

South Asian Organized Crime and Terrorist Networks

by Rollie Lal

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In the United States, terrorism and organized crime have until recently been considered separate problems to be dealt with separately. Unlike criminals, terrorists were thought to care little for profit. Yet consider the 1993 case of Dawood Ibrahim, the Sunni Muslim boss of a South Asia criminal syndicate with a vast logistical network, who sought to bolster his support in the Muslim community by avenging aggression against Muslims. He recruited street criminals and trained them in terrorist camps outside the country in preparation for simultaneous attacks on the Mumbai Stock Exchange and various other well-populated landmarks in Bombay, using trusted individuals to bring tons of plastic explosives and weaponry in through the ports. The March 12 attacks caused destruction and chaos throughout the city and foreshadowed the massive terrorist attacks of the next decade.

These and other more recent attacks in South Asia, a region that encompasses a variety of criminal and terrorist organizations that have been known to collaborate in international operations, should cause us to rethink the conventional wisdom that terrorists and criminals fall into different categories. They suggest that criminal networks and terrorist groups may be deeply intertwined in ways that go well beyond fleeting, tactical alliances of convenience.

Organized crime has been found to be involved in the 9/11 attacks and the March 2004 Madrid bombings, as well as in the activities of militant groups in Afghanistan.¹ But global attention has focused on locating the terrorist groups involved, which are defined as groups motivated by ideology rather than profit. The South Asian case suggests that the links between the two groups need to be better understood and that organized crime must be eradicated in order to deprive the terrorist groups of a source of logistical support.

¹ Lawrence Wright, "The Terror Web," *New Yorker*, July 26, 2004.

Criminals and Terrorists: A Multifaceted Relationship

The criminal and terrorist networks are connected on a variety of levels, from purely tactical to strategic, including logistical support in weapons procurement, shared routes, training, and ideological overlap. Cooperation between the two could lead to terrorists' procurement of nuclear weapons and other WMD. The recent disclosure of the role of criminal syndicates in the nuclear smuggling network of Pakistan's A. Q. Khan is testimony to that concern.²

The Mumbai bombings indicated that criminal groups benefit from decentralized operations. South Asian organized crime syndicates, like the terrorist groups, are transnational in character. As governments step up their efforts to intercept them, the groups seek refuge in Pakistan, the United Arab Emirates, and other countries—including Canada, Thailand, Malaysia, Singapore, Kenya, and Portugal—where their presence may be tolerated or go unnoticed. These highly dispersed groups have become operationally versatile, able to supply and attack a multitude of locations in little time.

Criminal organizations can become ideological over time. In South Asia, they seem to have acquired ideological or religious predispositions that motivate, not merely cover, their actions. And they have increasingly become involved in supporting terrorist activities.

Terrorist groups rely upon organized crime for the weaponry and munitions they require for terrorist attacks and insurgencies. To transport these goods, they use routes that have been carefully constructed by the criminal gangs, who in return seek from the terrorist groups training in the use of guns and explosives and safe passage (for a price) through militant territory. The two groups are further connected by the drug trade: both are financially dependent on narcotrafficking. In recent decades, Afghanistan has become the center of this type of cooperation. Pakistani and Afghan drug traffickers have played a key role in funding Islamic militancy in the region through the narcotics trade. Finally, terrorist groups and criminal networks both depend upon corrupt officials, to help them hide their activities from the government, and both prefer to operate in areas with weak law enforcement.³

The implications of the relationship between criminals and terrorists are particularly alarming in the area of WMD, where they can lead to dangerous nuclear transfers. There are thought to have already been nuclear transfers to North Korea, Libya, and Iran that could not have occurred without the assistance of illegal networks. The ease with which the transfers were accomplished is exceptionally chilling. A. Q. Khan used false papers and front

² William J. Broad and David E. Sanger, "As Nuclear Secrets Emerge, More are Suspected," *New York Times*, Dec. 26, 2004.

