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Addressing Nuclear Non-Proliferation and Disarmament Challenges in South Asia

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RIZWANA ABBASI, JAN 6 2018

The NPT centric[i] international nuclear order is based on legal, technical, political and normative pillars that have proven to be partially successful in achieving nuclear non-proliferation goals. For example, President Kennedy's prediction[ii] – that the world could see 15 to 25 new *nuclear states* by the 1970s – has not yet come to pass. Secondly, a combination of both material and ideational factors powerfully contributed to the fortification of the nuclear taboo that the international community has upheld for over 70 years.[iii] Despite these non-proliferation achievements, the nuclear order has failed to address challenges associated with India and Pakistan that are undermining the spirit of the nuclear taboo and challenging the efficacy of the broader nuclear non-proliferation regime. This article highlights six challenges to the nuclear regime followed by a three-step approach to finding common ground to reduce the risk of nuclear conflict.

Challenge One: Since its inception, the NPT has been an inflexible treaty that has failed to address three basic issues (a) the status of new nuclear weapons states that are outside the NPT (b) creating balance between non-proliferation and peaceful uses of nuclear technologies (c) stabilizing deterrence at the regional level in order to connect regional states to the global disarmament endeavor.

Challenge Two: India and Pakistan acquired nuclear deterrence while staying outside of the NPT. Though, nuclear weapons have prevented the reoccurrence of major conventional wars deterrence has remained fragile and peace precarious. The South Asian region is at risk of a breakdown in strategic stability due to the complex dynamics that in turn is a challenge for the broader nuclear order. These include both states' non NPT status, their distinct strategic national directions,[iv] unresolved territorial disputes, cross-border terrorism, their doctrinal ambiguities, huge disparities in states' defence budget,[v] growing fabrication of weapon grade fissile material, geographical proximity, inadequate early warning systems and the absence of Confidence Building Measures (CBMs). All of these complex dynamics make the region susceptible to nuclear war. Gregory Koblentz rightly suggests that the 'concept of strategic stability is no longer just a product of the interaction between comparable nuclear forces, but increasingly between nuclear forces and nonnuclear technologies such as missile defenses, anti-satellite weapons, and conventional precision strike weapons.'[vi]

The South Asian region has undergone an increasing up-gradation[vii] of existing asymmetries in conventional forces, inducting new non-nuclear technologies such as missile defense, anti-satellite weapons and conventional counterforces. The modernization of nuclear platforms: up-gradation in weapon grade fissile material stockpile, high-technology hardware induction, ballistic missile and force structure, induction of ICBMs, SLBM/ nuclear submarines and MIRVs technologies – and surveillance mean: ISR satellites SU 30 aircraft, maritime based UAVs, BRAHMOS Cruise Missile and aircraft carriers, are disturbing developments in the region. India's power projection behavior indicates that it is on a pathway to test a Hydrogen bomb after securing unilateral membership in the Nuclear Suppliers Group (NSG) in order to achieve threshold deterrence with China. Each of these dynamics is perturbing, but the combination of them could be particularly destabilizing for the broader nuclear order.

Challenge Three: the U.S. political decision on a NSG waiver, offering India an outreach to global fuels and reactors thus reversing thirty years history has damaged rule-based broader non-proliferation order leading to encourage

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horizontal and vertical proliferation. A non-NPT state has been offered benefits of NPT states without getting it to freeze production of weapon grade fissile material, sign the Comprehensive Test Ban Treaty (CTBT), follow International Atomic Energy Agency's (IAEA) full scope safeguards, adhere to a restraint regime and a meaningful arms control mechanism. This deal has stimulated India's economic growth, thereby offering New Delhi a foundation for technological modernity and scientific competence and achieving domestic energy independence.

Challenge Four: Pakistan sought nuclear weapons to establish deterrence and offset its conventional inferiority to India. Pakistan's comprehensive program has modest air, land and sea-based delivery platforms that fulfill its requirements in order to maintain a credible minimum deterrence. Its fissile material requirements, too, have remained scant. Pakistan does not need to match bullet for bullet with India neither does Pakistan's economy allow it to pursue such a path. Nevertheless, introduction of new technologies such as low yield nuclear weapons and short-range missiles (60–70 km), in response to the Indian Cold Start Doctrine (CSD), is a part of Pakistan's all-range countermeasures capabilities against India. Moreover, Indian BMD system has indeed compelled Pakistan to introduce countermeasures in the form of further accurate survivable missile systems or MIRVs technologies.

The strategies adopted by Pakistan provide evidence of Islamabad's restraint policy and its preference for deterrence stability with India. These strategies are: (i) a policy of minimum deterrence; (ii) a centralized role of TNWs; (iii) the current policy of recessed deterrence and non-deployment of its strategic and non-strategic arsenal; (iv) Pakistan's repeated proposal on restraint regime and several proposals on resumption of CBMs. The challenge is that due to India's status driven aspirations, New Delhi does not adhere to any meaningful arms control mechanism or restraint regime arrangement until it attains nuclear efficiency and sufficiency to mitigate gaps in its survivable second strike capability.

Challenge Five: both states' heavy reliance on nuclear weapons, lack of conventional alternatives, absence of ideational factors, lack of understanding of the consequences of nuclear weapons use, limited influence by the academic community on the existing nuclear establishment, absence of civil society movements and poor public opinion further minimize our options to stabilize deterrence. Moreover, nuclear CBMs between India and Pakistan are predominantly influenced by the ongoing conflict in Kashmir and insurgence movements on the Afghan-Pakistani border. Stable deterrence seems hard to achieve between India and Pakistan without the involvement of the broader regime.

