CHAPTER III

INDIA AND NUCLEAR TEST-BAN NEGOTIATIONS

The massive destruction witnessed as a result of two bomb explosions in Hiroshima and Nagasaki in August 1945 aroused the conscience of mankind. The emergence of Soviet Union as a nuclear weapon state in 1949 and subsequent chain of nuclear weapons tests prompted many countries, especially the non-nuclear weapon states, to think of measures to prevent the testing of nuclear weapons. It was in 1954, that suggestions were first made that an agreement to ban the testing of nuclear weapons could be considered on its own merits either as an independent measure or as one item in an agreement on more comprehensive form of disarmament.  

The concern for banning the nuclear tests was generated mainly in the wake of the thermonuclear tests conducted first by the United States in October 1952 at Marshall Islands in the Pacific Ocean, followed by the Soviet Union in August 1953. Soon it became a matter of international concern. The Fukuryu Maru incident in which the Japanese fishermen were

exposed to the radioactive contamination resulting from a US thermonuclear test conducted on 1 March 1953 off the Bikhi Atoll, having a yield of 15 Mts deepened this concern. Moved by this tragedy, Nehru, the then Prime Minister of India, made a statement in Lok Sabha on 2 April 1954 expressing concern about the nuclear tests. India's concern over nuclear tests was conveyed by India's representative to the UN in a letter to the UN Secretary General on 8 April 1954, wherein the former drew the attention of the latter to the statement made by Nehru on 2 April 1954, which _inter alia_ called for:

>'Standstill agreement' in respect, at least, of these actual explosions, even if arrangements about the discontinuance of production and stockpiling, must await more substantial agreements among those principally concerned. . . .

The UN General Assembly, by its resolution 808 B\(^3\) of 4 November 1954 referred the Indian proposal to the Disarmament Commission, which however could not pay the due attention because of the prevailing international solution.

Japanese Parliament also had adopted a resolution on 5 April 1954, expressing deep concern over the calamitous

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3 _UN GAOR, session IX, Annexes. Agenda items 20 and 68. Also see Documents DC/59, 19 November 1954._
effects of nuclear weapons. It called upon the UN to take immediate measures for "the establishment of effective international control of atomic energy, the prohibition of atomic weapons and the prevention of damages by experiments of atomic weapons and to achieve the peaceful utilization of atomic energy."  

Similar resolutions demanding the conclusion of an agreement for the cessation of nuclear tests were passed by the parliaments of Soviet Union, Yugoslavia, Indonesia and Burma. The Soviet proposal on disarmament mooted on 10 May 1955, accorded priority to ban nuclear weapons in the first stage. It proposed: "As one of the first measures for the execution of the programme for the reduction of armaments and the prohibition of atomic weapons, states possessing atoms and hydrogen weapons shall undertake to discontinue tests of these weapons."  

India and the other non-nuclear weapon states continued with their efforts at the UN to focus attention on the issue of nuclear tests. On 1 December 1955, India submitted a draft


resolution in the First Committee of the UN General Assembly, urging "all the states concerned to initiate negotiations to effect suspension of experimental explosions of nuclear and thermonuclear weapons and to report progress to the Disarmament Commission at an early date."  

India's Note Verbale of 25 July 1956 on Nuclear Tests referred to its proposals to the Disarmament Commission on nuclear weapons tests on 12 July 1956 which *inter alia* called for the cessation of all explosions of nuclear and other weapons of mass destruction. The proposal had been advanced for the following reasons:

— It is universally admitted that the effects of experimental explosions are incalculable in their consequences . . . Continuance of these explosions would constitute a grave danger to the health and well-being of both the present and future generations . . . .

— The cessation of explosions would serve as an important initial step in nuclear disarmament which might make subsequent steps less difficult;

— Other countries would thus be prevented from acquiring the facilities for establishing through tests, the production of nuclear weapons;

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The prohibitions of further explosions would be to a large extent self-imposing, the question of controls and of national security would not be involved at this stage and the available evidence indicates that with proper utilization of monitoring devices, no evasion would be possible.  

This reflected the Indian desire to stop vertical proliferation and curb the future trends towards horizontal proliferation in view of health hazards resulting from the nuclear tests.

While emphasising the need for studying the unknown effects of atomic radiation resulting from the nuclear tests, India urged the tenth session of the General Assembly in 1955 to set up "immediately an international organization which will collect and coordinate the data on the immediate and long-term consequences of nuclear radiation as well as the known effects of experimental explosion of the hydrogen and nuclear bomb, and inform the world of the same." India's suggestion were taken note of when the General Assembly adopted an Eight-Power draft resolution (913 (X)), on 3 December 1955 for establishing a Scientific Committee every member

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8 DCOR, supplement for January to December 1956, Doc.DC/98, pp. 52-54.

9 UN GAOR, Tenth Session, Annex, Document A/2949 and Add. I.

10 The members of this Scientific Committee were: Argentina, Australia, Belgium, Brazil, Canada, Czechoslovakia, Egypt, France, India, Japan, Mexico, Sweden, UK, USA and USSR.
country being represented by one scientist. This Committee
was required to submit periodic reports.

In 1956, the Soviet Union urged the Five-member sub-
committee of the UN Disarmament Commission to adopt partial
measures on disarmament including immediate suspension of
Nuclear tests. 11 Besides the Anglo-French and US proposals,
Yugoslavia had also submitted a proposal suggesting measures
to ban the nuclear tests. 12 India in a separate proposal to
the Disarmament Commission on 13 July 1956 expressed the
view that the prohibition of further explosions would be to
a large extent self-enforcing. It further added: "The question
of controls and of national sovereignty would not be involved
at this stage and the available evidence indicates that with
proper utilization of monitoring devices, no evasion of
significance would be possible." 13 Despite these proposals,
no concrete agreement on the banning of nuclear test could
be arrived at. The different approaches rather created a
stalemate. It would be interesting to undertake a brief
analysis of the attitudes of various countries on this issue.

12 Ibid. Also see Annex 6, DC/SC.1/42 and Doc DC/92.
13 Ibid., Doc. DC/98.
India and Soviet Union were in favour of early, separate agreement on nuclear tests without any supervision, since every significant test could automatically be detected.

Yugoslavia was in favour of an agreement with possible controls that could be agreed to.

The Western countries favoured such measures in stages as part of a comprehensive disarmament programme.

This shows a diversity of approach between the Soviet Union and the United States regarding the ban on nuclear tests. The disagreement was primarily responsible for the delay. However, India and other non-nuclear weapon states continued their endeavours to have a breakthrough in reaching an agreement on nuclear tests.¹⁴ On 4 June 1957, the Soviet Union proposed a moratorium for two to three years on nuclear tests and also suggested the establishment of inspection posts.¹⁵ The Soviet proposal was welcomed by the Western countries.¹⁶ A similar proposal was mooted by four Western countries on 29 August 1957 which suggested that NWS should

¹⁴ UN GAOR, First Committee, 824th and 829th meetings.
¹⁵ Ibid., Annex 12. Also see Doc. DC/SC.1/60.
¹⁶ Ibid., Annex 11, Doc. DC/SC.1./59.
refrain from conducting nuclear test explosions for a period of twelve months. It was further suggested that in case the proposed experiment proved successful, it would be extended to another twelve months. Within this period it was expected that there would be an agreement on fissionable materials.