³ Louise I. Shelley, "The Nexus of Organized International Criminals and Terrorism," *International Annals of Criminology*, vol. 1/2, 2002.

companies in several countries to transfer nuclear technology to other countries, and he used government cargo planes to assist in deliveries to North Korea. Khan's middleman, B. S. A. Tahir, arranged for a Malaysian company to manufacture nuclear components for shipping to Libya and for Libyan technicians to be trained in the use of machines that were part of the nuclear program. Tahir also assisted Khan in the transfer of centrifuge units from Pakistan to Iran. Other individuals involved in the nuclear trafficking network include Peter Griffin, a British citizen who owned a front company in Dubai, and Urs Tinner of Switzerland, who supervised work on centrifuge components. The scale of A. Q. Khan's illegal nuclear network and sales to various states indicates that similar sales of nuclear technology to terrorist organizations could easily be undertaken.⁴

Even if states agree to international nonproliferation protocols, the existence of criminal networks engaged in nuclear trade could allow proliferation to continue. Without knowledge of where these networks operate and who is involved, interdiction becomes extremely difficult. Authorities may not even be able to identify the destination groups or countries for these illicit transfers. The South Asian case is particularly critical at this time, as it provides insights into this dangerous trend.

Organized Crime in South Asia

The connections between organized crime and terrorism may extend beyond the region. Organized crime in South Asia covers a wide range of activities, including drug and weapons trafficking, prostitution, contract killings, extortion, kidnapping, money laundering, and *hawala*—a practice involving an underground network of financiers who receive funds in one country and arrange for an associate in another country to pay the recipient. These business arenas and the interests of terrorist groups provide intersections where the two can cooperate, all the more so because both groups often operate in areas where law enforcement is weak and it is easy to corrupt officials.

These criminal networks are particularly strong in large urban centers and commercial areas, such as Mumbai and Karachi. Information regarding organized crime operations is more abundant in India than in Pakistan, largely because of limited press coverage and research in Pakistan. Political sensitivities in Pakistan regarding the connections of the government to

⁴Raymond Bonner, "Multinational Network Aided Pakistan's Nuclear Help to Libya," *International Herald Tribune*, Feb. 23, 2004; Seymour M. Hersh, "The Deal: Why Is Washington Going Easy on Pakistan's Nuclear Black Marketers?" *New Yorker*, Mar. 8, 2004; Paul Watson and Mubashir Zaidi, "Death of N. Korean Woman Offer Clues to Pakistani Nuclear Deals," *Los Angeles Times*, Mar. 1, 2004; Eileen Ng, "Libyan Nuclear Workers Trained in Malaysia: Official," *Agence France Presse*, May 29, 2004.

organized crime and militant groups hinder research, and journalists are pressured to avoid approaching the topic. The *Wall Street Journal's* Daniel Pearl was kidnapped and killed in Karachi while researching the connections between Pakistan's militant groups and organized crime in 2002. Given the marked lack of data regarding crime in Pakistan, much of the data presented here reflects trends in Indian organized crime. However, as the groups overlap in their business interests, this data is reflective of trends across South Asia.⁵

Over the past decade, South Asia has suffered from numerous terrorist attacks coordinated by a combination of individuals from both terrorist and criminal groups. Organized crime was consistently involved in some aspect of the attacks. All three cases set forth below involved organized crime and terrorist groups working cooperatively, and all three highlight the methods and opportunities the two networks utilize. The case of Dawood Ibrahim and the 1993 Mumbai Bombings illustrates how a criminal leader used his extensive criminal networks and finances to launch one of the largest terrorist attacks in India history, having become radicalized in response to attacks on Muslims. The case of Aftab Ansari describes how a criminal involved in kidnapping assisted in financing the 9/11 attacks through his terror connections. The Purulia arms-drop case suggests that criminals do not need to be ideologically inclined to assist terrorist groups; cooperation is often purely a business relationship.

