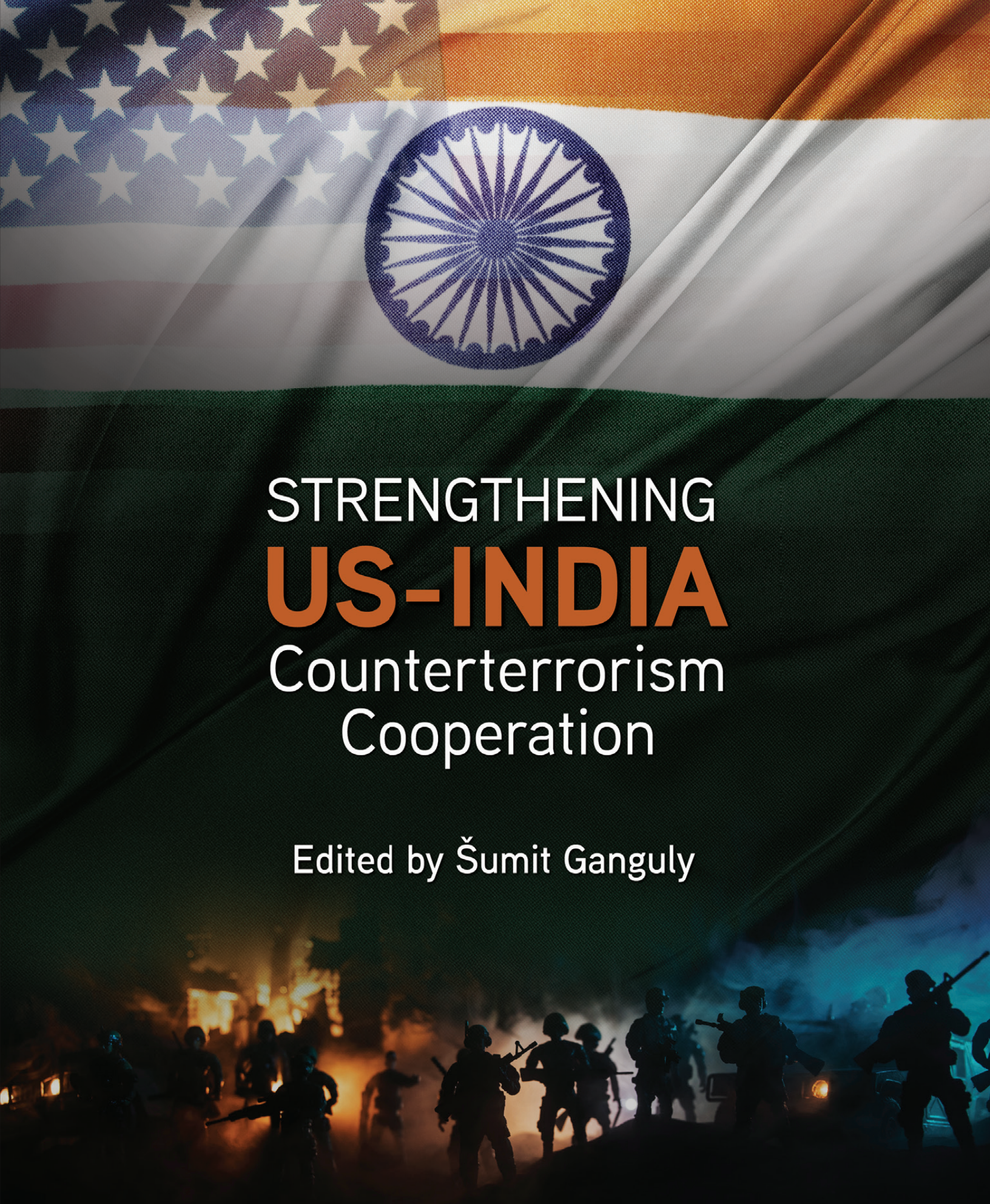

STRENGTHENING US-INDIA Counterterrorism Cooperation

Edited by Šumit Ganguly

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Introduction

Šumit Ganguly

The United States and India, given that they have been the victims of both domestic and foreign terrorists, should long have found common ground about counterterrorism. However, owing to their vastly different material capabilities, their concomitantly different global standing and reach, and vastly divergent foreign and security policies during the Cold War, they have rarely found common ground.

For India, the issue of domestic terrorism, as both N. Ramachandran and Praveen Swami argue in their essays, was almost endemic since its independence in 1947. Indeed, in the Indian case, counterterrorism and counterinsurgency have almost been synonymous as many Indian insurgent groups resorted to both rural and urban terror in pursuit of their ends.[1] These ranged from the Naxalites, the neophyte Maoist urban terrorists in the state of West Bengal in the early 1970s, to Pakistan-supported insurgents in the disputed state of Jammu and Kashmir in the early 1990s.[2] As a post-colonial state, concerned about preserving its territorial integrity and maintaining a modicum of public order, the Indian state suppressed these movements using an amalgam of tactics, ranging from harsh repression to political concessions.

The United States, in turn, faced challenges of terrorism during the political upheavals of the 1960s, ranging from the activities of the Black Panthers to the Weather Underground. Though American law enforcement agencies, most notably the Federal Bureau of Investigation, took these challenges to public order quite seriously, none of them really posed an existential threat to the United States. Owing to these very different challenges of counterterrorism, quite apart from the vast differences in policing and coercive capabilities, the two states had little in common during the Cold War years and even beyond. Furthermore, India's political stance of nonalignment and US anti-communism kept the two parties apart.[3]

In turn, their very different foreign policy orientations also ensured that they could not agree on what constituted terrorism in the global arena. Despite its resort to terror (before it formally eschewed it in 1993 as part of the Madrid Accords), India had been a staunch supporter of the Palestine Liberation Organization (PLO) under the leadership of Yasser Arafat. Indeed, in 1980, Prime Minister Indira Gandhi had invited him for an official visit to New Delhi, thus granting formal diplomatic status on the PLO.[4] The United States, however, had long seen the PLO as a terrorist organization. Indeed, Ambassador Andrew Young, under the Carter administration, was removed as the US Permanent Representative to the United Nations for having covertly met with a senior representative of the PLO in New York.[5]

Similarly, during much of the Cold War years, the United States had shunned the anti-apartheid African National Congress due to its association with the South African Communist Party. Ironically, it was during the staunchly anti-communist Reagan administration that Congress, largely responding to civil society agitation within the United States, passed the Anti-Apartheid Act of 1986. This Act imposed significant sanctions on the South African government and exerted pressure on the government to release the noted anti-apartheid activist, Nelson Mandela, who had been incarcerated for decades owing to his political activities. In India, on the other hand, Mandela had been regarded as a hero and a political prisoner before and during his prison term.[6]

Given these vastly different political concerns at home and abroad, counterterrorism cooperation between the two states was all but impossible during the Cold War. As the Cold War ended and the Kashmir insurgency erupted in December 1989, US support for India's counterterrorism efforts was, at best, ambivalent. In large part, this equivocation stemmed from two factors. First, the United States had relied extensively on Pakistan to dislodge the Soviets from Afghanistan following their invasion of the country in December 1979. Consequently, a degree of residual sympathy for Pakistan permeated many pertinent US government agencies. Second, the George H. W. Bush administration, preoccupied with the termination of the Cold War, had scant interest in India. Matters worsened during the first Clinton administration, which was staunchly opposed to India's nuclear weapons program and faced pressure from American civil society groups about Indian human rights violations on the part of Indian security forces in suppressing the insurgency in Kashmir.[7]

Subsequently, the al-Qaeda terrorist attacks on the United States on September 11, 2001, led the George W. Bush administration to forge a partnership of convenience with Pakistan to end terrorist sanctuaries in Afghanistan. This partnership placed the United States in an uncomfortable position when it came addressing India's counterterrorism concerns in Kashmir. It was aware of Pakistan's duplicity but was nevertheless forced to rely on Islamabad owing to the necessity of using Pakistani territory to supply US forces in Pakistan.[8]

US policymakers also believed that Pakistan was a viable counterterrorism partner because Pakistan helped capture a substantial number of al-Qaeda terrorists on its own soil even as US policymakers had questions about the extent of its cooperation.[9] US skepticism, however, grew after the discovery of the presence of Osama bin Laden in Abbottabad, Pakistan, and his subsequent assassination by US Navy SEALs in 2011.[10] Even today, owing to Pakistan's prior role in combating key terrorist organizations, significant parts of the US government still see Pakistan as a viable counterterrorism partner. Most Indian officials, however, have a skeptical view of this position.

Indeed, it was not until the horrific Pakistan-based terrorist attack involving members of the Lashkar-e-Taiba on November 26, 2008, against multiple sites in Bombay (Mumbai) that the George W. Bush administration in its waning days offered limited amounts of intelligence and counterterrorism cooperation.[11] Both Ramachandran and Swami provide details in their essays about the success and limits of US–India counterterrorism cooperation since that horrific set of attacks. They also outline possible arenas where both parties may benefit from improved cooperation on counterterrorism.

The continuing impediments to counterterrorism cooperation, especially from the American side, are ably addressed by Tricia Bacon and Jonah Blank. Both, in different ways, highlight the structural and political limits to US–India cooperation in the counterterrorism arena.

Terror, as a tactic, is unlikely to end anytime soon. Consequently, enhancing US–India counterterrorism cooperation should remain a priority for both New Delhi and Washington, DC, especially if political ties between the two states regain some traction after the stress that they have been subjected to under the second Trump administration.[12]

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1. US-India Counterterrorism

A Case for Tempered Expectations

Jonah Blank

Every US administration since the late twentieth century has come into office with high hopes from India, and most have enjoyed a honeymoon phase. None of these honeymoons have lasted: Some presidents have been more popular than others in New Delhi, but none have satisfied expectations across the board. This is particularly the case in the realm of counterterrorism. Understanding the basis for past disconnects may help avoid replicating the pattern of high hopes dashed—and give Indians a more realistic understanding of what they can and cannot expect from the United States in the counterterrorism arena.

Different American presidents have had widely varying views of US grand strategy, but their conceptualization of counterterrorism has been broadly aligned—and broadly *out* of alignment with India's maximalist wishes. At the heart of US-India miscommunication is a disconnect between American rhetoric and action regarding terrorism. Rhetorically, US presidents have portrayed terrorism as a global scourge, against which all nations must conduct a seamless international campaign. In practice, however, the United States has been far more selective. It has insisted on universal effort against terrorist groups targeting American interests (primarily al-Qaeda and the Islamic State/ISIS) but has treated terrorist groups targeting other nations (including India) on a case-by-case improvisational basis.

Each time a new administration enters the White House, Indian policymakers and much of the general public expect this pattern to change. It never has. And, given the realities of superpower politics, it is unlikely to change in the future: Every nation favors its own interests over those of its partners and allies, and a superpower inevitably has a network of competing interests and partnerships more complicated and mutually incompatible than does even a regional heavyweight power such as India.

The current US administration has broken with longstanding American customs and practices in many aspects of policy, geostrategy, and understandings of US and international law, but on this point it is likely to operate along the same lines as its predecessors. India's counterterrorism policy goals tend toward maximalism: That is, an expectation that America's universalist rhetoric will be matched by universalist action, resulting in a seamless partnership against all terrorist threats emanating from (and often sponsored by) India's rival Pakistan. Such a hope was always unrealistic, and all the more so when dealing with an administration more openly transactional and proudly

dismissive of international partnerships than its predecessors. But within the boundaries of what the current administration considers America's own interests, there nonetheless may be ground for increased future cooperation.

A HISTORICAL PATTERN OF HIGH HOPES, FOLLOWED BY DISILLUSIONMENT

The long-term pattern of US–India counterterrorism cooperation is far more of a good-news than a bad-news story: Since the blossoming of the US–India relationship toward the end of the twentieth century, the two nations can be reasonably said to have drawn significantly closer together in almost all areas of foreign and national security policy, including counterterrorism. But the fundamental disconnect between the two nations—that is, the gap between India's maximalist goals and America's unwillingness to match its rhetoric with its actions on counterterrorism—has resulted in Indian disappointment. A brief look at recent history is useful to level-set presumptions about the future.

From India's independence until the dissolution of the Soviet Union, US–India relations operated under the shadow of the Cold War. From a US perspective, Prime Minister Jawaharlal Nehru's decision to cofound the Non-Aligned Movement, along with his daughter Indira Gandhi's decision to favor the Soviet Union over the United States, placed India closer to the camp of adversary than partner. Some US presidents in this period were more popular than others among Indian policymakers and general public alike, and there was a distinct partisan bent to such opinions: Democrat John F. Kennedy was widely seen in a favorable light, while Republican Richard Nixon was widely despised (a sentiment he firmly reciprocated).[1]

Indian policymakers (not without reason) viewed Republican presidents as being more likely than Democratic ones to favor close cooperation with Pakistan: In addition to the close US-Pakistani partnership during Nixon's term and that of the preceding Republican President Dwight Eisenhower, the tenure of President Ronald Reagan saw a massive build-up of covert and overt support for the regime of Pakistani President (and Chief of Army Staff) General Muhammad Zia-ul Haq. From an Indian perspective, it did not matter whether American policy outcomes stemmed from a genuine difference in the sympathies of the two political parties, or simply the ups and downs of Cold War events: The bare fact remained that America's Cold War tilt toward Pakistan was most pronounced under Republican presidents.[2]

The demise of the Soviet Union opened a potential pathway for closer US–India ties. Throughout much of the 1990s, however, Indian policymaking was mired in domestic struggles: Six prime ministers rotated through Rashtrapati Bhawan during this decade, providing little stability for international initiatives. India's 1998 Pokhran-II nuclear tests triggered legally mandatory US sanctions, which further delayed the possibility of a rapprochement. But by the tail end of the presidency of Bill Clinton, conditions were ripe for a new relationship.

In March 2000, Clinton became the first president to visit India since Jimmy Carter more than two decades earlier. A young, charismatic leader who had quickly used his presidential authority to waive many of the nuclear sanctions, he received a movie star's reception in New Delhi, Mumbai, Jaipur, and Hyderabad. Six months later, he hosted Indian Prime Minister Atul Bihari Vajpayee for a lavish state visit that was seen as a political coming-out party for the Indian-American community. The fact that Clinton was a Democrat (like Kennedy and Carter, and like most Indian-Americans) was an additional cause for Indian optimism about the relationship.

In counterterrorism terms, al-Qaeda attacks on American targets (most notably the 1998 bombings of US embassies in Kenya and Tanzania, and the 2000 bombing of the USS Cole in Yemen) gave Indian policymakers hope that the United States would see a common fight against the ideologically and operationally kindred groups that had targeted them for years. The most important of these were groups sponsored to varying degrees by Pakistan's Inter-Services Intelligence Directorate, most notably Lashkar-e-Taiba (LeT) and Jaish-e-Mohammed (JeM).[3]

Such hopes were not fully met: Of the thirty groups designated as Foreign Terrorist Organizations (FTOs) by the United States from the list's institution in 1997 until the end of the Clinton administration, only one—out of potentially dozens of other anti-India groups then operational—focused on Indian targets.[4] From the US perspective, an overt "tilt" toward an Indian view of counterterrorism conflicted directly with other American interests, such as nuclear nonproliferation (the Pokhran-II tests were seen as unnecessarily provocative) and preventing an escalation of the conflict between India and Pakistan from the conventional to the nuclear arena (in which Clinton had personally engaged during the 1999 Kargil conflict).[5] In India's view, counterterrorism was simply a matter of universally combating all terrorist groups everywhere, in line with longstanding American rhetoric; in the US view, the application of such principles was more complicated in practice than in theory.

Indian hopes for the presidency of George W. Bush similarly grew late in his term, and to a large degree were similarly disappointed (in the counterterrorism arena). Bush was initially seen by many Indian policymakers as a return to the twentieth-century "Realist" school of thought associated with his father, President George H. W. Bush (whose term had seen the dissolution of the Soviet Union, and whose prepresidential career had included a stint as a Cold War director of the CIA). Al-Qaeda's attacks of 9/11 reoriented the George W. Bush presidency around the organizing principle of a "War on Terror," but this paradoxically served to impede India's counterterrorism goals more than advance them. The urgent requirement of Pakistani cooperation for both counterterrorism efforts against al-Qaeda and logical support for the US-led invasion of Afghanistan pushed all other priorities aside.

In his second term, Bush gained deep appreciation from Indian policymakers for his championing of the US–India Nuclear Agreement, which helped bring India a place in geopolitical affairs that New Delhi felt it had long been unjustly denied by the discriminatory terms of the Treaty on Nuclear Non-Proliferation. This victory in the nuclear arena, however, served to dampen pressure for progress in counterterrorism cooperation: From a US perspective, the Agreement was a sufficient "reward" for India so as to obviate the need for more ambitious requests concerning America's relationship with Pakistan.

Bush designated LeT and JeM as terrorist organizations two weeks after their December 2001 joint attack on Parliament House in New Delhi but did little to punish Pakistan for continuing to shelter and support these and similar groups. When Bush entered office, the United States provided no military support to Pakistan; a year later, security assistance totaled more than $2 billion (a higher level than even under the Eisenhower Cold War surge) and would remain at similar levels throughout the Bush presidency.[6] In 2004, Bush designated Pakistan a Major Non-NATO Ally. This close embrace was given not to a Pakistani regime viewed as a prospective partner by India but to the military rule of Chief of Army Staff General Pervez Musharraf—the commander of the Kargil incursion five years earlier.[7]

President Barack Obama was to a large degree a fourth incarnation of the model pioneered by Kennedy, Carter, and Clinton: A youthful,

charismatic, Democratic president, perceived as a potential agent of reform. He was wildly popular with Indian-Americans, who by 2008 were increasingly influential in shaping opinions among Indian policymakers and public alike. As the first non-White US president, Obama was a leader with whom many Indians felt a personal identification. But Obama's counterterrorism policy was largely a continuation of the priorities of his predecessors: He designated five organizations targeting India as FTOs but did little to punish Pakistan for its ongoing support for the two groups that constituted the most pressing terrorist threat: LeT and JeM.[8] The most devastating terrorist attack by a Pakistan-sponsored group against India occurred barely two weeks after Obama's election, and two months before he entered office: LeT's four-day 26/11 assault on targets across Mumbai. In January 2016, JeM launched a suicide attack on Pathankot Airbase in Punjab.

The primary counterterrorism goal of the United States, however, remained al-Qaeda. The United States recognized by this point that Pakistan was not a true partner in the effort to combat the group. Toward the end of Obama's first term, on May 2, 2011, the United States launched a raid on Osama bin Laden's hideout in Abbottabad without Pakistani cooperation or prior knowledge: Al-Qaeda's leader had been sheltered right next to the nation's foremost military academy. But concerns about Pakistan's support for terrorism were still outweighed by the need for logistical support for the US war in Afghanistan. Obama continued the Bush administration's program of massive military aid, which reached its highest peak ever (in nominal-dollar terms) during and shortly after the Afghanistan war's "surge" of 2009–11.

During his first campaign for the presidency in 2016, Donald Trump attracted unusually fervent support from a part of the Indian electorate that had not been nearly as interested in any of his predecessors: the Hindutva, or Hindu Nationalist segment of society. In June 2016, a small group called the Hindu Sena threw an in absentia birthday party for him in New Delhi. "The whole world is screaming against Islamic terrorism," the group's founder said. "Only Donald Trump can save humanity."[9] In office, when Trump banned visitors from predominantly Muslim nations and implemented a broad array of domestic programs seen as targeting Muslims, he was cheered on by some parts of the Hindu Right, both among Indian-American communities and in India itself.[10] The atmospherics of the relationship were elevated by the "Howdy Modi" joint rally for Trump and visiting Prime Minister Narendra Modi in Houston in 2019, and the reciprocal "Namaste Trump" event in Ahmedabad the following year.

In the counterterrorism arena, however, the deliverables never matched the optics. Trump took no action against LeT or JeM, which continued to operate with relative impunity. In February 2019, JeM launched a terrorist attack in the Pulwama district of Jammu and Kashmir that left forty-four Indian troops dead and seventy injured. In response, there was no meaningful American action against Pakistan, which continued to provide protective custody to JeM leader Azhar in an army hospital. Five months later, while sitting next to Pakistani Prime Minister Imran Khan, Trump inadvertently granted one of the key demands of the United Jihad Council (the umbrella group claiming credit for the Pulwama attack) by claiming that Modi had asked him to "mediate" the Kashmir dispute. India's Ministry of External Affairs immediately denied that such an invitation to internationalize the issue had been made.[11]

Joe Biden had a restrained honeymoon, in part because he entered office during the COVID-19 epidemic (which dampened enthusiasms of all kinds), and in part because he broke the pattern set by his Democratic predecessors: At 78 years old, he hardly cut the youthful figure of Kennedy (44), Carter (52), Clinton (47), or Obama (48).[12] He had been the key congressional champion of the

US–India Nuclear Agreement, but political credit for this deal had accrued primarily to Bush. The Indian-American community remained generally pro-Democratic, but significant elements of it (particularly those favoring the Hindu Right) had started to migrate toward Trump and a quickly changing Republican party.

Biden's decision to end the war in Afghanistan raised hopes in India that the United States might finally sever its ties with Pakistan and devote itself wholeheartedly to India's counterterrorism aims. This did not happen, which served as a reminder of the enduring gap between American universalist rhetoric and situational practice on counterterrorism priorities.

A further point of tension arose in 2023 with threats to the lives of two diaspora activists associated with the movement for an independent Sikh nation of Khalistan. Hardeep Singh Nijjar, an Indian-born Canadian citizen, was killed in June 2023 in Surrey, British Columbia; Gurpatwant Singh Pannun, a dual US-Canadian citizen, was the target of an assassination plot foiled by US authorities five months later. Canada and the United States blamed India for both actions (which New Delhi strongly denied).

The violent wing of the Khalistan movement had constituted a major terrorism threat in the 1980s and early 1990s, both in India and Canada (where the 1985 bombing of Air India Flight 182 killed 329). By the twenty-first century, however, it was viewed by Canada, the United States, and most other nations as largely defanged. India, however, continues to view Khalistani activism as a major threat, and reserves the right to operate globally in combating it.

The Biden administration's position was identical to that of its predecessors: No prior president had permitted any nation to conduct hostile covert action on US soil—not even if the actor (unlike India) is a US treaty ally, and not even if the target (unlike Pannun) is a foreign national with no claim on US citizenship or legal residency. If the US allegations are accurate, it was the policy of India that had changed (i.e., by attempting to assassinate targets in the territory of friendly nations) rather than that of the United States. Given the persistent disconnect between US and Indian views of the Khalistan issue in general and the Pannun case in particular, this is a topic likely to persist as an irritant.

During the 2024 presidential campaign, Indian and Indian-American sentiment was divided between Trump (as in his first term, garnering support particularly among those favorable to the Hindu Right) and Kamala Harris (not merely the inheritor of the Democratic mantle but also the first Indian-American nominee of either party). In office, Trump was initially more popular in India than in most of the rest of the world. Over the first four months of his second term, Pew Research asked 28,333 people in twenty-four nations whether they had confidence that Trump would "do the right thing regarding world affairs." A strong majority did not: 62 percent expressed "no confidence" in Trump, a percentage that topped three-quarters in nations including Canada, Germany, Mexico, Turkey, France, Spain, Germany, Sweden, the Netherlands, and Australia. A narrow majority (52 percent) of Indians expressed confidence in Trump—one of just five nations in which he broke even (the others were Hungary, Israel, Nigeria, and Kenya).[13]

The mood soured in May, when Trump claimed to have "mediated" a ceasefire ending several days of serious combat between India and Pakistan. India's Foreign Secretary issued an unusual rebuke: "PM Modi told President Trump clearly that during this period, there was no talk at any stage on subjects like India-US trade deal or US mediation between India and Pakistan."[14] From India's perspective, not only had the United States repeated its (perhaps unwitting) adoption of Pakistan's policy goal regarding Kashmir

mediation, but it had claimed to shape India's policymaking on a key national security decision through threats or promises (in any case, unfulfilled) on the economic front.