These trends indicated the desire on the part of all concerned to arrive at some agreement on the non-proliferation issue. During the twelfth session of the General Assembly the Soviet resolution on test-ban suggested the discontinuance of atomic and hydrogen weapons under international control of tests. Besides the Soviet Union, the non-nuclear weapon states like India, Yugoslavia and Japan continued their efforts for an urgent agreement on nuclear test suspension and a system of inspection and control.

The General Assembly considered the report of the First Committee on 14 November 1957. Draft resolution II concerning the prohibition of atomic hydrogen and other weapons of mass destruction was adopted by 71 votes to 9 with one abstentions. The Resolution 1148 (XII) urged that priority be given to an

17 Ibid., Annex 5, Doc. DC/SC.1/66.
19 UN GAOR, Plenary meetings, 716th meeting, 14 November 1957 (Doc. of the First Committee Doc. A/3729 and Corr.)
inter-linked six-point disarmament agreement. The provision regarding nuclear tests *inter alia* stated:

The immediate suspension of testing of nuclear weapons with prompt installation of effective international control, including inspection posts equipped with appropriate scientific instruments located within the territories of the USA, USSR, and UK in the Pacific Ocean and at other points as required.20

With these statements on the one hand, the three nuclear monopolists — USA, USSR and UK — embarked on a greater level of activity in nuclear testing in 1957 which evoked worldwide concern. A delegation led by Dr Linus Pauling, comprising about eight thousand scientists from forty-three countries, mostly NNWS, including several noble laureates, submitted a memorandum to the UN Secretary General on 13 January 1958. The delegation urged the Secretary General that "an international agreement to stop the testing of nuclear bombs be made now."21

The immediate impact of this appeal was a brief lull in nuclear testing. On 31 March 1958, the Soviets announced a moratorium on nuclear tests. However, the US and UK resumed testing at the end of April 1958 thus 'initiating the most

20 UN and Disarmament, n. l, p. 142.
21 Ibid., p. 143.
intense test programme that had occurred up to that time.  

Moscow also resumed nuclear testing in October 1958. These developments had proved instrumental in stalemating the deliberations of the Disarmament Commission during 1958.

The Super Powers were in correspondence with each other during April, May and June 1958 and both agreed to convene a conference of experts to study the possibility of detecting violations of a possible agreement on the suspension of nuclear tests. Consequently there was a meeting of the experts from Canada, France, UK and the United States with the experts from the Soviet Union, Poland, Czechoslovakia and Romania, at Geneva from 1 July to 21 August 1958. They prepared an Agreed Report which was submitted to the concerned governments and the United Nations. The Report concluded that the methods for detecting nuclear explosions available at that time — namely, collecting samples of radioactive debris, recording seismic, acoustic and hydro-acoustic waves, and the use of on-site inspection of unidentified events which could be suspected of being nuclear explosions — made it possible, within limits, to detect and identify nuclear explosions.

22 Ibid.

23 UN GAOR, Thirteenth Session, Annexes, Agenda Item 67, 70 and 72, Doc. A/3897.
including low-yield explosions between 1 to 5 Kts. It further suggested that the control system should be under the direction of an international control organization.

In the beginning of July 1958, France declared that it would not sign any test-ban agreement without other measures of disarmament. The thirteenth session of the General Assembly had a separate agenda item, 'The discontinuance of atomic and hydrogen weapon test.' The Soviet Union insisted that this issue should be treated separately from the general disarmament question. In the meanwhile, the General Assembly had received the first exhaustive report of the UN Scientific Committee on the Effects of Atomic Radiation. The Committee in its report had concluded that all steps designed to minimize irradiation of human populations would act to the benefit of human health and 'such steps include the avoidance of unnecessary exposure resulting from medical, industrial and other procedures for peaceful uses, on the one hand, and the cessation of contamination of the environment by explosions of nuclear weapons, on the other.'

24 Ibid.
26 Ibid., Supplement no. 17.
On 31 October 1958, the United States and UK declared their intention to suspend nuclear tests for one year from that day and offered to continue the suspension on a year to year basis provided satisfactory progress was obtained in other fields of disarmament. This announcement was made at a time when the USSR, USA and UK were to begin negotiations on a treaty for the discontinuance of nuclear weapon tests at Geneva on 31 October 1958. Prior to this development, a Seventeen-power draft resolution was presented to the General Assembly on 10 October 1958.27 Another fourteen-power draft resolution was presented to the General Assembly on 15 October 1958. India was the co-sponsor of the second draft.28

The main thrust of both the resolutions was on the urgent suspension of nuclear weapon tests. The General Assembly, on 4 November 1958, however, adopted the Seventeen-power draft resolution. Resolution 1252B (XIII) inter alia urged "that in the negotiations between States that have tested nuclear weapons the parties make every effort to reach early agreement on the suspension of nuclear weapons tests under effective

27 The 17 countries were — Argentina, Australia, Belgium, Brazil, Canada, Denmark, Ecuador, Iran, Italy, Laos, The Netherlands, New Zealand, Norway, Pakistan, Thailand, UK, and USA. See, Ibid., Doc. A/C.1/L.205.

28 In addition to India other countries were: Afghanistan, Burma, Cambodia, Ceylon, Ethiopia, Ghana, Indonesia, Iraq, Morocco, Nepal, Egypt, Yemen and Yugoslavia. See, Ibid., Doc. A/AC.1/L.202/Rev.1.
international control." It further called upon the parties involved in the negotiations not to undertake further testing of nuclear weapons when the negotiations were in progress.  

The talks between the three-nuclear powers namely the US, USSR and the UK on the discontinuance of nuclear weapon tests commenced on 31 October 1958 at Geneva. One significant change in the West's negotiating stance was to agree to the Soviet suggestion of delinking the nuclear-test-ban-talks from general and complete disarmament. In 1959, a Technical Working Group-I was established under the auspices of Geneva Conference to consider the detection of tests at high altitudes or in outer space. The Group presented a report in July 1959 indicating agreement on the methods of detection of nuclear tests. The Geneva Conference also reached consensus in 1959 on the broad outlines of a control organ which would comprise a Commission, a System of detection and identification, a Chief Executive Officer and a Conference of parties to the proposed treaty.

The fourteenth session of the General Assembly addressed itself to the issues brought up by the Geneva Conference on nuclear tests and the impending French nuclear test. India

29 UN and Disarmament, n. 1, p. 148.
again took the initiative at the General Assembly to discuss the question of nuclear tests and co-sponsored a 23-Power draft resolution which urged the nuclear weapon states meeting at Geneva to continue the suspension of nuclear tests. Besides India, Australia, Japan and Sweden, in a separate resolution, also urged the NWS to voluntarily discontinue nuclear tests. On 21 November 1959, the General Assembly vide its Resolution 1402 (XIV) A and B appealed to the NWS to continue their current discontinuance of the testing of nuclear weapons and urged them to conclude an agreement on the cessation of nuclear and thermonuclear tests with effective international control.