Dawood Ibrahim and the 1993 Mumbai Bombings

The most powerful organized crime group in South Asia is currently the Dawood Gang, or D Company, led by Dawood Ibrahim. The Dawood Gang is one of South Asia's largest syndicates, with an estimated 4,000 to 5,000 members, over half of whom are from the Mumbai area. Dawood was designated a terrorist supporter by the United States in October 2003 for assisting Al Qaeda by letting it use his smuggling routes to escape from Afghanistan and for aiding terrorist organizations such as Pakistan's Lashkar-e-Taiba (Army of the Righteous). Dawood is Indian, but he is thought to reside in Pakistan and carry various Pakistani passports. The Indian government has requested his extradition, but the Pakistani government has denied that he is the country. The connections between his criminal networks and terrorist groups based in South Asia is a cause for international concern, as the latter's interests spread far beyond the region.⁶

⁵ Michael Hirsh, "Kidnapped Reporter Sought Underworld Contacts," *Newsweek*, Feb. 4, 2002; Husain Haqqani, "Trying to Create a New Pakistan," *New York Times*, Feb. 13, 2002.

⁶ Author interviews with Indian law enforcement officials, New Delhi and Mumbai, Dec. 2003; "Dawood-Dossier," *Press Trust of India*, Oct. 17, 2003; Raj Chengappa with Sheela Raval and Anil Padmanabhan, "War on Terror: Getting Dawood," *India Today*, Nov. 3, 2003; "Dawood Not in Pak, Not Its National," *Press Trust of India*, Nov. 11, 2003; "India Renews Demand for Dawood's Extradition," *Times of India*, Jan. 10, 2004.

Dawood developed his skills as a smuggler locally and was arrested several times in the 1970s. In time, his gang incorporated and eliminated other local gangs and leaders, increasing Dawood's influence and wealth. In 1984, Dawood escaped to Dubai while on bail for murder; other members of his gang followed. In recent years, although Dawood moved to Karachi, Dubai has remained a major base of operations for his gang, among other syndicates. Nepal has also provided a critical access link for the syndicates.

During the 1970s and 1980s, Dawood appeared to be relatively secular in his business interests, motivated mainly by profit. (Born poor, he and his family are now worth an estimated \$430 million.) His group included large numbers of Hindu and Muslim gangsters. However, in 1992, tensions escalated between India's Hindus and Muslims and ultimately stirred religious divisions in the criminal underworld. Hindu nationalists destroyed the Babri Masjid, a historic mosque in the northern Indian state of Uttar Pradesh, on December 6, 1992. In the subsequent riots, hundreds of people died, though Muslims were most frequently targeted. Dawood responded by engineering a series of bomb blasts throughout Mumbai (avoiding predominantly Muslim areas), which were carried out on March 12, 1993. The targets included the Bombay Stock Exchange, the Air India building, the Shiv Sena (Hindu nationalist group) headquarters, the gold market, and the Plaza Cinema. His involvement was a surprise to law enforcement, as organized crime had not been directly involved in major terrorist attacks in the past.

The bombings implicated several organized crime figures and their networks. In preparation for the attacks, Dawood and Tiger Memon (Ibrahim Mushtaq Abdul Razak Memon) recruited operatives for weapons training in the hinterlands of Pakistan. The operatives were sent first to Dubai, then on to Pakistan with new identities and false passports. The authorities in Dubai supplied the recruits with transit visas. Upon arrival in Pakistan, the recruits trained in the use of the AK-56, hand grenades, rocket launchers, and RDX.⁷ Shipments of the weaponry to be used in the attacks came in through ports near Bombay, assisted by corrupt officials. In the investigations following the attacks, 1,034 kg of RDX were seized by Bombay police in a warehouse and another 2,380 kg in a nearby creek, in addition to 459 grenades subsequently found to be manufactured in Pakistan and 63 AK-56 rifles.⁸ Collusion between terrorists and criminals was only possible as a result of cooperation by Pakistani officials and the corruption of various Indian agencies.

The Mumbai blasts killed 257 people and splintered the Dawood Gang. Various members of the syndicate condemned the blasts, including a

⁷ Cyclotrimethylenetrinitramine, a white crystalline solid used in mixtures with other explosives, oils, or waxes. For more on the March 12 bombings, see S. Hussain Zaidi, *Black Friday: The True Story of the Bombay Bomb Blasts* (New Delhi: Penguin Books, 2002).

