

Rana's trial begins in Chicago Court

Rana, a 50 yearold Chicago businessman, is accused of helping his childhood friend Headley to scout targets for the militant group Lashkare Taiba (LeT) for the 2008 Mumbai carnage that left 166 people, including six Americans, dead

The trial of Pakistani Canadian Tahawwur Rana, who is accused with David Coleman Headley for the 26/11 terror attacks, began here with the initiation of jury selection process at a federal court house.

Rana, a 50yearold Chicago businessman, is accused of helping his childhood friend Headley to scout targets for the militant group Lashkare Taiba (LeT) for the 2008 Mumbai carnage that left 166 people, including six Americans, dead.

The trial, supposedly the most important terrorism trial ever to be held here, began yesterday with the jury selection process at the Dirksen Federal Courthouse.

A total of 100 jurors filled out the questionnaire and will be questioned by US District Court Judge Harry Leinenweber.

After the jury is finalised this week, the opening arguments of the case will be presented by both sides.

Rana with his gray beard and hair and wearing spectacles was accompanied with his attorneys Patrick Blegen and Charlie Swift.

"It is the beginning of jury selection and jurors are filling out the questionnaire even as we speak," Blegen told reporters here. "It's the best way to select a jury."

The questionnaire jurors will fill out has more than 60 questions. It will ask questions about Islam, and jurors' feeling about Islam.

Swift said that since 80 per cent of Americans distrust Islam, Rana needed fair jurors.

"There is only one verdict the jury will reveal not guilty," Rana's attorney, Charlie Swift said.

Swift said that the jury needed people who are ethnically and racially diverse, men, women, young, old, who could put aside their prejudice and biases.

"People hailing from India, Denmark and Pakistan would most likely be disqualified," Blegen said.

Blegen said that Rana was handling the ongoing trial as best as he can.

"Rana is very nice and polite and is handling a difficult situation with grace and much better than I'd be handling it,"



Blegen said.

Blegen said that jurors who could put aside emotions and could rule based on faith and logic were needed.

Headley is also likely to testify at the trial and will reveal how he planned to carry out the Mumbai attacks.

While Headley pleaded guilty, Rana has not.

Headley, Rana's old friend from military school in Pakistan, claims that two years before terrorists struck the Indian port city of Mumbai; he began laying the groundwork for the attack, financed by \$25,000 from an officer in Pakistan's powerful intelligence service.

Rana, on the other hand, said that he was duped by Headley.

Blegen said that the conviction rates are high for Rana, he could overcome it.

"A lot of revelations will come forth and will come to light during the trial," Blegen added.

On 25 April, in a second superseding indictment, US prosecutors charged four additional men, all Pakistani residents, in

the 26/11 terror attacks that left 166 dead, including six Americans.

Headley, who was originally Daood Gilani, changed and anglicised his name in order to carry out the carnage without disclosing his Pakistani identity.

Rana, who had served as a doctor in the Pakistani Army Medical Corps, before he migrated to Canada, is also accused in plotting an attack with Headley on a Danish newspaper Jyllands Posten that published cartoons of Prophet Muhammad.

Rana, who was indicted by a federal grand jury under 12 counts on 15 February last year for planning the attacks, providing material support to LeT to carry out the attacks and guiding Headley in scouting targets in Mumbai in the process, is set to go on trial in Chicago on Wednesday.

Arrested in Chicago over the Mumbai attacks, Rana had claimed that he provided "material support" to 26/11 terrorists at the behest of Pakistani government and ISI.

If convicted, Rana faces a possible life sentence.

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They are aware that nothing is possible unless there has been a certain degree of support from the establishment. Moreover, Osama was living in a place close to the army headquarters in Abbottabad, about 70 km northeast of Pakistan's capital Islamabad. This is not a fact that would have gone unnoticed by the ISI. The Pakistan military largely depends on the intelligence provided by the ISI and hence all these movements and operations are well known to the establishment.

