

COMMENT 222 - **Remember Mumbai!** *Europe must not appease the sponsorship of terrorism*

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On November 26, 2008, terrorists [belonging to the Pakistan-based Lashkar-e-Taiba \(LeT\)](#) conducted coordinated terrorist attacks against multiple targets in Mumbai. The three-day carnage in India’s financial and economic centre, principal port city and second-most populous urban area in the country [led to](#) the killing of around 165 people and wounding of over 300 additional victims – in one of the most significant acts of international terrorism since 9/11.¹ According to former intelligence officer and senior analyst Bruce Riedel, the Mumbai attacks (also known as 26/11) became ‘a milestone in global Jihad’, setting the ‘[gold standard](#)’ for terrorists assaults for the following decade. The [2013 Westgate-Mall attacks](#) in the Kenyan capital Nairobi and the [2015 Paris massacre](#) are just two horrific examples ‘[modelled on Mumbai](#)’.

In this context, it is crucial to highlight the following points. The LeT (particularly its leader Hafiz Saeed, a UN-listed and US-designated [global] terrorist identified as the [mastermind of 26/11](#)) faced no penalty in his “home- and host country” Pakistan.² In spite of the non-disclosure of some evidence by both Indian and international investigators, there are [clear indications](#) of involvement by Pakistani

¹ See also Riedel (2009: 111).

² In 2020, Hafiz Saeed was [convicted and jailed](#) to six years in prison by a Pakistani court. However, the charges lodged by the authorities were based on terrorism financing as an attempt [to address the review](#) by the Financial Action Task Force (FATF) and not for his involvement in 26/. Moreover, Saeed has ‘[been arrested and released several times over the past decade](#)’.

authorities, foremost the Inter-Services Intelligence (ISI)³, in the planning and funding of the 2008 terror acts in Mumbai. 26/11 is part of the playbook the ISI has been applying for decades both in India and in Afghanistan:⁴ the conducting of “Jihadistic-embedded” [proxy wars](#) by Pakistan’s security apparatus in the neighbourhood so as to ensure national interests. Concretely, we are discussing the strategic engagement by the LeT (among other armed groups) to challenge India, and the instrumentalization of the Taliban (especially the Haqqani network) in Afghanistan by elements belonging to or acting on behalf of Pakistani intelligence. Pakistan’s support to the Taliban is [one of the main causes](#) for the US/NATO failure in Afghanistan. Pakistan holds deep responsibilities for the tremendous human, financial, and material costs suffered during the last two decades – not to mention the ongoing suffering by the Afghan people. Moreover, Pakistan [maintains its support](#) for the Taliban by lobbying for their new regime in Kabul. Islamabad downplays and camouflages the war crimes, human rights violations, and draconian suppression of Afghans under their rule on one hand, while trying to hold moral pressure on the international community on the other. Public statements by Pakistan’s Prime Minister Imran Khan such as the ‘[parliamentary eulogy of Osama Bin Laden](#)’ or the description of the military takeover of Afghanistan by the Taliban as the breaking of the ‘[shackles of slavery](#)’ are more than just mindless praises of jihadism. As the civilian face of an indirect military rule, Khan’s enthusiasm for the Taliban’s illegitimate rule in Afghanistan reflects the deep entrenchment of the notion of terrorism as a legitimate and accepted element within Islamabad’s political agenda.

Despite the obvious character and wide consensus among independent experts worldwide regarding the fact that Pakistan is the lynchpin of international terrorism and jihadism⁵, the international community – foremost the US and its European allies – continued for decades its unconditional support (in practice) to Islamabad. Observers stressing that Pakistan violates most international conventions it agreed upon and questioning the role of Pakistani military and intelligence in sponsoring terrorism long remained unheard. More concretely, studies stating that Pakistan is

³ David Headley, one of the central figures in the Mumbai attacks, [made a public testimony](#) stating that he worked closely with the LeT leadership and ISI agents. Furthermore, ISI is known to have provided training and funding for him to prepare the assault.

⁴ See for more details and further references: Wolf (2017: 109-155).

⁵ See also Wolf (2017: 109-155).

undermining the efforts by the US and its NATO allies on their war on terror, especially as regards their engagement in Afghanistan, were obviously not understood by most decision makers on both sides of the North Atlantic.

Today, after witnessing the dramatic developments in Afghanistan, it appears that such situation is changing.

On April 1, 2021, U.S. Senators sponsored a [bill](#) ‘to terminate the designation of the Islamic Republic of Pakistan as a major non-NATO ally, and for other purposes’ [H.R. 35⁶]. When the bill becomes law, Pakistan would lose the ‘[...]status that allows for various benefits such as access to excess U.S. defence supplies and participation in cooperative defence research and development projects’. Furthermore, ‘[t]he President may not redesignate Pakistan a major non-NATO ally without certifying that the country has taken various actions against the Haqqani Network, including continuing to conduct military actions against the Taliban-affiliated group and prosecuting its leaders.’ On September 27, 2021, U.S. Senators introduced the ‘Afghanistan Counterterrorism, Oversight, and Accountability Act of 2021’ into the legislation process.⁷ The bill would ‘[...] require the imposition of sanctions with respect to the Taliban and persons assisting the Taliban in Afghanistan, and for other purposes.’ The proposed legislation [calls for a comprehensive report](#) on Pakistan’s ‘role in Afghanistan before and after the fall of Kabul and in the Taliban offensive in Panjshir Valley’.

Both bills moved into the Senate carry critical clauses regarding Islamabad, which experts believe can be sanctioned if substantial evidence is provided. This clearly indicates an evolving rethinking among leading politicians in Washington regarding their country’s relations with Pakistan. That this is not just another transient “[Pressler moment](#)” or a negligible result of differences between Democrats and Republicans (which just must be sat out, as assumed by [commentators in Pakistan](#)) is ensured – for it is echoed in Europe as well.

On, September 16, 2021, the European Parliament (EP) passed a resolution on ‘[\[t\]he situation in Afghanistan](#)’. The document ‘[r]ecalls that for many years Pakistan provided safe havens for Taliban members, as well as assistance to their security

⁶ During the time of writing, the [last action taken](#) in the legislation process is that the text was referred to the ‘Subcommittee on Asia, the Pacific, Central Asia and Nonproliferation’ by the ‘Committee on Foreign Affairs’, House of Representatives [04/02/2021].

⁷ During the time of writing, the [last action taken](#) in the legislation process is that the text was read twice and was referred to the ‘Committee on Foreign Relations’.

forces; instructs the EEAS [European External Action Service] to convey to Pakistan's leadership that it bears responsibility for security and stability in Afghanistan and that it must use its influence on the Taliban to achieve those aims, and to consider if there is reason to immediately review Pakistan's eligibility for GSP+ [Generalised Scheme of Preferences-Trade] status and the benefits that come with it in the light of current events.' This is the second time in 2021 that the EP sends a clear warning to Islamabad that the country's GSP+ status - which will remain until 2022 - is under (extraordinary) scrutiny. On April 29, the EP adopted a [resolution](#) demanding Islamabad to allow freedom for religious minorities and asked the European Commission and the EEAS to reconsider Pakistan's GSP plus status.

In sum, there is a growing awareness in both Washington and Brussels that any non-conditioned based granting of aid and other benefits as well as the absence of concrete punitive measures in cases when beneficiaries – such as Pakistan or the Taliban - are not willing to comply to the agreed commitments are erroneous strategies which much be corrected. Any appeasement of the sponsorship of terrorism only worsens every situation, from Kabul to Mumbai.

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