

SPEECH BY MP RAJEEV CHANDRASEKHAR ON THE DECLARATION OF COUNTRIES AS SPONSOR OF TERRORISM BILL, 2016

Sir, I Beg to move that the Bill to declare any country as state sponsor of terrorism and withdraw economic and trade relations with such country and to create legal, economic and travel sanctions for citizens of that country and for matters connected therewith or incidental thereto, be taken into consideration.

Sir, I thank you for allowing this Bill to be debated. On 18th September 2016, there was a terror attack in Uri and 19 lives were lost. This was one more incident in a series of incidents that this country had seen and those were lives in a series of lives that India had lost over many decades confronting terrorism.

These attacks marked a turning point in my mind and I publicly promised that I would take on the important responsibility of calling Pakistan for what they are and what they have always been – A State Sponsor of Terrorism.

That is why, in the Winter Session of Parliament, I submitted a Resolution declaring Pakistan a terror state and I also moved a Private Member's Bill which is the Bill that has come up today for discussion and consideration. It is to call out countries like Pakistan that continue to associate, promote, patronise and sponsor terrorism against our nation.

I also wrote to the leaders of all political parties to support this Resolution. Regrettably, the Resolution was not taken up. But the Bill was introduced in the Winter Session. Today, I am very happy to have this discussion commenced.

Why this Bill? Many people told me that this is like another Private Member's Bill and that it will not see light of the day, etc. As I have seen from my colleague Shri Tiruchi Siva's Bills, Bills like this do have a purpose. They start a discussion and a conversation in this House that will perhaps not end here and give the people of India a conversation or start a conversation on what should be really our relationship with Pakistan given that there is incontrovertible evidence that they support terrorism.

For decades, India and other countries in the region have been victims of numerous terror attacks from organisations and individuals based in and with the support of elements in Pakistan. Yet, for decades, we have remained engaged with Pakistan in an attempt to draw it into the mainstream.

Sir there is a basic tenet in criminality which you as a lawyer will recognise. Basic tenet of criminality and criminal conduct is that if criminals are not declared criminals and are not made to bear the consequences of their criminal actions, they will continue to be criminals. I am not a lawyer, but I extend this hypothesis or thesis that this is also true for countries that aid and abet terrorism and use terrorism as a misguided tool of their State policy. If they are not brought to account, they will continue to violate all established laws and conduct. Therefore, this Bill is to finally put into motion the process of calling terror sponsors to account for years of terror sponsorship and for causing losses of innocent lives not just in India but also in other parts of the world.

There is another important reason. The world is getting tired and has lost patience with rogue nations, nations that don't conform to global standards of civilised conduct and compliance with law and act as State sponsors of terrorism. As the world opinion consolidates around the conduct of some countries like Pakistan, the focus will naturally come on what the approach of India and the Indian Parliament to this threat is.

Sir, I humbly state that it cannot be our case, as Parliament and as a country, that the world declare and treat Pakistan as a terror-sponsor while all we have done is a 1994 Parliamentary Resolution. It is time that we stopped running to other countries to declare Pakistan a terror State and stood up and did this job ourselves.

What is Pakistan's record? There is not one man or woman in this country that does not recognise its direct role in fostering terrorism against India and not just for the last few years but for several decades. Pakistan's history and track record of fostering terrorism and terrorists is long and indeed distinguishable and incontrovertible.

For example, the year 2016 that has just gone past began with a terror attack in Pathankot on 2nd January, in which seven people lost their lives. This was followed by a series of attacks in Gurdaspur, Machil, Pampore, Uri and Nagrota to name just a few. The year 2016, itself ended with an attack in Pampore. In all, we lost 87 lives and 165 militants were killed in 2016.

How can we as Parliament forget 13th December, 2001 when this very Parliament, the temple of our democracy, was attacked by Pakistan-based terrorists killing as many as 15 people and injuring at least 20 people before our security forces gunned them down?

How can we forget 26.11.2008, the Mumbai terror attacks? As the world watched in horror on television screens, Pakistan-based terrorists created a bloodbath in a series of 12 coordinated shooting and bombing attacks which lasted four days, killing 164 and wounding over 300 people. Despite overwhelming evidence, including from captured terrorist Kasab and David Headley pointing to Pakistan, that country continues to do nothing about prosecuting those responsible, confirming and reconfirming its deep involvement as a State that supports these attacks.

The irony is, despite undeniable evidence and widespread desire of the people of India, we have continued to engage with Pakistan diplomatically, culturally and economically in a meaningless engagement, which, in my opinion, serves only one purpose - for time to pass by and memories to fade about the last terror attack. These meaningless dialogues have exposed one fundamental reality that Pakistani State will not do anything unless they are coerced or pressured to do so. It is a fact, we all must recognise, that it is only after the Kargil bloody nose on Pakistan, that Pakistan turned responsive.

According to data from 1988 to 29th January, 2017, 14,741 civilians have been killed in terror attacks in our country, 6,274 security force personnel lost their lives and we have killed 23,146 terrorists. On 22nd January, 1994, we, in this very House, unanimously adopted a Resolution condemning "strongly the continued support and encouragement Pakistan is extending to subversive and terrorist activities in the Indian State of Jammu & Kashmir", stopping short of a stronger resolution to send a message to not only Pakistan but also the rest of the world that we will not take Pakistan sponsored terrorism as business as usual.