The biggest backlash would, however, be from the Haqqani Network with which the ISI has been toying for some time now. The ISI had managed to get the outfit into the Al Qaeda network. For the ISI, this move had paid off as it managed to set up a very strong force. But today, both outfits feel betrayed.

A major embarrassment that the ISI would face is after May 15 when Headley and Rana go on trial. Rana, in particular, had in his defence claimed that the LeT had nothing to do with the 26/11 attack in Mumbai and that it was the ISI, which had planned everything since day one.

The ISI is extremely worried; it has been trying to exert immense pressure through diplomatic channels to prevent any such statements from coming out. If Rana's claims are accepted by the court, many high-ranking officials will have to stand trial. It would also go on to confirm that the Pakistani establishment had sponsored the gruesome attack on Indian soil. ISI would first look to rally its troops together and assure them that the war could still go on. However, terrorist groups would settle for nothing less than revenge and the ISI would need to play along to keep them amused. This would mean trouble, as the ISI is expected to give them a free hand to stage attacks.

After Osama

The killing of Osama bin Laden in such genteel surroundings, literally in the shadow of the Pakistan Military Academy in Abbottabad, shows that Pak Army & ISI supported him. The consequences of the capture of the most hunted man of our times will be widespread, given that he contributed in so many ways to global instability - as instigator and inspiration, as financier and a Pied Piper sort of recruiter. Whether directly affiliated to him or not - and we still do not have a good enough measure of the ties that bin Laden directly nurtured - there are all kinds of constituents of the al-Qaeda diaspora. Nonetheless, the

biggest consequence will be for the sub-continent, where Pakistan's enabling environment for al-Qaeda and its affiliates has been the principal source of regional instability, not least in Pakistan itself. Indeed, the American operation is confirmation that the war for Afghanistan, and the region as a whole, has to be fought in Pakistan.

The ISI and the Pakistan army did not offer any help, a reflection of how differently Pakistan views its stakes in Afghanistan. The powerful chief of the Pakistan army, General Ashfaq Kayani, is a laconic man, but he has made little secret of his expectation that Afghanistan is to become his country's backyard. He also recently made claims, unusual for him, about breaking the back of terrorism. The American operation in Abbottabad will therefore pose questions of him and his army about the means they use for strategic advantage, and the quality of the cooperation extended upon promises of fighting terrorists.

What Does It Mean For India

For India, however, this is a not a moment to gloat over. The death in Abbottabad is a reminder of the realism needed to negotiate the new great game being played for Afghanistan after the drawdown of American troop presence. Of course, India has to continue to take the initiative and being large hearted in engaging with as large a section of the Pakistani establishment as it can. India must also be engaged with the US and the international community on steps towards Af-Pak peace, to prevent the re-emergence of Afghanistan as a hotbed for extremism.

The head of al-Qaeda was more of a symbolic figure by the time he was snuffed out by the US military. He was certainly not an expert on organisational details, especially those concerning the local franchising of his terror network. Organisations such as Jaish-e-Mohammad (JeM), Harkat-ul-Jihad-ul-Islami (HUJI) and Lashkar-e-Toiba (LeT) represent some of al-Qaeda's local franchises that are more difficult to fight as they have built deep social roots. These militant networks are wiser, too, as they know how to keep a distance between themselves, their core strategy and events such as this. The coming days and months are critical, as these local al-Qaeda franchises will re-group and fight back.

The author has nearly 40 years experience of handling cross-border conflicts

Government to come down hard on unauthorized phone taps

The Directorate of Revenue Intelligence (DRI), one of the agencies monitoring economic offences, could initiate action to curb rampant telephone tapping by the end of this month.

It will start by targeting high profile individuals, companies, private detective agencies, even some state-owned firms, that have imported 1,174 telephone surveillance devices over the last three years, said a senior government official with direct knowledge of the development and who did not want to be identified given the sensitivity of the subject.

The move comes after the government, stung by a series of controversies over leaked transcripts and recordings of telephone taps, decided to crack down on the unauthorized use of telephone surveillance devices, including those by its own intelligence and enforcement agencies.

Not only will it confiscate all equipment used for unauthorized taps, it will treat future possession as a criminal offence. For now, the government has not pressed criminal charges against anyone.

