CHAPTER-IV

NUCLEAR ARMS CONTROL AND DISARMAMENT IN SOUTH ASIA: THE CASE OF INDIA AND PAKISTAN

South Asian region consists of seven countries – India, Pakistan, Bangladesh, Sri Lanka, Bhutan, Nepal and Maldives. Among all these countries India and Pakistan are two giant geographical entities of the South Asian region which, since their independence, have been involved in arms race and nuclear proliferation and have nuclearised the region as they have conducted nuclear tests in 1974 and 1998. This has been discussed in detail in the first two chapters.

It is important to discuss the case of India and Pakistan as these are the two rival and leading countries of the South Asian region. India is a natural sub-continent and has a vast landmass as compared to Pakistan. Both these countries have been involved in intense and continuous political struggle with each other since the dawn of their independence in 1947 from the British colonialism and are surrounded by several internal and external security problems. These share a long border between them and have fought three wars in 1947, 1965 and 1971. In Kargil Conflict which erupted between them has raised a serious concern of a nuclear war in South Asia as both these countries have attained nuclear capabilities.

Hence, to prevent the future risks involved in the nuclear arms race between these two countries the remedy lies in the nuclear arms control and disarmament

measures. Thus, in the present Chapter an attempt would be made to discuss and analyze nuclear arms control and disarmament efforts involving India and Pakistan.

However, before we proceed any farther it is first necessary to have a brief look at the history of relationship between India and Pakistan and the armed conflicts the two nations had with each other, are a testimony of a hostile relationship they had between them.

India and Pakistan have a long and complicated history with each other. These two countries simultaneously became independent from the British rule. India got freedom on 15th August, 1947, and Pakistan on 14th August of the same year. When British India became independent, it was supposed to be divided into two parts. Areas consisting of majority of Muslims were to become Pakistan and the rest of the territory India. This arrangement did not include the princely states, one of which is Kashmir. The princely states were at liberty to determine their own future – they could join India, join Pakistan, or decide to remain as separate states. Till 15th August, 1947, the State of Kashmir did not accede to India or Pakistan. Both India and Pakistan under took strenuous efforts to get Kashmir in their federation, and the situation was complicated by the fact that the Maharaja (King) of Kashmir was a Hindu while the majority of his subjects were Muslims. The Maharaja of Kashmir decided to preserve the State of Kashmir so he decided to join neither India nor Pakistan.3

In fact, the first war between India and Pakistan occurred in 1947 over Kashmir. In October 1947, Pakistani tribals, principally pathans, attacked from the northwest reaches of Kashmir in order to capture the territory. The Maharaja of

Kashmir appealed to India for urgent aid, agreeing to cede the State of India in return. India deployed its arms forces in Kashmir and thwarted the advance of the tribal force.\(^4\)

In early November 1947, Indian army counter-attacked and successfully broke through the enemy defences. In December of the same year, Indian army suffered a setback because of logistical problems. The problems enabled the forces of Pakistan-occupied-Kashmir (Azad Kashmir) to take the initiative and force the Indian troops to retreat from the border areas. In the spring of 1948, the Indian side mounted another offensive to retake some of the ground that it had lost.\(^5\) No doubt, fearing that the war might move into Pakistan proper, regular units of the Pakistani army became more actively involved. As the conflict escalated, the Indian leadership was quick to recognize that the war could not be brought to a close unless Pakistani support for the Azad Kashmir forces could be stopped. Accordingly, on the advice of Governor General, Earl Louis Mountbatten (Britain’s last Viceroy to India in 1947 and Governor General of India, 1947-1948), the Indian government sought United Nations mediation of the conflict on December 31, 1947. There was some opposition to this move within the cabinet by those who did not agree with referring the Kashmir dispute to the United Nations. The UN mediation process brought the war to a close on January 1, 1949.\(^6\) In July, 1949, the military representatives of India and Pakistan met together in Karachi under the auspices of the Truce Sub-Committee of the United Nations

\(^4\) Ibid.
\(^5\) “India Pakistan Wars”, the Columbia Encyclopedia, is available at www.infoplease.com/cdeb/hitory/A0858804.html.
\(^6\) Ibid.
Commission for India and Pakistan and signed an agreement regarding the establishment of a cease-fire line in the State of Jammu & Kashmir.⁷