With a view to dissuade France from conducting an atmospheric test, a twenty-two-power sponsored draft resolution was submitted to the General Assembly urging France to refrain from doing so. The United Kingdom along with Italy and Peru also submitted a separate draft resolution appealing France to associate itself with the Geneva talks. The Twenty-two-power draft resolution was adopted by the General Assembly.

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30 UN GAOR, Fourteenth Session, Annexes, Agenda item 64, Doc. A/4186 and Doc. A/4290. Also see A/C.1/L.237/Rev.1.
32 Ibid., Plenary Meetings, 842nd Meeting.
34 Ibid., Doc. A/C.1/239 and Add.1.
with Soviet Union in favour and US and UK opposing it.
Resolution 1379 (XIV) expressed grave concern over the French intention to conduct the nuclear test and urged France to refrain from doing so.

The developing countries and the Soviet Union continued to take various initiatives in curbing the nuclear tests. On 14 February 1960, the day after the French had conducted its nuclear test in Western Sahara, the twenty-two-NNWS demanded the convening of a Special session of the General Assembly to deliberate on the question of French nuclear test. However, the special session could not be held for lack of requisite majority.

While the Geneva negotiations on banning nuclear tests were still in progress, the Antarctica Treaty was signed on 1 December 1959. The treaty vide Article V(1) prohibited any nuclear explosion and the disposal of radio-active material that could effect Antarctica.

In February 1960, the Western Powers put forward a new proposal at the Geneva Conference, suggesting a treaty to ban

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35 These countries were — Afghanistan, Burma, Ceylon, Ethiopia, Malaya, Ghana, Guinea, India, Indonesia, Iraq, Jordan, Lebanon, Liberia, Libya, Morocco, Nepal, Pakistan, Saudi Arabia, Sudan, Tunisia, UAR (Egypt) and Yemen.

all testing in atmosphere, outer space, underwater and
underground above seismic magnitude of 4.75.\(^{37}\) In March 1960,
the Soviet Union agreed in principle to the idea of a treaty
which would ban all above ground tests and all underground
tests above the threshold of 4.75 magnitude as a first step.\(^{38}\)

The Soviet Union formally proposed a quota of three
on-site inspections each year and an annex on immunities and
privileges which was agreed upon in October 1960. During
this year 1960, however, very little further progress could
be made at Geneva. The fifteenth session of the General
Assembly included in its agenda an item proposed by India
on 'suspension of nuclear and thermo-nuclear tests'.\(^{39}\) During
the session two draft resolutions dealing exclusively with
the question of nuclear weapon tests were put to vote. A
draft resolution submitted by Austria, India and Sweden
called upon the NWS at the Geneva negotiation table to continue
their present voluntary suspension of nuclear weapons.\(^{40}\) The
other draft resolution sponsored by twenty-six-powers also
urged other states to refrain from such tests.\(^{41}\)


\(^{38}\) DCOR, Supplement January to December 1960, Document DC/189,
p. 21.

\(^{39}\) UN GAOR, Fifteenth session, Annexes, Agenda item 67, 68, 69
and 73. (Doc. A/4414).

\(^{40}\) Ibid., Doc. A/4680, para 13 (A/C.1/L.256).

\(^{41}\) Ibid., para 14 (A/C. 1/L. 258/Rev.1).
In March 1961, the Soviet Union submitted a proposal to the Geneva Conference that instead of a single administrator as the Chief Executive Officer of the central organization, there should be an administrative council of three members representing,

- the USSR and its allies;
- UK, and the United States and their allies;
- the Neutral states.

These three Council members were to act as a unit with regard to all steps which were considered essential for the execution of their duties.\(^42\)

The Soviets regarded this proposal as a safeguard against any possible unilateral action by a single country. However, the Western nuclear powers, especially the United States, were critical of the Soviet proposal of "Troika". In view of the US, while the "Troika could not veto a formal decision to inspect — a decision made either by the United States, or UK or Soviet Union, it could effectively veto the practical arrangements for inspection".\(^43\)

\(^{42}\) United Nations and Disarmament, n. 1, p. 160.

\(^{43}\) DCOR, Supplement January to December 1960, Document DC/189, p. 18.
Between March and May 1961 the US and the UK submitted new proposals extending to three years the moratorium on underground tests below the 4.75 seismic threshold; banning all other tests and reduction of control posts on Soviet territory. A draft treaty containing these provisions was submitted by USA and the UK for Soviet consideration. However, in June 1961, Soviet Union without considering the US-UK proposal, proposed two alternatives for resolving the test-ban issue — either the conclusion of a test ban treaty on the basis of the Soviet proposals or the consideration of the test ban issue within the framework of the general and complete disarmament.

The difference of opinion between the Soviet Union and the Western countries on the issue of nuclear test ban could not thus be reconciled till July 1961. The Soviet Union wanted a "self-inspection" whereas the West demanded an international control. The West regarded nuclear test ban issue different from the general and complete disarmament whereas the Soviet Union was keen to link up the two. The stalemate followed. The temporary 'discontinuance of nuclear tests' by the three NWS was adversely effected. On 30 August 1961 the Soviet Union announced its decision to resume nuclear testing, followed by the United States and the United Kingdom. However,
India and other non-nuclear weapon states continued their efforts to persuade the NWS to revoke this decision.

TOWARDS PARTIAL TEST BAN TREATY

Till 1962, there were no signs of PTBT to be concluded in the wake of differing attitudes of the Great Powers. However, during 1962 both Soviet Union and the United States moved certain proposals for negotiating an agreement on banning the nuclear tests. Following the adjournment of the Geneva Conference in January 1962, no organisational infra-structure was available to help negotiate a test ban treaty. India suggested the establishment of a sub-committee comprising Soviet Union, UK and the United States to consider such a question within the framework of ENDC. This sub-committee started functioning in Geneva in March 1962. Indian representative to the ENDC emphasised that disarmament was a delicate one in case the nuclear weapon states did not reach an agreement on stopping the tests, the race for armaments would be accelerated.44

Emphasising the need and urgency for banning the nuclear tests, Indian representative to the ENDC said: "We have not

been thinking only for the nuclear Powers, but also of ourselves, of our freedom from fall-out and of our freedom from the threat of the extension of this dread disease of testing to other states."\(^45\)

India along with other non-aligned member countries of the ENDC submitted a joint memorandum\(^46\) on 16 April 1962 which called for a control system based on already existing system of observation, establishment of an International Commission to ensure efficiency and impartiality among the parties concerned and an ingenious system of on-site inspections by invitation from parties to the treaty. This memorandum submitted by the Non-aligned countries was accepted by Great Powers as a basis for negotiations but failed to effect an agreement on a test ban. The Indian representative observed that though it did not succeed in conclusion of a treaty, it did help to bring about a more flexible approach by the nuclear powers.\(^47\)

In mid-1962, the Soviet Union proposed a test ban treaty to the United States on the basis of two or three on-site


\(^{47}\) *UN Doc.* A/C. 1/SR 1246, 10 October 1962, p. 7.
annual inspections. The Western powers favourably responded to the Soviet proposal. On 27 August 1962, Washington and London proposed a draft plan for partial test ban (PTB) in three environments accepting the supervision by nationally controlled observation posts without international controls. The Soviet Union felt that it would legalise underground tests. Moscow, therefore, insisted that a moratorium on underground tests should be linked with PTB. The Soviet plea on banning of underground tests was based on the fact that the United States was more advanced in conducting underground tests and their continuation would put Washington in a more favourable position. The disagreement on the moratorium on underground nuclear tests thwarted the efforts leading to the conclusion of the PTBT.

