

Ramifications of Indo-US Nuclear Deal: Effect on Global Security and Non-Proliferation Regime

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ABSTRACT

The Civil Nuclear deal which is otherwise known as one twenty three Agreement was signed between India and USA in 2008 and has many political and strategic ramifications. A major part of this India-US nuclear agreement was that India got a green light from the Nuclear Suppliers Group (NSG) that allowed it to ramify cooperation agreements with twelve different countries. The pact also allowed India to bifurcate its civilian programme from its military programmes. But it also led to consternation both on the domestic and international front. This article attempts to delve into the effects that this historic deal has on the non-proliferation regime and India's role in ensuring the utilization of nuclear energy for the progress of humanity and peaceful purposes.

INTRODUCTION

India's predilection has increasingly become more assertive in the growing crescendo to push for universal nuclear disarmament. This is for obvious reasons that seem unsurprising to the spectators who have followed India's stand on these issues, it is surprising to those who critically look at that history with skepticism due to the nuclear nonproliferation apparatus by abandoning test ban conferences and carrying out a number of nuclear explosions in 1998.¹ A closer inspection shows that the enthusiasm for disarmament is still present in India, but is today one among many calling for the similar end state. More appropriately, it has failed to clearly articulate the position on the issues that it considers to be the prerequisites for the active role in the disarmament process. The Indo-US nuclear deal of July 2005 and the “Henry Hyde nuclear

¹ “India's Integration into an Expanded Nonproliferation System”, Center for Strategic and International Studies, Washington, DC, 30 June 2010.

cooperation act” that followed in December 2006 have invited “considerable debate across the supporters and the opponents” primarily on the basis of possible consequences for the nonproliferation regime.² Opposition states that the deal undermines confidence in disarmament measures; it emphasises on the political role played by nuclear weapons, it also sets bad precedents to any other states seeking nuclear armament.³ The increase in India’s Nuclear capacity would cause an arms race in Asia, specifically a competition between India and Pakistan and India and China.

SUBSTANCE OF INDO-US NUCLEAR DEAL

The very first aspect of the deal is that by making an exception for India in the Nuclear Suppliers Group has challenged the international attempt of non proliferation. Simultaneously, the United States has emphasized on the need for a more extensive enforcement of international regulations. Perceivably the less powerful states have also insisted that the negotiations involved in the nonproliferation must be implemented fairly. To many, this translates into universal enforcement. Centralising on this perspective, the significance of this nuclear deal has nothing to do with India but with the grandstanding of the states articulates and executes the rules, specifically the United States. India gained what was required by its leadership. It was now up to the others to preserve the globally public goods that stemmed from this rule-based nuclear regime.⁴

The Indo-US nuclear agreement at the same time recognized India's energy requirements and proliferation discussions.⁵ It emphasized that India would be required to assume similar responsibilities and practices consistent with those recognized by other nuclear weapons states. The main components of the deal, which were agreed on at subsequent meetings between Indo-US, are as follows: India must place most of the existing and the nuclear reactors that are under construction along with all the other future thermal and civilian reactors under International Atomic Energy Agency (IAEA) conditionalities; involve in negotiations with IAEA to allow them to have any civilian nuclear facilities under its safeguards; permanently shutting the CIRUS reactor which is in Trombay by 2010; map out and classify nine research facilities civilian; start cooperating on any additional protocol with IAEA which will give the agency a free reign to conduct any inspections of the civilian facilities which are surprise visits; formulate an extensive national export regime; prevent any transfer of enrichments and

² Mohamed El Baradei, Director General of the International Atomic Energy Agency (IAEA), praised the agreement, stating that "it would also bring India closer as an important partner in the nonproliferation regime.... It would be a milestone, timely for ongoing efforts to consolidate the nonproliferation regime, combat nuclear terrorism and strengthen nuclear safety," IAEA press release, 2 March 2006.

³ R. Rajaraman, "Get Rid of Nuclear Arms", Times of India, 5 March 2008

⁴ Rajesh Basrur, "Domestic Political Fragmentation and Constraints on Indian Security Policy", paper presented at the "Annual Convention of the International Studies Association", 17-20.

⁵ "India-US Joint Statement", n. 12, Pp. 989-991. See also, Gurmeet Kanwal, "Indo-US Civil Nuclear Cooperation Agreement: Implementation Hurdles," ORF Policy Brief (New Delhi), No. 3, November 2008

reprocessing knowledge to nations which fall outside the guidelines; follow the MTCR and the NSG protocols ; follow the protocol on nuclear explosion; and collaborate with the United States to finalise the FMCT, which is in works under the Geneva disarmament dias. ² In exchange, the supplier conditionality against India are lifted. The US will lead the lifting of the ban against India.

The concluding terms prevented suppliers from any predetermined restrictions on nuclear support to India, allowing the sale of reactors and any other related components. In exchange, India has consented to make public its contemporary and any other nuclear facilities that might develop which might be civilian or military, and to place the first one under required additional protocol. Beyond this, India has also consented to an “institute “effective export control systems” that are “consistent with the NSG”. It also agreed to refrain from “transferring enrichment and reprocessing technologies” to such states that do not have them now”. India has also recommitted to carry forward its "unilateral moratorium" on further nuclear explosion tests.