The second war between India and Pakistan was also fought over Kashmir in 1965. It is widely accepted that the war began with the infiltration of Pakistani-controlled guerrillas into Indian Kashmir in August 1965. Skirmishes with Indian forces started as early as August 6 or 7, and the first major engagement between the regular armed forces of the two sides took place on August 14. On 15ᵗʰ August, the Indian forces scored a major victory after a prolonged artillery barrage and captured three important positions in the northern sector. Later in the month, the Pakistani’s counter-attacked, moving concentrations near Tithwal, Uri, and Poonch. Their move, in turn, provoked a powerful Indian thrust into Azad Kashmir. Other Indian forces captured a number of strategic mountain positions and eventually took the key Haji Pir Pass, eight kilometers inside Pakistan territory.⁸

The Indian gains led to a major Pakistani counter-attack on September 1 in the Southern Sector in Punjab where Indians suffered heavy losses. The sheer strength of the Pakistani thrust led Indian commanders to call in air support. Pakistan retaliated on September 2 with its own air strikes in both Kashmir and Punjab. The war was at the point of a stalemate when the UN Security Council unanimously passed a Resolution on September 20 that called for a cease-fire. India accepted the cease-fire Resolution on September 21 and Islamabad on September 22, and the war ended on September 23.⁹ Prime Minister Lal Bahadur Shastri of India and President Ayub Khan of Pakistan met in Tashkent, USSR, (now in Uzbekistan) and signed the Tashkent

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⁹ Ibid.
Agreement. This agreement required that both sides withdraw by February 26, 1966, to positions held prior to August 5, 1965, and observe the cease-fire line agreed to on June 30, 1965.\(^{10}\)

The third war between India and Pakistan occurred in 1971. During 1970-71 demands for autonomy were made in East Pakistan (now Bangladesh). But Pakistan took military actions to suppress the independence movement. Consequently, nearly 10 million refugees fled to Indian state West Bengal. By mid summer, India, in the absence of a political solution to the East Pakistan crisis, decided to assist Bangladesh in its independence movement. India organised, trained and provided sanctuary to the Mukti Bahini (meaning Liberation Force in Bengali), the East Pakistani armed resistance fighters. Pakistan was not able to deter Indian’s activities in the Eastern Sector, hence, on December 3, 1971, it launched an air attack in the Western Sector on a number of Indian airfields, including Ambala in Haryana, Amritsar in Punjab, and Udhampur in Jammu & Kashmir. The attacks did not succeed in inflicting substantial damage. The Indian Air Force retaliated the next day and quickly achieved air superiority. In East Pakistan, the Indian Air Force destroyed the small air contingent and put the Dhaka airfield out of commission. In the meantime, the Indian Navy effectively blockaded East Pakistan. Dhaka fell to combined Indian and Mukti Bahini forces on December 16, bringing a quick end to the war.\(^{11}\)

Further, on December 3, the Pakistani Army also launched ground operations in Kashmir and Punjab, and armoured operations in Rajasthan. In Chhamb area of Kashmir Pakistan forced India to withdraw from its positions. In other parts of Kashmir, India made some small gains along the cease-fire line. The major Indian

\(^{10}\) Indo-Pakistan Relations: Legalization and Agreement Design, No. 3.

counter-offensive came in the Sialkot-Shakargarh area, south and west of Chhamb. Ultimately, by mid-December, a UN cease-fire was arranged after the defeat of the Pakistan. Pakistan received severe blow in the war as it lost the eastern half, an army of about one lakh soldiers, and was thrown into a serious political turmoil. Zulfikar Ali Bhutto emerged as a leader of Pakistan, and Mujibur Rahman as Prime Minister of Bangladesh. On July 2, 1972, Prime Minister Indira Gandhi of India and President Zulfiqar Ali Bhutto of Pakistan signed the Shimla Agreement that resulted in the recognition of the new nation of Bangladesh. It was agreed under this agreement that both the states put an end to the conflict and confrontation and would work for the promotion of a friendly and harmonious relationship and the establishment of durable peace in the subcontinent. Tensions between the two countries were alleviated by this agreement and by Pakistan’s recognition of Bangladesh in 1974, but tensions have periodically recurred.

In 1999, Kargil conflict erupted between India and Pakistan. As it is discussed above that India and Pakistan have fought three wars since 1947 before Kargil conflict. This number rises to four if one considers the Kargil conflict as a war. Because the number of people killed on each side exceeds the level that is often regarded enough to declare a conflict as a war.