The issue came up before the seventeenth session of the General Assembly. India urged the Assembly in June 1962 that continuance of such tests would only lead to the gravest consequences putting the existence of mankind in jeopardy and under these circumstances, a test ban was the first step towards disarmament. The persistent efforts on the part

49 Ibid. Also see, ENDC/FV 78, 3 September 1962.
of India and other non-aligned countries proved instrumental in breaking the dead-lock among the Super Powers. In the beginning of July 1963, Soviet Union expressed its willingness to abandon the demand for moratorium on underground tests as a precondition for concluding a PTBT.

The US President John F. Kennedy in the meanwhile had already announced on 10 June 1963 that USA would not conduct tests in the atmosphere 'as long as other states do not do so'. This paved the way for resumption of negotiations on PTB between Soviet Union and the United States in June 1963. These negotiations finally resulted in the conclusion of the PTBT between Moscow and Washington on 5 August 1963. This also came to be known as Moscow Treaty.

India's Reactions

India welcomed the signing of the PTBT with the hope that it was a stepping stone towards a comprehensive test ban treaty. From the very beginning, in fact, India had been espousing for the cessation of all tests. As early as on 2 September 1957, Nehru had said that "a partial agreement

51 UN Doc. A/5488.
does not rule out a comprehensive agreement; it is a step towards that, it produces an atmosphere and confidence to go further."\textsuperscript{52}

The Government of India in a Press note dated 27 July 1963 welcomed the Moscow Treaty.\textsuperscript{53}

Prime Minister Nehru in identical messages to Moscow, Washington and London, the signatories to the Treaty, characterized the agreement as a significant landmark in the history of international understanding and cooperation.\textsuperscript{54} India signed the Treaty on 8 August 1963.

As has already been seen, India had played a significant role in the ENDC and the UN General Assembly in mobilising the international public opinion conducive for the treaty. The Indian representative to the ENDC hailed on 30 July 1963 the Moscow treaty as a measure to halt the spread of nuclear weapons and asserted that it imposed upon the nuclear weapon powers a special responsibility for seeing that the treaty

\textsuperscript{52} Jawaharlal Nehru's statement in Lok Sabha, Lok Sabha Debates, vol. 6, 26 August - 5 September 1957, col.11321.

\textsuperscript{53} The Hindu (Madras), 28 July 1963.

\textsuperscript{54} Government of India, Foreign Affairs Record (New Delhi), July 1963, pp. 153-54.
was strictly observed by other countries. 55

Pakistan, also signed the treaty on 14 August 1963 but China did not sign it. The Indian representative while expressing concern at the Chinese attitude, hoped that "the world at large cannot feel free from fear and look to the future with any sense of confidence until the treaty has been signed by all states, and has universal application." 56

It was hoped that it would pave the way for further agreements on the non-proliferation of nuclear weapons and ultimately to the much cherished goal of total disarmament. 57

55 ENDC Document, ENDC/PV. 148, pp. 24-27. The Indian representative to the ENDC in a statement on 29 August 1963 further described the signing of the treaty as a significant step towards relaxation of international tensions and a promising move towards purposeful measures of world peace and disarmament. He further opined that the significance of the treaty did not lie so much in what it actually says as in what it means and the hopes it arouses. In this lies its real significance. Ibid., ENDC/PV.156, p. 13.

56 Ibid. India insisted on the universal application of the ITBT. The Indian representative further suggested that it was imperative that partial test ban should be subscribed to by all states and we hope that the nuclear powers will continue their efforts to make the ban universal." ENDC Document, ENDC/PV.211; 27 August 1964, p. 15.

India reiterated that the treaty was an important step and at the same time the ban should cover all tests otherwise there would be a continuing danger of the dissemination of nuclear weapons. The Indian attitude appeared to be too simplistic. The PTBT was essentially an agreement among the NWS. "Probably what India did not realize was that the treaty was the consequence of an agreement between the concluding parties to ensure permanently their dominant positions and hoodwink the international community." The three leading Nuclear Weapon States (NWS) who piloted the treaty endeavoured to project it as a great step towards the objective of nuclear disarmament. Its resultant effect was that the focus of world community especially the Non-Nuclear Weapon States (NNWS) shifted from a comprehensive test ban to a partial test ban treaty which provided a leverage to the NWS for conducting underground tests.

The PTBT met at least with a partial success as two other major nuclear powers France and China not only refused to sign it but also denounced it. The Chinese leadership called the treaty a big fraud by the three nuclear weapon states

(NWS - UK, USA, USSR) to have a nuclear monopoly and posed a nuclear threat to the NNWS. China was of the view that the treaty had treated the question of the cessation of nuclear test separately from the total ban of nuclear weapons. The treaty therefore had legalized the persistent manufacture, stockpiling and use of nuclear weapons by the three NWS which was contrary to the aim of disarmament. The treaty provided a leverage to the advanced NWS because the underground nuclear tests were excluded from its purview and had no restraining effect on the United States policies of nuclear war preparation and nuclear blackmail. It was further argued by the Chinese that the treaty did not impose restraint on the NWS from proliferating nuclear weapons and the augmentation of nuclear weapons.

The French objection in this regard was that though the treaty sought to ban the nuclear tests in the three environments but it had failed to help the process of nuclear disarmament. The then French President, de Gaulle declared that unless the NWS promised not to initiate nuclear war and destroyed


61 Ibid, p. 16.
their nuclear weapons, France might not sign the treaty. 62

The NWS had advanced the argument that the treaty was a step towards disarmament but in reality the NWS were no longer required to conduct test explosions in the atmosphere, outer space and under water to test their nuclear weapons. 63 The direct gain accruing to the NWS by the treaty was in the form that they created a technological barrier to the spread of nuclear weapons at the same time retained their (NWS) option to sophisticate their weapons through underground tests. 64 The immediate gain to the United States was reflected in a statement given by Dr R.E. Bradburg, Director of the Los Alamos Scientific Laboratory, before the Committee on Foreign Relations. He testified:

Underground testing will permit, I am convinced, eventually every technical development which would be possible with atmospheric testing up to yields as great as a megaton ... With underground testing, I believe, we can develop and test whatever type of warhead may be required for an anti-Ballistic missile system if one is required. Small weapons, cleaner weapons, to the extent that any of these are needed and practical, can be worked on and improved. 65

62 The Hindu (Madras), 1 August 1963.

63 This aspect has been discussed in details in Arthur, H. Dean, Test Ban and Disarmament: The Path of Negotiations (New York, 1966).