In June, there were two further adverse events. On June 10, the US Central Command (CENTCOM) commander, General Michael "Erik" Kurilla, testified before Congress that Pakistan has "been a phenomenal partner in the counterterrorism world."[15] On June 14, Trump hosted Pakistan's chief of army staff, Field Marshal Asim Munir, as the guest of honor at a military parade on his birthday.[16] Later that summer, Trump granted Pakistan a long-desired prize in the counterterrorism arena: He designated the Balochistan Liberation Army (a group Pakistan alleges has received support from India) as a Foreign Terrorist Organization.[17]

Perhaps the most important setback to the relationship occurred on August 6, when Trump subjected India to the highest tariff rate of any nation in the world. On top of a 25 percent across-the-board levy, Trump imposed an additional 25 percent as punishment for India's purchase of Russian oil regardless of how "many people in Ukraine are being killed by the Russian War Machine." This rationale was confusing to Indian policymakers, given that China (a much larger importer of Russian oil) was not hit with a similar surcharge—and Russia itself faced a tariff rate only half that of India.[18] When Trump met with Russian President Vladimir Putin in Anchorage, Alaska, a week and a half later, he essentially adopted Putin's position on the continuation of the war in Ukraine—yet left the punitive tariffs on India in place.

At the time of writing, the impact of the tariff actions on counterterrorism cooperation remains undetermined. Perhaps the most noteworthy development may prove to be Trump's initiation of a third phase of America's counterterrorism narrative: Counterterrorism as a subset of immigration policy.

IMMIGRATION AS THE ORGANIZING PRINCIPLE FOR COUNTERTERRORISM

Every policy has organizing principles and a narrative framework within which it is understood. Counterterrorism can be thought of in a variety of ways: Is the organizing principle one of *policing*? If the threat that policymakers are trying to counter—that is, the narrative framework for addressing the issue—is similar to the 2015 ISIS attacks in France and Belgium, then the most natural fit might be one focused around police and domestic law enforcement agencies; this had been the case for counterterrorism issues within the United States at most times before the 9/11 attacks.[19]

The scale and scope of the 9/11 attacks shifted America's narrative framework from policing to *national security*: Terrorists operating against American targets were no longer conceptualized as politically motivated gangs using simple weapons (guns, bombs, trucks) in attacks with death tolls in the dozens (or perhaps hundreds). Instead, they were reconceptualized as barely subnational adversaries with the aim and capability of inflicting casualty counts in the thousands (or perhaps tens, or even hundreds, of thousands).

The national security framework for addressing terrorism has always been an imperfect fit for the risk actually presented. Has the threat posed by al-Qaeda, ISIS, or any other terrorist group been commensurate with the US response? Such an assertion is certainly questionable, whether measured in dollars spent (more than $2 trillion for wars in Iraq and Afghanistan, premised explicitly on the rationale of counterterrorism), or in American lives lost (15,263 US military and

military contractor deaths in these two conflicts—five times the death toll of 9/11).[20]

The purpose of this discussion is not to litigate the wisdom of a transition away from a national security framework for counterterrorism but merely to note that such a transition is currently underway. For the purpose of analytical clarity, it is important to understand that the organizing framework for US counterterrorism policy in the current administration is neither policing nor national security. The current narrative under which counterterrorism is carried out is *immigration*.

One of the highest self-declared priorities of the second Trump administration is a drastic change in immigration policy—indeed, a drastic change in policy regulating who is permitted to live, work, visit, study, or have citizenship in America on any basis. There may be no issue of greater salience and deeper importance to Trump's core supporters. An estimated 1.5 million immigrants left the United States (through deportation and voluntary departure combined) in the first seven months of the administration, and the White House has vowed to deport millions more.[21] This helps explain the substitution of immigration for national security or policing as the organizing principle for counterterrorism.

On February 20, 2025, the administration formally designated eight Latin American criminal gangs as Foreign Terrorist Organizations.[22] The president and his aides have used two of these gangs—Tren de Aragua and MS-13—as stand-ins for illegal immigration writ large, and have routinely applied the label of "terrorists" to them. All of these groups use violence, and some intimidate government officials in their home nations—but none has been credibly associated with actions that meet a standard definition of international terrorism.[23]

This nomenclature is of great practical importance: Applying the terrorism label, particularly against groups formally designated FTOs or Specially Designated Global Terrorists, unlocks a variety of legal and semi-legal policy tools. For example, the Patriot Act of 2001 (passed in the wake of 9/11) permits the government wide latitude to surveil and detain individuals suspected of terrorism—latitude not legally permitted in targeting those accused of (for example) merely overstaying a visa for the purpose of employment. The Alien Enemy Act of 1798, which Trump invoked as the rationale for deploying active-duty Marines and National Guardsmen to Los Angeles in support of deportation efforts, permits the president to detain and deport citizens of a foreign nation at war with the United States.[24]

The narrative framework for invoking this Act and other US laws never before used in the context of immigration is the claim that Tren de Aragua is a terrorist group conducting a "predatory incursion" on behalf of the government of Venezuela. This claim was refuted by the in-depth analysis of the National Intelligence Council (NIC).[25] As a matter of practical application, however, American courts tend to grant a president wide latitude in any matter that can plausibly be defined as falling within the ambit of national security. The Supreme Court has shown considerable sympathy toward such claims during the current administration.[26]

This shift in the counterterrorism framework from national security to immigration has been applied to large classes of individuals who are not accused of committing or plotting acts of violence but of expressing support for the *goals* of terrorist groups. "The United States has zero tolerance for foreign visitors who support terrorists," said Secretary of State Marco Rubio in a March 2025 Twitter/X post, "including international students—[they] face visa denial or revocation, and deportation." The administration has cited support for terrorism as the rationale for detaining and seeking to deport international scholars such as Georgetown University postdoctoral fellow (and

Indian citizen) Badar Khan Suri; Dr. Suri, and most of the other scholars targeted, were accused of having made public statements in opposition to Israel's occupation of Gaza (a position that, the administration claims, advances the goals of the designated FTO Hamas).[27] In August, the State Department announced plans to expand such scrutiny to all 55 million holders of US visas, and would use "continuous vetting" to make sure that legal immigrants and visitors were not "providing support to a terrorist organization."[28]

India has already experienced a foretaste of this narrative shift with the February 5 deportation of 104 Indian citizens from the United States, in shackles for more than forty hours, on military transports. Such a transfer would traditionally have been conducted by commercial aircraft, without the type of restraints normally applied only to dangerous criminals.[29] With this and similar incidents in mind, Indian officials may find that they and their American counterparts might not even be referring to the same phenomena when they discuss counterterrorism cooperation. Indian officials will prioritize traditionally recognized groups such as Lashkar-e-Taiba and Jaish-e-Mohammed, while their American counterparts might prioritize organizations engaged in human trafficking (including that of victims from South Asia), facilitating passage across the US-Mexico border (including that of migrants from India), and forging of false identity documents for use within the United States (including use by illegal immigrants from India).

CONCLUSION

The current US administration has undertaken a wider-reaching reconceptualization of the American national security architecture than any of its recent predecessors. At minimum, it is a more extensive overhaul than at any time since the post-9/11 reorganizations; since the effort is far from complete, it may well eventually prove even more significant than these reforms. Some of these moves are bureaucratic: Efforts to root out what the White House describes as "the Deep State" (that is, career officials not aligned with Administration goals) have resulted in the cutting of staff at the National Security Council (NSC) by about three-quarters.[30] The Departments of Defense, State, Homeland Security, and other federal agencies have experienced reductions in force of smaller (but still historically significant) magnitude. The impact of these on counterterrorism cooperation is impossible to quantify, but it will likely be considerable.

The guiding principle for counterterrorism has also been reconceptualized: After shifting from a policing to a national security framework in response to the 9/11 attacks, it is now shifting again—to a framework centered on immigration. Of the twenty-six groups designated Foreign Terrorist Organizations under the second Trump administration, more than half (fifteen) are criminal gangs operating in Latin America and the Caribbean; given that at least five designated groups do not appear to actually exist in any meaningful form, only six out of twenty designated groups can actually be considered terrorist organizations by any standard definition. The criminal gangs (at most, fourteen bona fide groups) are of concern to the administration for their role in facilitating illegal immigration to the United States, but none are characterized by participation in "terrorism" according to standard scholarly or public policy definitions.[31]

These disconnects from past US practice, together with the top-level bilateral disconnect caused by the imposition of 50 percent tariffs in August (subsequently decreased, to levels that have changed at least three times during the composition of this chapter), may dampen prospects for counterterrorism cooperation in the near term. But Indians viewing the current administration with disappointment should remind themselves that counterterrorism cooperation has never been

unproblematic: India's maximalist hopes have never been met by America's rather more situationist actions. Despite such disappointments, the two nations have made great progress in the past—and may well again in the future.

NOTES

1. Indian distaste for Nixon stemmed primarily from his alignment with Pakistan during the 1971 Bangladesh War of Independence. Nixon's personal view of Indians in general, and of Indira Gandhi in particular, can be seen in the starkest possible terms in recordings of private conversations declassified after his death. A representative sampling is provided in Gary J. Bass, "The Terrible Cost of Presidential Racism," *New York Times*, September 3, 2020.

2. The Cold War single-year peak of US non-covert financial support for Pakistan—$1 billion—occurred in 1961, during the Kennedy presidency. This, however, reflected decisions made during the Eisenhower administration, such as the transfer of a dozen F-104A Starfighter supersonic interceptors. The Eisenhower surge of US military aid to Pakistan also included 120 F86F Sabre fighters and twenty-six B57B Canberra bombers. For a detailed discussion of the three historical peaks and valleys of US support for Pakistan, see Jonah Blank, Richard Girven, Arzan Tarapore, Julia Thompson, and Arthur Chan, *Vector Check: Prospects for US and Pakistan Air Power Engagement* (RAND Corporation, 2017), 14–15.

3. The combinations and reconfigurations of predecessor groups such as Harkat-ul-Mujahideen, Harkat-ul-Ansar, and Harkat-ul-Jihad-al-Islami are too complicated for a discussion here, but the establishment in 2000 of Jaish-e-Mohammed served to unify many of the former adherents of these broadly aligned groups into a single organization under the guidance of Muhammad Masood Azhar.

4. The list of such organizations is found at "Foreign Terrorist Organizations," US Department of State, Bureau of Counterterrorism, https://www.state.gov/foreign-terrorist-organizations. The sole India-focused group on the US FTO list was Harkat ul-Mujahidin, designated in the initial list of October 8, 1997. A comprehensive list of dozens of groups deemed terrorist organizations or unconventional military adversaries by India can be found at the South Asia Terrorism Portal, https://www.satp.org.

5. For a detailed discussion of Clinton's negotiations surrounding the Kargil conflict, including issues related to Pakistan's support for terrorist groups operating in Kashmir, see Bruce Riedel, "American Diplomacy and the 1999 Kargil Summit at Blair House," in *Asymmetric Warfare in South Asia*, ed. Peter Lavoy (Cambridge University Press, 2010), 130–43.

6. Security assistance here includes Coalition Support Funds, which Pakistan does not consider military aid. Figures are in constant 2009 dollars.

7. Musharraf assumed power as "Chief Executive" after deposing Prime Minister Nawaz Sharif in a coup on October 12, 1999. From June 2001 until August 2008, he governed as president under a nominally civilian regime, while retaining his chief of army staff title until November 2007. Late in his tenure, his willingness to consider a long-term disposition of Kashmir on a bilateral basis, on terms potentially agreeable to India, did indeed cause Indian policymakers to see him as a possible partner; such negotiations, however, proved abortive.

8. The groups designated as FTOs were, in order of designation, Harkat-ul-Jihad-al-Islami, which by the time of its listing was virtually extinct; the Indian Mujahidin, a decidedly second-tier group that may well be better understood as a front group rather than an independent entity; the Haqqani Network, which has never carried out an attack in India and has only attacked Indian targets in Afghanistan; and the Islamic State–Khorasan Province and al-Qaeda in the Indian Subcontinent, which may well represent serious emergent threats to India and the United States alike but, as of 2025, remain less dangerous to India than established groups like LeT and JeM.

9. Adam Taylor, "Right-Wing Indian Group Throws a Birthday Party for 'Saviour of Humanity' Donald Trump," *Washington Post*, June 14, 2016.

10. For a discussion of the impact of diaspora groups such as Hindus for Trump on politics in India, see Sitara Thobani, "Alt-Right with the Hindu-Right: Long-Distance Nationalism and the Perfection of Hindutva," *Ethnic and Racial Studies* 42, no. 5 (2018): 745–62.

11. A video of Trump's statement can be seen at "Trump Offers to Mediate Kashmir Conflict for India and Pakistan," *Al Jazeera*, July 23, 2019. The so-called mediation of the Kashmir conflict has been a source of acute pain for India since the late 1950s (if not earlier). In India's view, the disposition of the former princely state of Jammu and Kashmir was properly settled by the Instrument of Accession signed by Maharajah Hari Singh in 1947, and any residual issues related to it (for example, the status of the territories held by Pakistan at the end of hostilities in 1948, and any special status or association granted to residents of either portion of Kashmir) are bilateral issues to be decided by India and Pakistan without external mediation. Pakistan has consistently sought to internationalize the issue. So, when Trump claimed that he had been invited to mediate, he inadvertently granted one of Pakistan's most desperately sought foreign policy goals.

12. Lyndon B. Johnson became president after Kennedy's assassination, and therefore did not have a traditional "honeymoon" because the nation, and much of the world, was in mourning. In India, he inherited some of the goodwill generated by Kennedy but was never seen as a particularly beloved figure in his own right.

13. Richard Wike, Jacob Poushter, Laura Silver, and Janell Fetterolf, "US Image Declines in Many Nations Amid Low Confidence in Trump," *Pew Research Center*, June 11, 2025.

14. "India's Modi Tells Trump There Was No US Mediation in Pakistan Truce," *Al Jazeera*, June 18, 2025. In addition to Trump himself using the diplomatically laden word "mediate" in the context of a ceasefire (suggesting to India that his aides had never explained the salience of this term to him), Secretary of State Marco Rubio posted that the two nations had agreed "to start talks on a broad set of issues at a neutral site" (Sachin Parashar, "Officials Counter Rubio on India-Pakistan Ceasefire Agreement, Say No Decision on Talks at Neutral Site," *Times of India*, May 11, 2025). Whatever Rubio may have meant by this statement, it was widely interpreted (with grave misgivings in India) to refer to the disposition of Kashmir. Pakistan's Foreign Minister Ishaq Dar confirmed Modi's assertion that the ceasefire had been negotiated by the two parties themselves, without American mediation or leverage; he noted that thirty-six nations had helped broker the cessation of hostilities (a video of Dar's statement can be seen at "Pakistan FM: US Didn't Force the Ceasefire with India," *Al Jazeera*, May 15, 2025).

15. Times of India World Desk, "'Phenomenal Partner in Counter-Terrorism': US General Lauds Islamabad; Stresses on Need for Ties with Both India and Pakistan," *Times of India*, June 11, 2025.

16. General Kurilla's statement was not seen as particularly noteworthy in Washington, where the commanders of CENTCOM (which has responsibility for Pakistan) and the United States Indo-Pacific Command (which has responsibility for India) each frequently display a modest favoritism toward the partner-nation in their respective area of operation. In New Delhi, it was far bigger news. The June 14 parade was officially a celebration of both Flag Day and the anniversary of the creation of US Army, events which are not normally marked in the United States with a military parade. Several days later, Trump hosted Munir for a groundbreaking closed-door White House lunch.

17. Of the twenty-six groups designated as of March 15, 2026, none have been organizations of concern to India.

18. On August 17, Rubio said that China's status was due to its role as an exporter of refined oil to Europe; the answer did not assuage Indian concerns ("Marco Rubio Explains Why China Spared, India Faces Tariffs on Russian Oil," NDTV World, August 18, 2025).

19. The difference between a policing and a national security framework for counterterrorism can be seen in the widely different organizing principles behind the handling of the al-Qaeda attacks on the World Trade Center in 1993 and 2001. The 1993 attack was addressed primarily through traditional law enforcement agencies, most notably the Federal Bureau of Investigation and the New York Joint Terrorism Task Force. The 2001 attack was addressed primarily through military force (the invasion of Afghanistan) and an international effort led by the CIA.

20. In terms of dollars, $2.1 trillion is a lower-end estimate of the cost of these two wars, representing only the amounts appropriated for Overseas Contingent Operations by the Department of Defense (DoD) and State Department/USAID operations in Afghanistan and Iraq through fiscal year 2022. According to a 2021 study, the total cost for these wars (including more than $1 trillion for Homeland Security, $2.2 trillion for obligations to future veterans' care, and over $1 trillion in additional debt servicing) is more than $8 trillion: Neta C. Crawford, "The US Budgetary Costs of the Post-9/11 Wars," *20 Years of War: A Costs of War Research Series* (Watson Institute of International & Public Affairs, Brown University, 2021), https://costsofwar.watson.brown.edu. In terms of lives, according to the Watson Institute study, US military deaths totaled 7,053, US contractors 8,189, and DoD civilians 21. This tally does not include American journalists, NGO workers, or other civilians unassociated with the US military.

21. Emily Peck, "1.5 Million Immigrants Have Left the US So Far This Year," *Axios*, August 21, 2025.

22. Six of these gangs are centered in Mexico: Cártel de Sinaloa, Los Zetas/Cártel del Noreste, Cártel del Jalisco Nueva Generación, La Nueva Familia Michoacana, Cártel de Golfo, and Cártel Unidos. One (Tren de Aragua) is centered in Venezuela and one (Mara Salvatrucha/MS-13) is centered in El Salvador.

23. An analytically rigorous definition of terrorism can be difficult to delineate, but Hoffman's classic definition has wider acceptance than most: "The deliberate creation and exploitation of fear through violence or the threat of violence in the pursuit of political change" (Bruce Hoffman, *Inside Terrorism* [Columbia University Press, 2017], 1). The proviso "in pursuit of political change" would seem to exclude purely criminal enterprises like the eight cartels and criminal gangs designated on February 20, 2025.

24. Prior to Trump's invocation, the Alien Enemy Act had only been used during three periods in American history: the War of 1812, World War I, and World War II. The text of the Act states that this power can only be used under specific circumstances: "Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory

incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes public proclamation of the event" (50 USC § 3: Alien Enemies). The fact that these conditions do not appear to have been met forms the basis for ongoing litigation challenging the deployment of troops.

25. On April 7, 2025, the NIC put out a Sense of the Community Memorandum entitled "Venezuela: Examining Regime Ties to Tren de Aragua" (SOCM 2025–11374). The NIC is the apex intelligence analysis body in the US government. Its core mission is to harmonize analysis from all parts of the intelligence community and assemble a consensus viewpoint. The consensus reported by the NIC in this document was that Tren de Aragua is a criminal gang rather than a proxy invasion force under the command of Venezuelan President Nicolás Maduro. Shortly after the publication of this document, following weeks of semi-public attempts to make the NIC leadership renounce the document's conclusions, Director of National Intelligence Tulsi Gabbard fired the NIC's Acting Chair Michael Collins and his deputy Maria Langan-Riekhof.

26. Cases in which the Trump administration has advanced national security claims in the context of immigration and won favorable rulings from the Supreme Court in 2025 include: ending the protected status of 300,000 asylum-seekers from Venezuela (May 19); ending humanitarian parole for 500,000 immigrants from Cuba, Haiti, Venezuela, and Nicaragua (May 30); and permitting deportation of individuals from third nations (Myanmar, Cuba, Mexico, Vietnam, and Laos) to a country (South Sudan) under a US State Department "Level 4: Do Not Travel" warning (June 23).

27. In addition to Dr. Suri, other prominent international scholars detained on allegations of supporting terrorism by their advocacy on behalf of Palestinian causes include Columbia University's Mahmoud Khalil and Tuft University's Rumeysa Ozturk.

28. Adam Taylor, "Trump Administration to Vet All 55 Million Foreigners with US Visas," *Washington Post*, August 21, 2025.

29. Some of the deportees had entered the United States from Mexico with the assistance of criminal outfits the Trump administration has defined as "terrorists" (Hari Kumar, Suhasini Raj, and Mujib Mashal, "US Military Deportation to India Creates Headache for Trump Ally," *New York Times*, February 6, 2025). The incident, and particularly the shackling of women, sparked outrage in India. It does not appear to have been mentioned during Prime Minister Modi's February 13 visit to Washington. None of the top US officials engaged in the effort (Secretary of Homeland Security Kristi Noem, Defense Secretary Pete Hegseth, and Director of Immigration and Customs Enforcement Tom Homan) made an apology. Hours before the flight's departure, Border Patrol Chief Michael Banks posted a video of the shackled deportees on Twitter/X, to the accompaniment of celebratory music.

30. Precise numbers for the current NSC staff have not been published, but as of May 2025, it has been reported to number about fifty. Better data is available historically: When he began his second term, Trump inherited from Biden an NSC staff of 186, which was itself lower than the 204 and 222 of the Bush and Obama NSCs at similar points in their presidencies; in his first term, Trump cut the NSC staff down to 119 (historical figures from 2024 NSC Executive Secretary Dilpreet Sidhu, cited in Ellen Nakashima and Adam Taylor, "White House Dismisses Scores of National Security Council Staff," *Washington Post*, May 23, 2025).

31. The Latin American and Caribbean gangs are: Cártel de Sinaloa, Los Zetas/Cártel del Noreste, Cártel del Jalisco Nueva Generación, La Nueva Familia Michoacana, Cártel de Golfo, Cártel Unidos, Tren de Aragua, Mara Salvatrucha/MS-13, Gran Grif, Viv Ansanm, Los Lobos, Los Choneros, Clan del Golfo, and Barrio 18. An additional group, the so-called Cartel de los Soles, does not actually exist but is merely the slang term often used in Venezuela to refer to corrupt members of the military ("What Is Cartel de Los Soles, Which the US Is Labelling as a Terrorist Organisation?" *BBC*, November 24, 2025). Five groups are proxies linked to Iran (Ansarallah, Kata'ib al-Imam Ali, Harakat Ansar Allah al-Awfiya, Kata'ib Sayyid al-Shuhada, and Harakat al-Nujaba), one is a Lebanese Sunni group (Lebanese Muslim Brotherhood), and one is a group that Pakistan claims operates as a proxy of India (Baluchistan Liberation Army). Four groups (Armed Proletarian Justice, Informal Anarchist Federation, Antifa Ost, and Revolutionary Class Self-Defense) are European leftist groups whose existence as meaningful organizations is highly disputed.

2. The Traditional Counterterrorism Relationship

Institutionalizing Counterterrorism Cooperation in the Strategic Partnership

Tricia Bacon

The United States and India have built a counterterrorism (CT) cooperation architecture, primarily in the years since 9/11. Terrorism fundamentally shaped the US–India relationship even prior to 9/11, but the United States' relationship with Pakistan during the anti-Soviet war in Afghanistan in the 1980s made CT more of a source of friction than an area of fruitful collaboration.[1] It has evolved from an area of bilateral tensions in the 1980s to one of the pillars in the strategic partnership, though sources of frustration, particularly the United States' CT relationship with Pakistan, have persisted.

The United States and India managed to build a CT partnership even though they have not and still do not share threat priorities. Instead, the two countries regularly express their common opposition to the use of terrorism as a tactic in joint statements. The lack of a shared threat has fundamentally shaped the CT relationship for the United States because it has relatively few CT requests of India. Instead, the United States mainly seeks to improve India's ability to counter threats. For the United States, developing CT cooperation with India was arguably in large part, though not solely, an effort to build a strategic partnership, rather than the result of a US need for India to undertake CT actions to mitigate terrorist threats directly to US interests.

Nonetheless, until recently, CT was arguably *the* central pillar in the growing strategic partnership between the two countries. Efforts to improve CT cooperation even predated the concerted US effort to build a strategic partnership. Thus, CT has consistently been on the agenda for high-level exchanges, which, over time, built an array of deliverables, usually agreements with applications to CT as well as cooperation in multilateral organizations.

The view in Washington a decade ago was that "Washington wants more [CT] cooperation from India and is willing to give more in return, but officials in New Delhi remain hesitant and their aspirations are more modest."[2] However, more recently, India is keener to ensure that CT remains a priority than the United States. For the United States, China has eclipsed CT as its top national security priority, both writ large and in South Asia. In addition, given the lack of shared terrorism threat with India, the United States has increasingly prioritized

cooperation to counter China in the bilateral relationship. However, India maintains a view that CT is linked to China, given China's alliance with Pakistan and the Pakistan-based threat India faces.

Of note, the effort to build the US–India CT architecture has developed across multiple US administrations and both political parties. In addition, it involves most, if not all, of the US national security agencies, albeit to varying degrees. The bipartisan US effort to build a productive CT relationship as part of a broader strategic partnership largely focuses on mitigating the Pakistan-based threat to India and consists of three fundamental components: dialogues and exchanges, technical cooperation agreements, and responses to terrorist attacks in India.