During the winter of 1999, Pakistan sent several thousand militants and troops across the Line of Control (LOC) into the India-controlled Kargil heights. Pakistan was confident that it’s conventional and nuclear forces would deter a large-scale

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12 Ibid.
13 India-Pakistan Relations: Legalization and Agreement Design, No. 3.
15 Ibid., p. 178.
Indian retaliation and it also hoped to gain global attention for the Kashmir issue by this action.\textsuperscript{16}

After crossing the LOC, the Pakistani infiltrations met with no resistance in the unoccupied mountainous region of Kargil, hence, they pushed farther into the region and dug in. From their positions the Pakistani troops threatened not only Highway IA, the lifeline between Kashmir and Ladakh, but also India’s hold on Siachin.

In May 1999, India discovered the movement of Pakistani infiltrators in Kargil and responded by sending military troops into the region. Thereafter, several weeks of intense fighting continued between Indian troops and Pakistani infiltrations, which included heavy Indian artillery and air attacks. Air attacks were necessary because Pakistani infiltrations had occupied top positions on the mountain of Kargil.

By mid-1999, the Vajpayee administration threatened to extend fighting beyond the LOC if Pakistan did not withdraw its troops from Indian-controlled Kashmir. India signaled its intent to escalate the conflict by massing its troops along the LOC and the international border and dispatching naval ships in preparations for a naval blockade of Pakistani ports.\textsuperscript{17}

“As outbreak of a larger conflict appeared imminent and Pakistan increasingly came under strong international criticism, Pakistan’s Prime Minister Nawaz Sharif asked the United States’ President Bill Clinton to mediate between the two sides.”\textsuperscript{18}

On 4 July, a meeting took place between Sharif and Clinton which also included the members of the U.S. National Security Council. Clinton urged Pakistan to immediately withdraw its troops from the Indian territory. One of the striking features

\textsuperscript{16} Ibid., p. 177.
\textsuperscript{17} Ibid., p. 178.
\textsuperscript{18} Ibid.
of this meeting was that “Sharif seemed astonished” when Clinton informed him that “the United States’ intelligence had detected preparations by the Pakistani military to deploy nuclear weapons.”  

In the end, Sharif agreed to withdraw Pakistani troops from Kargil.

“On July 11, the Indian and Pakistani Directors-General of Military Operations met and reached an agreement on Pakistan’s withdrawal.” By mid-July, Pakistani troops began to withdraw.

During the conflict, Pakistan threatened to use the nuclear bomb if India crossed the LOC. The U.S. Intelligence also reported that Pakistan was preparing its nuclear weapons for possible use. “According to some reports, India also put its nuclear forces on alert during the conflict.” Retired admiral L. Ramdas, former Chief of Staff of the Indian Navy, reported that “over a dozen people in responsible positions on both sides advocated the use of nuclear weapons during the conflict.” It is very difficult to tell now as to what would have happened if the United States had not intervened during the conflict or if the Indian troops had not gained a military advantage before the U.S. intervention. But it is quite possible that the conflict would have escalated further, greatly increasing the dangers of a nuclear exchange between the two countries.

Nuclear Disarmament in South Asia involves basically two countries i.e. India and Pakistan as it is also mentioned earlier. At the global level the arms race during the cold war had been between two blocs i.e., eastern bloc and western bloc. In South Asia the nuclear arms race has been between India and Pakistan. The nuclear

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19 Ibid.
20 Ibid.
21 Ibid.
22 Ibid.
programme of India started earlier as compared to that of Pakistan. In 1974, India conducted ‘peaceful’ nuclear explosion which speeded up the nuclear arms race between the two countries.\(^{23}\) In 1998, both these countries conducted nuclear tests. The details about Indo-Pakistan’s nuclear arms race have been discussed in first two Chapters.

There are not a large number of nuclear arms control treaties signed between India and Pakistan as compared to the nuclear arms control treaties between the USA and the USSR/Russia. Some of the arms control agreements in South Asia have been signed between mostly India and Pakistan while other have been imposed from the outside like Symington Amendment and Pressler Amendment.

Stands which both India and Pakistan have taken on Nuclear Non-Proliferation Treaty and Comprehensive Test Ban Treaty also constitute a part of the study of nuclear arms control in South Asia. In 1999 India issued the Draft Nuclear Doctrine which also constituted provisions for disarmament and arms control. The nuclear arms control and disarmament in South Asia have been discussed in the following pages.

I. NPT in South Asia; the Stand of India and Pakistan

The five South Asian countries – Bangladesh, Nepal, Maldives, Sri Lanka and Bhutan are parties to NPT. They had committed not to acquire or develop nuclear weapons. Only two countries in South Asia have not signed and ratified NPT which are India and Pakistan.\(^{24}\) A discussion about these two countries is made as under.