65 Cited in Ibid.
The advanced nuclear weapon countries had accumulated more than sufficient nuclear weapons. Within months of the conclusion of the PTBT, the NWS had started conducting underground nuclear tests. The United States was first to initiate the series followed by Moscow which resumed underground nuclear tests on 15 March 1964. It was, therefore, amply clear that the treaty was a well defined Super Power's strategy to perpetuate their nuclear hold over the world and continue the detente which had emerged since the Cuban missile crisis of October 1962.

The problem of proliferation of nuclear weapons had assumed added dimensions especially after the conclusion of the PTBT which sought to curb the spread of nuclear weapons among the NNWS whereas it provided a free hand to the NWS for expanding nuclear weapons in the form of carrying out underground nuclear tests. The NWS had directed their efforts not on working out a comprehensive test ban treaty and nuclear disarmament but on establishing an international control which

66 Between August 1963 and 1 July 1973, about 440 nuclear explosions were reported carried out which formed half of the total announced and presumed nuclear explosions conducted since 1945. For details see, Bulletin of International Atomic Energy Agency, vol. 15, no. 4, p. 14.

67 This point was elaborated by D.H. Ennals, the British representative to the Conference of the Committee on Disarmament on 9 July 1974 when he told that 'The Cuban Missile crisis of 1962 made us all acutely aware how important it was to create an international framework in which we could control the testing and development of nuclear weapons'. CCD Documents, CCD/PV.641, 9 July 1974, pp. 7-8.
could exert their monopoly in nuclear weapons and technology. France had refused to sign the PTBT and did no longer participate in the ENDC deliberations. It acquired the nuclear weapons. The French questioned the capability of US nuclear deterrence to protect Europe in the eventuality of a Soviet nuclear attack. Moscow was apprehensive of West Germany acquiring the nuclear weapons.

The growing Sino-Soviet schism, Beijing's refusal to sign the PTBT and its nuclear explosion in 1964 further affected the global strategic environment. It was evident that the problem of the proliferation of nuclear weapons had become more acute. China, besides having differences with Soviet Union, had strained relations with India especially after the Sino-Indian armed hostilities of October 1962. Its emergence as a nuclear power was an enigmatic development in international politics.

Under such precarious global developments, India had called for the cessation of nuclear weapons. It had been laying emphasis on adopting a comprehensive approach to eliminate nuclear weapons rather than adopting a limited approach which had led to the proliferation of nuclear weapons. Consequently India true to its commitment for GCD, submitted to the General Assembly on 10 October 1964, a proposal for
"Non-Proliferation of Nuclear Weapons." 68

The UN resolution had earlier mentioned about prevention of the wider dissemination of nuclear weapons. India pleaded that dissemination and proliferation were two different terms — the former meant the transfer and receipt of weapons and technology whereas the latter denoted the manufacturing of nuclear weapons. 69 It further urged the world community to voice its concern at the proliferation in all its manifestations instead of concentrating on one aspect alone.

Both dissemination and proliferation constitute the two facets of the problem of proliferation of nuclear weapons. Nuclear weapons can jeopardize the security of a nation. This threat to security cannot be eliminated by acquiring nuclear weapons or by prohibiting those who do not have them. India had been emphasizing on both these aspects.

India had attached great importance to measure for the prevention of dissemination of nuclear weapons even before it called for non-proliferation of nuclear weapons. India had suggested:


69 UN Doc. A/5758.
— Negotiations for an agreement or non-dissemination should be started without delay by the nuclear powers;

— There should be a clear understanding or agreement, that while negotiations are proceeding, no change should be made by either nuclear side in any arrangement that may exist at the present for the control, use, possession, or transfer of nuclear weapons, or for the training of nationals of non-nuclear states in the use of such weapons and that all existing arrangements should be frozen on each side;

— The negotiations should be completed with the least possible delay and a target date might be agreed upon for the completion of negotiations.

— Negotiations should be directed to the conclusion of an agreement or treaty on non-dissemination and all states should be invited to sign it.\(^{70}\)

India regarded it imperative that all underground tests should be stopped immediately either by unilateral decision based on the policy of mutual example or in some other way by reconciling the differences between the NWS. It suggested that another partial treaty for the cessation of tests above on limited threshold might be concluded. India along with other

\(^{70}\) ENDC Document, ENDC/144.
non-aligned states presented on 14 September 1964 a memorandum to the ENDC which called upon the NWS to agree immediately to discontinue all types of tests. 71

China's nuclear explosion of 16 October 1964 provided further fuel to the already uncertain and tension-ridden strategic environment. India along with other peace loving countries further expedited their efforts and urgency for evolving an agreement to prohibit the spread of nuclear weapons. The forums of General Assembly and the ENDC were mobilised. The problem of non-proliferation was taken up by the Disarmament Commission during its meetings in April-June 1965. India actively participated in the deliberations asking for a more balanced and pragmatic basis of an integrated approach in reaching a non-proliferation agreement. India outlined the following elements as the essential component of an integrated proposal seeking the solution to the problem:

— An understanding by the nuclear Powers not to transfer nuclear weapons or nuclear weapon technology to other;

— An undertaking not to use nuclear weapons against countries which did not possess them;

71 Ibid., ENDC/145.
The US Draft Treaty

On 17 August 1965 the United States presented to the ENDC a draft treaty which sought to prevent the spread of nuclear weapons. Main provisions of the draft treaty sought to:

— Prohibit nuclear powers from transferring nuclear weapons into the national control of any non-nuclear state, either directly or indirectly through a military alliance;

— Prohibit nuclear powers from taking any other action which would cause an increase in the total number of states and other organisations having independent power to use nuclear weapons; and

— Prohibit nuclear powers from assisting any non-nuclear state in the manufacture of nuclear weapons. 75

The draft treaty enjoined on the NNWS not to manufacture nuclear weapons and not to take, receive or provide aid in the manufacture of these weapons. It also forbade to take any other action resulting in the augmentation of states and other organizations having independent power to use nuclear weapons. 76

75 For full text see, Ibid., pp. 16-21.
76 ENDC/152/Add. 1, 21 March 1966.
India's Reaction to US Proposal:

India opposed the American draft proposal as the latter had ignored Indian demand for security of nations and it was more favourable to the NWS. It envisaged to perpetuate the nuclear monopoly of the NWS and allowed national proliferation. India urged the ENDC to facilitate the inclusion of a programme of related disarmament measures by nuclear powers in the proposed treaty. India mooted the proposal of a two stage non-proliferation agreement. The first stage called for a partial non-proliferation agreement which would be applicable only to NWS which in turn would undertake:

- Not to pass on weapons or technology to other states;
- To cease production of nuclear weapons and delivery vehicles, and to agree on a programme of reduction of their stocks;
- To agree also to incorporate other measures.