THE TRADITIONAL ORGANIZING PRINCIPLE OF THE US–INDIA CT RELATIONSHIP: PAKISTAN'S SPONSORSHIP

Most of the United States' closest CT partnerships have been with countries that faced a shared threat from the Islamic State, al-Qaeda, or their affiliates. India was an exception as it faced a limited threat from these organizations at home and shied away from involvement in countering these groups elsewhere.[3] Instead, the two countries have "symbolic convergence" in their opposition to terrorism as a tactic, rather than a common threat perception.[4] Consequently, their CT cooperation is largely geared toward mitigating the threat from Pakistan-based groups to India, though not necessarily in the ways and to the degree India would prefer.

For two decades after 9/11 (i.e., when the United States had a presence in Afghanistan), the two countries did not share threat priorities, though Pakistan's sponsorship was a common concern. India's focus was and remains anti-India groups supported by Pakistan. Though the Afghan Taliban was among the militant groups Pakistan supported, the United States prioritized countering al-Qaeda and later the Islamic State in Khorasan (ISK), which required cooperating closely with Pakistan. Thus, even though Pakistan's sponsorship of militant groups was a source of frustration for the United States and was detrimental to its interests, the need to work with Pakistan against al-Qaeda and then ISK prevailed.

Since the US withdrawal from Afghanistan in 2021, the Afghan Taliban and Pakistan have experienced significant tensions, while India has forged surprisingly warm ties with the Taliban regime.[5] India's relationship with the Taliban has helped it to persuade the regime to rein in anti-India Pakistani militant groups that found haven under the Taliban in the 1990s or cooperated with the Taliban during the anti-US insurgency. But India's relationship with the Taliban has had limited CT value to the United States, given the United States' CT focus in the region on the ISK and, to a lesser extent, al-Qaeda.

Notably, the United States and India differ in their fundamental analysis of ISK. Indian analysts and officials regularly characterize the group as a Pakistani proxy. This view is not shared by US officials or ISK experts in the United States. Either way, India lacks sufficient leverage to shape the Taliban regime's efforts to counter ISK.[6] Thus, the threat from ISK required the United States to continue CT cooperation with Pakistan, which has caused frustration and mistrust in India.[7] Though the US–Pakistan CT relationship is a shadow of what it was during the peak of US involvement in Afghanistan, the United States has maintained necessary avenues for cooperation.

For the United States, in the absence of shared threat perceptions, the US–India CT relationship has largely focused on three areas of cooperation that help India to counter the terrorist threat

from Pakistan's militant clients while maintaining CT cooperation with Pakistan. First, it sought to build India's capacity to prevent and respond to terrorist attacks. Perhaps most notably, the United States has provided training through the Anti-Terrorism Assistance (ATA) program, and the two countries have exchanged best practices and lessons learned.[8] For example, ATA held a seminar in 2011 at the Central Reserve Police Force Academy in Gurgaon on the role of police leaders in CT.[9] Between 2009 and 2015 alone, 1,100 Indian security personnel received ATA training.[10] In 2018, India received ATA training in internet, dark web, mobile device, and advanced digital forensics capabilities.[11] In addition, after the 2008 Mumbai attacks, the United States sent a team from the Federal Bureau of Investigation (FBI) to assist with India's investigation, which was a major breakthrough in cooperation. FBI forensic experts provided testimony in the Indian trial of the sole surviving gunman, and the United States later provided India access to an American who helped plan the attack, David Headley.[12] The FBI Laboratory in Quantico also hosted visits by senior Indian forensic experts.[13]

Second, the United States has collaborated with India to counter Pakistan's sponsorship in multilateral venues. In particular, the United States has worked with India to pursue designations of Pakistani groups and individuals at the United Nations (UN).[14] The two countries also campaigned together to have Pakistan added to the Financial Action Task Force (FATF) Grey List in 2018. Pakistan was delisted in 2022, though India is advocating for a relisting as of the writing of this report.[15] More recently, the two countries cooperated with the Quad partners to denounce terrorism, to call on UN member states to adhere to UN resolutions—language that appears to be an oblique reprimand of Pakistan—and to denounce the 2025 terrorist attack in Pahalgam.[16] In 2022 and 2021, the Quad also held counterterrorism tabletop exercises.[17]

Third, the United States has undertaken measures to pressure Pakistan over its sponsorship, albeit not to the degree or in the way India has sought. Joint statements from the two countries consistently denounce cross-border terrorism and the use of proxies, as well as call for Pakistan to prosecute the perpetrators of major terrorist attacks in India, like the 2008 Mumbai attack conducted by Lashkar-e-Taiba. In recent years, the language about Pakistan in joint statements has become more pointed and direct. In addition, the United States has included two Lashkar leaders involved in the Mumbai attacks—Hafiz Saeed and Sajid Mir—in its Rewards for Justice program.[18]

In the US engagement with Pakistan, its standard talking point involves urging Pakistan to cut ties with militant proxies and to crack down on them, which is consistent with India's demands. Though this outcome would be ideal, it is arguably sufficiently divorced from reality that it has limited utility in changing Pakistan's behavior and only results in faux actions and crackdowns. Pakistan will also not crack down on its clients both because it sees continuing utility in them and because it would dramatically worsen the already precarious domestic terrorist threat in Pakistan. Unfortunately, the US talking point also overlooks that if Pakistan cut ties with its client groups, it could actually produce a greater threat to India in the near term because it would eliminate any restraint on the groups' actions. Even during the twenty years when the United States was in Afghanistan and arguably had maximum leverage over Pakistan, the United States still proved unable to change Pakistan's strategic calculus toward client groups, both anti-India groups and Afghan insurgent groups.

The United States' pressure has, however, contributed to tactical shifts in Pakistan's use of militant groups against India.[19] Most notably, after Lashkar-e-Taiba's attack in Mumbai in 2008, the United States—combined with international

pressure—caused Pakistan to cease supporting attacks in India outside of Kashmir and to exert some tactical restraint even in Kashmir compared to earlier periods. There have still been significant and unacceptable attacks in Kashmir, most notably by Jaish-e-Mohammed in Uri in 2016 and in Pulwama in 2019. Lashkar has not conducted a major attack in India outside of Kashmir since 2008.[20] The 2025 attack in Pahalgam—attributed to Lashkar's Kashmir-based affiliate, The Resistance Front—is its first major attack in India since 2008. Given Lashkar's robust operational capability, Pakistan-imposed restraint is the only viable explanation for the mitigated threat from the group.[21] Thus, US pressure to restrain its client groups can affect Pakistan's tactical calculus, though not its strategic calculus about the utility of militant proxies, especially by making it clear that Pakistan will be held accountable for any attacks by its proxies.

Doing so more consistently and assertively is in the United States' interests for several reasons. Importantly, Americans have been victims in terrorist attacks in India. Second, there is increasing concern that conflicts between India and Pakistan instigated by these attacks could inadvertently spiral. Third, Pakistan-based terrorism distracts India from the larger national security issue of China.

THE MECHANISM FOR REGULAR ENGAGEMENT: DIALOGUES AND EXCHANGES

Multiple forums for dialogue have underpinned the CT relationship and propelled its development. These dialogues vary in their regularity and consistency, though taken together, they have helped to better institutionalize the relationship. For the United States, high-level dialogues act as "forcing events" to produce deliverables. The United States is keen to announce new initiatives or areas of cooperation to correspond with such meetings, though admittedly the broader security dialogue forums have not produced many major CT-specific cooperation breakthroughs, at least publicly.

When held regularly and reliably, the various dialogues can cultivate relationships between senior officials in the two governments. They also facilitate cooperation between working-level officials in both governments who have to prepare for the dialogues, facilitate the deliverables, and co-draft the joint statements. Dialogues also help the two countries build ties and learn how to best engage with one another overall and in different sectors, like CT, building what Ayres calls "habits of cooperation."[22]

Within the US government, these meetings also require extensive interagency coordination, both formally and informally, to prepare for the exchanges. The traditional hierarchy of interagency meetings chaired by the National Security Council at the assistant secretary level (Policy Coordination Committees or Interagency Policy Committees), deputy secretary level (Deputies Committees), and secretary level (Principal Committees) provide the formal mechanisms to coordinate, align lines of efforts, and make decisions. This process has also traditionally ensured that decisions in one realm of the relationship are coordinated or at least deconflicted with others. In the realm of CT, the Counterterrorism Security Group (CSG) has traditionally convened key representatives from various US government agencies involved in CT and provided a forum for CT policy decisions and coordination. There have been relevant sub-CSGs for issues like terrorism finance and designations.[23]

The most senior-level US–India security dialogue has been the 2+2 Dialogue between the secretaries of state and defense and their counterparts. The 2+2 Dialogue forum was the product of a President Trump–Prime Minister Modi meeting in 2017, and the first such forum was held the

following year.[24] The Dialogue has occurred most but not all years since 2018 (no meetings occurred in 2021 or 2024).

CT has been on the agenda for all of the 2+2 Dialogues. However, major breakthroughs at the 2+2 specifically or directly on CT cooperation have been limited, though there have been agreements of relevance to CT.[25] In 2018, the two countries pledged to increase information sharing on known and suspected terrorists and to enhance cooperation in multilateral forums like the United Nations and FATF.[26] In 2019, the two countries announced an intent to improve judicial cooperation and to provide joint workshops for other partners. More often, like in 2023, the two countries "express determination" to counter emerging forms of terrorism and the use of evolving technologies and the internet for terrorism purposes but do not identify any new initiatives to those ends.[27]

For CT, the 2+2 has mainly been a forum to affirm the issue as important to the bilateral partnership, urge continued cooperation, and express shared positions. The joint statements regularly condemn all forms of terrorism and then denounce the use of terrorist proxies or cross-border terrorism, singling out Pakistan to that end. They also regularly call on Pakistan to prosecute perpetrators of major attacks in India. In addition, they have called for "concerted action" against the two countries' respective threats, including al-Qaeda, the Islamic State, Lashkar-e-Taiba, Jaish-e-Mohammed, and Hizb-ul-Mujahideen. The statements also regularly "reaffirm" the two countries' support for the Comprehensive Convention on International Terrorism at the UN.

The 2+2 Dialogue is a successor of sorts to the Strategic Security Dialogue, which was the first cabinet-level exchange: an important step for the bilateral relationship.[28] The first Strategic Security Dialogue was held in 2010 and included subdialogues, including one regarding CT. In 2011, the two sides committed to "a program of cooperation in global supply chain management, megacity policing, combating counterfeit currency and illicit financing, cyber security, critical infrastructure protection, and capacity-building and technology-upgrading."[29] The 2014 Dialogue produced a pledge for relevant authorities in both countries to meet to improve the mutual legal assistance and extradition process: a source of friction in the CT relationship. The forum shifted to be called the Strategic and Commercial Dialogue in 2015, and CT remained on the agenda. Many of the same joint positions were expressed in these statements. In 2015, they also discussed efforts to "finalize a bilateral agreement to expand intelligence sharing and terrorist watch-list information."[30] Of note, that year, the two countries endorsed a separate "Joint Declaration on Combating Terrorism" to highlight the issue.[31]

In 2011, the United States and India launched a secretary-level Homeland Security Dialogue between the Department of Homeland Security and the Ministry of Home Affairs: the first channel of its kind between the two countries.[32] This dialogue helped to establish lines of communication and break down barriers between two organizations with important CT functions, such as aviation and border security as well as megacity policing.[33] By holding the dialogue at the secretary level, it produced senior direction and generated momentum to expand cooperation. In addition to this senior-level engagement, it provided a mechanism for professionals in homeland security functions to engage, such as law enforcement officers or border security officials. It also resulted in increased training on countering illicit financing and a joint work plan that included measures to counter improvised explosive device threats.[34] Notably, it contributed to the US–India Megacity Policing Exchange, "an initiative to deepen collaboration on training and community policing between local and state law enforcement."[35]

However, this exchange mechanism has not been consistent, largely on the US side. After meetings in 2011 and 2013, it lapsed until being reinitiated in 2021. Another meeting was held in 2024, though the deputy secretary of Homeland Security attended as the US representative. It produced a Memorandum of Cooperation between the two countries' police training centers.[36]

Though not as high-level as the 2+2 or the Homeland Security Dialogue, the centerpiece for CT exchanges has been the Joint Working Group on Counterterrorism. In terms of "habits of cooperation," it stands out as the most important forum for CT cooperation both because of its consistency and because of its longevity. It was created in 2000 and played a role in reviving a relationship set back by the US sanctions imposed on India in 1998.[37] Nayak described the working group as indicative of "the transformation of a previously obscure partnership into a lead element of the haltingly expanding bilateral relationship."[38] Since 2000, the Joint Working Group has been the primary platform for the CT relationship specifically, meeting at the assistant secretary of state level most years, and even multiple times some years.[39] For example, the working group convened three times in 2002.[40]

These meetings have been an engine of a number of developments in the CT relationship. The Working Group moved agreements forward and ensured engagement in ways that fed into deliverables for higher-level meetings. They also opened the door for India to receive more ATA programs.[41]

There have also been CT exchanges on more specific issues over time. In 2002, the two countries held a Joint Initiative on Cyberterrorism.[42] A broader cyber security dialogue has functioned under different formats.[43] It became a more regular exchange on its own in 2011. There was also an Anti-Money Laundering/Countering the Financing of Terrorism (AML/CFT) dialogue, led on the US side by the Treasury Department.[44]

In 2017, the United States and India launched a designations-specific dialogue.[45] There had previously been a Terrorist Designations Exchange in 2015.[46] One function of the Designation Dialogue was to develop an understanding of each other's procedures for undertaking sanctions against terrorist groups, individuals, and associated entities.[47] In 2017, the United States designated the Kashmir-focused militant group Hizb-ul-Mujahideen as a Foreign Terrorist Organization. With this designation, the United States had designated all of the Pakistani-sponsored anti-India groups (see table below). The United States also worked with India on its legal framework, supporting changes to some of India's domestic laws on designations, which facilitated more engagement on this front. In addition, it provided a forum to discuss designation priorities and facilitated collaboration on joint designations at the UN, particularly after an attack in Pulwama attributed to Jaish-e-Mohammed in 2019.

FOREIGN TERRORIST ORGANIZATION DESIGNATIONS OF ANTI-INDIA GROUPS (CHRONOLOGICAL)

October 8, 1997	Harakat ul-Mujahideen	FTO
December 26, 2001	Jaish-e-Mohammed	FTO
December 26, 2001	Lashkar-e-Taiba	FTO
August 6, 2010	Harakat ul-Jihad-i-Islami	FTO
September 19, 2011	Indian Mujahideen	FTO
July 1, 2016	Al-Qaeda in the Indian Subcontinent	FTO
August 17, 2017	Hizb-ul-Mujahideen	FTO

Note: N Khalistan militant groups are designated as FTOs. However, Babbar Khalsa International and International Sikh Youth Federation were both designated as a Specially Designated Global Terrorist through Executive Order 13224 in 2002, and they were previously on the Terrorism Exclusion List.

The United States and India also had a Defense Policy Group (DPG) channel, which has sometimes dealt with issues related to counterterrorism. In 2001, when the channel was revived, the two sides agreed that it would "add a new emphasis in their defense cooperation on counterterrorism initiatives."[48] CT was further integrated into the defense relationship in 2005, when the New Framework for the United States-India Defense Relationship "prominently" featured CT, citing "defeating terrorism and violent religious extremism as one of four key shared security interests, and calling for a bolstering of mutual defense capabilities required for such a goal."[49] Of note, the first Trump administration "did not employ the DPG mechanism."[50]

As with most bilateral relationships, head of state visits have also been critical to developing the strategic partnership, including the CT relationship.[51] In US-India relations post-2000—the year President Clinton became the first US president to visit India in over twenty years—the Heritage Foundation argued that "the dramatic changes in India–US relations were driven from the top by political leaders on both sides and pushed through the customary inertia of reluctant bureaucracies by a few energetic decision makers."[52] For the United States, the need for deliverables is particularly pressing for such meetings. For example, CT inclusion in the 2005 Framework came out of President Bush's meeting with Prime Minister Singh. During President Obama's 2010 visit to India, he pledged full US cooperation with intelligence sharing and prosecution of perpetrators of the 2008 Mumbai attacks.[53] In the joint statements from heads of state meetings, both countries regularly denounce terrorism and call on Pakistan to undertake actions to prosecute the perpetrators of attacks in India.

THE PRODUCT OF CT ENGAGEMENTS: AGREEMENTS AND MoUs

The United States and India have forged an array of agreements and memorandums of understanding (MoUs), with applications to CT in part, as deliverables for the dialogues and exchanges discussed above. In general, the United States has often initiated and pursued these agreements, some of which took many years to negotiate and complete, particularly the defense agreements. Like the dialogues, these are an effort to institutionalize the relationship and facilitate cooperation. The list below is not exhaustive, but it highlights some key agreements in chronological order.

Extradition Treaty The United States and India's earliest CT-related agreement was an extradition treaty, which was signed in 1997 and effective in 1999. The document explicitly referenced that "concrete steps are necessary to combat terrorism, including narcoterrorism."[54] This treaty was critical to the United States' ability to extradite Canadian citizen Tahawwur Hussain Rana in 2025 for his role facilitating the 2008 Mumbai attacks.[55] However, extraditions have been a source of friction between the two countries, especially Indian requests for extraditions of American citizens it accuses of involvement in the Khalistani separatist movement. The treaty requires that "all requests for extradition shall be submitted through the diplomatic channel and be supported by required documents, statements, information describing the facts of the offense, statements of the relevant provisions of the law regarding the offense as well as the punishment, a copy of the warrant or the order of arrest, and such information as would justify the committal for trial of the person in the requested state."[56] However, the two countries have struggled with differing views about what required documents, statements, and information justify an extradition.

Mutual Legal Assistance Treaty (MLAT) In 2001, the United States and India signed an MLAT, which was ratified by the United States in 2003 and by India in 2005.[57] Its goal was to "improve the effectiveness of the law enforcement authorities of both states in the investigation, prosecution, prevention and suppression of crimes, including those relating to terrorism" and other crimes.[58] This treaty has been a regular topic of discussion among experts during the Joint Working Group on Counterterrorism meetings.[59]

General Security of Military Information Agreement (GSOMIA) In 2002, the United States signed a GSOMIA with India, after fifteen years of negotiations.[60] This agreement established the ability to exchange classified military information and the parameters of such exchanges. A GSOMIA is characterized as one of the four "foundational" defense agreements that the United States forges with its closest partners.[61] US law requires a GSOMIA to transfer certain sensitive defense technologies.[62] Though not a CT-specific agreement, some defense technology and intelligence is relevant to terrorist targets.

Defense Framework In 2005, the United States and India developed a ten-year defense framework to collaborate on multilateral operations, expand two-way defense trade, and increase opportunities for technology transfers and coproduction.[63] CT cooperation was specifically mentioned as a priority in this framework. In 2015, the agreement was renewed. In 2025, during a state visit, the United States and India forged the US–India COMPACT (Catalyzing Opportunities for Military Partnership, Accelerated Commerce & Technology) for the 21st Century.[64]

Maritime Security Cooperation Framework In 2006, the United States and India entered into a Maritime Security Cooperation Framework. Terrorism was not among the threats noted as motivating the agreement.[65] However, given the maritime routes used by attackers in the 2008 Mumbai attacks, this framework provided an avenue for future maritime CT cooperation.

Counterterrorism Cooperation Initiative (CCI) In 2010, the two countries signed the CCI as the foundational CT-specific agreement.[66] It sought to strengthen "capabilities to effectively combat terrorism; promotion of exchanges regarding modernization of techniques; sharing of best practices on issues of mutual interest; development of investigative skills; promotion of cooperation between forensic science laboratories; establishment of procedures to provide mutual investigative assistance; enhancing capabilities to act against money laundering, counterfeit currency and financing of terrorism; exchanging best practices on mass transit and rail security; increasing exchanges between Coast Guards and Navy on maritime security; exchanging experience and expertise on port and border security; enhancing liaison and training between specialist Counter Terrorism Units including National Security Guard with their US counterparts."[67]

Cybersecurity MoU In 2011, the United States and India signed an MoU on cybersecurity, as part of their "joint commitment of both nations to advancing global security and countering terrorism."[68] This agreement coincided with the first Homeland Security Dialogue meeting. In 2025, the two countries also signed an MoU to enhance cooperation in cybercrime investigations.[69]

Sensitive Security Information-Sharing Agreement In 2013, the US Transportation Security Administration and the Indian Bureau of Civil Aviation Security signed an agreement to "enhance cooperation on aviation security, increase collaboration on security-related technologies, increase reciprocal visits for airport security assessments, and facilitate the exchange of ideas and best practices for security at airport points of entry."[70] Notably, India was included in the US Global Entry Program in 2017.[71]

MoU on Money Laundering and Terrorism Financing In early 2015, the US Treasury Department and India's Ministry of Finance signed an MoU "to enhance cooperation against money laundering and terrorism financing via the US–India anti-money laundering/countering the financing of terrorism (AML/CFT) Dialogue."[72] This MoU institutionalized structured cooperation under the AML/CFT Dialogue, enabling more formal sharing of financial intelligence and procedural alignment against terror financing. However, the State Department noted concern in subsequent years that "intelligence and investigative information supplied by US law enforcement authorities led to numerous seizures of terrorism-related funds [in India], a lack of follow-through on investigational leads has prevented a more comprehensive approach."[73]

Major Defense Partner In 2016, the United States designated India as a Major Defense Partner.[74] This designation was created specifically for India by Congress and sought "to elevate defense trade and technology sharing with India to a level commensurate with that of our closest allies and partners," as well as "institutionalize changes the United States has made to ensure strong defense trade and technology cooperation."[75] The next year, the United States approved a long-standing Indian request to purchase unmanned drones: the first time the United States has sold the technology to a non-NATO country.[76]

Logistics Exchange Memorandum of Agreement (LEMOA) In 2016, the United States and India signed a LEMOA, which provides a legal framework to access one another's military facilities for fueling and logistics support on a reimbursable basis. This "facilitating" agreement—the second foundational defense agreement—permits these two states to use each other's military and naval facilities for joint military exercises, training, port calls, humanitarian missions, and other military activities that both sides mutually agree to undertake.[77] Terrorism is not explicitly one of the permissible activities. Of relevance to CT though, several joint military exercises between the two countries have involved CT scenarios, including exercises in 2002, 2003, 2004, 2005, 2016, 2017, and 2018.[78]

Terrorist Screening Information Agreement In 2016, the United States and India signed an agreement to exchange terrorist screening data, though effective Indian implementation was delayed.[79] A subsequent effort in 2018 to forge an agreement involving the exchange of "real time" information on terrorists reportedly failed.[80]

Communications Compatibility and Security Agreement (COMCASA) In 2018, the United States and India signed a COMCASA, which coincided with the first 2+2. The COMCASA "allows the US to transfer secure communications and data equipment to India. It also allows the US to offer real-time data-sharing with the Indian military over secure channels."[81] As with the other "foundational" defense agreements, this agreement could provide benefits for CT cooperation, but that is not its core purpose.

Industrial Security Annex (ISA) This 2019 agreement is an annex to the GSOMIA and enhanced the exchange of classified defense information by expanding the cleared entities who could access that information, as well as by establishing a corresponding working group. This defense-industrial collaboration could include CT-relevant technologies, such as surveillance, encryption, and reconnaissance equipment.

Basic Exchange and Cooperation Agreement (BECA) In 2020, the two countries forged a BECA—the fourth and final foundational defense agreement—to facilitate sharing geospatial intelligence and satellite imagery.[82] BECA has potential CT applications in enhancing intelligence sharing on terrorist group training camps, infiltration routes, and cross-border movements.

CRISIS-DRIVEN CT ENGAGEMENT

Though the United States has sought to institutionalize its CT relationship with India through dialogues and agreements, terrorist attacks in India by Pakistani-sponsored groups have also produced developments in the CT relationship. At the same time, these attacks have aggravated India's frustrations with the United States' approach to Pakistani sponsorship. Thus, they have a mixed effect on the overall CT relationship.

In December 2001, Jaish-e-Mohammed attacked the Indian Parliament building in New Delhi, killing nine. It spurred a monthslong mobilization and standoff between Pakistan and India, which risked a full-fledged war between the two countries. In the immediate aftermath of the attack, the United States designated both Jaish-e-Mohammed and Lashkar-e-Taiba as Foreign Terrorist Organizations (see table above). The United States also pressured Pakistan to take action against both groups and to curb infiltrations into Kashmir. Though only symbolic actions occurred in response to the former request, infiltrations did decline in subsequent years.[83]

As discussed earlier, the United States and India cooperated in the aftermath of the 2008 Mumbai attacks. The FBI assisted in the Indian investigation of the attack and the subsequent trial. The United States facilitated Indian access to one of the plotters in its custody, American David Headley, in 2011, and it extradited a Canadian citizen who assisted Headley, Tahawwur Hussain Rana, in 2025. It listed two of the individuals responsible for overseeing the attack in Rewards for Justice and designated several Lashkar members as Specially Designated Global Terrorists after the attack.[84] However, there were concerns on the Indian side about the scope of the sharing of US intelligence in the lead up to the attack, as well as frustration about the amount of time it took for detainee access and extradition.