By 1966 the super powers were involved in negotiations for a Nuclear Non-Proliferation Treaty. At this time India demanded inter-alia that “a fair treaty must

\(^{23}\) N. Kanju, Indo-Pak Nuclear Cold War, Reliance Publishing House, New Delhi, 2000, pp. 59-60.

obligate existing nuclear weapons states to freeze and then eliminate their nuclear arsenals, and must provide “security guarantees” to non nuclear weapon states, “India while professing its own abjuration of nuclear weapons, refused to surrender the right to develop and detonate peaceful nuclear explosives as long the recognized nuclear weapon states, retain the right to conduct nuclear detonations”\textsuperscript{25}

India made its stand very clear at the draft stage itself. She held the opinion that NPT did not promote disarmament; it also did not safeguard her interests. Hence, India held that it would not sign the treaty and also not manufacture nuclear bomb but would pursue her atomic programme for peaceful purposes. India reiterated this stand many times.\textsuperscript{26}

When the Draft of NPT was read for signature India refused to sign it. A study of India’s stand on NPT is made as follows:

Firstly, India took the stand that NPT included the imbalance of obligations between Nuclear Weapon States (NWS)) and Non-Nuclear Weapon States (NNWS). The treaty put restrictions on horizontal proliferation, but did not control the vertical proliferation. Hence, it avoided the equal and mutual obligations of NWS and NNWS. In spite of the fact, that NWS were having the sufficient stocks of nuclear weapons. NPT remained unsuccessful to control the proliferation of nuclear weapon within the NWS. The controls applied to the NNWS could also be applied to the NWS, but the treaty was lacking it.

Secondly, India found NPT discriminative as it involved discrimination in the application of international safeguards by creating two different sets of standards one

\textsuperscript{26} H.D. Tiwari, India and the Problem of Nuclear Proliferation, R.K. Publishers, Delhi, 1988, p. 140.
for the NWS and the other for NNWS.\textsuperscript{27} She held the opinion that “the guiding principle that should be followed in regards to safeguards is that they should be universally applicable and be based on objective and non-discriminative criteria. However, NPT placed all safeguards and controls on the NNWS and none whatsoever on the NWS. India, however, had no objections to the presence of the IAEA in relation to safeguards”.\textsuperscript{28} She found that the IAEA safeguards system as more comprehensive and non-discriminative as compared to the NPT safeguards.

Thirdly, NPT had referred to the security implications for the NNWS. In India’s view, the problem of the security of the NNWS from the use or threat of use of nuclear weapons arose from the possession and continued stock piling of nuclear weapons. India firmly believed that the real guarantee of security in this regard could be provided only through comprehensive nuclear disarmament.

But NPT allowed the NWS to possess the nuclear weapons, whereas, NNWS were not allowed to manufacture or acquire nuclear weapons. Moreover, India held the view that the security assurances offered by the NWS to the NNWS should not be made a condition for signing NPT as it was contrary to the UN charter. India demanded that this matter should be dealt with independently.

Fourthly, and lastly, NPT denied the peaceful use of atomic energy to the NNWS, it discriminated in the NNWS’s right to have peaceful nuclear explosions and for this reason also India did not sign the NPT. India strongly criticised the treaty for this reason.\textsuperscript{29}

Pakistan’s stand on NPT was shaped by its security concerns vis-à-vis India. She, like India, refused to sign NPT. It considered NPT as an unequal document. It

\textsuperscript{27} Ibid., pp. 140-141.
\textsuperscript{28} Ibid., p. 141.
\textsuperscript{29} Ibid., pp. 143-144.
took the stand that the NPT would possess little appeal and exert less weight if the near nuclear states do not subscribe to it. It declared to be in favour of total elimination of all types of weapons of mass destruction including nuclear, chemical and biological weapons of all super powers. It also believed that the scope of NPT must be complete elimination and it must include a fixed time table for the future.  

Pakistan took the stand that NPT should be simultaneously ratified by both India and Pakistan. Similarly, both, India and Pakistan should simultaneously accept the full scope safeguards for all nuclear installations. They should also mutually agree for the inspection of each other’s nuclear facilities.  

II. The Nuclear Weapons Free Zone Proposals for South Asia  

In 1974, India conducted ‘peaceful’ nuclear explosion. After this event, Pakistan had been annually placing the proposal for establishing South Asia as a Nuclear Weapon Free Zone (SANWFZ) at the annual session of the General Assembly. A brief analysis of Pakistani proposals in this regard is made here.  