While on-air phone taps are permitted after approval by the home secretary, only the National Technical Research Organisation (NTRO), an intelligence agency that focuses on electronic surveillance, is allowed off-the-air taps, and even this is restricted to areas around India's geographical borders.

Under the provisions of Lawful Interception and Monitor ing System, the telecom operator has to facilitate surveillance. On average, 6,000,000 telephones are tapped by various agencies at any given time with the permission of the Union home secretary.

Another 10,000 phones are monitored by state government agencies.

Officials from the Intelligence Bureau (IB), Central Economic Intelligence Bureau (CEIB) and the cabinet secretariat independently confirmed that DRI would crack down on tapping devices by the end of the month.

"Approximately 250 devices are identified as off-the-air GSM interceptors since the Israeli and Chinese companies who have manufactured these equipment deal in GSM interceptors. Others, we actually do not know. We are purely relying on the disclosure made by the importers," added the government official mentioned in the first instance, explaining how DRI identified the number of tapping devices.

GSM is India's dominant technology platform for mobile telephony.

Off-the-air GSM monitoring systems are used for interception and monitoring of voice and SMS traffic in a passive mode, without interfering with the cellular network's operation. These machines, according to a Web search, are readily available abroad and cost between ₹2 crore and ₹8 crore. "On air interception means recording signals as they travel from tower to tower. The intelligence agencies have dedicated systems within the telecom operator's office to do that.

Off-the-air you enter the spectrum and tune in to the communication. One can do it anywhere if you have the equipment," said a telecom expert who asked not to be identified.

In a related development, the government has directed several law enforcement and intelligence agencies, including IB, Research and Analysis Wing



(RAW), Enforcement Directorate, DRI, the Income Tax department, CEIB and the Central Bureau of Investigation (CBI) to surrender their own off-the-air GSM telephone surveillance devices, said the senior government official with knowledge of the development and the officials in other agencies.

The government's decision to get tough with tapping and tappers comes after an amnesty scheme, announced in January, failed to elicit a response; unauthorized users were required to surrender tapping devices to the Telecom Enforcement, Resource and Monitoring wing of the department of telecommunications.

Despite repeated attempts, the telecom department did not divulge details

about the number of devices surrendered so far. Mint could not independently verify the exact number of companies, agencies and individuals that used the voluntary scheme, but learns that the response wasn't very encouraging.

DRI had handed over a list of 1,174 entities that had imported the telecom devices to IB in February.

"We are completing the verification of the end users of these equipment. About 60 are owned by corporates, including some top executives and private detective firms," said an IB official who did not want to be identified.

An internal audit report based on a scrutiny of NTRO's logbook submitted to national security adviser Shiv Shankar Menon, shows that the agen-

cy's surveillance devices, contrary to norms, were deployed more often in the national capital than in border areas, said a cabinet secretariat official who did not want to be identified.

According to serving and retired officials from India's intelligence agencies, originally only two agencies, IB and RAW, were authorized to intercept telegrams, letters and telephone calls.

An amendment made to section 5(2) of the Indian Telegraph Act in 1971 enabled DRI to intercept these, although the notification for this came only with the imposition of the Emergency in 1975.

The equipment to do this was manufactured by a small firm based in Bangalore and cassette tapes were used to record the conversations. The level of sophistication of these machines did not change till 1992 and the standard machine could tap 10 lines.

Modern devices have been procured by various agencies since 2004.

In April, a committee led by cabinet secretary K.M. Chan drasekhar, recommended new rules for tapping telephones to the prime minister.

S.D. Pradhan, former chairman, joint intelligence committee, said: "Telephone surveillance is done under the provisions of the Telegraph Act and it does not provide for passive interception, but we need to amend it to include the change in environment. But I agree there is a need for strict monitoring to avoid CEIB kind of misusing."

In 2003, the first largescale misuse of tapping became evident after phones of two government officers were tapped to charge them with corruption by CEIB.

Following this, the agency was stripped of its "tapping" powers.