In 2019, a Jaish-e-Mohammed suicide operative detonated an explosive device in Pulwama, killing forty Central Reserve Police Force personnel. In the aftermath of that attack, the United States and India collaborated to have the group's leader, Masood Azhar, designated at the UN, an effort that had been previously stymied by China's objections.[85]

More broadly, the United States traditionally adopted the role of a mediator that sought to prevent conflict between India and Pakistan in the aftermath of terrorist attacks in India.[86] Its posture has changed in recent years to one that implicitly or explicitly supports India's right to respond militarily, and only intervenes once it becomes concerned about the degree or pace of escalation. At the same time, India also increased its ability to strike back quickly at Pakistan in response to terrorist attacks, and India's doctrine shifted to directly striking sites associated with militant groups during the conflicts instigated by terrorist attacks in 2019 and 2025.[87]

CONCLUSION

The CT relationship has experienced persistent limitations. The United States has consistently been unwilling to isolate or punish Pakistan to the degree that India has sought. But the United States has put pressure on Pakistan in ways that contributed to tactical shifts, such as reducing infiltration and restraining its proxies. In addition, operational breakthroughs in CT cooperation have been laborious and rare, while symbolic actions have been far more frequent.

But the US–India strategic partnership, with CT cooperation as a key pillar, has enjoyed bipartisan support across administrations over time. Despite enduring differences in threat perception, the two countries have developed a CT architecture to facilitate cooperation. The organizing principle was to counter Pakistani sponsorship of militant

groups, mainly by bolstering India's capacity to effectively counter the terrorist threat it faced from Pakistan, while preserving CT cooperation channels with Pakistan. The US–India CT partnership evolved to include a range of mechanisms—including joint working groups, ministerial dialogues, and training programs—supported by a series of joint statements, agreements, MoUs, and designations of terrorist entities. CT has consistently been a priority in the strategic partnership, though the specific forums used for high-level engagement have sometimes varied based on the party in power in the White House. The CT relationship benefited from the growing defense partnership, but these are not the primary purpose of the defense relationship. Even amid fluctuations, the Joint Working Group on CT has been a constant channel for exchanges, allowing for specialist and expert dialogue even when the political dynamics became more challenging. The next section will delve into the significant current challenges in the United States–India relationship and the implications for counterterrorism cooperation going forward.

NOTES

1. India saw the United States' support for Afghan mujahedeen through Pakistan as, at best, enabling Pakistan's support for anti-India militants in Punjab and Kashmir. However, there were some limited US efforts to build Indian capacity in the 1980s. For example, during the Reagan administration, Indian intelligence personnel received training in dealing with hostage situations and aviation security: K. Alan Kronstadt and Sonia Pinto, *India–US Security Relations: Current Engagement*, Report No. R42823 (Congressional Research Service, 2012), 12–13.

2. Kronstadt and Pinto, *India–US Security Relations*, 15.

3. Though India did formally ban the Islamic State in 2015.

4. Kashish Parpiani and Prithvi Iyer, "Towards an India–US Consensus on Counterterrorism Cooperation," *ORF Occasional Paper* 240 (2020).

5. Tricia Bacon and Asfandyar Mir, "India's Gamble in Afghanistan: The Promise and Peril of Rapprochement with the Taliban," *Foreign Affairs*, July 11, 2022.

6. Or to pressure the Taliban to oust the remaining al-Qaeda operatives.

7. "'Phenomenal Counter-Terrorism Partner': US Top Commander Praises Pakistan," *New Indian Express*, June 11, 2025.

8. The two countries have also forged cooperation agreements, discussed below.

9. IDR News Network, "India and US Enhance Partnership in Joint Anti-Terrorism," Indian Defense Review, May 17, 2011.

10. US Department of State, "US–India Joint Declaration on Combatting Terrorism," press release, September 23, 2015.

11. *Country Reports on Terrorism 2018* (US Department of State, Bureau of Counterterrorism, October 2019), https://www.state.gov/reports/country-reports-on-terrorism-2018.

12. K. Alan Kronstadt, Paul K. Kerr, Michael F. Martin, and Bruce Vaughn, *India: Domestic Issues, Strategic Dynamics, and US Relations*, Report No. RL33529 (Congressional Research Service, 2011), 84.

13. Kronstadt et al., *India*, 83.

14. There is also a bilateral coordination of designations as part of the Designations Dialogue, discussed below.

15. Shishir Sinha, "India to Push FATF to Add Pakistan to Grey List Again, Source Says," *Hindu BusinessLine*, May 23, 2025; "Outcomes FATF Plenary, 20–21 October 2022," Financial Action Task Force, October 21, 2022, https://www.fatf-gafi.org/en/publications/Fatfgeneral/Outcomes-fatf-plenary-october-2022.html; Gibran Naiyyar Peshimam, "Pakistan Taken Off Global Watchdog's Grey List for Terrorism Financing," *Reuters*, October 21, 2022.

16. Pooja Bhatt, "Quad and Counterterrorism? Considerations for the 2025 Summit," *South Asian Voices*, July 24, 2025.

17. "India," in *Country Reports on Terrorism 2022* (US Department of State, Bureau of Counterterrorism, 2022), 165–67, https://www.state.gov/reports/country-reports-on-terrorism-2022; "India," in *Country Reports on Terrorism 2021* (US Department of State, Bureau of Counterterrorism, 2021), https://www.state.gov/reports/country-reports-on-terrorism-2021.

18. Rewards for Justice offers up to $5 million for information on Mir and up to $10 million for information on Saeed ("Hafiz Saeed," Rewards for Justice, accessed August 30, 2025, https://rewardsforjustice.net/rewards/hafiz-saeed; "Sajid Mir," Rewards for Justice, accessed August 30, 2025, https://rewardsforjustice.net/rewards/sajid-mir).

19. Tricia Bacon, "A Fragile Equilibrium: Incentivizing Pakistan's Regional Recalibration," *Washington Quarterly* 46, no. 2 (2023): 163–81.

20. Nor has Jaish-e-Mohammed, which struck the Indian Parliament in New Delhi in 2001. Lashkar conducted attacks in New Delhi and Mumbai in 2000, 2006, and 2008.

21. Bacon, "Fragile Equilibrium," 166–67.

22. Alyssa Ayres, *Our Time Has Come: How India Is Making Its Place in the World* (Oxford University Press, 2020).

23. *Report of Inspection: Limited-Scope Review of Department of State Counterterrorism Designation and Vetting Procedures*, Report No. ISP-I-08-26 (United States Department of State and the Broadcasting Board of Governors Office of Inspector General, June 2008), https://www.stateoig.gov/uploads/report/report_pdf_file/isp-i-08-26_1.pdf.

24. The White House, "Joint Statement: Vision and Principles for the United States–India Comprehensive Global Strategic Partnership—The White House," statement, February 25, 2020.

25. Publicly known cooperation breakthroughs at least.

26. US Department of State, "Joint Statement on the Inaugural US–India 2+2 Ministerial Dialogue," media note, September 6, 2018.

27. US Department of State, "Joint Statement on the Fifth Annual India–U.S. 2+2 Ministerial Dialogue," media note, November 10, 2023.

28. Mark Landler, "Clinton Urges Stronger US–India Ties," *New York Times*, July 20, 2009.

29. Embassy of India, Washington, DC, "India–US Strategic Dialogue Joint Statement," press release, 2011.

30. Alyssa Ayres, "What's New in the US–India Strategic and Commercial Dialogue," *Council on Foreign Relations*, September 23, 2015.

31. US Department of State, "US–India Joint Declaration."

32. Kronstadt and Pinto, *India–US Security Relations*.

33. Retired senior US official who held multiple senior positions on South Asia, particularly India, in interview with the author, 2019.

34. Homeland Security, "Readout of US–India Homeland Security Dialogue," press release, May 21, 2013, https://www.dhs.gov/archive/news/2013/05/21/readout-us-india-homeland-security-dialogue; "South and Central Asia," in *Country Reports on Terrorism 2015* (US Department of State, Bureau of Counterterrorism and Countering Violent Extremism, June 2016), 227–28, https://2009-2017.state.gov/j/ct/rls/crt/2015.

35. US Department of State, "US–India Joint Declaration."

36. Homeland Security, "Readout of Senior Official Performing the Duties of Deputy Secretary Canegallo's Participation in the US–India Homeland Security Dialogue," news release, February 29, 2024, https://www.dhs.gov/archive/news/2024/02/29/readout-senior-official-performing-duties-deputy-secretary-canegallos-participation.

37. Embassy of India, Washington, DC, "Joint US–India Statement on Counter-Terrorism Working Group," press release, February 8, 2000.

38. Polly Nayak, "Prospects for US–India Counter-terrorism Cooperation: An American View," in *US–Indian Strategic Cooperation into the 21st Century: More than Words*, eds. Sumit Ganguly, Brian Shoup, and Andrew Scobell (Routledge, 2006), 131–53.

39. US Department of State, "US–India Counterterrorism Joint Working Group," press statement, July 18, 2002, https://2001-2009.state.gov/r/pa/prs/ps/2002/11922.htm; US Department of State, "India–US 'Joint Working Group on Counter-Terrorism,'" press statement, January 24, 2002, https://2001-2009.state.gov/r/pa/prs/ps/2002/7440.htm?safe=1; US Department of State, "India–US Statement on Joint Working Group on Counter-Terrorism," press statement, September 26, 2000, https://1997-2001.state.gov/global/terrorism/000926_india_us.html; Cara Abercrombie, "Realizing the Potential: Mature Defense Cooperation and the US–India Strategic Partnership," *Asia Policy* 26, no. 1 (2019): 119–44; Shanthie Mariet D'Souza, "Indo–US Counter-Terrorism Cooperation: Rhetoric Versus Substance," *Strategic Analysis* 32, no. 6 (2008): 1067–84.

40. Embassy of India, Washington, DC, "Joint Statement of the India–US Joint Working Group on Counterterrorism," press release, July 12, 2002.

41. Embassy of India, "Joint US–India Statement."

42. US Department of State, "US–India Counterterrorism Joint Working Group."

43. For example, the Cyber Security Forum launched in 2002.

44. US Department of the Treasury, "Joint Statement of the Co-Chairs of the US–India Anti-Money Laundering and Countering the Financing of Terrorism Dialogue," press release, December 14, 2023.

45. The Designations Dialogue has been held concurrently with the Joint Working Group on Counterterrorism since 2019.

46. US Department of State, "US–India Joint Declaration."

47. US Department of State, "Joint Statement on US–India Counterterrorism Joint Working Group and Designations Dialogue," media note, March 29, 2019.

48. US Department of State, "India–US 'Joint Working Group.'"

49. Kronstadt et al., *India*, 83; Kronstadt and Pinto, *India–US Security Relations*.

50. K. Alan Kronstadt, Shayerah I. Akhtar, William A. Kandel, Liana W. Rosen, Sara M. Tharakan, and Jill H. Wilson, *India–US Relations*, Report No. R46845 (Congressional Research Service, July 19, 2021), 9.

51. To date, there have been ten heads of state visits/meetings over the course of the Bush, Obama, Biden, and Trump administrations. President Obama hosted Prime Minister Singh in 2009. In an exception to the tendency for such meetings to produce major deliverables, this trip failed "to yield any significant breakthroughs in the bilateral relationship." However, the two leaders did "initial" the India–US Counter Terrorism Initiative, which was signed the following year ("Timeline: US–India Relations," Council on Foreign Relations, updated August 7, 2025, https://www.cfr.org/timeline/us-india-relations; Embassy of India, Washington, DC, "India–US Sign Counter Terrorism Cooperation Initiative," press release, n.d.)

52. Lisa Curtis, *Beyond the Plateau in US–India Relations*, Special Report No. 132 (Heritage Foundation, April 26, 2013).

53. Indeed, the United States facilitated Indian access to David Headley that year.

54. Extradition Treaty Between the United States of America and India, Jun. 25, 1997, T.I.A.S. No. 12873.

55. Office of Public Affairs, US Department of Justice, "US Extradites Alleged Co-Conspirator of 2008 Mumbai Terrorist Attacks to Face Charges in India," press release, April 10, 2025.

56. Extradition Treaty Between the US and India.

57. Treaty Between the United States of America and India on Mutual Legal Assistance in Criminal Matters, Oct. 3, 2005, T.I.A.S. No. 05-1003.

58. Treaty on Mutual Legal Assistance in Criminal Matters, T.I.A.S. No. 05-1003.

59. The need for continuing discussion was also in the 2015 Joint Declaration (US Department of State, "US–India Joint Declaration").

60. Mark Rosen and Douglas Jackson, *The US–India Defense Relationship: Putting the Foundational Agreements in Perspective* (CNA Analysis and Solutions, February 2017), 2; Kronstadt et al., *India–US Relations*, 12.

61. Shantanu K. Bansal, "Backgrounder: Understanding the 4 Foundational Agreements Between India and US," *IADN*, October 27, 2020.

62. Kronstadt et al., *India–US Relations*, 12.

63. Kronstadt et al., *India–US Relations*, 9.

64. The White House, "United States–India Joint Leaders' Statement," statement, February 13, 2025.

65. "Indo-US Framework for Maritime Security Cooperation," Ministry of External Affairs, Government of India, March 2, 2006, https://mea.gov.in/bilateral-documents.htm?dtl/6030/IndoUS+Framework+for+Maritime+Security+Cooperation.

66. "South and Central Asia," in *Country Reports on Terrorism 2010* (US Department of State, August 2011), 109–10, https://2009-2017.state.gov/j/ct/rls/crt/2010.

67. Kronstadt et al., *India*, 83.

68. Homeland Security, "United States and India Sign Cybersecurity Agreement," press release, July 19, 2011, https://www.dhs.gov/archive/news/2011/07/19/united-states-and-india-sign-cybersecurity-agreement.

69. Ministry of External Affairs, Government of India, "India and US Sign MoU on Cybercrime Investigations," press release, January 18, 2025.

70. "South and Central Asia," in *Country Reports on Terrorism 2013* (US Department of State, Bureau of Counterterrorism, April 2014), 178–79, https://2009-2017.state.gov/j/ct/rls/crt/2013.

71. US Customs and Border Protection, "CBP Announces Expansion of Global Entry to Indian Citizens," national media release, July 3, 2017.

72. "India," in *Country Reports on Terrorism 2015* (US Department of State, Bureau of Counterterrorism and Countering Violent Extremism, June 2016), 237–41, https://2009-2017.state.gov/j/ct/rls/crt/2015.

73. "South and Central Asia," in *Country Reports on Terrorism 2015*; "South and Central Asia," in *Country Reports on Terrorism 2014* (US Department of State, Bureau of Counterterrorism, June 2015), 223–24, https://2009-2017.state.gov/j/ct/rls/crt/2014; "South and Central Asia," in *Country Reports on Terrorism 2013*.

74. US Department of State, "US Security Cooperation with India," fact sheet, January 20, 2025.

75. Kronstadt et al., *India–US Relations*.

76. While these drones are for use in the Indian Ocean, like other technology, they could also have CT applications: Vinay Kaura, *India–US Counterterrorism Cooperation: The Way Forward*, BESA Center Perspectives Paper No. 555 (Begin-Sadat Center for Strategic Studies, Bar-Ilan University, August 8, 2017).

77. Rosen and Jackson, *US–India Defense Relationship*, 4.

78. "India," in *Country Reports on Terrorism 2023* (US Department of State, Bureau of Counterterrorism, 2023), https://www.state.gov/reports/country-reports-on-terrorism-2023/india; "India," in *Country Reports on Terrorism 2019* (US Department of State, Bureau of Counterterrorism, 2019), 155–57, https://www.state.gov/reports/country-reports-on-terrorism-2019.

79. "India," in *Country Reports on Terrorism 2019*.

80. "Key Proposal Dropped from India–US Homeland Security Dialogue," *Economic Times*, July 11, 2018.

81. Jeff M. Smith, "COMCASA: Another Step Forward for the United States and India," Heritage Foundation, September 13, 2017.

82. "US, India Sign New Defense Cooperation Agreement," *Voice of America*, November 3, 2020.

83. "Datasheet—Jammu & Kashmir: Infiltration in Jammu and Kashmir (J&K) 2001–2019," South Asia Terrorism Portal, https://www.satp.org/datasheet-terrorist-attack/india-jammukashmir/India-JK-Infiltration-2001-2019.

84. US Department of the Treasury, "Treasury Designates Lashkar-E Tayyiba Leadership," press release, August 30, 2012; "Sajid Mir," Rewards for Justice; "Hafiz Saeed," Rewards for Justice.

85. "Mohammed Masood Azhar Alvi," United Nations Security Council, May 1, 2019, https://main.un.org/securitycouncil/en/content/mohammed-masood-azhar-alvi.

86. Polly Nayak and Michael Krepon, *US Crisis Management in South Asia's Twin Peaks Crisis*, Report 57 (Stimson Center, September 2006); Polly Nayak and Michael Krepon, *The Unfinished Crisis: US Crisis Management After the 2008 Mumbai Attacks* (Stimson Center, February 2012).

87. In addition, India has also undertaken a covert targeted killing campaign in Pakistan against individuals associated with multiple groups sponsored by the Pakistani government.

3. India–US Counterterrorism Partnership

Unlock the Potential, but Guard Against Overreliance

N. Ramachandran

Both India and the United States have been direct victims of the scourge of terrorism, and both recognize that terrorism transcends borders and ideologies, and is sustained by networks that exploit technology, porous frontiers, and illicit financial flows. They share a recognition that terrorism threatens global security and peace and that it demands urgent, collective, and coordinated action to dismantle terror networks, cut off resources, and counter extremist propaganda. Strengthening India–US counterterrorism (CT) cooperation is therefore not merely a bilateral interest but a global necessity to safeguard peace, stability, and security.

Counterterrorism cooperation and security alliances are indeed essential in today's complex and interconnected world and its ever-evolving and extremely complex threat environment. Over the last two decades, India and the United States have worked closely, to build reasonably strong counterterrorism cooperation that has steadily expanded in scope and sophistication, despite some occasional glitches. The result has been a robust framework of cooperation, deeply invested in regular dialogues, intelligence sharing, law enforcement collaboration, and capacity building. Both countries have benefited significantly from this partnership, the long-term geopolitical leverage of which and its viability have remained unquestioned. Both nations share a strong foundation of converging interests and values, technological collaboration, and vibrant people-to-people ties, built on shared security interests and reinforcing democratic traditions.

At the institutional level, the partnership has built mechanisms like the Counter-Terrorism Joint Working Group and the Designations Dialogue, which provide structured forums for regular information exchange and coordinated action. The direct field-level contacts have improved situational awareness, allowing law enforcement agencies in both countries to respond more effectively to evolving threats. Intelligence cooperation, joint training programs, and law enforcement exchanges have played a crucial role. Police officers, investigators, and counterterrorism specialists from both sides have benefited from exposure to each other's practices, thus strengthening interoperability. Technology transfers, particularly in the forensic sciences, surveillance,

and information analysis, have further enhanced India's capacity to investigate and prevent attacks. In recent years, cooperation has widened to cover emerging areas such as cyberterrorism and the protection of critical infrastructure. With transnational terror and criminal groups increasingly exploiting digital platforms and global finance networks, the collaboration has included areas such as tracking online radicalization, preventing misuse of encrypted communications, and cutting off financial flows.

TRENDS IN TERRORISM AND THE EVOLUTION OF THE INDIA–US COUNTERTERRORISM PARTNERSHIP

As early as the 1980s and 1990s, the growing threat of terrorism in South Asia began to garner global attention, as India faced an escalation of cross-border terrorism, particularly in Punjab as well as Jammu and Kashmir. However, India's persistent efforts in those years to draw the attention of the international community to the threat of cross-border terrorism were only partially successful. US engagement itself remained limited due to Cold War-era geopolitical considerations and divergent strategic interests. While India maintained strategic ties with the Soviet Union, the United States traditionally viewed South Asia through the lens of containment of the Soviet Union, and continued to provide military and financial aid to Pakistan, ignoring India's concerns over Pakistan's role in fomenting terrorism.

The first signs of global recognition of the growing menace of terrorism in Pakistan and Afghanistan became visible following the hijacking of Indian Airlines Flight IC-814 from Kathmandu to Kandahar in December 1999, forcing India to release three high-profile terrorists in exchange for the 155 passengers on board.[1] Following this episode, the United States and India began their earliest bilateral counterterrorism cooperation, establishing a Joint Working Group on Counter-Terrorism, while stating their strong resolve to bring the perpetrators to justice. This was the first structured mechanism for intelligence sharing and CT cooperation, which laid the groundwork for deeper collaboration between the two countries.[2]

This partnership was further cemented after 9/11, when both sides pledged deeper cooperation to dismantle terrorist networks, even as the war on terror and operations against al-Qaeda brought security concerns closer to India. It was agreed to enhance cooperation across areas like intelligence sharing, extradition, legal assistance, border security, terror finance, cyberterrorism, and aviation security, which ultimately led to the adoption of UNSC Resolution 1373.[3] However, only days after its adoption, India and Pakistan, both nuclear-armed nations, were on the brink of a dangerous confrontation following the December 13, 2001, attack on the Indian Parliament by Pakistan-based terrorists, further escalating tensions in South Asia. Following this, India and the United States pledged to work together to dismantle terrorist networks, further enhance intelligence sharing, and strengthen investigative cooperation.

While the 2008 Mumbai attacks (or 26/11) drew strong US support for India, it also exposed some cracks in the relationship, leading to disappointments and misunderstandings.[4] While Washington condemned the attacks and made strong statements, India's expectations for stronger punitive action against Pakistan-based perpetrators remained unfulfilled. India was further disappointed when it became clear that the United States had prior intelligence on the impending attack but failed to share crucial details in time, leading to a bloodbath that might have been prevented.

Differences also emerged over diplomatic responses and legal proceedings, with India seeking more castigatory pressure on Pakistan.

Further straining ties and deepening the trust gap, Washington refused to hand over David Coleman Headley, although his central role in the plot became known to both parties. However, the prompt investigative support provided by the Federal Bureau of Investigation (FBI) played a crucial role in establishing key evidence, including linking the boat engine purchase to Pakistan.[5] Access for Indian investigators to interview Headley was also later extended in 2010, as part of the CT cooperation. While counterterrorism cooperation deepened after 26/11, resulting in closer intelligence sharing and security collaboration, there were some areas of lingering mistrust, thus reinforcing India's concerns over selective intelligence sharing, US policy ambivalence, and a perceived reluctance to confront Pakistan more aggressively on terrorism.

Nevertheless, a major milestone was reached following the signing of the India–US Counter Terrorism Cooperation Initiative in 2010, which formalized the relationship. This followed agreements reached during the Indian Prime Minister's visit to the United States in November 2009. The Memorandum of Understanding focused on a wide range of law-enforcement-related issues, including strengthening investigative cooperation, intelligence sharing, forensic collaboration, money laundering, counterfeit currency, maritime security, and rail security.[6] The partnership has been further reinforced through regular Joint Working Group meetings, providing a structured platform for both countries to assess emerging threats, exchange best practices, and coordinate security strategies.

Meanwhile, India continued to face terrorism in different parts of the country, most of which were traced to Pakistan-based perpetrators. The next major terrorist incident that shook the security establishment across the world was the 2011 Mumbai bombings, also known as 13/7, when a series of three coordinated blasts struck the Zaveri Bazaar, the Opera House, and Dadar West within a span of twelve minutes.[7] These attacks drew strong international condemnation. The United States was swift in condemning the attack. The then Secretary of State Hillary Clinton reaffirmed the United States's commitment to stand with India in the fight against terrorism.

Going by statistics since 2001, terrorism in India has witnessed a marked decline in both the number of incidents and fatalities, though it continues to remain a serious and persistent national security challenge. Over time, there has been a shift in terrorist tactics toward targeted assaults on security forces, border areas, and religious sites. Among the most devastating terrorist incidents during this period were the 2016 Pathankot and Uri attacks, both targeting India's military installations near the Pakistan border, and the 2019 Pulwama bombing, in which a convoy of Central Reserve Police Force personnel was ambushed, killing forty soldiers and injuring many. The United States strongly condemned the Pulwama attack, supported India's right to defend itself, and called on Pakistan to dismantle terror havens.[8]

The South Asia Terrorism Portal provides detailed data on terrorist incidents, including casualties among civilians, security forces, and terrorists.[9] While terrorism-related deaths peaked in 2001 at 5,504, primarily due to insurgencies in Jammu and Kashmir and the Northeast, there has been a gradual decline since then, with a sharp drop after 2010.[10] By October 11, 2025, the number had significantly reduced to 565, although these numbers still remain very concerning.