On 27 October, 1974, Pakistan proposed in the Twenty Ninth Session of the UN General Assembly that keeping in view the great need and urgency of the time the South Asian region should be declared as a Nuclear Weapon Free Zone. In the same session of the General Assembly India said that the proposal to establish a Nuclear Weapon Free Zone (NWFZ) in South Asia involves the vital interests of all the countries of the region. Therefore, it is necessary first to discuss the proposal among the countries of the region. India added that the General Assembly, firstly, should take

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\[30\] Shaista Tabassum, op. cit., p. 63.  
\[31\] Ibid., p. 65.
the prior agreement of the countries of the South Asian region before declaring it a NWFZ.32

Pakistan further suggested that the Secretary General should convene a meeting of the South Asian countries to discuss the question of NWFZ in South Asia, while India commented on the Pakistani proposal that no prior consultation had taken place among the South Asian countries before the item was included on the agenda of General Assembly. India laid stress on the fact that no regional arrangement could be imposed from the outside. They could only be developed within the region concerned. In India’s view, the existence of nuclear weapons in the region of Asia and the Pacific and the presence of foreign military bases in the Indian Ocean have complicated the security environment of the region, thus, making the situation inappropriate for the establishment of SANWFZ.

Both India and Pakistan submitted separate draft resolution to the Twenty-Ninth Session of the General Assembly which included their separate stands for the establishment of the NWFZ in South Asia. The General Assembly approved both these drafts. It requested the UN Secretary General to convene a meeting of the South Asian states for the purpose of consultations and to report on the subject to the General Assembly at its thirteenth session.

On 31st October 1975, the Secretary General reported that he had not convened the meeting as envisaged in the resolution because of the differences in the approach to the question. In the same year, both India and Pakistan submitted separate draft resolutions in the thirteenth session of the General Assembly which was adopted by the Assembly without votes. India reiterated its earlier stand and Pakistan endorsed

it but added that General Assembly could also encourage the South Asian states to establish a denuclearised zone in the region.\textsuperscript{33}

The proposal for declaring South Asia as a NWFZ again came up to the General Assembly at its thirty second Session held in 1977. But the difference of opinion persisted in the proposals of India and Pakistan. The UN Secretary General also reported that there had been no request from states of the region for establishing a NWFZ in South Asia.

As per practice, the proposal for a NWFZ was also placed on the thirty third Session of the General Assembly held in November 1978. In this Session, Pakistan proposed in its Draft Resolution submitted to the General Assembly that the regional approach was the most effective means of preventing nuclear proliferation in South Asia. But India and also Bhutan opposed this Resolution. India was opposed to it because it did not regard the region of the South Asia as either appropriate or adequate for that purpose. Also in the same Session, Secretary General in his report stated that he had been in contact with the states of the South Asian region\textsuperscript{34}, but there had been no request on behalf of the states concerned for his assistance.

In 1982, India drew the attention of the General Assembly towards the recurring phenomenon of Pakistan’s introduction of NWFZ proposal. India regretted that this had become an annual and pointless ritual and it lacked consent among the countries of the South Asian region.\textsuperscript{35} She pointed out that the NWFZ proposal has stalemated because of the differences in approach on the problem, mainly between India and Pakistan. Moreover, India reiterated that the proposal for establishing a

\begin{footnotesize}
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\item \textsuperscript{33} Ibid, pp. 111-112.
\item \textsuperscript{34} Govind N. Srivastava, Non-Alignment and Nuclear Disarmament, Manas Publications, New Delhi, 1985, pp. 25-26.
\item \textsuperscript{35} Tiwari, op. cit., p. 113.
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NWFZ should not be imposed from the outside and should come from the countries of the region concerned after mutual consultations among them. She stressed that South Asia could be declared as a NWFZ only after the whole world was completely denuclearised.

In fact, since 1974, there remained difference of approaches between India and Pakistan over the question of NWFZ in South Asia, hence, no final agreement could be reached between the two countries over this question.36

III. The Symington Amendment

The Symington Amendment was an important disarmament measure enforced in South Asia from outside that the US Government adopted it for Pakistan. A discussion in this regard is made as follows:

The 1974 ‘Peaceful’ Nuclear Explosion of India stimulated the Pakistan’s nuclear programme. Hence, in October 1974, Pakistan signed a contract with France for a plutonium reprocessing plant designed to produce fuel for a series of nuclear power plants. Apart from this, Pakistan was involved in many ‘clandestine’ nuclear activities. It was involved in a secret programme to manufacture nuclear weapons.37 The details in this regard, have been mentioned in Chapter-I. Pakistan’s clandestine activities and a proposed French nuclear reactor sale to Pakistan attracted the attention of the US administration which accordingly pushed through the Symington and Glenn Amendments to the Foreign Assistance act.38 These two amendments are important steps taken by the United States towards disarmament in South Asia.