After this treaty having been enforced and measures adhered to by the NWS to stop production and the programme of reduction having begun, the second stage of the treaty would commence.

77 ENDC/PV. 223, 12 August 1965, p. 17.
78 Ibid.
It entailed an undertaking by NNWS not to acquire or manufacture nuclear weapons. The Italian proposal sought to regulate the transition period between the first stage and the second stage.\footnote{Ibid., p. 18.} Italy had proposed that in the wake of a delayed agreement on a non-proliferation treaty, NNWS could renounce the acquisition of nuclear weapons for a certain period after which they had freedom of action if a non-proliferation treaty had not been concluded.\footnote{ENDC/PV. 219, 29 July 1965, pp. 18-19.}

The eight non-aligned nations members of the ENDC, including India, submitted on 15 September 1965 a joint memorandum pertaining to the proliferation of nuclear weapons and regretted that no proper treaty had been worked out as yet. The memorandum further expressed the view that a treaty on non-proliferation was not an end in itself but a step towards the attainment of nuclear disarmament. The sponsors of the resolution were convinced that steps aimed at curbing the expansion of nuclear weapons ought to be followed by measures to halt the nuclear arms and to reduce the stocks of nuclear weapons and delivery devices.\footnote{ENDC/158, 15 September 1965, p. 1.} India while speaking on behalf of non-aligned NNWS told the Disarmament Committee:
Their view is that one cannot have a spurious treaty which heaps all the control, all the limitations and all the prohibitions on the non-nuclear countries, while at the same time giving a licence, even indirect encouragement, to existing nuclear weapons powers themselves to continue with their manufacture of nuclear weapons and delivery vehicles. The non-aligned non-nuclear nations do not insist on complete and comprehensive equality in this field; all they want is that at least some measures be taken which are fundamental and germane to this disease of proliferation and that the cause of proliferation be dealt with at the same time as its consequences.82

The Indian representative further exposed the approach of NWS which believed in preventing the NNWS from joining the so-called nuclear club and that all the nuclear powers should continue production, diversification and sophistication of nuclear weapons and delivery vehicles.83

India expressed the opinion that the problem of negotiating a treaty on non-proliferation was riddled with implications which were beyond the realm of nuclear weapons or the general and complete disarmament. Indian representative told the ENDC:

The attitude we take and the approach we adopt on this will reflect our attitude and approach on international relations in general. It is

83 Ibid., p. 15.
therefore, imperative that we take a global approach on this issue, take into account the requirements of all members of the international community and follow an approach which reflects our firm adherence to the sovereign equality and mutual benefit. Otherwise we shall be repeating the failure of the League of Nations. 84

Soviet Draft Treaty

The Soviet Union urged the UN to consider the question of non-proliferation of nuclear weapons. This was included in the agenda of the twentieth session of the General Assembly. 85 Soviet Union submitted on 24 September 1965 a draft treaty before the General Assembly which sought to:

— prohibit nuclear powers from transferring nuclear weapons directly or indirectly through groupings of states into the ownership or disposal of states or group of states not possessing nuclear weapons or from granting the aforesaid states or groups of states "the right to participate in the ownership, control or use of nuclear weapons or from granting the aforesaid states or groups of states "the right to participate in the ownership, control or use of nuclear weapons";
— prohibit such powers from giving nuclear weapons and units of the armed forces or to individual members of the armed forces of states not possessing nuclear weapons; and

— require Powers possessing nuclear weapons to undertake not to create, manufacture or prepare to manufacture nuclear weapons either directly or jointly with other states and to refuse to be associated with nuclear weapons in any form whatsoever directly or indirectly, through third states or group of states. 86

The Article V(3) of the said Soviet draft treaty further envisaged that it would 'enter into force after its ratification by all parties possessing nuclear weapons and after the deposit of their instruments of ratification'. 87

India's Reaction to Soviet Draft Treaty:

The draft treaty proposed by the Soviet Union failed to meet the requirements essential for an adequate, well poised and non-discriminatory treaty. India, however, lauded the draft treaty as a step forward in the direction of negotiating

86 United Nations and Disarmament, n. 1, p. 203.
87 Ibid., p. 302.
a treaty on non-proliferation of nuclear weapons, and as clearing one of the doubts expressed by NNWS on the existing contemporary state of affairs.  

Both American as well as Soviet draft treaties manifested the national approaches of those countries and these did not remove the misgivings of the NNWS. There was no immediate solution towards the nuclear disarmament in site. The Soviet draft treaty was designed to thwart measures by NATO countries to equip West Germany with nuclear weapons. Soviet Union had made that abundantly clear in the explanatory memorandum appended to its draft treaty.

It was evident that both Moscow and Washington were opposed to the linking of other measures to a non-proliferation agreement. The American and Soviet reluctance to the linking was disliked by the NNWS because both the draft treaties ignored the aspect of national security of NNWS. It was this aspect that promoted India to remark that an international treaty preventing the proliferation of nuclear weapons could become a purposeful instrument only if it covered all aspects of disarmament.  

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88 For Indian representative's views see, ENDC/PV.240, 15 February 1966, p. 15.


90 Foreign Affairs Records (New Delhi), vol. XII, no. 2, 8 February 1966, p. 25.
be endorsed by the international community and focused attention on the present as well as future problems of proliferation based on the tenets of equality and mutual benefits.\textsuperscript{91}

Such a move safeguarding the interests of the NNWS was disliked by both Super Powers who stuck to their respective positions as envisaged in their draft treaties. Both Moscow and Washington unitedly opposed in the General Assembly the linking of other measures to a non-proliferation agreement.\textsuperscript{92} The General Assembly Resolution 2073 (XX) adopted by 97 votes to none with five abstentions, however, visualized the linkage between non-proliferation treaty and measures of nuclear disarmament.\textsuperscript{93} This resolution envisaged the five main principles which could form the basis of a treaty aimed at preventing the proliferation of nuclear weapons. These principles were:

- The treaty should be void of any loopholes which might permit nuclear or non-nuclear powers to proliferate, directly or indirectly nuclear weapons in any form;

\textsuperscript{91} Ibid., p. 26.
\textsuperscript{93} Ibid., p. 278.
— The treaty should embody an acceptable balance of mutual responsibilities and obligations of nuclear and non-nuclear powers;

— The treaty should be a step towards the achievement of general and complete disarmament and, more particularly, nuclear disarmament;

— There should be acceptable and workable provisions to ensure the effectiveness of the treaty; and

— Nothing in the treaty should adversely affect the right of any group of states to conclude regional treaties to ensure the total absence of nuclear weapons in their respective territories. 94

Consequent upon an adoption of this resolution, hectic efforts were made towards concluding a treaty on non-proliferation of nuclear weapons. The year 1966 and the first half of 1967 witnessed prolonged negotiations between NWS and their allies; both inside and outside the ENDC. The then US President had remarked that "we must also recognise that at the heart of our concern in the years ahead must be our relationship with the Soviet Union". 95 This reflected the spirit of growing

94 Ibid., p. 279.

detente between the Super Powers which affected the course of disarmament negotiations. Its resultant effect was discernible from submission of two identical but separate draft treaties on non-proliferation of nuclear weapons by Moscow and Washington on 24 August 1967 before the ENDC. 96

The American and Soviet Draft Treaties

The two identical draft treaties proposed by Moscow and Washington referred to 'the culmination of years of patient efforts to narrow and remove the differences between the two Powers'. 97 These draft treaties provided the main framework essential for a non-proliferation on which unanimous agreement appeared possible. The Non-Proliferation Treaty (NPT) which finally emerged in June 1968 98 was basically based on these two draft treaties.