Much of India's success in fighting terrorism can be attributed to sustained counterterrorism operations carried out by its state and national police forces, effective intelligence generation and sharing, stringent security measures, and tight border security controls with strong support from the armed forces. While it may be difficult to quantify the impact of specific initiatives, it is likely that

international collaboration, particularly with the United States, played a significant role in curbing terrorism, contributing to the decline in attacks and fatalities during this period. Real-time intelligence sharing and counter-radicalization efforts may have helped weaken traditional terror networks. Unfortunately, declining fatalities did not mark an end to terrorism.

It should be noted that the first quarter of this century witnessed a substantial growth in the India–US counterterrorism partnership, marked by significant institutionalization and thematic expansion. Building on the cooperation established after the terrorist attacks of 9/11 and 26/11, the two countries consolidated dialogue mechanisms like the Joint Working Group on Counter-Terrorism and the Homeland Security Dialogue.

Importantly, there was a growing emphasis on emerging domains, particularly cyberterrorism. Both sides recognized the threats posed by online radicalization, encrypted communication platforms, and extremist propaganda on social media, thus necessitating collaborative initiatives on digital forensics and cybercrime disruption. Parallel to this, cooperation in the monitoring of terror financing and money laundering assumed importance under the Financial Action Task Force (FATF) obligations, leading to joint efforts to identify hawala operations, illicit betting platforms, and financial networks.

The United States also played a crucial role in enhancing India's counterterrorism capabilities by providing specialized training to Indian law enforcement agencies, covering areas such as crisis response, forensic analysis, and counter-IED (Improvised Explosive Devices) operations. The agenda included the protection of critical infrastructure, covering airports, ports, energy installations, and maritime assets. Bilateral legal and policy consultations increasingly addressed procedural bottlenecks in mutual legal assistance and access to cross-border digital evidence, signaling a transition toward a comprehensive and multi-domain counterterrorism partnership. Moreover, both nations have worked together to designate and sanction terrorist organizations and individuals, which has helped in curbing terror financing and support networks.

A high point of this relationship was the signing of Homeland Security Presidential Directive 6 (HSPD-6) in 2016.[11] HSPD-6 gave India access to an extract from the FBI's consolidated terrorist watchlist.[12] This agreement also established a system of reciprocal nominations, allowing both countries to identify and track terror suspects more effectively across borders. Consequently, the Joint Working Groups and Designations Dialogues have strengthened operational and strategic data exchanges. Going beyond watchlist cooperation, US agencies have also provided India with crucial support in investigating cross-border attacks and monitoring illicit financial flows, thus helping to foil terrorist plots through actionable intelligence.[13]

At the law enforcement level, cooperation has been practical and hands-on, involving work with shared watchlists, biometric data, joint analysis, and digital identity verification. The HSPD-6 mechanism and the Terrorist Screening Dataset enable Indian agencies to receive regular updates and have access to US systems, thus enabling the matching of fingerprints and other identifiers against global records. These tools strengthen the ability to track suspects across jurisdictions and verify identities during investigations. On the biometric front, there are separate bilateral arrangements that enable Indian agencies to query US systems such as IDENT (Automated Biometric Identification System) and its successor HART (Homeland Advanced Recognition Technology), using fingerprints and other identifiers. The combined use of biometric and analytical technologies has improved identity verification and the investigation of cross-border suspects, significantly

strengthening border security, aviation checks, and visa screening.

The achievements of the India–US security cooperation in recent decades can be attributed partly to the built-in institutional mechanisms that have ensured continuity even during periods of political turbulence, and partly to the ability of both sides to ring-fence their counterterrorism partnership, insulating it from the vicissitudes of diplomatic and political disagreements.

However, the relationship between the United States and India unexpectedly witnessed a sudden decline in the early part of 2025. It began with what was seen as a muted American response in the aftermath of the Pahalgam terrorist attack on April 22, 2025, one of the deadliest in recent memory, in which heavily armed militants brutally murdered twenty-six male tourists in front of their families, deliberately targeting their victims based on their religious identity.[14] The scale and savagery of the assault deeply shocked the nation, compelling India to adopt a harsher policy response, which led to a direct military escalation. Pakistan's denials, in spite of the mounting evidence of cross-border complicity, and the direct role of The Resistance Front (TRF), widely believed to be a Lashkar-e-Taiba proxy, only deepened mistrust, thus pushing the nuclear-armed neighbors into a dangerous confrontation, reminding the world how terrorism continues to be a volatile flashpoint capable of destabilizing South Asia's fragile equilibrium.

OPPORTUNITIES, CONSTRAINTS, AND DIVERGENCES IN THE CT COOPERATION

STRUCTURAL BOTTLENECKS IN CROSS-BORDER DATA ACCESS

Even during the best of times, there were limitations to India–US counterterrorism cooperation. One of the most pressing challenges for Indian law enforcement in the digital era is the difficulty of securing timely access to cross-border data held by US-based technology giants such as Google, Meta (Facebook, WhatsApp, and Instagram), Microsoft, Apple, and Amazon. In almost every major cybercrime, act of terrorism, or financial fraud, investigators require critical evidence like IP addresses, geolocation data, communication logs, emails, and transactional records that all reside on servers controlled by these companies, which are mostly located outside India.

The Mutual Legal Assistance Treaty (MLAT) that enables data sharing has long been criticized for being slow and bureaucratic. Requests often take months to process, by which time data may have expired or criminals may have shifted operations. In fast-evolving cases like ransomware attacks, phishing scams, online betting fraud, and cross-border terror conspiracies, such delays render investigations ineffective. For police officers on the ground, this is an everyday operational frustration that directly undermines their ability to bring transnational criminals to justice. While there has been international pressure on the United States to streamline MLAT processes, reform has been slow.

Investigators often complain that they are at the mercy of corporate priorities rather than operating under a dependable legal framework. Occasionally, joint efforts have been made to dismantle fraudulent call centers, with companies such as Microsoft and Amazon collaborating with Indian authorities to crack down on scams targeting consumers within India and abroad. Companies do increasingly participate in initiatives such as the Safer Internet India coalition and digital fraud disruption programs, offering expertise and technical support.[15]

India's difficulties in access to data arise largely from its absence in the framework of the United States' Clarifying Lawful Overseas Use of Data

(CLOUD) Act.[16] The CLOUD Act was designed to allow foreign governments that meet strict privacy and due process standards to directly request data from American service providers, bypassing slower channels. At present, only the United Kingdom and Australia have CLOUD Act executive agreements in force, while negotiations are in progress with the European Union and Canada. India is not included, primarily because its domestic laws are seen as lacking adequate safeguards for data privacy, judicial oversight, and data protection. The problem is compounded by American privacy and civil liberties safeguards, which limit the scope of data that can be shared. Certain categories, particularly biometric data, remain tightly restricted. Even where data can be shared, company discretion plays a crucial role.

US authorities and companies justify this by citing fears of misuse and their obligation to uphold American legal standards. For Indian agencies, however, the stakes are immediate and practical. The resulting friction has led to frustration, even during the days of an otherwise strong India–US counterterrorism relationship. For now, the absence of real-time access to electronic evidence remains a serious operational handicap, creating a mismatch between the strategic partnership and the realities of law enforcement cooperation.

This situation also presents India with an opportunity to pursue deeper domestic reforms in its criminal justice system. While New Delhi must continue to engage Washington for faster and more predictable frameworks of cooperation, possibly through a future CLOUD Act agreement, it must also adopt urgent steps to reform its policing, investigation, and legal frameworks to ensure strict adherence to the rule of law, transparent oversight mechanisms, and comprehensive privacy and data protection laws. These reforms would not only help align India's justice systems with international standards but also streamline its criminal procedures and enhance public confidence in the credibility and fairness of its investigative institutions.

Ultimately, the effectiveness of India–US counterterrorism and cybercrime cooperation will depend on bridging this critical gap. Partnerships with US-based technology firms will remain indispensable, but the current imbalance cannot persist indefinitely. What is needed is a framework that reconciles sovereignty and privacy concerns with the urgency of crime prevention. Without it, India faces the risk of remaining trapped in slow and outdated mechanisms, while criminals exploit the speed and anonymity of the digital age.

DATA LOCALIZATION: ANOTHER AREA OF INDIA–US DISAGREEMENT

A major point of contention between India and the United States has been data localization, arising from India's insistence that companies handling sensitive personal, financial, or security-related data of Indian citizens must store and process it within the country. The Digital Personal Data Protection Act, 2023, and earlier drafts of the Personal Data Protection Bill require that sensitive personal and financial data of Indian users be stored and processed within Indian territory. This approach is seen as being driven by India's emphasis on data sovereignty, consumer protection, and national security. India's rationale is that localization ensures tax compliance, strengthens the ability of regulators and law enforcement to investigate fraud, money laundering, and national security risks, and prevents misuse or surveillance by foreign entities. The United States, however, views such regulations as digital trade barriers that disrupt cross-border data flows, raise operational costs for American firms, and threaten the open global internet.

This disagreement has complicated bilateral discussions on digital trade and frameworks such as the CLOUD Act. The debate directly affects major US-based e-commerce and technology

companies like Amazon, Google, and Meta, which must establish local data centers and comply with domestic access requests. As of now, negotiations between India and the United States on data localization and cross-border data flow remain ongoing but unresolved.

DEFEATING TERROR FINANCE

As mentioned earlier, Indian investigators face significant challenges in accessing data held by US-based technology and financial companies due to American privacy laws and the CLOUD Act. These restrictions hinder India's ability to track cross-border financial transactions and digital evidence in real time. Thus, India–US counterterrorism cooperation in defeating terror finance often runs into operational stalemates, despite strong alignment on strategic goals. With the legal and regulatory frameworks under which the two countries operate being different, this often lead to delays in information exchange and mutual legal assistance.

Terrorist networks increasingly deal in hawala, cryptocurrencies, and fintech platforms.[17] While American law enforcement authorities have access to advanced technological capabilities, coordination with Indian agencies on financial intelligence remains limited—partly because many entities in the enforcement ecosystem, like the Enforcement Directorate, National Investigation Agency, Financial Intelligence Unit—India, and Reserve Bank of India, often function in silos, lacking a unified interface with their foreign counterparts. Private-sector compliance gaps, particularly relating to smaller financial intermediaries and crypto exchanges, cause further complications.

Joint crackdowns are necessary to enable rapid tracking of suspicious cross-border transactions, disrupt terror-financing pipelines, and strengthen enforcement of FATF standards. These processes involve navigating complex privacy laws and regulatory mismatches, as well as cracking encrypted platforms.

COASTAL, PORT, AND SUPPLY CHAIN SECURITY

The security of India's coasts, ports, container handling systems, and supply chains forms a critical pillar of its overall national security framework. This dimension must be fully integrated into the India–US counterterrorism strategy. India's vast 4,700-mile coastline has, in the past, exhibited multiple forms of vulnerabilities that highlight the need for sustained vigilance and security cooperation.

While all Indian major and nonmajor ports engaged in international trade are International Ship and Port Facility Security (ISPS) Code-compliant, technical compliance alone should not lead to complacency.[18] The infiltration of Pakistan-based terrorists into Mumbai port areas in November 2008 demonstrated the inherent vulnerabilities in the port security system.

Containerized cargo movement is integral to global trade but presents complex security challenges. Monitoring millions of containers moving across ports, terminals, and transshipment hubs is daunting. The vulnerabilities in the system can be exploited for smuggling, drug trafficking, human trafficking, and potential terrorism. Transshipment of containers often operate under multiple jurisdictions and varying security standards, making cargo tracking difficult. Criminal networks can exploit weak documentation checks, inadequate scanning, and collusion to insert illicit goods into legitimate supply chains.

Although India participates in the US-led Container Security Initiative (CSI) as part of the maritime counterterrorism cooperation, its implementation encountered some problems in the initial years when India did not agree to an American proposal to deploy US Customs and Border

Control officials in Indian ports.[19] The Indian position was that the idea of foreign security personnel exercising inspection or enforcement powers on Indian soil amounted to extraterritorial jurisdiction, especially in a sensitive sector like port and container security, a vital area of national security. This initially created some unease on both sides, but ultimately, both countries managed the issue diplomatically by agreeing to information and technology exchange and cooperation without the physical presence of US personnel.

The India–US CT cooperation presents an opportunity to further streamline the security of cargo containers and supply chains. Strengthening container security is not only in the interests of both countries but also in the interests of the entire global supply chain. Drastic upgrading of container security measures is called for, as well as integrating cargo tracking, electronic seals, and automated scanning systems in order to prevent tampering, terrorist exploitation, and smuggling. Strengthening supply chain security and adopting international security protocols like the Customs Trade Partnership Against Terrorism are essential. In the area of supply chain security, there is scope for India and the United States to collaborate on real-time data analytics, risk-based inspections, and cybersecurity frameworks to counter cyber threats and operational disruptions. A robust strategy to counter evolving terrorist threats to maritime commerce calls for close international cooperation. Both the United States and India should provide leadership to this critical domain.

SAFEGUARDING SEA-LANES: CONFRONTING MARITIME TERRORISM AND ENSURING FREEDOM OF NAVIGATION

The Arabian Sea and adjacent waterways have long been a hotbed for transnational criminal and terrorist activities, posing major threats to regional and global security. These seas have been a conduit for terrorist infiltration, piracy, arms smuggling, narcotics trafficking, and other organized crimes, providing serious threats to India's national security as well as global maritime security. The October 2000 attack on the USS Cole by suicide bombers in the Port of Aden, which killed seventeen US sailors, the October 2002 attack on the French oil tanker MV Limburg off the coast of Yemen, which caused a significant oil spill, and the November 2008 Mumbai attacks, where ten terrorists of the Pakistan-based Lashkar-e-Taiba carried out a series of coordinated assaults, resulting in over 170 deaths, all highlight critical security vulnerabilities in the region.[20] In the Mumbai attacks, the Pakistani perpetrators hijacked the Indian fishing trawler Kuber in the Arabian Sea, killed its crew, and used the vessel to infiltrate Mumbai's coastline undetected. These incidents highlight the tremendous threats posed by maritime terrorism and emphasize an urgency for enhanced security measures to prevent seaborne infiltrations and safeguard critical maritime routes.

Piracy and organized crime have also been rampant in the region. Between 2008 and 2012, Somali piracy surged, with over 237 reported attacks in 2011 alone, involving hijackings and ransom demands. The Combined Maritime Forces and international naval task forces responded with aggressive counter-piracy operations, leading to major seizures of drugs, weapons, and illicit cargo. In recent years, authorities in India have intercepted multiple large consignments of high-value narcotics off the Gujarat coast and at the Mundra port.[21] Arms smuggling networks have also been active, supplying terrorist groups and insurgents. In February 2021, the US Navy intercepted approximately 1,400 AK-47 assault rifles and machine guns and 226,600 rounds of ammunition in the North Arabian Sea, while in May 2021, advanced Russian anti-tank guided missiles and Chinese Type-56 assault rifles were seized en route to Yemen, likely destined for militant groups.[22]

Securing maritime routes and upholding freedom of navigation will require a comprehensive strategy integrating effective law enforcement, coordinated naval operations, and real-time sharing of financial intelligence in order to strengthen security across the Arabian Sea and deter maritime-based terrorist and criminal activities. This is a crucial area where India and the United States must collaborate to strengthen continuous maritime surveillance, deploy advanced threat analytics, and implement rigorous cargo inspection protocols to effectively counter evolving security threats.

Notably, the India–US joint statement issued on February 13, 2025, at the conclusion of the meeting between President Trump and Prime Minister Modi, recognized India's decision "to take on a future leadership role in the Combined Maritime Forces naval task force to help secure sea lanes in the Arabian Sea."[23]

LONE WOLF ATTACKS: A GROWING ASYMMETRIC THREAT

Lone wolf attacks have emerged as a significant security challenge in recent years, with radicalized individuals carrying out attacks independently, without direct operational support from known terrorist organizations. These individuals often use easily accessible weapons such as vehicles, knives, or firearms to inflict maximum casualties in crowded public spaces. The unpredictability of such attacks make them particularly difficult to detect and prevent.

The decentralization of terrorism, crowdsourcing of terror networks, and lone wolf radicalization have been a growing concern for law enforcement authorities. Lone wolf threats are fomented by online indoctrination, the use of encrypted apps, decentralized finance crypto funding, and AI-driven propaganda. The lack of networked communications makes detection extremely challenging for law enforcement agencies. Extremist groups also exploit the dark web to recruit and train individuals, as DIY terror tools readily available online often galvanize and empower these actors to operate independently. This trend necessitates a global strategy to track radicalization patterns, crypto-based terror financing, and AI-driven behavioral risk profiling, so as to allow for possible early detection, intervention, and prevention of potential lone wolf attacks.

Other possible asymmetric threats—such as bioterrorism, and chemical, biological, radiological, and nuclear threats—require joint research, intelligence coordination, and crisis-response frameworks. Similarly, narco-terrorism and the funding of militant groups by transnational criminal networks call for an aggressive India–US crackdown on illicit financial flows, arms smuggling, and organized crime syndicates.

It is reassuring to note that the joint statement issued at the end of the 19th meeting of the India–US CT partnership held on December 12–13, 2022, recognized these forms of asymmetric threats. Emerging challenges in transnational terrorism were considered: countering terror financing; preventing and countering radicalization; the use of the internet for terrorist purposes; narco-trafficking and its linkages to terrorism; and the use of new and emerging technologies (such as unmanned aerial systems, virtual assets, and the Dark Web) for terrorist purposes. Similarly, the 20th US–India CT Joint Working Group held on March 6, 2024, also recognized emerging threats, including the use of the internet and other emerging technologies for terrorism purposes, terrorist recruitment, financing of terrorist activities, and radicalization to violence and violent extremism.[24]

KHALISTANI ACTIVITIES IN NORTH AMERICA

A persistent point of tension in India's diplomatic and counterterrorism engagement with the United States has been the continuing

activities of Khalistani elements operating in North America.[25] There has been a proliferation of anti-India extremism, hostile propaganda, and targeted violence under the pretext of advocacy and free speech. Recently, incidents such as threats to Indian diplomats and the vandalization of Indian missions have further exacerbated concerns. Indian intelligence views groups like Sikhs for Justice as extremist, indulging in promoting secession, and funding radicalization. The United States, however, treats such activities as protected under its First Amendment, intervening only when there is clear evidence of violence or material support for terrorism. India believes that Washington's leniency allows anti-India propaganda and potential terror financing, while the US response has centered around adherence to due process and human rights.

It is important that both nations adopt a cooperative and realistic approach that respects sovereignty and democratic freedoms while taking a firm stance against extremist elements who openly advocate violence and issue threats, including hijacking threats against Indian aviation. Both sides need to work on strengthening intelligence-sharing mechanisms, ensuring legal action against hate crimes, and promoting community engagement to deal with radicalization. It is crucial to adopt a pragmatic and structured bilateral counterterrorism framework, focusing on actionable intelligence and law enforcement collaboration, specifically to address the Khalistani threat. Addressing this issue would be essential for bridging trust deficits.

COMBATING HUMAN TRAFFICKING AND ILLEGAL MIGRATION

The recent deportation of hundreds of undocumented Indian migrants by the United States sparked widespread debate. While there was little public opposition in India to the deportation itself, the excessively harsh treatment of migrants using handcuffs and metal leg restraints throughout their 40-hour journey aboard military aircraft drew sharp criticism and raised serious ethical concerns over human rights violations.[26]

This development also led to policy debates on the need for greater awareness and stronger preventive measures in India to combat human trafficking networks and protect vulnerable persons from exploitation. It is important for India and the United States to extend the scope of the CT cooperation and work collaboratively to combat human trafficking syndicates that facilitate the illegal migration of people across geographies, which poses serious national security risks to both nations. These syndicates often intersect with organized crime, terror financing, and other transnational threats, which calls for a comprehensive strategy to defeat the scourge of human smuggling. While it should be possible for Indian law enforcement to track down the players within India, only a transnational strategy can decisively defeat the syndicates.

It may be useful to set up a task force under the CT cooperation scheme, for tracking the human trafficking syndicates across source, transit, and destination countries. Real-time intelligence sharing is necessary to help map trafficking networks, identify key traffickers, and track money trails linked to human smuggling. Technology holds the key here as well, with predictive analytics that can identify high-risk travelers based on travel patterns, financial transactions, and fraudulent documentation. Biometric and facial recognition databases as well as specialized training for border security and immigration officers would help improve the detection of forged documents and trafficking indicators.

Strict enforcement of anti-trafficking laws against the perpetrators of the crime in India and the United States, as well as in transit jurisdictions, would be vital. Disrupting the financial networks

of traffickers is equally critical, requiring closer cooperation in tracking illicit funds linked to hawala networks, cryptocurrency transactions, and shell companies (apart from strict know your customer and anti-money laundering protocols for remittance flows). Considering the potential alliances between traffickers and terrorists, the US–India CT partnership should explore monitoring clandestine recruitment platforms and darknet forums used to lure victims, while reinforcing verification mechanisms for passports, visas, and work permits, so as to prevent document fraud.

While India has been strictly enforcing laws against illegal migration, there are loopholes and border porosities that require tackling.

At the same time, it must be appreciated that illegal immigration is not merely a law enforcement issue. It needs to be tackled from a broader socioeconomic and national security angle, requiring coordinated action across policing, border management, diplomacy, and social policy.

RECENT GEOPOLITICAL DEVELOPMENTS AND BILATERAL HEADWINDS

The reasons for the sudden cooling of the relationship between the United States and India have been the subject of much speculation, but they specifically did not coincide with President Trump's assumption of office. In fact, ties initially appeared to strengthen. During Prime Minister Narendra Modi's visit to Washington, DC, in February 2025, President Trump announced the approval of the extradition of Tahawwur Rana, a key conspirator in the 2008 Mumbai attacks. The same visit produced a strong India–US Joint Statement that called on Pakistan to ensure its territory was not used for cross-border terrorism. In subsequent months, Washington played a proactive role in countering terrorism linked to Pakistan.

The United States also took the lead in bringing out the UN Security Council Press Statement on the terrorist attack in Pahalgam. Further, the Quad Foreign Ministers' Joint Statement of July 1, 2025, issued in Washington, condemned in the strongest terms the terrorist attack in Pahalgam and called for the perpetrators, organizers, and financiers of this reprehensible act to be brought to justice without any delay. On July 18, 2025, the US Department of State designated The Resistance Front (TRF) as a Foreign Terrorist Organization and as a Specially Designated Global Terrorist.[27] TRF, a Lashkar-e-Taiba front and proxy, had claimed responsibility for the Pahalgam attack. The US Secretary of State, in his statement on the designation of the TRF, mentioned that the action demonstrated the US administration's commitment to countering terrorism and enforcing justice for the Pahalgam attack.

While both nations have traditionally insulated security cooperation from economic disputes, a series of recent events and a complex mix of economic, strategic, and political factors seem to have caused significant setbacks. The United States' reluctance to unequivocally endorse India's position as a victim of cross-border terrorism following the Pahalgam attack, combined with President Trump's repeated claims of having "mediated" to resolve the India–Pakistan conflict (thus disregarding India's long-standing sensitivities), has eroded bilateral trust. A perceived US reset with Pakistan, evidenced by the White House's hosting of the Pakistani army chief, further surprised Indian officials and the strategic community. The apparent rehyphenation of India and Pakistan in American policy added to these concerns. This shift was also seen as a recalibration in the US approach to the South Asia counterterrorism strategy, drifting away from the strong multidomain engagement that had previously defined the India–US relationship.

A series of developments—such as the imposition of punitive tariffs following India's crude imports

from Russia, steep hikes in H-1B visa fees disproportionately affecting Indians who account for 71 percent of beneficiaries, and the repeated use of what was seen as harsh language against India by President Trump and some of his close aides—were viewed in India as insulting and unbecoming of a strategic partner.