36 Ibid., pp. 113-114.
38 Ibid.
In June 1976, the US Congress adopted the Symington Amendment to the Foreign Assistance Act. Under this law, no military aid or economic assistance could be given to any country that imported uranium enrichment technology, material, plants or equipment without accepting IAEA safeguards on all its nuclear facilities and agreeing that any resulting enrichment plant would be placed under multi-national management.\textsuperscript{39}

According to Musa Khan Jala Zia, a Pakistani writer, the Franco-Pakistan Reprocessing Plant Deal was within the provisions of the IAEA safeguards, yet, the US adopted Symington Amendment which was solely directed against Pakistan. The United States even did not forcefully condemn the 1974 Indian nuclear test and accepted it “as a fait accompli”. She also terminated all nuclear cooperation with Pakistan in 1974 and refused the supply of enrichment uranium fuel for the safeguard research reactor at PINSTECH while continuing to supply fuel for Tarapore reactor until late 1970s. Jalal Zia has further mentioned that the Symington Amendment did not affect India or Israel which had already acquired plants without safeguards prior to the enforcement of this amendment.\textsuperscript{40}

In 1979, the US assistance to Pakistan was cut off when it became well known that Pakistan had illicitly obtained centrifuge technology from the Netherlands. In 1981, however, in a policy of encouraging Pakistan’s support of the Afghan rebels after the Soviet invasion of Afghanistan, the US Congress passed the special law waiving the Symington Amendment in respect of Pakistan and authorized a six-year, $3.200 million programme of economic and military aid to Pakistan.\textsuperscript{41}

\textsuperscript{41} Barnaby, op. cit., p. 114.
In August 1977, one year later of the Symington Amendment, the US Congress approved the Glenn Amendment which sought to limit the sale of reprocessing technology or the receipt of uranium-enrichment plants. It also barred assistance to countries that imported plutonium reprocessing technologies without the appropriate IAEA safeguards. Simultaneously, the US administration exerted considerable diplomatic pressure on the French government to abandon the proposed transfer of reactor technology. In the end the United States prevailed.\(^{42}\)

According to Musa Khan Jalal Zia the Glenn Amendment was also directed against Pakistan and it did not effect India.

In 1978, the US Congress passed the Nuclear Non-Proliferation Act (NNPA) which regulated the conditions for nuclear cooperation with other countries and put strict conditions on such cooperation.\(^{43}\)

IV. The Pressler Amendment

The 1985, Pressler Amendment like Symington Amendment was an important step taken by the United States which included provisions to check nuclear proliferation in South Asia.

Under this amendment the Section 620E of the Foreign Assistance Act is amended and new portion is added. The Pressler Amendment reads that: “No assistance shall be furnished to Pakistan and no military equipment or technology shall be sold or transferred to Pakistan, pursuant to the authorities contained in this Act or any other Act, unless the President shall have certified in writing to the Speaker of the House of Representatives and the Chairman of the Committee on Foreign Relations of the Senate, during the fiscal year in which assistance is to be

\(^{42}\) Ganguly, op. citp., p. 106.
\(^{43}\) Jalal Zia, op. cit., p. 201.
furnished or military equipment or technology is to be sold or transferred, that Pakistan does not possess a nuclear explosive device and that the proposed United States’ assistance programme will reduce significantly the risk that Pakistan will possess a nuclear explosive device.”

A notable feature of Pressler Amendment is that it was directed only against Pakistan and did not have any similar provision which could be applied to India. It was because Pakistan was the only aid recipient country from the United States. The aid which the United States had to provide to Pakistan under Pressler Amendment was the sale of military equipments, transfer of technology and economic assistance. In this way, this aid could only be provided to Pakistan if, as according to the provisions of the amendment, the President of the United States certifies it that Pakistan does not possess any nuclear weapon device.

Unlike the previous amendments, the Pressler Amendment did not have any waiver provisions. The drafting of this legislation was so restricted that it left the US President with no room for maneuver and thereby advance US Non-Proliferation objectives in a rapidly changing world.