⁸ Indian Central Bureau of Investigation Data; Zaidi.

Hindu criminal known as Chhota Rajan, who then formed an opposition group of former gang members. Although Dawood still has the support of many Hindu gangsters, the 1993 bombings altered the nature of his support base and solidified his status as a protector of Muslim interests.

Since he began receiving renewed attention after 9/11, Dawood is speculated to have moved some of his operations from the UAE to Saudi Arabia, which he has visited numerous times in recent years. The UAE's increased cooperation in turning over criminals and terrorists to both India, with which it signed an extradition treaty in 2003, and the United States has made Dubai a less attractive base for Dawood's operations.

The Dawood Gang's ability to launch attacks on Mumbai that used tons of explosives and massive amounts of firepower indicates that organized crime in South Asia is extremely capable of supporting terrorist ends. Furthermore, criminal groups may possess—or acquire, in this case as retribution—ideological as well as business reasons for supporting terrorist activities.

Case II: Aftab Ansari

A well-known kidnapper and weapons smuggler, Aftab Ansari provides an example of criminals' providing financial assistance to terrorist undertakings. Based in Dubai, Ansari began as a criminal but developed links to terrorist financier Sayed Omar Sheikh when they were in prison together in the 1990s. Sheikh had been known for kidnapping Britons and Americans in order to obtain the release of Islamic militants held by India. In 1999, Ansari was released from prison and left for Pakistan, where he was issued a Pakistani passport. The same year, both Sheikh and Maulana Masood Azhar, leader of the Pakistan-based terrorist group Jaish-e-Mohammed (Army of Mohammed), were released in exchange for hostages from the Indian Airlines flight that was hijacked to Afghanistan. Ansari and Sheikh came to an agreement that Ansari would provide recruits for training in Jaish-e-Mohammed and Lashkar-e-Taiba training camps in Pakistan, while Sheikh would make his terrorist networks available to assist Ansari's criminal activities.⁹

In August 2001, Ansari kidnapped an Indian shoe manufacturer, Partha Roy Burman, for \$830,000 in ransom. According to a trail of Hindi email intercepted by the Indian authorities, on August 11, Ansari sent \$100,000 to Sayed Omar Sheikh via Dubai. Sheikh is believed to have then sent the money to Mohammed Atta, a 9/11 hijacker. In exchange for the money, Sheikh agreed

⁹ Celia W. Dugger, "India Says Man in Attack on U.S. Site Has Terror Tie," *New York Times*, Feb. 17, 2002; Dave Goldiner, "Former Hostage Recalls Horror," *Daily News (New York)*, Feb. 9, 2002; Praveen Swami, "The Arrest of Aftab Ansari," *Frontline*, vol. 19, no. 4, Feb. 16–Mar. 1, 2002.

to give training and weapons to the kidnappers. Later, Sayed Omar Sheikh and Ansari continued to cooperate, conducting the attack on the American Center in Calcutta in January 2002.¹⁰ Sheikh was also believed to be involved, along with Khalid Shaikh Mohammed, in the Daniel Pearl kidnapping and execution. In February 2002, Ansari was arrested in Dubai and admitted to funding terrorism through kidnap for ransom, drugs, and arms. He also admitted ties to Sayed Omar Sheikh.

The case of Aftab Ansari suggests that individuals involved in organized crime activities may adopt or be converted to the ideological leanings of terrorists through prison contact and other association. In addition, his intent and ability to transfer funds in support of the 9/11 hijacking indicates the international reach and efficiency of these operations. The linkages between organized crime and terrorist networks easily transcend the boundaries of the countries in which the networks are based.