These developments have reinforced doubts within India's security community about the reliability of the United States as a long-term strategic partner. The trust deficit arising from these geopolitical developments, as well as Washington's frequent policy swings, have resulted in reported slowdowns in operational momentum, law enforcement coordination, counterterrorism dialogue, and intelligence sharing, thereby undermining the effectiveness of established mechanisms. Strong voices in the United States have, however, cautioned against letting these tensions derail the counterterrorism partnership. Former Deputy Secretary of State Kurt M. Campbell and ex–National Security Adviser Jake Sullivan, writing in *Foreign Affairs*, argued that deeper strategic convergence must be restored to preserve momentum in intelligence sharing, capacity building, and defense coproduction.[28]

WHY INDIA–US CT COOPERATION MUST CONTINUE

During turbulent times, political grievances tend to spill over into security cooperation. Yet it must be recognized that terrorism is an ever-present danger to global security and an existential threat to humanity itself. Counterterrorism is too vital to be held hostage to tariff disputes, or shifting diplomatic sands. Terror groups have repeatedly exploited fault lines within the global order to their advantage.

For India, facing persistent cross-border terror and the multiple digital dimensions of terrorism and extremist networks, walking away from CT cooperation is not an option, as it would mean weakening its own security posture. Despite recent strains, India and the United States share a common interest in combating jihadist extremism, cyber threats, human trafficking, illegal migration, and organized crime. Preserving CT cooperation is therefore in the long-term interests of both countries.

US assistance in areas such as training, technology transfer, and forensics will further strengthen India's capabilities in cybercrime investigations, intelligence fusion, and terror-finance tracking. US advocacy in multilateral platforms such as the UN and the FATF has, in the past, helped expose Pakistan's terror proxies. If CT cooperation were assigned to the back burner, joint pressure on groups like Lashkar-e-Taiba and Jaish-e-Mohammed would inevitably weaken, a scenario India can ill afford. India has much to gain from sustaining this partnership, considering American technological leadership and its immense presence in the security and intelligence world.

A conscious decision to ring-fence CT cooperation appears to be the way forward, which will not only protect the immediate security interests of both countries but will also preserve channels of trust that can help stabilize the broader relationship during times of political headwinds.

INDIA MUST GUARD AGAINST OVERDEPENDENCE ON THE UNITED STATES

India–US relations run deep and, given the shared democratic traditions of both nations, the United States is often described as a natural strategic ally. American collaboration has undeniably enhanced India's counterterrorism capacities through access to advanced intelligence and technologies. Yet, it is not in India's interest to become dependent on the United States alone.

In today's rapidly evolving era of technological and digital disruption, no country can be truly self-reliant. At the same time, it is important to distinguish between interdependence and overdependence. It should be determined whether there has been an excessive Indian reliance on American technology platforms, forensic tools, and intelligence feeds. The unexpected and sudden souring of the India–US relationship provides one important lesson: Namely, that there are inherent limits to how much a country can depend on external security alliances and CT cooperations.

The current assessment in India is that American support tends to be contingent, transactional, and guided by Washington's tactical needs or broader geopolitical priorities. In the prevailing context, India cannot view the United States as a fully dependable, all-weather strategic partner.

Moreover, India's growing economic stature brings with it complex security challenges. As economic activity and trade volumes expand, energy demands grow, and India assumes a larger global footprint, its national security strategies must align with these evolving global realities. It is crucial that India develops advanced capabilities to protect its critical infrastructure, secure digital ecosystems, and ensure the resilience of supply chains, thereby keeping pace with its rising economic and political aspirations. This pragmatic understanding must shape India's security outlook while aggressively pursuing a policy of strategic autonomy. At the core of this vision lies modernization and capacity building at home.

Obviously, strategic independence cannot be realized through sporadic initiatives or by building a few institutions of excellence. It is now high time that India aggressively invest in modernizing its law enforcement and intelligence infrastructure, as well as creating strong ecosystems for research, innovation, and indigenous production. India should create a robust, long-term strategic autonomy doctrine that can withstand and adapt to global volatility. This doctrine should form the foundation for a comprehensive national security framework straddling legal, economic, and digital domains, with a focus on self-reliance in security infrastructure and critical manufacturing. It must also integrate governance, technological advancement, law enforcement, and other limbs of the criminal justice system. Above all, it must minimize risks and delays that may be caused by external dependencies.

Overdependence on foreign intelligence feeds or proprietary tools can become a strategic liability during periods of geopolitical turbulence. If access is delayed, restricted, or made conditional, critical investigations and security operations may be compromised. Further, dependence on imported technology inhibits domestic innovation. Without cutting-edge domestic innovation, India may be falling behind in areas like surveillance, data analytics, encryption, biometrics, and advanced forensics, at a time when adversaries are rapidly advancing their own technological and intelligence capabilities.

To address these vulnerabilities, India must pursue a balanced but resolute strategy: continue to collaborate internationally, while simultaneously developing robust domestic capabilities. Strengthening institutions, funding domestic technology startups, and fostering collaboration between academia, security agencies, and industry are essential elements of such a strategy. India's vibrant startup ecosystem supported by premier institutions like the Indian Institutes of Technology, Indian Institutes of Information Technology, Indian Institute of Science, and Defence Research and Development Organisation can provide the backbone of a national security innovation network that keeps pace with the rapid and ever-evolving advancements in science and technology. Some visionary leadership, as well as a coordinated structure linking law enforcement, academia, and private industry, are urgently called for.

ARTICULATE A NEW DOCTRINE OF STRATEGIC AUTONOMY IN COUNTERTERRORISM

In today's interconnected world, strategic autonomy does not mean isolation. At the heart of autonomy is the ability to make independent choices while engaging deeply with the world. The challenge lies in balancing international cooperation with domestic capability building. This demands a deliberate diversification of partnerships while avoiding reliance on a single ally and instead pursuing multiple, issue-based collaborations with a wide range of countries. Equally vital is the strengthening of multilateralism through active engagement in UN counterterrorism and crime-fighting institutions.

This vision can be consolidated into four elements that together can form the basis of a doctrine:

1. Capacity building at home: Reforming and modernizing India's police and intelligence machinery; investing in robust security infrastructure.
2. Diversification of partnerships: Building a wide network of bilateral strategic relationships while avoiding exclusive dependence on any single country.
3. Strengthening multilateralism: Actively engaging with the UN and other multilateral institutions to reinforce India's voice in shaping collective global security.
4. Sharing India's capabilities and expertise to support and provide leadership to the global fight to counter terrorism.

The following sections will further elaborate on the above-mentioned four elements, while also identifying the opportunities and critical challenges.

BUILD RESILIENT INTERNAL INSTITUTIONS FOR NATIONAL SECURITY

MODERNIZE AND REFORM THE INDIAN POLICE

For India to achieve genuine strategic autonomy in the security domain, the foundational step should be to overhaul and modernize its colonial-era policing and criminal justice system. In today's increasingly uncertain global scenario, the criticality of strengthening its law enforcement institutions and security capacity needs no emphasis. As international partnerships grow increasingly transactional and geopolitical currents shift unpredictably, India's sovereignty and national interests can only be safeguarded by building resilient internal security systems.

While the police form the bedrock of the internal security system, successive Indian governments have failed to modernize ground-level policing and law enforcement. Since independence, political interference and persistent underfunding have systematically damaged the police's ability to function professionally and impartially. The police have often been used as tools for political ends, such as harassing political opponents, shielding allies, or manipulating investigations. This has undermined public trust and diminished the credibility of the police as an institution designed to uphold the rule of law. Strategic autonomy in the security realm will remain elusive so long as policing institutions remain fettered by illegitimate pressures that undermine professionalism and compromise their operational effectiveness and impartiality.

Over the years, the Indian police have achieved substantial levels of progress; but these achievements have been sporadic and incremental. Reform and modernization must begin with

liberating the police from political manipulation through structural reforms that guarantee functional autonomy, merit-based appointments, and strict accountability norms. Equally critical is the upgrading of police infrastructure, including weaponry and equipment, communication and forensic capabilities, supporting technologies, and real-time intelligence. It is essential that Indian police be equipped with advanced tools for investigation, surveillance, and digital forensics for better crime control, public safety, and rapid emergency and threat response.

Experiences from other nations offer valuable lessons. Countries as diverse as Japan, Australia, South Korea, the United Arab Emirates, Singapore, the United Kingdom, and several other Western nations have transformed policing through technology, where they have integrated digital platforms, predictive analytics, and biometric databases into everyday policework. India must adopt similar intelligence-led and proactive approaches while tailoring reforms to its democratic context. Equally important is proactive community engagement through neighborhood policing and transparent grievance-redressal systems, so as to build public trust and foster crime prevention partnerships. Emergency response mechanisms must be technologically enabled and well-resourced, for rapid assessment of developing situations and matching operational response effectiveness.

An important part of this strategy is to link the police with tech start-ups, academia, and industry for rapid adoption of emerging technologies. Modernization also requires a strong legal and institutional framework. Advanced policing models are known to focus on clear laws, independent oversight, and an abiding commitment to the rule of law, thus boosting legitimacy and public trust.

STRENGTHEN INDIA'S INTELLIGENCE CAPABILITIES FOR A FAST-CHANGING WORLD

India has developed some of the finest intelligence and investigative organizations, with decades of experience in counterterrorism, insurgency, and law enforcement. However, the pace of geopolitical change and the unprecedented speed of technological innovation demand a fresh, forward-looking strategy.

The foremost priority should be a drastic expansion of capabilities and modernization of infrastructure. Technological innovation must be at the core of this effort. India should invest adequately in indigenous research and development to reduce dependence on foreign systems. Indian agencies should develop cutting-edge tools, advanced training facilities, and world-class human resources to anticipate and respond to emerging threats. This must go hand in hand with built-in mechanisms for internal ethics and accountability, to ensure that intelligence operations respect constitutional rights and retain public trust.

The country has already initiated steps toward building integrated data systems, but far more attention is required to strengthen and expand a nationwide zero-trust centralized data repository or national data fusion platform. Such a system, built to the highest security standards, should consolidate diverse domains like telecom, finance, customs, and immigration information for advanced cross-domain analysis. These should be combined with frameworks to effectively monitor threat-finance and target hawala and cryptocurrency-linked terrorism financing.

Modern security threats demand seamless intelligence sharing across agencies, as well as multiple levels of government. Many countries have established national fusion centers that integrate data, break silos, and provide real-time threat

assessments. Good examples include the US National Counterterrorism Center, established after 9/11 and supported by over eighty state and local fusion centers, the United Kingdom's Joint Terrorism Analysis Centre, the Australian Criminal Intelligence Commission and the Australian Cyber Security Centre, Canada's Integrated Threat Assessment Centre, and Singapore's National Security Coordination Secretariat. These hubs integrate data, defeat fragmentation, and deliver timely and seamless sharing of threat intelligence and assessments.

India's Multi-Agency Centre, where multiple organizations collaborate and share intelligence, is a step in this direction. However, it must be expanded into a comprehensive national fusion center model, supported by state-level nodes to enable seamless two-way information flow, while overcoming interagency rivalry and silo-like mindsets. India needs to learn from global best practices, so as to strengthen its intelligence ecosystem by integrating law enforcement, immigration and border control, customs, financial regulators, and cyber agencies on a secure, zero-trust digital platform.

A major challenge lies in long-term development of specialized expertise. India should draw from the experience of countries that run talent pipeline programs, which attract top engineers and scientists into fellowships, thereby creating a feeder cycle between intelligence agencies, academia, and the tech ecosystem. Such initiatives can help build specialized expertise in areas like artificial intelligence, cyber forensics, financial intelligence, counterespionage, hybrid warfare, and predictive analytics. This goal cannot be achieved through sporadic or piecemeal efforts. It demands visionary leadership, planning, and sustained investment, accompanied by well-thought-out and structured programs that create enduring links between law enforcement and intelligence agencies, academia, and the tech ecosystem.

BUILD MODERN FORENSIC CAPABILITIES

India's criminal justice system often falters at the stage of evidence collection and analysis. Weak forensic infrastructure, poor chain-of-custody practices, and nonstandardized procedures frequently result in acquittals, even in high-profile cases. Strengthening forensic science infrastructure and digital evidence handling must therefore be a central pillar of criminal justice reform.

The quality and integrity of evidence collection, secure custody, and standardized forensic protocols are crucial, as lapses make forensic reports vulnerable in court. DNA forensics, a powerful tool in solving crimes, remains severely underutilized, with only a few states having well-equipped laboratories and the rest having limited resources and expertise, thus restricting its wider application. Similarly, the growing challenge of cybercrime and digital fraud demands specialized cyber forensic units, yet only a few states have established such divisions, leaving a serious capability gap.

Infrastructure and human resource gaps exacerbate the problem. Many state laboratories still depend on outdated equipment and lack access to advanced technologies such as DNA sequencing, cyber forensics, and digital evidence systems. Vacant posts, low salaries, and limited career growth opportunities discourage skilled forensic professionals from joining, thereby overburdening the existing staff. India must invest in expanding forensic laboratories, while ensuring they are adequately funded, professionally staffed, and equipped with cutting-edge technologies. Training of police officers, prosecutors, and judges in the proper use and interpretation of forensic evidence is equally essential. Advanced capabilities must be developed in cyber forensics, blockchain analysis, AI-based fraud detection, and digital evidence management.

To complement domestic reform, international collaboration is indispensable. The India–US CT

cooperation has significantly helped in upgrading the country's traditional and cyber forensic capabilities. This partnership should be further leveraged to obtain advanced training, technology transfer, and expertise in DNA forensics, biometrics, digital forensics, and AI-driven analysis. Cooperation with other advanced forensic systems worldwide is also vital to further strengthen India's capacity in specialized areas like explosive residue detection, post-blast investigations, ballistics, chemical forensics, and forensic pathology.

MODERNIZE INDIA'S POLICE TRAINING

India's police training system continues to reflect and reinforce its colonial legacy, where the police force is treated as an arm of government control rather than as a community-based service. This outdated model undermines public trust and leaves the force ill-prepared to address the demands of a democratic society. A fundamental reimagining of police training is therefore essential—a training doctrine that redefines policing as a community-oriented, rights-respecting service while equipping officers with the modern skills required to handle today's complex security challenges. Since independence, India has made significant progress in developing indigenous training infrastructure and capabilities, but there is still a long way to go. Some states have lagged far behind in modernizing their police training infrastructure.

On the investigation front, India has built some highly competent investigation institutions, such as the Central Bureau of Investigation and the National Investigation Agency. Many states have demonstrated excellence in specialized investigations. Yet, at the field level, investigative skills among police officers remain rudimentary or inadequate, often leading to weak evidence collection and tenuous prosecutions. India needs to invest significantly in raising competence across the board for frontline police officers, while also developing advanced investigative capacities at the national and state levels. Modern investigative and forensic capabilities must become a core focus. Training in evidence collection, chain of custody, and scientific investigation, supported by modules on cyber forensics, blockchain analysis, digital fraud detection, and AI-enabled surveillance, is critical. This requires a major revamp of police training academies, practical training modules, and continuous professional and leadership development.

International cooperation and collaboration needs to be part of this transformation. India has benefited from US expertise in counterterrorism and security training, through joint workshops and exchange programs. These have helped familiarize Indian officers with interagency coordination, modern investigative practices, and advanced forensics. India should make efforts to institutionalize existing training cooperation through long-term agreements and exchange programs.

At the same time, India should pursue a diversified approach to training partnerships as well. For instance, India and the United Kingdom share a long history of collaboration in police training, particularly in areas such as investigation, community policing, and leadership development. While India should seek continuity in collaboration with the United States, it should also get into institutionalized training cooperation with other countries, through the establishment of formal training partnerships between their national police academies, in areas like curriculum development, collaborative research, and faculty exchanges.

Beyond bilateral ties, training collaboration with UN agencies and Interpol should be strengthened, bringing in expertise on counterterrorism, cybercrime, and urban policing. Equally critical are partnerships with universities and the technology sector, so as to foster innovation in digital policing, forensics, and investigation tools. Domestic training reforms, reinforced with international collaboration, would be the way forward for India

to build a modern, citizen-centric, and resilient police training system capable of meeting twenty-first-century law enforcement and security challenges.

REFORM THE CRIMINAL JUSTICE SYSTEM

A modernized police system cannot function effectively without corresponding reforms in the judiciary and prison system. India's overburdened courts, with millions of pending cases, often delay justice for years, weakening the deterrent power of the law. Judicial reforms must focus on reducing case backlogs through digitization, case management systems, and increased judicial appointments. Some work is already being done in this direction, although there is a long way to go.

Prison reforms are equally vital. Overcrowded prisons, poor rehabilitation mechanisms, and a lack of segregation between hardened criminals and first-time offenders often turn prisons into breeding grounds for further criminality. Modern correctional facilities must emphasize rehabilitation, vocational training, and psychological support, thereby reducing recidivism and reintegrating offenders into society. A reformed criminal justice system will complement police reforms, creating an environment where justice is swift, credible, and accessible.

STRENGTHEN SURVEILLANCE AND COUNTERTERRORISM INFRASTRUCTURE

India faces diverse threats, from cross-border terrorism to radicalization, organized crime, and cyber warfare. Strengthening counterterrorism infrastructure requires building robust intelligence networks, both human and technological.

On the technological front, India needs a nationwide integrated surveillance and intelligence grid, linking databases from airports, border checkpoints, and financial systems. Artificial intelligence should be leveraged to detect suspicious travel patterns, financial flows, and online radicalization. Equally important is building capacity to counter misinformation and deepfake content, which increasingly play a role in extremist propaganda. A surveillance grid might sound portentous, but it can coexist with civil liberties if built with strong legal safeguards, oversight, transparency, and accountability. Yet, leveraging such technologies will be essential for governing a complex country like India in the future. The real challenge lies in balancing security with citizens' rights and preventing misuse by overzealous officers. When built on democratic foundations, technology can serve as a shield for public safety and security, not a threat to civil liberties.

Human intelligence continues to be irreplaceable. Investments in soft skills, language training, cultural expertise, and deep-cover networks are necessary to infiltrate extremist groups and transnational criminal syndicates. While coordination between central agencies (like the National Investigation Agency, Central Bureau of Investigation, and Intelligence Bureau) and state police forces exist, it should become more seamless, supported by interoperable databases, joint task forces, and shared situational awareness.

DIVERSIFY BILATERAL COUNTERTERRORISM PARTNERSHIPS

In areas like intelligence sharing, capacity building, and technology sharing, India already maintains strong bilateral security partnerships and counterterrorism frameworks with countries such as the United Kingdom, France, Israel, Australia, Russia, and Japan. The India–UK Joint Working Group on Counter-Terrorism, established in 2002, focuses on intelligence sharing, counter-radicalization, judicial cooperation, and capacity building. With France, collaboration has expanded to maritime security and countering terror financing, through the FATF. India's defense and intelligence partnership with Israel has provided advanced surveillance, drones, and border

management technologies critical for internal security. The India–Russia security dialogue covers counterterrorism training, intelligence exchange, and coordination in multilateral forums like the Shanghai Cooperation Organisation. In the Indo-Pacific region, Australia and Japan are key CT partners both at the bilateral level and within the framework of the Quad, which emphasizes maritime domain awareness, countering illegal trade routes, and information sharing on transnational crimes. Collaboration with Southeast Asian countries also exist to some extent, through mechanisms such as the ASEAN Regional Forum.

Obviously, the evolving global security imperatives call for a more structured and diversified network of bilateral counterterrorism partnerships in order to fight global terrorism, vulnerabilities in the cyberspace, and emerging hybrid threats. India must actively pursue bilateral collaborations not only with its traditional allies but also with a wider range of partners across the world. These would include the European Union, Canada, countries in North and South America, Australia, East and Central Asia, Gulf Cooperation Council states, the broader Middle East, and African nations. Such partnerships should focus on issue-based cooperation in a wide range of subjects, including cyber intelligence, disruption of terror financing, and combating transnational terrorism.

A diversified network of bilateral counterterrorism partnerships would be crucial to reduce overdependence on any single ally. Such diversification will enhance India's situational awareness across regions, and provide strategic depth in confronting terrorism that increasingly transcends borders.

STRENGTHEN MULTILATERALISM IN CT COOPERATION

For law enforcement across the world, UNSC Resolution 1373, adopted in response to 9/11 to strengthen global counterterrorism cooperation, provided a much-needed formal foundation. The resolution's legally binding nature required nations to coordinate law enforcement, tighten border controls, and disrupt transnational threats, thus reinforcing international security efforts. The resolution also promotes intelligence sharing, law enforcement collaboration, and stricter travel document controls. To ensure compliance, it established the Counter-Terrorism Committee to monitor implementation and build national capacities. In today's borderless world, counterterrorism cooperation derives its legitimacy and mandate from this resolution, making global cooperation a legal obligation to disrupt terror networks and financial flows.

The latest big opportunity for strong international cooperation arises from the United Nations Convention against Cybercrime (adopted by the General Assembly on December 24, 2024), a legally binding treaty designed to enhance international cooperation in combating cybercrime. This landmark agreement, endorsed by both the United States and India, was adopted after five years of negotiations involving UN member states, civil society, information security experts, academia, and the private sector.[29]

The Convention comprehensively criminalizes cyber offences, covering cyber-dependent and cyber-enabled crimes such as illegal access, data interference, and system disruption. It establishes strong international cooperation mechanisms, including mutual legal assistance, extradition frameworks, and real-time information sharing through a 24/7 network, thereby ensuring a coordinated global response to cyber threats. The Convention also specifically criminalizes online child sexual abuse and exploitation.

An important step for both India and the United States would be to integrate the Convention into their national legal frameworks. India and the United States have the opportunity to adopt a joint strategy that leverages their existing cybersecurity capabilities, while also aligning with the treaty's

mandates. The United States needs to update its Computer Fraud and Abuse Act and Electronic Communications Privacy Act to reflect the Convention's international cooperation clauses. India, on its part, should consider amending the Information Technology Act of 2000, or otherwise enacting a dedicated cybercrime law to provide clearer enforcement mechanisms.

An advantage of the treaty that fits into the India–US CT cooperation is its emphasis on capacity building and technical assistance, particularly for developing countries, thus enabling them to strengthen cybersecurity infrastructure and investigative capabilities. Considering the alarming rise of ransomware, deepfake technology, and AI-driven cyberattacks, both nations could embark on a focused initiative to tackle emerging threats. Needless to say, capacity building needs to be universalized, as cybercrime in any part of the world could have global threat dimensions.

The Convention has also raised concerns over state surveillance and privacy risks. Some critics argue that broad law enforcement powers, particularly in accessing electronic evidence across borders, could lead to abuse by authoritarian regimes and increase risks of human rights violations. The treaty's lack of explicit safeguards against mass surveillance and vague language in defining cyber offences might also lead to legal overreach. The challenge lies in ensuring robust privacy protections and safeguards to human rights, while simultaneously bolstering cybercrime enforcement. Ensuring that digital surveillance measures comply with constitutional safeguards and international human rights obligations would be the crux.

In this context, the India–US CT cooperation must also leverage the new opportunities and multilateral platforms offered under the aegis of the UN in order to deal with illegal fund flows. On January 6, 2025, the United Nations Security Council Counter-Terrorism Committee adopted the "Non-binding guiding principles on preventing, detecting and disrupting the use of new and emerging financial technologies for terrorist purposes" (referred to as the Algeria Guiding Principles). These are comprehensive guidelines that aim to assist member states in recognizing and mitigating the risks associated with the misuse of new financial technologies by terrorists and organized criminals. The Principles call for enhanced international cooperation and information sharing among member states, the private sector, civil society, and academia to effectively detect and disrupt terrorist financing activities. The Principles also emphasize the development of proportionate regulatory frameworks that balance security with financial inclusion, ensuring that counterterrorism measures do not inadvertently hinder legitimate activities or violate human rights. Regular evaluation of the impact of these measures is encouraged so as to address any unintended consequences and to adapt to the evolving technological landscape.

The Algeria Guiding Principles could provide a roadmap for the US–India CT cooperation to defeat terror finance. As terrorist organizations increasingly exploit various fintech platforms and anonymous transactions, both nations must enhance collaboration in intelligence sharing, regulatory harmonization, and enforcement actions.

These recommendations open up extensive possibilities for the ongoing US–India CT partnership to include areas such as: (i) building frameworks across fintech ecosystems for countering the financing of terrorism and anti-money laundering; (ii) establishing real-time financial intelligence exchange between the Financial Intelligence Unit–India and the US Financial Crimes Enforcement Network, thus facilitating the detection of suspicious activities; (iii) disrupting digital payment abuse by deploying monitoring tools that can flag illicit transactions on platforms such as the Unified Payments Interface, digital wallets, and blockchain networks; (iv) engaging banks, fintech firms, and law enforcement agencies in

a public-private partnership model that fosters enhanced transparency and reporting mechanisms; and (v) capacity building and aligning legal frameworks to facilitate extradition, asset freezes, and sanctions against terror-linked entities.