The Pressler Amendment was an effort by the United States to achieve two types of objectives. Firstly, it was enforced to satisfy the strong non-proliferation lobby in the Senate and secondly, for ensuring continued cooperation to Pakistan in the fight to expel the troops of the Soviet Union from Afghanistan.

As it has been mentioned earlier that under Pressler Amendment the US President had to certify that Pakistan was not possessing nuclear weapons which was essential to provide military cooperation to it. Hence, during the Afghan war, the US

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44 Shaista, op. cit., p. 172.
46 Jalal Zai, op. cit., p. 201.
Presidents-Ronald Reagon and George H.W. Bush-certified to Congress that Pakistan was not involved in any nuclear weapon programme. But in 1990, Bush administration finally failed to wink at the pressler standard.\footnote{Ganguly, op. cit., p. 107.}

The Committee appointed for this amendment believed that continued US assistance to Pakistan was in the national interest of both countries. It was also concerned by the continued development of military capabilities in Pakistan’s unsafeguarded nuclear programme which was jeopardizing future US economic and military assistance to Pakistan.

The Committee was also concerned about India’s nuclear programme. It noted that India actually detonated a nuclear explosive device in 1974, that India rejected Pakistani proposals that both countries should sign NPT, and that India is operating unsafeguarded reactors. The Committee believed that any Indian effort to exploit the military capabilities of its nuclear programme would seriously harm prospects for future US assistance or cooperation with that country.\footnote{Shaista, op. cit., pp. 173-174.}

V. Delhi Declaration:

On 28\textsuperscript{th} January, 1985, the Delhi Declaration was concluded in New Delhi which was attended by six nations i.e., India, Tanzania, Mexico, Argentina, Greece and Sweden. It was an important move towards disarmament and arms control in which a South Asian country was involved. In fact, the Indian Prime Minister Rajiv Gandhi presided over the meeting of the six nations in New Delhi.\footnote{Tiwari, op. cit., p. 90.}

The Delhi Declaration cautioned all countries at global level 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
darkness, frozen planet posing unprecedented peril to all nations even those far
removed from the nuclear explosion.\textsuperscript{50} The Declaration urged the Nuclear Weapon
States to stop the nuclear weapon testing as soon as possible and to conclude at an
early date a treaty on nuclear weapon test ban. Later on, the Indian Prime Minister
sent the message to Committee on Disarmament which was discussed seriously. The
second Six-Nation Summit was held in Mexico in August 1986 which also stressed
the NWS to conclude a Comprehensive Test Ban Treaty.

But the New Delhi Declaration and the other efforts made by India with regard
to test ban negotiations did not impress upon the Super Powers, as the Soviet Union
maintained a unilateral moratorium on underground nuclear tests from April 1985 to
February 1987 and even permitted a team of seismologists from the Natural
Resources Defence Council to set up seismic devices near the Soviet nuclear testing
sites. However, in April, 1987, the Soviet Union was so generous to propose that each
country may carry out a nuclear test at the test site of the other. On the contrary during
the Soviet test moratorium the United States performed twenty six nuclear tests and
refused to permit a delegation of Soviet scientists invited to the US, by American
members of the National Resources Defence Council to erect seismic devices.

Thus, India from the very beginning has been pleading on behalf of non
nuclear weapon states to ban nuclear tests. In India’s opinion, new weapons have been
developed in utter disregard of the overwhelming body of world opinion and derive
from an obsession with the security interests of nuclear weapon states and their allies

\textsuperscript{50} Ibid., p. 91.
to the exclusion of and, indeed, at the cost of the security and other interests of the majority of mankind.\textsuperscript{51}

VI. Indo-Pak Agreement on Non-Attack on Each Other’s Nuclear Installations and Facilities

The beginning of an important move, which finally resulted in Indo-Pakistan bilateral agreement on non-attack on each other’s nuclear installations and facilities, was initiated by Pakistani President Zia-ul Haq on 40\textsuperscript{th} Commemorative Anniversary session of the UN General Assembly.

General Zia-ul Haq, while addressing this Session of the General Assembly outlined a five point proposal which provided that both India and Pakistan should;

(1) simultaneously sign the Nuclear Non-Proliferation Treaty;

(2) simultaneously accept the full scope of the International Atomic Energy Agency;

(3) accept the mutual inspection of each other’s nuclear facilities;

(4) have a joint declaration renouncing the acquisition or development of nuclear weapons; and

(5) agree to the establishment of a nuclear weapon free-zone in South Asia.