RATIONALE BEHIND 123 AGREEMENT

Firstly, “we must take note that the balance of power structure will supersede any considerations for international norms” Secondly, the nonproliferation regime is only successful in constraining established democracies like India and the United States it has no control on authoritarian regimes”. Thirdly, It is extremely vital to contain China from establishing a military nuclear hegemony for this purpose the two democracies India and the United States must cooperate on all grounds to balance any possible Chinese threat. With this perspective, these two developments i.e. “India-IAEA Safeguards Agreements”, and the exemption given to India by the United States to procure nuclear technology, will be discussed consequently in the paper. The main objective of this summarisation is to bring to light the character and relevance of the two agreements that form the prerequisite of the India US civil nuclear deal.⁶

WAY FORWARD: IMPLICATIONS FOR DISARMAMENT

Indian commitment to a nuclear weapons free world is intact despite the fact that it's a nuclear state. In the aftermath of the 1998 tests, India stated an “indefinite moratorium” on nuclear tests and reinstated its commitment towards disarmament.

⁶ 5. The Bush administration's approach on a nuclear deal with India was governed by its lack of faith in treaties to constrain nuclear proliferation, and India's growing military and economic significance to the United States. On the first issue, while the administration is unwilling to scuttle the Nuclear Non-Proliferation Treaty, it views the treaty as not inhibiting countries determined to acquire nuclear weapons, such as Iran or North Korea. On the second issue, President Bush has repeatedly stated that he deems India to be a “responsible country” and one that he wants to help emerge as a major power in the new century.

These two points were highlighted in the press statement outlining India's nuclear doctrine during January 2003. Taking a note of India's commitment towards disarmament, there is a need to look at the way India has responded to the dynamic global sentiment that is pro-disarmament. Indian subdued interests can be explained. Very early on, New Delhi became the rallying point for countries calling for universal disarmament. Now this has become a globalised trend. There seems to be an innate tendency to fixate on those Cold War power blocs which were at risk of nuclear confrontations. India did not figure into this scheme. But the fact remains that India has shown enduring commitment to take initiative in this regard. Back in 2006, it proposed a forum called "Nuclear Weapons Convention". During March of 2008, "Ambassador of India to the "Conference on Disarmament" (CD), Hamid Ali Rao", put forward an agenda of seven points which called for Nuclear disarmament :

- "“a hundred percent commitment to the goal of complete elimination of nuclear weapons”;
- “Reducing the prominence of nuclear weapons in security doctrines”;
- “A compulsory no first use doctrine to be followed by all nuclear-armed states”;
- “Commitment to the principal of no-use policy against non-nuclear armed states”;
- “A procedure to establish a convention that will prohibit any use or possibility of use of nuclear arsenal”;
- “A convention proscribing the development, production and stockpiling of nuclear weapons; and”
- “Ensuring a non discriminatory ban and elimination of all nuclear weapons””.

Before this, only the states, excluding the five Nuclear Weapons states - that had conceded to the full-scope of the nuclear safeguards by being signatories to the NPT were allowed access to technologies required to generate nuclear energy. India, that is not a signatory of the NPT is expected to gain recognition credited by the major powers as a legitimate nuclear state with access to Nuclear technology. India thus becomes a de facto Nuclear State . "It is a virtual recognition and endorsement of India's nuclear weapons status."⁶² At the same time, as Prime Minister Manmohan Singh assured the nation: "It preserves our autonomy of the weapon programme..."⁷

This accord also signifies the willingness of the United States to de-hyphenate India from Pakistan and initiate an enduring relationship with an emerging economy like India. The nuclear isolation that exists between India and various countries, predominantly those of the western world - including Canada - has spanned over three

⁷ "India Prime Minister Pitches Global Nuclear Disarmament", Voice of America, 9 June 2008.

decades, and shows no signs of relenting unless there is a radical initiative - such as Indo-US Civil Nuclear Deal. The US strategic and economic requirements push it to eliminate any nuclear friction with India.⁸ Improved relationship with India might provide the United States an ally against the expansionist ambitions of China. In terms of economy, the administration is extending its aid to India to build an array of nuclear power reactors to fulfill the energy requirements of one of the fast-growing economies and to shift to clean energy resources. India in all probability would order multiple nuclear power reactors, this will also boost the United States economy. The administration is of the opinion that India's enduring democratic track record and the emphasis put on liberal values would ensure the conduct expected out of a Nuclear armed state.

The agreement of 18 July 2005 provided a "de facto recognition" of India as a nuclear nation. In exchange, and as a "nuclear state", India has "agreed on the utility of NPT". "The US may stress that "it is only a civil nuclear deal". It may stress that it is only to "bring India within the mainstream" of the non-proliferation regime". "However, one cannot speak of "de facto NPT recognition" without speaking about the "de facto recognition" of India as nuclear weapon state".

CONCLUSION

India's domestic politics would shape its involvement in the disarmament regime. "Despite the fact that there is a general agreement towards the elimination of nuclear weapons as undesirable, India's participation in this regard will be examined shrewdly by all political parties irrespective of their ideologies or the fact that which party is in the position of power". "Any sign of inequity or indication that the nonproliferation process agenda with India as the outsider will be met by opposition in the Parliament and limit the government's options drastically". The Indian Political system finds it difficult to form consensus on contentious issues. Case in point is the India-US Civil Nuclear Deal, that nearly initiated the fall of the government during 2008. "One way to alleviate differences is to reduce the perceived advantage of the nuclear-armed states in terms of prestige and power".⁹ There needs to be serious commitment towards the process of disarmament. The Obama Presidency has pledged to seek progress toward the elimination of all nuclear weapons. The President is constantly seeking support of the Indian leaders who are committed towards the same goal. The steps towards disarmament would include ratifying CTBT, ending production of bomb material and eventually eliminating the Nuclear arsenal.

⁸ "Global Implications of the U.S.-India Deal", Perkovich, George, 2010

⁹ 9- Editorial, "The Indian Nuclear Deal," New York Times, April 7, 2008.

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