India should also adopt a strategy of proactive multilateral and bilateral engagements to forge legal frameworks for the seamless implementation of the Convention. It should negotiate Mutual Legal Assistance Treaties and real-time data-sharing protocols with important partners, while aligning domestic laws with international standards on privacy and cyber forensics.

INDIA'S LEADERSHIP ROLE IN GLOBAL COUNTERTERRORISM COOPERATION

India, as one of the countries heavily affected by terrorism, is uniquely positioned to provide global leadership in shaping the international counterterrorism agenda. With decades of experience in combating diverse forms of cross-border terrorism, India has significant operational insights that can benefit the international community in the war against terror. India should leverage this position to drive international consensus on global CT norms—particularly within the UN, FATF, and Interpol frameworks—and demand greater accountability for states that sponsor or harbor terrorists.

Beyond actively participating in UN Counter-Terrorism committees, G20 working groups, and Quad dialogues, India must assume a leadership role in promoting a rules-based international order. India's expertise in intelligence analysis, digital forensics, and counter-radicalization strategies can be shared through capacity-building programs in other developing nations. In fact, training programs at institutions like India's National Police Academy already attract law enforcement officers from many countries, and such initiatives can be expanded and adapted to benefit other regions as well. Equally important would be India's leadership in shaping new global strategies in combating terror finance, online extremism, and the use of emerging technologies by terror networks. Promoting multilateral cooperation would include offering training to partner nations and advocating for stronger international conventions, thereby reinforcing its global stature as a responsible power while also helping to build a coordinated global response to terrorism that protects democratic societies everywhere.

CONCLUSION

It is important for India and the United States to preserve and strengthen their partnership, as both nations share strategic interests and face shared threats arising from extremism and complex geopolitical challenges. Both nations collaborate deeply in counterterrorism, defense, trade, and regional security and are sustained by vibrant people-to-people ties and the respect for rule of law, pluralism, and open societies. This convergence has enabled robust institutional frameworks and policy dialogue, thus ensuring continuity and resilience even during challenging periods.

At the same time, the lessons of recent history are clear: Overdependence on external partners for intelligence, technology, or security equipment makes India vulnerable to shifting geopolitical winds. Building strong internal capacities is not merely about reducing dependence; it is about empowering India to act decisively and independently in the pursuit of its national interests. Only a nation with robust internal capacities can deeply and confidently engage with external partners on equal terms and withstand disruptions in global politics.

To conclude, India and the United States must make every effort to ensure that the

counterterrorism partnership remains insulated from political or geopolitical fluctuations. At the same time, India must urgently reform and strengthen its law enforcement institutions, invest in research and development, and build internal capabilities to achieve true self-reliance and strategic autonomy in national security. Building robust institutions, modernizing law enforcement, and fostering indigenous innovation will help India align its security with its economic aspirations. Today, India stands at a critical juncture. Only a confident and resilient India can safeguard its sovereignty, earn the trust of its citizens, and project itself as a leading power in an increasingly multipolar world.

NOTES

1. Maulana Masood Azhar, Ahmed Omar Saeed Sheikh, and Mushtaq Ahmed Zargar are Pakistan-based terrorists who were released by India in December 1999 in exchange for the hostages. Azhar later founded the proscribed terror outfit Jaish-e-Mohammed, which was responsible for major attacks including the 2001 Parliament attack and the 2019 Pulwama bombing. Sheikh was involved in the kidnapping and murder of American journalist Daniel Pearl in Karachi, Pakistan. Zargar, leader of Al-Umar Mujahideen, has been active in militancy in Jammu and Kashmir. All three continue to symbolize Pakistan's use of terrorism as an instrument of state policy against India.

2. Embassy of India, Washington, DC, "Joint US–India Statement on Counter-Terrorism Working Group," press release, February 8, 2000. This release clearly states that the two sides agreed to intensify their joint cooperation to ensure that the perpetrators of the hijacking of Indian Airlines Flight 814 were brought to justice, as part of their joint efforts to combat international terrorism.

3. UN Security Council Resolution 1373 (2001) was adopted unanimously on September 28, 2001, in the aftermath of the 9/11 terrorist attacks in the United States. It established a comprehensive and binding international legal framework to combat terrorism, requiring all UN member states to take specific measures to prevent and suppress terrorist financing, deny safe haven to terrorists, and enhance international cooperation in intelligence sharing, law enforcement, and extradition. The resolution also mandated states to criminalize the financing and support of terrorist acts and to freeze assets of individuals or entities involved in terrorism.

4. On November 26–29, 2008, a coordinated series of attacks carried out by Pakistan-based terrorists belonging to Lashkar-e-Taiba targeted multiple locations in Mumbai—including Taj Mahal Palace Hotel, Oberoi Trident, CST Station, and Nariman House—killing 166 people and injuring over 300.

5. The United States assisted in the investigation of the 2008 Mumbai attacks. The FBI deployed a team to Mumbai, collaborating closely with Indian authorities. They conducted over sixty interviews and utilized advanced forensic techniques to develop critical leads. This cooperation included linking technical evidence, such as the purchase of the boat engine used by the attackers, to Pakistan. See Donald Van Duyn, Chief Intelligence Officer, FBI, "Statement Before the Senate Committee on Homeland Security and Governmental Affairs," Federal Bureau of Investigation, January 8, 2009, https://archives.fbi.gov/archives/news/testimony/fbi-role-in-mumbai-investigation.

6. Embassy of India, Washington, DC, "India–US Sign Counter Terrorism Cooperation Initiative," press release, accessed on October 15, 2025, https://www.indianembassyusa.gov.in/ArchivesDetails?id=1292.

7. The 2011 Mumbai bombings, or 13/7, saw three near-simultaneous blasts at Zaveri Bazaar, Opera House, and Dadar West within twelve minutes, killing over twenty and injuring more than one hundred. See Stephen Tankel, *The Indian Jihadist Movement: Evolution and Dynamics*, Strategic Perspectives 17 (National Defense University Press, 2013).

8. In response to the Pulwama attack, India held Pakistan accountable for sheltering Jaish-e-Mohammed and carried out airstrikes in Balakot, Pakistan. The retaliatory strikes by Pakistan brought the two nuclear powers to the brink of war.

9. The South Asia Terrorism Portal (SATP) is an open-access database and research platform maintained by the Institute for Conflict Management, New Delhi. It provides comprehensive, continuously updated data and analysis on terrorism, low-intensity conflicts, and internal security trends across South Asian countries, including India, Pakistan, Afghanistan, Bangladesh, Nepal, Sri Lanka, Bhutan, and the Maldives. The SATP compiles verified data on terrorist incidents, fatalities (including annual and incident-wise statistics on casualties among civilians), and security personnel. Its India-specific data provides one of the most reliable quantitative measures of terrorism-related violence, enabling long-term trend analysis and comparative studies. Said data can be viewed in graph form at https://www.satp.org/datasheet-terrorist-attack/fatalities/india.

10. These numbers indicate total fatalities, including civilians, security forces, and terrorists.

11. Press Information Bureau, Government of India, "Documents Signed/Finalized in the Run Up to the Visit of Hon'ble Prime Minister to the United States of America," press release, June 8, 2016.

12. Homeland Security Presidential Directive 6 (HSPD-6), issued on September 16, 2003, provided the legal framework for centralized terrorist screening within the United States, which aimed to integrate and consolidate US government efforts for screening individuals suspected of terrorism-related activities: The White House, "Homeland Security Presidential Directive/Hspd-6," news release, September 16, 2003.

13. It must be mentioned here that much work remains to be done in operationalizing HSPD-6. See K. Alan Kronstadt, Shayerah I. Akhtar, William A. Kandel, Liana W. Rosen, Sara M. Tharakan, and Jill H. Wilson, *India–U.S. Relations*, Report No. R46845 (Congressional Research Service, July 19, 2021), 13 n77, which notes that "HSPD-6 . . . has yet to be fully implemented with India."

14. On April 22, 2025, armed militants targeted tourists near Baisaran Valley, Pahalgam (Anantnag district, Jammu and Kashmir), killing at least twenty-six civilians, mostly Hindu tourists, in one of the region's deadliest mass murders. See "What World Leaders Said After Militant Attack in India's Kashmir," Reuters, April 23, 2025.

15. The Safer Internet India coalition is a collaborative initiative by technology companies, government agencies, and civil society organizations in India to promote online safety, combat digital fraud, and strengthen cyber awareness across the country.

16. The CLOUD Act, enacted by the United States in 2018, allows US law enforcement to compel technology companies under its jurisdiction to provide data stored on servers, regardless of whether that data is located inside or outside the United States. It also enables the US government to enter into bilateral executive agreements with trusted foreign partners, permitting their law enforcement agencies to make direct requests for electronic data from US-based service providers, bypassing the slow MLAT process. India is not currently a party to such an agreement, which limits its ability to access electronic evidence in real time.

17. Hawala is an informal money transfer system that operates based on trust and entirely outside conventional banking channels. It relies on brokers or agents who remit funds across borders through personal or business networks, without any physical movement of money. Originally developed as a legitimate remittance mechanism in parts of South Asia and the Middle East, hawala systems are increasingly misused for money laundering, illicit transactions, terrorist financing, and evading financial regulations, largely due to their anonymity and absence of verifiable records.

18. The ISPS Code, the global maritime security framework under the International Convention for the Safety of Life at Sea Convention spearheaded by the International Maritime Organization, has been enforced since 2004. The principal purpose of the ISPS Code is strengthening security of ships and ports, mandating risk assessments, security plans, and designated security officers for ships and ports aimed at combating threats like terrorism and piracy, and ensuring safer international shipping and trade.

19. The CSI was launched by US Customs and Border Protection in 2002, in the aftermath of the 9/11 attacks, to prevent the use of maritime cargo containers for transporting weapons, explosives, or other terrorist materials. Under CSI, US customs officials collaborate with foreign port authorities to prescreen high-risk containers before they are shipped to the United States.

20. Mumbai, India, witnessed one of the most devastating terrorist attacks in its history from November 26–29, 2008, when ten heavily armed militants arriving by sea launched coordinated attacks on multiple high-profile civilian and strategic targets, including the Taj Mahal Palace Hotel, the crowded Chhatrapati Shivaji Terminus railway station, the Oberoi and Trident Hotels, and a Jewish cultural center. The attacks claimed 172 lives and left hundreds injured. Joint investigations by Indian and US agencies confirmed that the operation was orchestrated by the Pakistan-based terrorist organization Lashkar-e-Taiba, which directed and coordinated the assault from across the border. See also Angel Rabasa, Robert D. Blackwill, Peter Chalk, Kim Cragin, C. Christine Fair, Brian A. Jackson, et al., *The Lessons of Mumbai* (RAND Corporation, 2009).

21. In September 2021, Indian authorities seized 2,988 kg of heroin, valued at approximately ₹21,000 crore ($2.8 billion), concealed in talc-stone shipments originating from Afghanistan through Iran's Bandar Abbas Port to Gujarat's Mundra Port. This was followed by successive drug busts in 2022, with fifty-two and seventy-five kilograms of narcotics being intercepted. The Arabian Sea's proximity to drug-producing regions in Afghanistan, Pakistan, and Iran makes it a favored smuggling route for international drug cartels. See "Coast Guard, ATS Seize ₹1,800 cr Drugs Dumped by Smugglers in Sea off Gujarat," *Hindustan Times*, April 14, 2025.

22. United States Navy, "US Navy Seizes 1,400 Assault Rifles During Illicit Weapons Interdiction," news release, December 22, 2021.

23. "India–US Joint Statement," Ministry of External Affairs, Government of India, February 13, 2025, https://www.mea.gov.in/bilateral-documents.htm?dtl/39066.

24. "Joint Statement of the 20th US–India Counter-terrorism Joint Working Group (CTJWG) and 6th Designations Dialogue," Ministry of External Affairs,

Government of India, March 6, 2024, https://www.mea.gov.in/bilateral-documents.htm?dtl/37682/Joint+Statement+of+the+20th+US+India+Counterterrorism+Joint+Working+Group+CTJWG+and+6th+Designations+Dialogue.

25. The Khalistani movement began in the late 1970s, demanding the creation of an independent Sikh homeland carved out of India's Punjab region. With active support from elements within the Pakistani establishment, it fueled widespread terrorism across Punjab and other parts of India during the 1980s and 1990s, resulting in thousands of deaths. Although the movement has largely subsided within India, its overseas advocacy, especially in North America, remains a sensitive issue due to its continuing links with militancy, separatist propaganda, and anti-India activities.

26. The manner in which the deportations were carried out provoked diplomatic protests and public outrage, raising questions about the treatment and dignity of migrants, and the obligations of both countries under the Universal Declaration of Human Rights and the UN Convention Against Torture. See Wikipedia, "Deportation of Indian Nationals Under Donald Trump," last modified January 17, 2026, 23:28 (UTC), https://en.wikipedia.org/wiki/Deportation_of_Indian_nationals_under_Donald_Trump; Esha Mitra, Aishwarya S. Iyer, and Ross Adkin, "'Treated like Criminals': Shackling of Indians Aboard 40-Hour Migrant Flight Sparks New Outrage Against Trump," CNN, February 7, 2025.

27. US Department of State, "Terrorist Designation of The Resistance Front," press statement, July 18, 2025. See also Ministry of External Affairs, Government of India, "Designation of The Resistance Front (TRF) by the United States Department of State," press release, July 18, 2025.

28. Kurt M. Campbell and Jake Sullivan, "Competition Without Catastrophe: How America Can Both Challenge and Coexist with China," *Foreign Affairs* 98, no. 5 (2019), https://www.foreignaffairs.com/china/competition-with-china-catastrophe-sullivan-campbell.

29. The United Nations Convention against Cybercrime will enter into force ninety days after the deposit of the fortieth instrument of ratification, acceptance, approval, or accession. As of October 15, 2025, the treaty is not yet in force but enjoys global support, with preparations for the Hanoi signing ceremony confirmed, and with many countries, including both India and the United States, expected to sign. The latest status and details are available at the United Nations, Office on Drugs and Crime website: https://www.unodc.org/unodc/cybercrime/convention/home.html.

4. Emerging from Impasse

How India and the United States Can Rebuild Their Counterterrorism Relationship

Praveen Swami

Forty-seven years old, the first Indian director of the Intelligence Bureau (IB) contemplated the world around him with no small concern. For decades before independence, the Intelligence Bureau had been relentlessly focused on the threat of communist terrorism. The red uprising in the central Indian region of Telangana was its first challenge after independence and had just been put down with brutal force, including the mass relocation of villagers and the use of hunger as a weapon, by the Indian Army.[1] Intelligence Bureau Director T. G. Sanjeevi Pillai could see that fresh crises were already evident: Ethnic and political resentments were growing in the Mizo and Naga hills of Northeastern India, perched near the border with China; gangs of armed bandits roamed much of the central heartland.

To Sanjeevi—one of just two Indian officers who had risen to the rank of deputy inspector general of police under British rule—it was evident that India needed foreign assistance to rebuild the capabilities that the British Raj had taken with it.

For one, there were simply not enough police. Then, the ones he did hire were no good. "There has been a fall in the standard of work," Sanjeevi admitted in the 1953 Crime in India report, India's first crime survey. "The standard of new recruits in subordinate as well as gazetted ranks has not been high," according to the report.[2] "The old fear which the police used to inspire has largely been dissipated and surveillance over criminals has become extremely difficult."[3]

Little remembered today, India–US counterterrorism cooperation emerged in the crucible of India's post-independence struggle, survived the hostile relationship between the two countries during the Cold War, and flowered even in the face of political recrimination and grandstanding. Sanjeevi came to see the Central Intelligence Agency (CIA) as critical to giving him the tools needed to rebuild India's battered intelligence services, sometimes going behind the backs of his political principals to secure that end.

The lessons left behind by the architects of that relationship are of enormous relevance at a time when new challenges are emerging. They teach us that formal arrangements and political support are important—but not as important as intelligence

officers committed to sustaining cooperation in the face of bureaucratic resistance and even sabotage.

Late in the summer of 1949, as India struggled to contain its first postindependence insurgency—an uprising by communists in the Telangana region—Sanjeevi began a three-week visit to Washington. George Kennan, then-director of policy planning at the State Department, understood the significance and opportunities of the visit. To address the challenge, Sanjeevi would have to "look beyond India's borders and seek to influence policy in regard to dangers from without."

The visit did not begin well. Sanjeevi was affronted by the imperious behavior of the director of the Federal Bureau of Investigation (FBI), J. Edgar Hoover. The damage was contained, however, during his subsequent meetings with the CIA. Sanjeevi came away with positive impressions of his meetings with Colonel Richard Stilwell, Kermit "Kim" Roosevelt, and the director of Central Intelligence, Roscoe Hillenkoetter.

Later that year, a declassified CIA record stated that the United States was notified of Indian plans to set up a secret organization within the Intelligence Bureau to combat communism. Per the 1953 report, "Sanjevi returned from his visit to the United States and Canada extremely enthusiastic about the police methods of the two countries, and he has already submitted many plans which he is anxious to have the GoI [Government of India] carry out." However, it noted glumly, "nearly all of his suggestions call for the expenditure of dollars, and for this reason, it is probable that all of his proposals will be turned down."

For decades after, even as the two countries publicly clashed over questions of geopolitics and policy, this intelligence relationship proved remarkably durable—and dollars did become available for at least some joint projects. India's intelligence services chose to look the other way as the CIA carried out secret flights in support of Tibetan insurgents, crossing the country's territory on their route from Dhaka. Langley supported the founding of the Special Frontier Force, intended to defeat the People's Liberation Army (PLA) along the China–India Line of Actual Control.[4] The CIA also oversaw the insertion of nuclear-powered surveillance equipment in an—eventually unsuccessful—bid to collect data on Chinese nuclear tests.[5]

These efforts took place even as Indian politicians regularly directed invectives at their counterparts in the United States. As early as 1955, Prime Minister Jawaharlal Nehru accused the United States of "buying up newspapers and spreading a network of publicity organisations." Then, Indira Gandhi as prime minister assailed foreign powers plotting to "run down India." CIA agents, American intelligence officer Russel Jack Smith wrote, "were to be found according to Madame Gandhi, beneath every *charpoy* [cot] and behind every Neem tree."[6]

Long before a formal India–US counterterrorism partnership was crafted twenty-five years ago, the leadership of the IB and the CIA had thus succeeded in establishing a solid partnership. Even the public disclosure of CIA funding for Indian political parties in 1967, as a result of the so-called Ramparts scandal, did little to dent intelligence liaisons. As stated in discussions between Sanjeevi and the CIA in 1950, "he frequently had to take independent action without the knowledge of his government." According to scholar Christopher Andrews, B. N. Mullik, who succeeded Sanjeevi as director of the IB, kept much of the liaisons with MI5 and the CIA out of Nehru's view, fearing the prime minister would shut it down.[7]

In 2000, India and the United States established the centerpiece of their counterterrorism cooperation strategy: The Joint Counterterrorism Working Group (JCTWG).[8] The group, conceived of in meetings between then-Deputy Secretary of State Strobe Talbott and Foreign Minister

Jaswant Singh in London, committed both countries to "share experience, exchange information, and coordinate approaches and action." The JCTWG has since enabled the exchange of intelligence, the training of police personnel for a variety of tasks, and the development of forensic investigation capabilities.[9]

In the decades since the JCTWG was formed, India–US counterterrorism has registered significant successes, but potentially-fateful tensions have also evolved because of the absence or lack of cooperation, as well as simple neglect. The four-day war between India and Pakistan in May 2025, we shall argue here, can be understood as a consequence of these tensions. President Donald Trump and Prime Minister Narendra Modi have, in a general sense, committed to deepening their cooperation on terrorism. Yet, it is hard to see these remarks as anything other than homilies and platitudes. The JCTWG, notably, has not met since last year.

With the disappearance of traditional threats such as those posed by al-Qaeda or international jihadism from America's foreground concerns, the simple truth is that terrorism lacks the political impetus that shaped the intelligence architecture after 9/11. The world, after all, has accepted the capture of large swaths of Mali by the al-Qaeda affiliate Jabhat al-Nusra.[10]

To make things worse, India's intelligence services stand accused by New York prosecutors of having attempted to assassinate a Khalistani activist in the United States, and of orchestrating two murder-for-hire strikes in Canada. This will certainly color India–United States counterterrorism cooperation, even if—like in the brutal murder of journalist Jamal Hamza Kashoggi—the damage is eventually contained.[11]

The war on terrorism's legacy, however, also illustrates the potential to push counterterrorism cooperation forward, especially if leaders of both countries' intelligence services succeed in bringing home its importance to their political leaderships. This paper will explore potential areas to advance the counterterrorism relationship, the mutual interests that have driven cooperation between the two countries, and finally, the constraints that will need to be overcome.

In essence, I argue that what happens below the visible horizon of counterterrorism cooperation—below the pronouncements of presidents, prime ministers, and ministers—constitutes the real stuff of the relationship and can, with appropriate executive leadership, survive the hardest political circumstances.

WHAT'S WORKED, AND WHAT HASN'T

Even though Indian nationalists sometimes complain that the United States has been negligent with respect to their country's counterterrorism concerns, specifically the threat from Pakistan, this complaint is not well-founded. FBI officials provided critical information that allowed the boat used by the Lashkar-e-Taiba to attack Mumbai in November 2008 to be linked to the perpetrators in Pakistan.[12] Tahawwur Rana, a Pakistani-Canadian involved in the attacks, was extradited to India to face trial in 2025, the result of improved institutional cooperation.[13]

There have also been several instances of quiet security cooperation, enabling the containment of threats to the United States. In 2021, the Delhi Police deported Afghan national Abdul Rehman to Afghanistan, following warnings from the CIA that he was plotting terrorist operations in the country. The jihadist, however, was eventually set free by the Taliban, and carried out the murderous bombing at Abbey Gate, outside the Kabul airport.[14]

Yet, it is also impossible to miss the deep strains that have developed in the relationship. For example, following repeated complaints that Western counterterrorism services were failing to act against individuals linked to the Khalistan movement—which seeks to carve out a separate Sikh ethno-state from India's Punjab—India is alleged by the United States to have used its covert services to assassinate American national Gurpatwant Singh Pannun, a high-profile activist.[15] The Justice Department is also currently prosecuting a New Delhi businessman for the assassination plot, Nikhil Gupta, who it says acted on behalf of Vikash Yadav, an official of India's external covert service, the Research and Analysis Wing (R&AW).[16]

Last year, India and Pakistan also engaged in a dangerous four-day war, following an attack by Lashkar-e-Taiba that claimed the lives of twenty-six tourists in the Baisaran valley, near the southern Kashmir valley of Pahalgam.[17] The conflict, which began with the targeting of seminaries built by Lashkar-e-Taiba and Jaish-e-Mohammed, included air and missile strikes, in which India is reported to have lost at least three combat jets, while Pakistan suffered damage to nine air bases.[18]

The United States did provide India some support in the wake of the conflict, notably by recognizing The Resistance Front, which claimed responsibility for the massacre, as front and proxy of Lashkar-e-Taiba, and designating it a Foreign Terrorist Organization.[19] The more substantial issues, however, remain unaddressed. Even though Pakistan arrested some perpetrators of the Mumbai attacks—under intense US pressure and the threat of sanctions by the multinational terrorism-finance watchdog, the Financial Action Task Force—it did not deliver on promises to shut down operations by jihadist organizations like Lashkar and Jaish.

Evidence—in the form of video, first-person testimony, and even Government of Pakistan documents—has mounted, showing that Lashkar and Jaish continue to operate in plain sight in Pakistan-administered Kashmir. These organizations held multiple public meetings, recruitment functions, and fundraising events before the Baisaran massacre.[20] There is also evidence to suggest that at least two of the perpetrators were Pakistani nationals.

From India's point of view, the US government—particularly under President Donald Trump—could do more to pressure Pakistan to deliver on past promises. It has tilted toward Pakistan, and failed to mount pressure for it to deliver on promises to shut down terrorist groups operating across the Line of Control. This constitutes a sharp break with past administrations, which intervened on several occasions—notably the 1999 Kargil war, and the 2008 Mumbai attacks—after which the United States pushed Pakistan to shut down terrorist training camps and contain infiltrations across the Line of Control.[21]

The frustration caused by these continued terrorist operations has led India to stage multiple operations across the Line of Control since 2016. There have also been suggestions that India is using covert means to target jihadist leaders in Pakistan, and even sponsoring terrorism within Pakistan.[22] As Walter Ladwig notes:

> The use of cross-border force against terrorist-linked targets in Pakistan proper has now moved from exception to expectation. Whereas past crises often relied on signaling and symbolic action, future attacks on Indian soil—especially those traced to infrastructure across the border—are likely to draw a response of equal or greater magnitude to degrade the assets enabling terrorist action.[23]

In actions that caused considerable embarrassment to New Delhi, President Trump publicly claimed to have mediated an end to the conflict,

and invited Pakistan Army Chief Asim Munir to the White House.[24] The president also claimed his actions prevented a possible nuclear war. There has been no public condemnation of Pakistan's continuing support for jihadist groups, nor pressure to act against the institutions and individuals engaged in such violence.