Case III: Purulia Arms-Drop Case

The Purulia arms-drop case illustrates the vast scale of organized crime's support for terrorist activities. In December 1995, an Antonov-26 aircraft dropped more than 300 AK-47/56 rifles, 20,545 rounds of ammunition, Dragov sniper weapons, rocket launchers, and night-vision devices into the village of Purulia in West Bengal, India. The Russian aircraft was bought from Latvia for \$2 million and chartered by a Hong Kong-based company, with the weapons picked up from Bulgaria.¹¹ The plane first flew to Pakistan and Bangladesh before entering India. The man suspected of leading the weapons deal is Danish; a number of British, Latvian, and Indian nationals were found guilty in the case. The weapons were ultimately being procured by a religious cult in India known as Anand Marg (Pathway to Bliss), to be used in political revolt against the ruling communist party in West Bengal. However, other than the Dane, the individuals involved in the weapons deal were not all followers of the religious group.

This case illustrates how organized crime can come to the assistance of a terrorist organization without sharing the organization's ideological beliefs or goals. Weapons dealers do not need to be ideologically allied with the terrorist groups they are assisting. In effect, terrorist groups are outsourcing many logistical and supply issues to affiliated organized crime networks. The result is an organization that may have more members of organized crime than committed terrorists involved.

¹⁰ Paul Watson and Sidhartha Barua, "Worlds of Extremism and Crime Collide in Indian Jail," *Los Angeles Times*, Feb. 8, 2002; "Aftab Ansari Admits to Masterminding Kolkata Shootout," Rediff.com, Feb. 11, 2002; "Fear of Ansari's Flight Prevails," *The Statesman (India)*, Mar. 25, 2004.

¹¹ Sanjiv Kumar Upadhyay, "Crime in India," *Work Product of the 116th International Training Course: Resource Material Series No. 58* (Tokyo: UNAFEI, December 2001), p. 197.

The Business of Terrorist Logistics

Joint criminal and terrorist enterprises in South Asia are supported by a variety of businesses. The illegal investments of organized crime networks provide profits for the criminal organizations, as well as funding for terrorists' weaponry and training. The criminal interests in arms and ammunition trafficking are of particular concern. Criminal groups involved in selling weapons may be particularly likely to cooperate with terrorists. Other criminal groups—those that provide prostitution or organs, for instance—often are in the business of providing illicit goods to consumers who may not otherwise be criminals. However, some of the proceeds from these businesses may be diverted toward supporting terrorist groups, as even these criminal arenas are dominated by large multinational criminal enterprises.

Small arms are brought into South Asia from the West, through Afghanistan and Pakistan, and from the east, originating in China. A large quantity of small arms entered South Asia with the advent of the war in Afghanistan in the 1980s, and more arms were brought in with the most recent conflict in the country.¹² The AK-47 and AK-57 have been popular weapons for their ease of use, low cost, and ready availability.¹³

Much of the trafficking of narcotics and other illegal drugs in Asia traverses South Asia, which is conveniently located between the Southeast Asian "Golden Triangle" (Burma, Laos, and Thailand) and the Golden Crescent of Afghanistan-Pakistan-Iran. Traffickers send narcotics from Afghanistan to Pakistan and through south India to the ocean and on to destinations in Europe and Russia. Despite Islamabad's efforts, Pakistani traffickers also play an important role in financing and organizing the heroin produced in Afghanistan. Heroin and other drugs are being transferred from Southeast Asia and Myanmar through India to points west.

In addition, India is the world's largest legal producer of opium for pharmaceutical purposes. A small part of this licit production is diverted to be sold abroad illegally by organized crime, although the majority of diverted opium is used locally.¹⁴ Various terrorist and extremist groups have been able to profit directly from this illicit trade in substances, using the profits from drug sales for the purchase of weapons. Militants in Afghanistan have long relied upon drug profits to fund weapons procurement and for general support, as do the Liberation Tigers of Tamil Eelam in Sri Lanka and various insurgent groups in India's northeast.

The construction and real estate industries form another extremely profitable business venture for organized crime groups. The crime syndicates

¹² See James D. Medler, "Afghan Heroin: Terrain, Tradition, and Turmoil," in this issue of *Orbis*.

¹³ Author interviews with senior Indian officials, New Delhi, Dec. 2003.