Challenge Six: Although the nuclear learning curve has substantially increased in terms of institutionalization of command and control (C2) systems, the introduction of robust safety and security cultures, and active participation of the two states in global forums surely helped preserve nuclear taboo but disarmament remains at best a distant goal as neither state is bound to NPT article VI.

A three-step approach can help to deal with the non-proliferation and disarmament challenges of South Asia:

Step one: Multilateral Approach

The NPT clauses on non-proliferation and peaceful uses require major changes if a better nonproliferation regime is to emerge. The NSG is under immense stress against the backdrop of globalization, and the rising demand for energy security in developing countries in Asia and shifting global energy trends from fossil fuels to alternative energy sources. Therefore, a new criterion has to be devised for non-NPT states to meet their energy security demands. Indian integration without a criterion would undermine the regime. A new criterion could be devised by the NSG members to accommodate India and Pakistan on the basis underlined below.

- Have India sign the bilateral moratorium on non-testing with Pakistan.
- Have India immediately slow down its fissile material production and sign a bilateral moratorium on fissile material with Pakistan before the discussion on universal FMCT.
- Initiate a bilateral agreement between India and Pakistan on a separation plan and open up all peaceful facilities for IAEA's verification and full-scope safeguards.
- The Indian NSG waiver 2008 should become irrelevant and should not be incorporated in new criterion.

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- NSG membership can immediately lead to the institutionalization of meaningful arms control agreements between India and Pakistan to reduce existing stockpiles and stop future growth. The US should advocate a new arms control treaty involving China, India and Pakistan.
- The problem of Indo-Pakistan nuclear status outside the NPT can be addressed through the NSG membership. The NSG would benefit by extending its membership to India and Pakistan. It would allow both states to retain their nuclear weapons and constraint their future nuclear growth.

Step Two: U.S. Leverage

- The U.S. should adopt a policy of discouraging India from pursuing missile defense capabilities.
- An official dialogue process between India and Pakistan should be resumed to mitigate the nuclear risks that new technologies continue to pose.
- India and Pakistan will continue fighting until they find a lasting solution to the Kashmir conflict, which is highly unlikely in the absence of U.S. mediation.

Step Three: Bilateral Approach

- India and Pakistan should discuss the stability of nuclear deterrence in the region, the status of Kashmir, and relations with Afghanistan. Both countries should immediately revive the Lahore Declaration (1999) and resume all existing nuclear CBMs thereby immediately opening up suspended communication channels.
- Promote transparency with each other on their nuclear doctrine, posture, and modernization plans through budgetary constraints. Such transparency is necessary for a substantive dialogue to build mutual understanding and pave the way for future reductions.
- Discuss the consequences of using nuclear weapons, build training centers to reduce the risks of nuclear escalation and empower the academic community in both countries, are a necessary step to enhance escalation control strategies.
- The two countries should endeavor to find common ground on the settlement of the bilateral disputes, especially over Kashmir. Also, the two states should promote trade and build inter state cooperation where it is possible. This process would help to secure peace thereby making the nuclear taboo resilient in South Asia leading India and Pakistan to become part of global endeavor for disarmament.

Notes

[i] See Mario Esteban Carranza, *South Asian Security and International Nuclear Order: Creating a Robust Indo-Pakistani Nuclear Arms Control Regime* (New York: Routledge, 2009).

[ii] John F. Kennedy, *American University Commencement Address*, (10 June , Washington, D.C. 1963).

[iii] Nina Tannwald, 'The Nuclear Taboo: The United States and the Normative Basis of Nuclear Non-Use', *International Organization*, Vol. 53, No. 3 (Summer, 1999), pp. 433-468.

[iv] Rizwana Abbasi, 'A Comparative Study of Indo-Pakistan Nuclear Behavior: Effects on regional Peace and Deterrence Stability', *The Korean Journal of Defense Analysis* , Vol. 28, No. 3 (September 2016), 445-466

[v] See *SIPRI Yearbook 2017* (Oxford: Oxford University Press, 2017).

[vi] Gregory Koblentz, 'Strategic Stability in Second Nuclear Age', *Council on Foreign Relations*, Council Special Report, no. 71 (November 2014).

[vii] Zafar Khan and Rizwana Abbasi, 'Pakistan in the Global Nuclear Order', *Institute of Strategic Studies, Nuclear Paper Series No.1* (February 2016).

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About the author:

Rizwana Abbasi received her PhD from University of Leicester, UK specializing in International Security and Nuclear Non-proliferation. Presently she is a fellow of East West Institute, USA and Associate Professor in the Department of International relations at National University of Modern Languages, Islamabad. Previously Rizwana was associate professor in the School of Humanities and Social Sciences at Bahria University, Islamabad. Formerly she was placed as associate professors in the Department of International Relations at National Defense University, Islamabad. She was a Stimson Centre visiting fellow earlier. Rizwana was a post-doctoral research fellow and has been teaching at the University of Leicester. She was also a research fellow at the University of Leeds. She is a graduate of the Daniel K. Inouye Asia-Pacific Center for Security Studies (DKI APCSS), Hawaii, and USA. Her latest book is Nuclear Deterrence in South Asia: New Technologies and Challenges to Sustainable Peace (Oxford: Routledge, 2019). She has also authored: Pakistan and the New Nuclear Taboo: Regional Deterrence and the International Arms Control Regime (Oxford: Peter Lang, 2012).