The two draft treaties, however, failed to take into account in full the mandate of the UN Resolution 2028(XX) of 1965. According to V.C. Trivedi, India's representative to the

96 For text of the US draft treaty, see, ENDC/192 and for Soviet treaty, ENDC/193, 24 August 1967.


98 For details on NPT, see, Chapter IV.
ENDC, the most important principle of the UN Resolution 2028 (XX) was the one which laid down that the treaty should embody an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear powers.99 "Though it has been hailed as a turning point in the five years of negotiations on the non-proliferation treaty and as a major compromise on this issue it could hardly be acceptable to the non-nuclear power'.100 Such an ambiguous positions emanating from the proposed draft treaties prompted the member nations, especially the non-aligned countries of the ENDC to make amendments and suggestions for an acceptable treaty on the non-proliferation. India's representative, V.C. Trivedi told the ENDC that "it has been the firm international thesis all along that the cessation of production of fissionable material for weapon purposes is the basis of non-proliferation of nuclear weapons."

He further pointed out that in case such a suggestion failed to result in an international treaty, 'we should discard that solution and adopt some other way of obtaining a treaty'.101

Elaborating his point, the Indian representative further said that this did not mean that the concept of general and

99 V.C. Trivedi, "India and Nuclear Proliferation", Disarmament (Paris), No. 11, September 1966, p. 4.


complete disarmament could be discarded and that too 'in favour of a discriminatory concept of monopolistic armament ... or that we should discard the concepts underlying various partial measures of disarmament in favour of concepts or graduated and responsive armaments'.\(^{102}\)

A detailed discussion on the individual articles of the proposed draft treaties is out of the scope of present study. However, India's views on specific issues raised by the draft treaties are dealt herewith.

The Indian representative undertook a thorough in-depth analysis of every article of the proposed treaty. He told the ENDC that Articles I and II of the draft treaty dealt with the problem of dissemination and proliferation of nuclear weapons. There was no reference to the question of the transfer of nuclear weapons and their stationing in the territories of other countries 'or with that of the training of the armed personnel of non-nuclear nations in the use of nuclear weapons'. India urged the ENDC that it along with other countries had already highlighted these points at a time when General Assembly adopted the resolution 1665 (XVI) in 1961. Indian representative further opined that the terms of the

\(^{102}\) Ibid., p. 6.
Article I of the proposed treaty failed to prevent one nuclear weapon state to aid, encourage and induce another state to manufacture or acquire or control nuclear weapons. Thus India urged for the removal of this imbalance in the proposed treaty. 103

India made it abundantly clear that it was in favour of non-proliferation of nuclear weapons and at the same time it favoured proliferation of nuclear technology for peaceful purposes. Indian representative further reiterated that India had long maintained that 'there should be no fetters of any kind on the development of atomic energy for the purposes of economic and non-military development'. India, at the same time, was willing to agree to international regulation under a non-discriminatory and universal system of safeguards to "ensure that no country manufactures or stockpiles nuclear weapons while undertaking research and development of peaceful nuclear explosives."

While commenting on the Article II of the proposed treaty, Indian representative asserted that the said Article combined the issues of dissemination and manufacture of weapons which was not in consonance of the principles enunciated in UN resolution 2028(XX). It also ignored the joint statement on

103 Ibid., pp. 11-12.
Agreed Principles of September 1961. India felt that Article II imposed discriminatory prohibition only on the NNWS and "gives a licence to the nuclear weapon powers to continue their production and proliferation of nuclear weapons." 104

India drew the attention of the World body to the two important provisions which were missing in the proposed treaty. One related to the control and the other regarding obligations towards nuclear disarmament. In this regard, India made a suggestion that the control provisions should 'deal with the transfer and receipt of fissile material, the transfer and receipt of weapons and weapon technology and the facilities for the production of weapon grade fissible measures'. India's suggestion with regard to obligations towards nuclear disarmament was that without the incorporation of this provision, the draft treaty was merely a halting and hesitant step. Cautioning that the acquisition of nuclear weapons by the NWS posed a threat to the security of NNWS, Indian representative pointed out that the proposed treaty would hitherto have dealt in a much more specific manner with the threat emanating from the nuclear weapons to the security of NNWS. In the wake of reluctant attitude of the NWS to incorporate specific nuclear disarmament programme in the proposed treaty, India suggested

the incorporation of a separate article in the treaty
"affirming the solemn resolve of the nuclear weapon powers
to undertake meaningful measures of disarmament, particularly
of nuclear disarmament."^{105}

India's sentiments in this regard were shared by other
countries also. These countries made various suggestions to
be incorporated in the proposed treaty. Some of these could
be summed up as:

— ensure security,
— secure equal and universal opportunities
  for peaceful uses of atomic energy,
— incorporate equal obligations for nuclear
  weapons and non-nuclear weapon states; and
— linking the treaty to halt vertical
  proliferation of nuclear weapons and
  reduction and elimination of the present
  stockpiles and means of delivery.^{106}

The Swedish proposal with regard to international control
envisioned that each party to the proposed treaty would be
prohibited from transferring source or special fissionable
materials or equipment or material particularly designed or
prepared for the processing, use or production of such
fissionable materials unless such material or equipment was

^{105} Ibid., pp. 14-16.

subjected to the safeguards provided by the International Atomic Energy Agency. Sweden further proposed that each NNWS having been party to the treaty was obliged to accept the application of IAEA safeguards on all activities pertaining to the nuclear energy taking place within the jurisdiction of that country. The Swedish proposal further entailed that each NNWS signatory to the treaty would give an undertaking to the effect that it would cooperate in providing the facilities for the gradual application of the IAEA safeguards on the peaceful nuclear activities within its territory and jurisdiction. ¹⁰⁷

Some suggestions for incorporation in the draft treaty were also advanced by Mexico before the ENDC on 19 September 1967. Mexico took up the cause of protecting the right of every state party to the treaty for developing research on and production of nuclear energy for peaceful purposes without any discrimination and in tune with Articles I and II of the proposed treaty. It also emphasised the right of each state for participating in the fullest possible exchange of scientific and technological information on the peaceful uses of nuclear energy. Mexico urged the countries either alone

or in cooperation with other countries to make available nuclear scientific and technological information for the development, production and application of nuclear energy for peaceful purposes. It called upon NWS party to the treaty to make available the potential benefits from any peaceful application of nuclear explosions to the NNWS party to the treaty. It further envisaged that such aid had to be channelised through respective international bodies having adequate representation of NNWS in accordance with the established procedures on a non-discriminatory basis. ¹⁰⁸

