

CBR Security: India's Threats and Vulnerabilities

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Summary

With an expansive and expanding network of educational institutions, laboratories and private industrial facilities as also the trend towards privatisation of existing functions, India has to be mindful of the considerable weakness in the current frameworks of material facility and expertise control.

Royal United Service Institute (RUSI; London) and Observer Research Foundation (ORF; New Delhi) recently completed a study titled "Chemical, Biological and Radiological Materials: An Analysis of Security Risks and Terrorist Threats to India," examining India's vulnerabilities to CBR materials. The first part of this study undertook a threat analysis from terrorists or insurgent groups within India while the second examined the current provisions for safety and security within industries using CBR materials including an overview of the approaches, legislations and institutional instruments that are currently implemented by the government of India and private industry. A third section also looked at the global best practices, drawing examples from within India as well as international governmental and industrial models. The study concluded with a set of recommendations in order to strengthen the levels of CBR security and safety, both at the government and industrial levels.

This study brings in a unique perspective gained particularly through field research wherein visits and interviews were conducted in Andhra Pradesh, Gujarat, Maharashtra, Tamil Nadu and Delhi. Interactions were held with police and security personnel, industry owners and officers (chemical, pharmaceutical and biological industries using CBR materials), industrial trade bodies and research institutes, regulatory authorities such as the Central and State Pollution Control Boards and responder agencies, including the NDMA and state fire services. The field visits for the study may not be comprehensive in the sense of geographic coverage across India. However, it gives a fair overview looked at through a few important parameters, including the size of CBR industries and

laboratories as well as states that combat different forms of insurgency or internal security threats, in order to better appreciate the role and thinking of police and other security agencies in these states. While it is difficult to generalise, certain trend lines that have appeared can be presumed to stand true in the larger context.

While most global databases do not show terrorist incidents in India that have involved the use of CBR materials, nonetheless there have been a few instances in which terrorists have used these materials or have been found in possession of these materials. These incidents did not gain wider public attention given that they did not cause large-scale losses to the public.

While state and central agencies are live to the threat of CBR attacks, the lack of focused attention in a few states (given that there are more dominant internal security challenges such as left-wing extremism in the case of Andhra Pradesh and the absence of a major catastrophic event) has the danger of generating complacency as such incidents demonstrate a certain level of intent on the part of the non-state actor. In India's safety-security discourse on CBR, safety essentially comes from the idea of predictability of the consequences if safety standards are not adhered to. This is due to the inherent hazardous nature of the material being used. The concept of security in the Indian context rests on the idea of incident based reaction. For instance, until such time the non-state actors started using ammonium nitrate as a base explosive in bomb blasts, access to this material remained unregulated. This reflects the threat perception within the state machinery. This line of thinking is undergoing change both within the industry and security fields. Industry, for instance, views safety and security as two sides of the same coin and considers that if safety measures are complied with, including issues

of theft, security is automatically taken care of. This changed perception is beginning to trickle down to the level of medium-scale industries. However, the same cannot be said true for the small-scale industries which tend to flout the rules and norms imposed by the government.

While the establishment of the National Disaster Management Authority (NDMA) has been a step in the right direction, by and large the government approach has been focused on post-incident response than prevention and mitigation. The current institutional and legal frameworks for post-incident response, especially when dealing with stolen material, have remained sensitised about the CBR threat only from a response outlook. This approach is driven by the fact that there has been no major catastrophic incident (Bhopal gas tragedy being an exception) and also the low number of large-scale incidents. Therefore, the approach has focused on safety involving incident response and cleanup as opposed to security and prevention.

With an expansive and expanding network of educational institutions, laboratories and private industrial facilities as also the trend towards privatisation of existing functions, India has to be mindful of the considerable weakness in the current frameworks of material facility and expertise control. Lack of an integrated approach in controlling and protecting these materials could pose serious challenges to India. Delhi's recent Cobalt 60 incident is a case in point.

The lack of a centralised database with updated information on incidents, intelligence or reports of CBR terrorist attacks, sabotage, material thefts, intentional misuse or illegal trading has been found to be a major lacuna in India's current approach. While criminal investigations proceed under existing laws, the review

mechanism of the regulatory framework remains weak. For instance, it was found during our field study, particularly while talking to small-scale industries that minor cases involving theft of small amounts of CBR materials have failed to capture the attention of the relevant security agencies.

While some of the Indian industries are examples of international best practices, with safety and security concerns effectively interwoven, it was found that there exists a huge gap between large and small-scale industries, in terms of threat perception and the response measures undertaken thereafter. However, state and central agencies have to pay attention to the concerns of smaller manufacturers mainly the high level of spending on security, eroding the cost competitiveness in the market. Resource pooling may be a useful tool for clusters of small companies in order to employ good security companies while reducing the costs and maximising the impact of security spending.

Uneven levels of training and security provisions and lack of standardisation of the private security agencies in India is also a major lacuna. An accreditation and audit mechanism must be established for all agencies, involving an appropriate level of CBR threat awareness and reporting structure for audit findings to be signed off by a designated regulator. Insider threats are another set of issues that might go undetected under the current scenario given that there are no personnel reliability programmes that are being done at sensitive installations.

Even in worst-case scenarios, onsite protection of CBR materials receives greater attention as compared to offsite measures. Material transportation remains the weakest link in the CBR safety and security layout of India. While there is more control over

material which are imported into or exported from India, domestic transportation controls appear to be underdeveloped.

While the Central and State Pollution Control Boards have the most advanced and interconnected national environmental sampling structure within India, the limited mandate of the pollution control board is another major loophole. The Pollution Control Boards' mandate begins during production and ends with waste management and disposal; security of CBR materials is rarely considered to be under their jurisdiction.

While the creation and accomplishments of the NDMA is a way forward, the fact that the NDMA guidelines are not legally binding is a major weakness. Efforts must be made to make it mandatory for states to implement these guidelines. Lastly, while there are several laws and regulations that cover different aspects of CBR safety and security, the lack of an overarching CBR law has been a major oversight.