¹⁴ UN *Report of the International Narcotics Control Board for 2003*, pp. 61–65.

have played a role in forcibly vacating properties, settling property disputes, and providing loans and protection against other gangs. The Dawood syndicate, for example, launders vast quantities of money by purchasing old buildings and converting them into multiplex shopping centers. A dozen of Dawood's properties in India were confiscated after he absconded in the wake of the 1993 Mumbai bombings. However, he is known to hold many more under others' names. He also owns shopping plazas, hotels, and other real estate in Pakistan, is believed to have large interests in the Pakistan stock market, and is thought to have multiple hotels and businesses in Dubai. In 2003–04, members of the Dawood Gang and several Mumbai civic officials were arrested in India for assisting in the gang's plan to construct a shopping centers on government land opposite the office of the Mumbai police commissioner.¹⁵

The syndicates have also profited from “Bollywood,” India's center of movie production in Bombay. Bollywood is the largest film industry in the world, producing movies that are popular across Asia, the Middle East, and Africa, and increasingly in Western countries as well.¹⁶ However, this extremely profitable industry has proven to be a target for the criminal underworld. Syndicates have provided financing for films over the years and engaged in extortion. Criminals have also played a role in recovering money for financiers from producers after the failure of films at the box office. As a result, there have been several high-profile killings of Bollywood personalities, including music producer Gulshan Kumar and film producer Mukesh Duggal, both in 1997.

Prostitution in South Asia is dominated by the criminal syndicates, and the numbers of prostitutes in or trafficked from the region runs into millions. Prostitutes are smuggled into India from Nepal and Bangladesh. An unknown but large number of young girls are sent and sold to Arab countries each year, and small boys are also sold to the Arab states as camel racers. Dubai remains a popular destination and transfer point for the prostitution organized by South Asian criminal networks. The smuggling routes used for the illegal trafficking of humans could easily be used effectively as routes for terror groups.

The criminal syndicates and terrorist networks also benefit from conducting *hawala* transactions. Hawala arose from the weakness of the banking system, particularly in rural areas, and is based upon trust. Hawala exchange is common throughout South Asia and the Middle East, and it is not exclusive to Muslim communities. The Dawood and Chhota Rajan Gangs dominate the *hawala* network to and from India. The scale of *hawala* transfers is unknown, as these transactions cannot be traced easily. As a result, *hawala* has been useful for transmitting illegal proceeds from criminal activity and

¹⁵ “Mumbai Civic Body Officials Arrested in Mafia Probe,” *Indo-Asian News Service*, Jan. 27, 2004.

¹⁶ Sumathi Bala, “The Empire Strikes Back: Could Bollywood Be Bigger than Hollywood?” *Financial Times*, Aug. 28, 2004.

terrorist groups. Since 9/11, *hawala* has come under intense scrutiny for the role it plays in the funding of terrorist groups.

The cataclysmic tsunami that destroyed communities across South and Southeast Asia on December 26, 2004, is a factor that could allow organized crime to benefit from the chaos. Orphaned children and widowed women are particularly susceptible to human trafficking by criminal syndicates. In addition, relief aid, if not well monitored, could face hoarding for sale by criminal elements. Restoring law and order as soon as possible to the affected areas and accounting for susceptible persons is critical to denying syndicates these opportunities.

Policy Implications

The boundaries between organized crime and terrorist groups in South Asia are blurring. Some of the connections between the two are primarily tactical, but some of the blurring is longer term. Various members of South Asian criminal syndicates have come to adopt the ideologies or religious (especially Islamist) fervor of terrorists. And entire gangs, such as the Dawood Gang, have adopted ethnic or ideological motives, especially in reaction to sharpening ethnic tensions or particular attacks on the Muslim community.

Improving judicial systems and ensuring more fair outcomes are critically important, and Pakistan will require far more sweeping reforms than India will. The Indian government would benefit from law enforcement training, anti-corruption initiatives, and streamlined judicial procedures. By contrast, Pakistan must undertake fundamental political and judicial reforms.