Egypt made a suggestion for inclusion of a new Article IV(A) in the draft treaty which would bind each NWS not to use or threaten to use nuclear weapons against any NNWS having no nuclear weapons on its territory. ¹⁰⁹

Similar proposal was mooted by Romania which suggested amendments and a few additions to the draft treaty. It laid emphasis on avoiding any loopholes in the draft treaty which might prompt both NWS and NNWS to proliferate, directly or indirectly nuclear weapons in any form. Romania proposed that draft treaty should be a step towards the attainment of general

and complete disarmament. It further emphasised that nothing in the proposed treaty should adversely affect the right of any group of states to have regional treaties aiming at the total absence of nuclear weapons in their respective territories.\textsuperscript{110}

Italy, Switzerland, Brazil and Nigeria also made suggestions for improving the draft treaty. Italian proposal envisaged a period of ten years duration for the treaty which would be automatically renewed if no member country had any objection.\textsuperscript{111} Switzerland, though a non-member of the ENDC, suggested that the question of control should be limited to the prevention of fissionable materials from being used for the manufacture of nuclear weapons.\textsuperscript{112} Brazilian amendments to the draft treaty called for taking out the nuclear explosive devices from the purview of the treaty and allowing NNWS to retain their inalienable right to develop nuclear energy for peaceful purposes.\textsuperscript{113} Nigeria urged for an undertaking to be given by each state party to the treaty to

\textsuperscript{110} \textit{Ibid.}, ENDC/199, 19 October 1967, p. 1.
\textsuperscript{111} ENDC/200/Rev. 1, 26 October 1967, p. 1.
\textsuperscript{112} ENDC/204, 24 November 1967, pp. 1-3.
\textsuperscript{113} ENDC/201, 31 October 1967, p. 1.
cooperate directly or through the IAEA with other members
party to the treaty for developing nuclear technology for
peaceful purposes.\textsuperscript{114}

Revised Draft Treaty:

In the wake of various amendments and suggestions mooted
by India and other countries to the American and Soviet draft
treaties, as seen supra, both Soviet Union and the United
States submitted revised but identical treaty drafts on 18
January 1968 in which agreed safeguard provisions were
incorporated in Article III.\textsuperscript{115} The major changes incorporated
in the revised text pertained to the availability of potential
benefits of peaceful nuclear explosions to all parties, an
undertaking to continue negotiations in good faith on disarma-
ment, to half the nuclear arms race and the affirmation of
the rights of states party to the treaty to have agreements
on nuclear weapon free zones.\textsuperscript{116} This revised text was
further subjected to deliberations in the ENDC where countries
like Brazil, Italy, Mexico, Nigeria, Romania and others
proposed amendments. The common emphasis was on the freedom

\textsuperscript{114} ENDC/202, 2 November 1967, p. 1.

\textsuperscript{115} United Nations and Disarmament 1945-1970 (New York, 1971),
p. 290.

\textsuperscript{116} Ibid., Also see Year book of the United Nations 1968
to use nuclear energy for peaceful purposes and linkage between measures of nuclear disarmament and security assurances. The views of NNWS and their amendments were seriously deliberated in the ENDC. Both Soviet Union and the United States after scrutinising those amendments, presented on 11 March 1968 a joint draft treaty which formed the basis of the Non-Proliferation Treaty of 1968.

India had played a pivotal role in mobilizing the international public opinion for breaking the impasse on the question of non-nuclear weapon countries' right to use nuclear energy for peaceful purposes. Though India had signed the Partial Test Ban Treaty of 1963 but it realized that PTBT alone was not sufficient to halt the proliferation of nuclear weapons as it permitted NWS to conduct underground nuclear explosions which was against the spirit of the general and complete disarmament, especially the nuclear disarmament. Thus, India took up the cause of NNWS and latter's inalienable right to use nuclear energy for peaceful purposes. India made various suggestions with a special emphasis on the need for a fresh treaty aiming at halting the proliferation of nuclear weapons. India's viewpoint was shared by both NWS and NNWS. The resultant effect was the conclusion of the NPT in 1968 which is analysed in details in the V Chapter. It may
however, be pointed out here that at the Geneva conference of 1968 (NPT) the NWS had promised positive movement toward nuclear arms control and disarmament. Since then, the two super powers in particular have stock-piled thousands and thousands of warheads. These warheads can destroy the world within no time. The predominant theme of the US-USSR negotiations have been the maintenance of East-West balance through numerical arms control (like-SALT-I) accompanied by the efforts to prevent NNWS disturbing the precarious balance. They talk in terms of mutual limitation in number of ICBM, SLBM, SLCM, MARV, MIRV and so and so forth. Donald Snow has aptly raised point of uncertainty that just as absolute vulnerability and certaity that nuclear exchange would be disasterous were empirical observations elevated to organising principles in the 1960s, uncertainty can occupy a similar position in the 1980s and beyond.117

Under the leadership of Ronald Reagan, the US has launched Strategic Defence Initiative (SDI) popularly known as star wars118 and this has further complicated the issue of test Ban. Late Prime Minister Indira Gandhi, as a Chairman

117 Donald Snow, "The Nuclear Future" (University AL, University Albania Press, 1983).

118 See, Table-II.
of the Non-aligned Movement (NAM) invited a meeting of six nations to consider this issue. The joint statement issued on 22 May 1984 called upon NWS to bring their arms race to a halt, and ban the nuclear tests forever. Mrs Indira Gandhi was very vocal when she said "the people we represent are no less threatened by nuclear war than the citizens of nuclear weapon states."

On 28 January 1985, the six leaders of the NAM again met under the chairmanship of Rajiv Gandhi the present Prime Minister of India in New Delhi. At the end of the meeting they issued a declaration which is widely known as New Delhi Declaration. It cautioned world about the recent atmospheric studies that in addition to blast, heat and radiation, nuclear war, even on a limited scale would trigger an arctic winter which may transform the earth into a darkness, frozen planet posing unprecedented peril to all nations even those far removed from the nuclear explosion. The declaration further urged the NWS to immediately halt the testing of all nuclear weapons and to conclude at an early date a treaty on a nuclear

119 Six Nations were: India, Tanzania, Mexico, Argentina, Greece and Sweden.

120 Times of India (Delhi), 23 May 1984.
Later on the Indian Prime Minister Rajiv Gandhi sent the message to the Committee on Disarmament which was discussed seriously. 122 Thus India from the very beginning have been pleading on behalf of NNWS to ban the nuclear test. In India's opinion "new weapons have developed in utter disregard of the overwhelming body of world opinion and derive from an obsession with the security interest of NWS and their allies to the exclusion of, and, indeed, at the cost of the security and other interests of the majority of mankind." 123

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122 Prime Minister Message, Doc. CD. A/S-12/A.Conf./22.

123 Doc. CD/PV. 333.