THE MAKING OF THE INDIA–US BOND

In all likelihood, as the legacy of the wars unleashed after 9/11 diminishes, India–US counterterrorism cooperation occupies a diminished place in the minds of policymakers. Though the Islamic State and al-Qaeda are still seen as threats, neither is seen as having the capabilities to conduct catastrophic acts of terrorism in the West. The Lashkar-e-Taiba and the Jaish-e-Mohammed threat, it should be noted, has also waned. Levels of violence in Kashmir have diminished steadily since the 2001–2002 military crisis, which followed an attack on India's Parliament. They are currently at levels not dissimilar to the lows seen in 2011–12.[25]

Even more importantly, India has not seen a significant terrorist attack outside of Kashmir since Jaish-e-Mohammed's strike on an Indian air force base in Pathankot in 2016.[26] Those attacks, coming in the wake of Prime Minister Narendra Modi's efforts to push forward peace talks with his counterpart, Prime Minister Nawaz Sharif, marked the end of India's formal diplomatic engagement with Islamabad. Later covert talks did lead to a ceasefire on the Line of Control, but infiltration has continued.[27]

The context to this agreement was informed by India's long experience of being a victim of international terrorism—particularly after the hijacking of Indian Airlines Flight 814 to Kabul. The Kargil war in 1999, similarly, had seen significant support from the United States to end the crisis, but levels of Pakistan-backed jihadist violence dramatically escalated after the end of the war.

India and Pakistan, notably, have said nothing publicly about the mechanics of the ceasefire negotiations, in contrast to President Trump's voluble claims of mediation. For its part, the United States began to understand the full scale of the threat of terrorism, following the bombing of its embassies in Dar-es-Salaam and Nairobi.[28]

Little imagination is thus needed to understand why the JCTWG was among the first security institutions to emerge from deepening ties between India and the United States. The JCTWG became operational ahead of the revival of the Defence Policy Group in 2004 (which had become inoperative after India's nuclear tests in 1998), the forming of the High Technology Cooperation Group in 2002, and the signing of the General Security of Military Information Agreement in 2002.[29]

Then, in October 2005, the United States and India concluded a treaty to institutionalize law enforcement cooperation and create a regular legal channel for mutual assistance. In 2006, the United States offered support in the area of law enforcement, including mining assistance and counterinsurgency programs. These programs were somewhat uneven in their impacts, but they contributed to building foundations for a generation of law enforcement officers to understand each other's systems, procedures, and technologies.

India's National Investigation Agency (NIA), set up after the Mumbai attacks, particularly benefited from its relationship with the FBI, basing many of its protocols and methods on what it learned from its American counterparts. FBI and NIA officials, interestingly, have remained advocates of deepening the counterterrorism relationship, even as the issue's salience diminished over recent years and strains emerged over the Pannun assassination case.[30]

THE BRICK WALL OF EXTRADITION

Following the assassination of Prime Minister Indira Gandhi, and the rise to power of her son Rajiv Gandhi, the United States saw another opportunity to improve the relationship. Pro-Khalistan terrorism soon offered itself as a touchstone for developing trust between the countries. In 1987, the Government of India sought the extradition of Ranjeet Singh Gill and Sukhminder Singh Sandhu, on separate terrorism-related charges. Sandhu was alleged to have participated in two bank robberies, in Ahmedabad and Mumbai, as well as an attack on police officers in Udaipur, the kidnapping of another officer in Mumbai, and the murder of former Indian Army Chief Arun Shridhar Vaidya.[31]

For his part, Gill was accused of participating in the team that assassinated Lalit Maken, his wife Geetanjali Maken, and one of the MP's constituents, Balkishan Khanna. The July 31, 1985, assassination was carried out in retaliation for the anti-Sikh pogrom in Delhi, and in the wake of Indira Gandhi's assassination. The two other assassins involved in the killing, police later discovered, were Sandhu, who used the pseudonym K. C. Sharma, and Sukhdev Singh, later convicted and executed for the murder of General Vaidya.

Even though he fled India on a fake passport identifying him as Yashpal Kashyap, Gill was located by Interpol, and arrested by police in New Jersey in 1987. The story, however, wasn't quite done.

The court of Magistrate Ronald Hedges heard evidence from the two men's lawyers that police in Punjab were engaging in torture, and in the extrajudicial execution of Sikh men.[32] Even though the United States was a signatory to international conventions against torture, Hedges reasoned, established law in the United States empowered the executive, not the judiciary, to determine if extradited individuals might be subjected to mistreatment. As late as 2008, US courts refused to act against the extradition of two American citizens challenging their proposed surrender to the Iraqi government because of this principle, called noninquiry.

The problem was, in fact, the Indian courts. In the summer of 1988, the special court judge hearing the Vaidya assassination case, V. L. Ruikar, cast serious doubt on the confession obtained from key suspect Singh, which was one of the pillars on which the extradition proceedings rested. Among other things, Judge Ruikar noted that Singh was held in police custody, rather than magisterial custody, before and after giving his confession; the magistrate did not question Singh about his motives for confessing, nor was he inspected for physical signs of torture; and the confession was not given in open court.[33]

To make things worse, Ruikar's judgment noted, evidence surfaced that one of the kidnapping cases on which the prosecution was founded had never taken place at all. A handwriting expert who identified one document as having been written by Singh identified the same text as also authored by Sandhu.

Ten years later, in 2000, tired of endless legal battles and time in prison, Gill agreed to be extradited to India. The Delhi High Court bench of Justices Mukul Mudgal and P. K. Bhasin finally upheld his conviction, although serious questions lingered. Late in 1990, a New York district court granted Gill and Sandhu habeas corpus protection, giving India the right to refile fresh extradition requests.

Few Indian extradition requests, even when met by nation-states abroad, have yielded successful prosecutions at home. The Punjab and Haryana High Court acquitted Jagtar Singh, who police claimed to have arrested when he was

plotting an armed robbery in Faridkot. The gun the police recovered from him, it emerged during trial, had no firing pin, making it inoperable. In another recent case, Sukhpreet Singh Budha and Dilpreet Singh Baba were acquitted because of a lack of evidence. In December 2024, Dilpreet and his associate Sukhpreet were alleged to have attempted to extort money from the singer Rupinder "Gippy" Grewal. On April 14, 2018, Grewal was reportedly shot and injured in an attack after refusing to pay extortion money.[34]

And in 2025, a court in Punjab acquitted Jagtar Singh Johal, a resident of the United Kingdom arrested with the assistance of the MI6 in 2017, on charges related to his alleged membership in the Khalistan Liberation Front. Eight other cases remain pending, even though serious doubts have been raised about the quality of evidence presented by the Punjab police. The alleged decision of Indian intelligence services to conduct extrajudicial executions in response to these failures speaks of frustration, but also poor judgment.

Yet, the question remains: Can there be more effective means to render criminals sought by India, especially in cases where there are few or no political sensitivities? In at least one case from the autumn of 2025, the United States deported Lakhwinder Kumar, a criminal long sought by India for his alleged ties to the crime cartel of Lawrence Bishnoi. Kumar faced multiple charges related to extortion, intimidation, illegal possession and use of firearms, and attempted murder.[35]

THE TIES THAT BIND

Even as political relations plummeted to apparently ever-lower depths during the Cold War, the two countries' intelligence services rode out the problems. UK Prime Minister Edward Heath felt the White House's rage over India wash over him, hot like a dragon's breath: "The United States had received nothing from India except a kick in the teeth, in exchange for $¾ billion last year," President Richard Nixon raged. The Indians, Nixon went on, thought "the white nations had no choice but to come in and bail India out." Alarmed, British Foreign Secretary Alec Douglas-Home stepped in. "The Indians were admittedly intolerably high-minded," he accepted. "But there was an important common interest in preserving Indian independence from Soviet and Chinese domination."[36]

Nevertheless, the invective against Prime Minister Indira Gandhi and her nation, provoked by her refusal to back down on Bangladesh, continued in the privacy of Nixon's office: "A slippery, treacherous people," "bastards," "old witch," "b*tch."[37]

Even as the political leadership in both countries raged against each other, the relationship between the CIA and the R&AW remained robust, according to British historian Paul McGarr. In 1973, the head of Prime Minister Gandhi's secretariat, Prithvi Nath Dhar, and the chief of R&AW, Rameshwar Nath Kao, lobbied for the CIA chief William Colby to visit New Delhi.

The intelligence services had, in fact, arrived at a functional relationship during the Cold War, accepting each other's concerns. The Indian Intelligence Bureau found means to keep the powerful Congress politician V. K. Krishna Menon out of the loop on certain sensitive issues concerning the worries of the MI5 on his ties to Communists.[38] The MI5, for its part, was worried about Krishna Menon's potential ability to pass sensitive documents to Soviet agents in London. As Paul McGarr notes, this was likely a misjudgment: "Krishna Menon's ideological roots were far shallower than MI5 cared to acknowledge." Yet, the point is that intelligence officers found means to work around the problem.

Despite the concerns about Krishna Menon, the India–MI5 partnership flourished. For a time, India

became debilitatingly reliant on this relationship, according to Avinash Paliwal. "This is satisfactory," an MI5 memo on general dependence smugly noted.[39]

India sought to reduce this dependence by turning to support from the CIA. Late in 1960, B. N. Mullik was briefed on covert flights operating out of Chittagong in what was then East Pakistan, tasked with supplying weapons and materials to Tibetan Khampa rebels fighting the PLA. "Between 1957 and 1961," McGarr wrote, "some 500,000 pounds of arms, ammunition, radios, medical supplies, and other military equipment, was dropped by the CIA and its proprietary company, Civil Air Transport, to Tibetan resistance forces. Mullik's Intelligence Bureau had been briefed by the local CIA station on the overflights of Indian territory. The US embassy in New Delhi was never entirely sure if the IB passed on details of the airdrops to Nehru and senior Indian government officials."[40]

The eminent scholar John Garver, who has chronicled the growth of the CIA–India relationship, has noted, "Whatever the actual extent of Indian complicity with US covert operations, Beijing believed that Nehru knew of and cooperated with CIA efforts." This laid the foundation for the series of border clashes that erupted in mid-1955, leading to the war in 1962.[41]

Even as India battled to secure criminals from the United States, the problems confronting similar cases in Canada became an ever-larger source of frustration. Through the summer of 1985, agents from Canada's Security Intelligence Service (CSIS) watched as Talwinder Singh Parmar plotted the most lethal terrorist attack in history before 9/11. They documented the late-night meetings where Parmar discussed a plot to bomb an Air India jet, listened to his phone conversations, and saw his bomb-making experiments in the woods. Yet, CSIS was later heavily criticized by a Canadian judicial investigation, which concluded that botched criminal investigations allowed most suspects to walk free.[42]

Following the midair bombing of the Air India jet Kanishka, which claimed 329 lives, Prime Ministers Rajiv Gandhi and Brian Mulroney met in November 1985, in an effort to end the climate of impunity Khalistan extremists had come to enjoy in Canada.

Even though Canada and India signed an extradition treaty in 1987, only six fugitives sought by India have been returned to the country since then. The treaty thus appears to have become mired in exactly the same bureaucratic problems it was intended to bypass.

THE NOT-SO-NEW WORLD AFTER 9/11

Like many across the world, political leaders in New Delhi allowed themselves to be seduced by the idea that the post-9/11 world would witness a decisive rejection of state-supported terrorism. The India–US counterterrorism relationship developed in the context of what were—in retrospect—somewhat naive efforts to reshape the global consensus on terrorism. For law enforcement across the world, United Nations Security Council Resolution 1373, adopted in response to 9/11 to strengthen global counterterrorism cooperation, provided a much-needed boost.

The resolution's legally binding nature required nations to coordinate law enforcement, tighten border controls, and disrupt transnational threats, thereby reinforcing international security efforts. The resolution also promotes intelligence sharing, law enforcement collaboration, and stricter travel document controls.

In order to ensure compliance, the UN established the Counter-Terrorism Committee to monitor implementation and build national capacities. In

today's borderless world, counterterrorism cooperation derives its legal legitimacy and mandate from this resolution, making global cooperation a legal obligation to disrupt terror networks and financial flows.

The limitations of the normative base created by the UN would soon become evident. Only days after the adoption of UNSC Resolution 1373, India and Pakistan, both nuclear-armed nations, were on the brink of a dangerous confrontation, following the December 13, 2001, attack on the Indian Parliament by Pakistan-based terrorists, thus further escalating tensions in South Asia. Following this, India and the United States pledged to work together to dismantle terrorist networks, and also agreed to further enhance intelligence sharing and strengthen investigative cooperation.

For politicians in New Delhi, the ineffectual response of the UN to the India-Pakistan crisis of 2001–2002 brought home an important lesson. The relationship with the United States began to be seen as key to managing India's counterterrorism concerns, and to preventing the escalation of these concerns into war.

A major milestone was the signing of the India-US Counter Terrorism Cooperation Initiative in 2010, which formalized collaboration in areas such as intelligence sharing, law enforcement cooperation, and counterterrorism technology. This followed agreements reached during the Indian prime minister's visit to the United States in November 2009. The Memorandum of Understanding (MoU) focused on a wide range of law-enforcement-related issues like strengthening investigative cooperation, intelligence sharing, forensic collaboration, money laundering, counterfeit currency, maritime security, and rail security.[43]

The partnership so established has been further reinforced through regular Joint Working Group meetings, providing a structured platform for both countries to assess emerging threats, exchange best practices, and coordinate security strategies. These measures should have, in time, enhanced the success of law enforcement and counterterrorism efforts, mitigating the bitterness the battles over extradition have engendered. They have, instead, run into another brick wall, this time Pakistan.

THE PROBLEM OF PAKISTAN

Following Lashkar-e-Taiba's attacks on Mumbai in 2008, the United States and India demonstrated an unprecedented level of cooperation in intelligence sharing. The FBI's own investigations led to the uncovering of the important role played in organizing the attacks by Pakistani-American David Headley, previously unknown to Indian investigators. Later, it emerged that Headley had been an agent of the Drug Enforcement Agency, and that multiple warnings of his Lashkar links had been ignored by US intelligence agencies.[44] Washington's refusal to hand Headley over for trial in India, and its decision to offer him a plea bargain created some bitterness.[45]

This was, in retrospect, the high noon of the India–US intelligence relationship. To understand the full significance of the Mumbai investigation, it is critical to recall that just a decade earlier, India and the United States seemed unable to cooperate on terrorism, because of Washington's unwillingness to jeopardize its deep strategic ties to Islamabad. The Indians believed Mumbai marked a turning point in this strategic picture.

From the 1980s, as the insurgency broke out in Punjab, New Delhi became persuaded that the United States was enabling Pakistan's pursuit of a proxy war against its eastern neighbor. These beliefs became increasingly public, and bitter, after Indian troops stormed the Golden Temple, the fulcrum of Sikh faith, to flush out insurgents from the premises in 1983. George H. W. Bush—CIA chief at the time, and later president of the

United States—bitterly complained in a letter to R&AW chief R. N. Kao about "statements by government officials linking CIA operations with occurrences in Amritsar [which] are completely contrary to the fact and quite distressing."[46]

Later, similar recrimination would break out following the bombing of Mumbai by the cartel of Dawood Ibrahim in 1993. The United States acknowledged New Delhi's concerns, but did little to push its ally Pakistan to hand over the perpetrators. The former R&AW officer B. Raman, among others in the intelligence community, publicly alleged that United States intelligence officials destroyed forensic evidence that could have linked the Ibrahim cartel to Pakistan's Inter-Services Intelligence Directorate. These allegations might or might not be accurate, but they do reflect the Cold War-era suspicions that shaped the thinking of generations of intelligence officers.[47]

Frustrations deepened in New Delhi after the hijacking of Indian Airlines Flight 814 in December 1999. Lacking support from overseas, India was forced to release three high-profile terrorists—Maulana Masood Azhar, Ahmed Omar Saeed Sheikh, and Mushtaq Ahmed Zargar—in exchange for the 155 passengers on board. There is now declassified material from the CIA archives that shows it was aware of jihadist plotting to hijack an Indian Airlines jet from at least 1996, involving the same terrorist networks.[48] There is no clarity on whether this intelligence was shared with New Delhi or not, but events make it reasonable to conclude it was given low priority.

Together with the increasing salience of anti-United States tendencies of Kashmiri jihadism—marked by the kidnapping of an American national in 1995—the Kandahar hijacking did, however, yield the beginnings of a dialogue.

Yet, an important question needs to be answered: Is India seeking concrete forms of counterterrorism assistance, or a wider kind of support that would end Pakistan as a source of ideological threat? The answer isn't hard to find, and speaks to asymmetric expectations that are nearly impossible to resolve.

ASYMMETRIC EXPECTATIONS

Little doubt exists that Pakistan's de facto military ruler Field Marshal Asim Munir sees himself as representing a project to defend Pakistan's ideological frontiers, not just its territory. The Field Marshal famously declaimed, in one speech, that "those who fight Allah and his Prophet and bring strife to the land will be punished in this life as well as the afterlife. This is your law. And this is Allah's law. And because you are enforcing Allah's law, you are his soldiers. There is no force on earth which can defeat you."[49] Although India understands that tactical exigencies—whether negotiating with the Taliban or providing legitimacy to American policies in Gaza—will tie the White House to Islamabad, it seeks the United States' help in transforming Pakistan into a normal, nonideological adversary.

For many in Pakistan's armed forces, as well as influential forces in its civil society and politics, the use of violence in India isn't a means to an end. Instead, it is the inexorable outcome of an irreducible state of existential hatred, which goes to the heart of what it means to be Muslim and Hindu. As Munir said in one speech: "Our forefathers believed that we were different from Hindus in every possible aspect of life. Our religion is different. Our customs are different. Our traditions are different. Our thoughts are different."[50]

Listening in on the Pakistan Army, the scholar C. Christine Fair taught us that religious millenarianism was core to understanding the institution's idea of itself.[51] Through the Green Books, compilations of essays by midlevel officers published by the General Headquarters in Rawalpindi since

at least 1990, Fair revealed a Pakistan Army stripped of its veneer of modernization. It was an institution riven with anxieties over religious identity, hatred of India, and a driving desire to reinvent Pakistan as a theocratic state.

In the 1994 Green Book, Brigadier Saifi Ahmad Naqvi proposed that it was critical to remember that Pakistan "is an ideological state, based on the ideology of Islam." Therefore, "the existence and survival of Pakistan depend upon the complete implementation of Islamic ideology in true sense." This, he went on, meant that the army was responsible not just for guarding Pakistan's territorial integrity but also "the ideological frontiers to which the country owes its existence."

Following the events of 9/11, this belief congealed into a kind of maniacal conspiratorialism. Even as his forces fought alongside the United States against the Taliban in Afghanistan, Brigadier Muneer Mahmood warned in the 2002 Green Book that Pakistan was being cast as the "torch-bearer of the Muslim ummah [global community] by the biased Western media and Jewish lobby." Thus, it was "likely to be the target of these forces."

Later, in the 2008 Green Book, Brigadier Waqar Hassan Khan argued that "the superpower's entry into [the] Middle-East and West Asia [sic] was not possible without a Pearl Harbour; 9/11 was either created or supported to be labelled as the second Pearl Harbour."

The diplomat and scholar Husain Haqqani, in his sharply etched history of Pakistan, observes that the Pakistan Army's jihadist project was "not just the inadvertent outcome of decisions by some governments." Instead, he argued, the Pakistani state's use of Islam "gradually evolved into a strategic commitment to jihadi ideology."[52]

In 1956, the country's first constitution declared Pakistan an Islamic republic—a notion unknown to classical theology—and mandated that no laws repugnant to the Quran and Hadith be passed. General Ayub Khan removed the prefix "Islamic" from Pakistan's name, but appointed a council of clerics to guide the country's affairs. His successor, the hard-drinking General Yahya Khan, allied with Islamists in East Pakistan. Prime Minister Zulfikar Ali Bhutto, in turn, bowed to clerical pressure, pushed forward with antiminority measures, and declared Islam the state religion.

New Delhi ultimately seeks partnership with the United States in undoing the intellectual premises of the Pakistan Army, and in dismantling its ability to resist Indian power. This is not something the United States considers itself to have either the means, or the inclination, to achieve.

THE LIMITS OF THE DOABLE

The crisis of 2025 should prompt India's strategic establishment to recognize that this system of millenarian belief—which rests on a bedrock of faith in a coming apocalypse that will open the passage to utopia—cannot be deterred, at least in a simple military sense. The crisis of 2001–2002, which followed the terrorist attack on Parliament House in New Delhi, led General Pervez Musharraf to institute a ceasefire and scale back cross-border terrorism. The general's primary considerations, though, were his country's flailing economy and pressure from America.

For Musharraf and the circle around him, the 2001–2002 crisis was evidence that their nuclear weapons had deterred India—and not of military weakness in the face of a conventionally superior enemy. This lesson would prove to be useful to his successor, General Pervez Kayani, who authorized the 26/11 attack, confident India would not go to war.

The 2016 raids by India across the Line of Control similarly led to a series of retaliatory fedayeen

attacks across Kashmir and a marked rise in terrorist violence over the following years. The 2019 Balakot strikes were perceived in the country's strategic community as a victory for Pakistan since India had missed its targets, lost a jet, and failed to prevent the bombing of its brigade in Rajouri.

For some in India, the answer lies in escalating coercion against Pakistan to the point where deterrence sets in. Even when nation states are beaten and its forces destroyed, this does not guarantee permanent victory. Like the Austrians and Russians who lost to France in 1805—and as Pakistan did after 1971—defeated enemies rose again, harboring fantasies of vengeance and seeking to reverse the setback. Thus, it may be prudent to negotiate what could be had rather than hold out for maximal ends.

That is what India did in 2001–2002 and again in 2019: A ceasefire on the Line of Control, thus limiting infiltration and placing restraints against terrorist attacks on its major cities. Each agreement held—until the next attack.

SOME FINAL THOUGHTS

Over twenty-five years ago, early on a bright spring morning, Afaq Ahmad Shah carefully shaved his head and body hair. Then, he maneuvered his Tata Sumo SUV through the narrow lanes of the historic district of Khanyar in Srinagar down the barricaded road. As he drove past the Indian Army's XV Corps headquarters at Badami Bagh, Afaq pulled the switch that set off more than a hundred kilograms of explosive ammonium nitrate-fuel oil mixture. Two people died, including the young Jaish-e-Mohammed recruit.[53] Later, Afaq's family buried Kashmir's very first suicide bomber at the Mazar-e-Shuhada, or Martyrs' Graveyard, just a few hundred meters from their home.

Last winter, the brother of the suicide bomber was at the center of a shootout in the heart of Srinagar—the first involving Pakistani jihadists since 2022. Local public works contractor Masood Shah provided his home to a top Lashkar-e-Taiba operative who used the code names Usman and Khalid during multiple visits to Srinagar, some lasting weeks.

Vowing that every future terrorist attack will be treated as an act of war might be polemically effective, but means little. No nation-state in the world—including America, Russia, and China—has done this because it is unaffordable and impossible to execute. Polemics will not be taken seriously by adversaries and thus cannot be deterred. India needs a longer-term strategy.

Lawrence Freedman, in his magisterial survey of strategy, defined it as "identifying objectives, and the resources and methods for meeting such objectives."[54] This, put simply, means that strategy is the point at which means and ends converge. Early in the twentieth century, the military historian Hans Delbrück suggested all strategy could be divided into two basic types: Niederwerfungsstrategie (annihilation) and Ermattungsstrategie (attrition).

To intelligence officials in both India and the United States, it is clear their work should seek to pursue a strategy of attrition against terrorist groups, which pose a threat to both countries—and much of the world. The prospect that terrorist acts can tip nation-states into war, even nuclear exchanges, is a real one. Leaders of the intelligence services will also have to persuade their national leadership of the benefits of living with less than perfect solutions. India might never partner with the United States to secure its aims in the Middle East, nor participate in the military containment of China. America, similarly, is unlikely to work toward the permanent defanging of Pakistan.

Yet, history shows that both can achieve substantial gains, even when they are ruled by leaders hostile to their counterparts.

NOTES

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