Until now, successive Governments, except for Shrimati Indira Gandhi's 1971 defeat of Pakistan in Bangladesh and Shri Atal Bihari Vajpayee's crushing of Pakistan in Kargil, have done very little and continued to have meaningless debates and kept running to major powers to pressure Pakistan. It is for first time with this Government that we have demonstrated military resolve and use of the Army with its surgical strikes. But there is more that we can do and must do by using our diplomatic, legal and economic strengths. Our basket of options to bring Pakistan to book must be expanded beyond military. Which is precisely why I have introduced this Bill to use economic trade, sports, cultural sanctions with Pakistan, to review and repeal the 'Most Favoured Nation Status' given by India to

Pakistan and to review the Indus Water Treaty and to further punish those who aid and abet Pakistan.

Sir, let me just describe the Bill in a few sentences. The Bill is to declare any country, this is the format that will help India, and the Parliament and the Government to declare any Government, any state that sponsors terrorism against India. Whilst we recognise Pakistan as our principle aider and abettor of terrorism, this Bill can apply in future to other countries also that directly or indirectly aid terror attacks against India. I will not mention the names, but we have a fair understanding of which the other countries are.

This Bill, in Section 2(b), defines what a state sponsor of terrorism is. It is any country which, through its instrumentalities or retired officials or through deliberate negligence, provides support to terrorist acts directly or indirectly. This Bill defines terrorist act. It defines in 2(b) the state sponsor of terrorism and in 2(c) it defines terrorist act.

As one of the principal victims of terrorism for many, many decades, we can set the basis of defining what a terror act is even while the United Nations still struggles to define terrorism. It is one of the ironies of the contemporary age that the United Nations even today struggles for declaring Hafiz Saeed a terrorist because they are quibbling about the definition of terrorist act. So, this Act defines under 2(c) what a terrorist act is. Through the following clauses, it lays out in very clear form what the economic and other consequences are that would be applicable to a state sponsor of terrorism that aids, abets, directly or indirectly, the terrorist act.

For example, it talks about Heads of States of state sponsor of terrorism being prohibited to travel to and from India. It talks about business entities that are linked to the state sponsor of terrorism being sanctioned against conducting trade, investment or any form of other economic and commercial activity with any entity or the state, the country of India. It talks about overflight restrictions for entities that are linked to the state sponsor of terrorism and coastal prohibitions for entities that are linked to the state sponsor of terrorism.

Sir, I will conclude by saying that I believe that the Government and Parliament must act now. The winds of change are blowing in the world against terrorism and terror sponsors. This was obvious in the universal condemnation of Pakistan during the Uri terror attacks.

In a sense it is a little ironical that we, as a Parliament, have not done anything more than the 1994 Resolution because in September, 2016, the US Congress introduced a Bill. Senator Ted Poe and Congressman Dana Rohrabacher introduced a Bill titled, "Pakistan State Sponsor of Terrorism Designated Act". They were quite clear. They actually included the name "Pakistan" in the name of the Bill. I am trying to be much broader and saying this is not directed at Pakistan, but it is a declaration of state sponsor of terrorism. Senator Poe introducing the Bill stated and I quote, "Not only is Pakistan an untrustworthy ally, Islamabad has also aided and abetted enemies of the United States for years. From harbouring Osama Bin Laden to its cozy relationship with the Haqqani network, there is more than enough evidence to determine whose side Pakistan is on in the war of terror and it is not America's."

Sir, if you just take the word "America" out of that quote and insert "India", that quote holds good for us. Therefore, it is ironical and I repeat that while the US Congress, a nation that is miles away from Pakistan, has introduced a Bill and is debating a Bill or has debated a Bill, our Parliament has done very little since 1994. I am going to cite one more quote from the same gentleman. He states, "Pakistan's reckless behavior in this regard is a serious security risk to its neighbours and India

unfortunately, pays the price all too often. Not only is Pakistan an untrustworthy ally, Islamabad has also aided and abetted enemies for years."

So, Sir, let me end by saying, the terror attacks on India has not just caused loss to lives, it has caused significant economic loss to us. On one hand our businesses bleed due to Pakistan-sponsored terror, yet on the other hand we have continued to grant Pakistan the 'Most Favoured Nation' status without the same being granted to us reciprocally. Pakistan poses a continual risk to the peace, security and stability of the region, harbouring terrorists and funding terror outfits that have orchestrated terrorism world over.

In addition to its diplomatic and military options, India can and should use its economic and trade strengths to send out a strong and firm message that we intend to change the relationship with Pakistan into one where Pakistan is a more responsible and accountable neighbour. There is no justification in the world that allows a nation or group to perpetrate violent crime against innocent people.

With this Bill, Sir, we in Parliament can reflect the will of our people because there is not a man or woman as I said earlier in this country who does not want that Pakistan be declared a State that sponsors terrorism. It is time that we should define what national interest means because we are seeing what the rest of the world is doing to protect their nations and their own people.

I appeal to the House and all my colleagues here to start a discussion around this Bill to signal, internally and externally, the depth of our national resolve that there will be no more half measures when it comes to protecting India and its people from terrorism.

Thank you, Sir.

Jai Hind.