Pakistan. Pakistan needs to strengthen its constitution and agencies against high-level corruption. Its centralized, authoritarian system does not allow for effective implementation of the rule of law, and, as the A. Q. Khan nuclear sales case demonstrates, it may permit collusion between high-level government officials and crime or terrorist groups. Appropriate agencies may not be able to exert authority in cases involving people with high-level connections. Past and perhaps continuing support from Pakistan's intelligence directorate or army of militant groups provides semi-legal cover for operatives working for terrorist and criminal organizations. Until the judiciary is able to work independently, it will be difficult for Pakistan to root out criminal and terror groups operating there. Reforms should focus on isolating the judiciary from political influences. In recent years, President Musharraf was able to easily implement changes to the country's constitution in order to validate his presidency, thus setting a precedent for further political manipulation of the legal system. This type of interference should be protested by the international community. The United States provides some equipment, supplies, and training to Pakistan's law enforcement agencies for combating the narcotics trade, and surveillance equipment, communications equipment, vehicles, and aircraft to improve border security. However,

without fundamental changes to the political system, these tactical measures will be of limited effectiveness.

India. The Indian judicial system also needs assistance and restructuring to counter the strength of these criminal syndicates. Bail is too easily available, and the pressuring of witnesses is all too common. Moreover, the criminals sometimes receive protection from politicians, bureaucrats, law enforcement agencies, and the judiciary, who may fear reprisal or reap benefits from these corrupt connections. Moreover, both Hindu nationalist parties and radical Muslim organizations contract the services of gangs and criminals for starting riots and political assassinations.

To reduce political corruption, the Indian government needs to provide access to information under the control of public authorities and increase transparency. Although transparency and freedom of information are guaranteed by the Indian constitution, the 2002 Freedom of Information Act has not yet been put into force by the central government. Its implementation would provide citizens a powerful tool against corruption.

More effective legislation is also critical for bringing criminals to trial. In 1999, the government of Maharashtra took initiative against Mumbai syndicates by passing the Maharashtra Control of Organized Crime Act, which enabled authorities to expedite prosecution of organized crime cases. Given the pervasiveness of corruption in the criminal law system, implementation of a law similar to the U.S. Racketeer Influenced and Corrupt Organizations Act (RICO) may also be required. In the United States, citizens who have been harmed financially or otherwise by organized crime activity are empowered to file a civil suit under RICO. Successful suits award the individual three times the amount of damages, as well as their attorneys' fees and costs. This act dramatically increased the number of claims that could be brought against organized crime groups, and it enabled citizens to take initiative in combating crime.¹⁷

U.S. law enforcement training and assistance could also strengthen the Indian judicial system and law enforcement. The United States already provides some assistance for improving customs enforcement, the narcotics intelligence infrastructure, and laboratory facilities. Expanded assistance for equipment procurement and training in investigation techniques and presenting evidence in court could be further areas of cooperation.

Terrorist groups will continue to operate as long as they can acquire from criminal groups the needed weaponry, financing, and personnel. Closing

¹⁷ RICO has been an effective tool against organized crime in the U.S. However, it has also engendered a debate over how the 1970 Act, Title 18 U.S.C. §1961 et seq., which was intended to be applied to the Mafia, actually is more often used against regular corporations and individuals, given the Supreme Court's broad definition (in *U.S. v. Turkette*, 452 U.S. 576 (1981)) of the word "enterprise" in Congress's legislation. See e.g. "How Long Can You Go (Down the Ladder): The Vertical Reach of RICO," *John Marshall Law Review*, Fall 2003. A version of RICO that clearly and directly addresses organized crime may be more appropriate in the South Asian context.

this access is difficult, but crucial. Both the terrorists and the criminals rely upon weak law enforcement and corruption. Much more attention needs to be paid to promoting the rule of law, combating corruption, and improving judicial proceedings and police capabilities. International cooperation on extradition laws and agreements must also be strengthened. Further investigating the linkages between terrorists and criminals could permit improved measures to deal with both; underestimating the bonds between the two could prove disastrous.



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