Zia affirmed Pakistan’s readiness to attend any conference to achieve this end on the basis of reciprocity and respect for sovereignty.\textsuperscript{52}

\textsuperscript{51} Ibid., pp. 91-92.
\textsuperscript{52} Mohammed B. Alam, India’s Nuclear Policy, Mittal Publications, Delhi, 1988, p. 42.
But India refused to accept any of the above given proposals because she, in general, felt that to do so would amount to its acceptance as legitimate the discrimination in favour of Nuclear Weapon States.

India had long opposed NPT, particularly, on the ground that it was discriminative and biased. Hence, it was not possible for India to accept Pakistan’s proposal to sign NPT. Moreover, India had kept its nuclear option open vis-à-vis other powers, particularly, China, due to this reason also India could not accept Zia’s proposals.\(^{53}\) Pakistan’s proposal of reciprocal inspection of each other’s nuclear facilities was also opposed by India on two grounds. First, “mutual inspection would be a totally asymmetrical bargain from the Indian point of view”. Second, “neither side had the necessary technical capacity to conduct a perfect inspection of the other. Neither of the two countries could be sure that the other had not tucked away a few nuclear weapons somewhere”.\(^{54}\) In fact, India was suspicious of Pakistan’s nuclear weapons programme. She was increasingly concerned about Pakistan’s clandestine nuclear weapons activities. It was widely believed in India that Pakistan would follow an ambiguous nuclear policy in order to cover up her nuclear programme. Under this ambiguity, Pakistan could develop all the necessary facilities, perhaps not assemble the bomb, certainly not hold the tests and at the same time could take steps leaving no one in doubt that it possessed the necessary capability to make the bomb at a short notice.

On the other hand, Pakistan on her part refuted these allegations. She reiterated that Pakistan was having a desire of a peaceful nuclear programme.\(^{55}\)

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\(^{53}\) Ibid., p. 43.

\(^{54}\) Ibid.

\(^{55}\) Ibid., pp. 41-42.
On 18th December 1985, the Prime Minister Rajiv Gandhi of India and President Zia-ul Haq of Pakistan mutually agreed not to attack each other’s nuclear facilities. In view of the adverse relationship between India and Pakistan, which in the past had resulted in deadly wars, the declaration was a welcome step.\footnote{Ibid., p. 44.}

On 31st December 1988, the bilateral agreement on the prohibition of attack on each other’s nuclear installations and facilities between India and Pakistan was finally signed by the Foreign Secretaries of the two countries. This agreement contains three articles. It provides that both the countries shall not take any action which can cause damage or destruction to nuclear installation or facility of the other country. Both the parties to the agreement shall not undertake, encourage or participate in any such action in any way.

It is made clear under the agreement that term “nuclear installation or facility” would include nuclear power and research reactors, fuel fabrication, uranium enrichment, isotopes separation and reprocessing facilities as well as any other installation with fresh or irradiated nuclear fuel and establishments storing significant quantities of radioactive material.

The agreement also provides that each country shall annually inform the other country about the latitude and longitude of its nuclear installations and facilities, and whenever there is any change.\footnote{Kanju, op. cit., pp. 189-190.}

In past, proposals have been made by India to extend this agreement to cover population centers and targets of economic value. These are counter value targets, as opposed to counter-force targets such as missile silos, air bases and nuclear weapons production facilities. But Pakistan rejected the Indian offer to extend the treaty.
Curiously, Pakistan argued that the no-first use of nuclear weapons would be tantamount to accepting a nuclear weapon capability.\textsuperscript{58}

In addition to the above, the Indo-Pak Agreement is a unique agreement that the other hostile countries have not emulated yet. This agreement expands in a sense, the scope of the Article 56 and 15 of the first and second Protocols to the Geneva Convention.

These articles of the Geneva Convention explain that works or installations containing dangerous forces, namely dams, dykes and nuclear electrical generating stations, should not be made the objects of attack.

The scope of the Indo-Pak Agreement is to some extent broader than the Geneva Convention’s prohibition against nuclear electrical generating stations. As mentioned above, the nuclear installations and facilities against which attack is prohibited in Indo-Pak agreement include much more scope than that mentioned under Geneva Conventions’ two Protocols.\textsuperscript{59}

\textbf{VII. Joint Declaration by India and Pakistan on Complete Prohibition of Chemical Weapons}

On August 19, 1992, the Foreign Secretaries of India and Pakistan (i.e. J.N. Dixit and Shaharyar Khan, respectively) met in New Delhi and signed a declaration on complete prohibition of chemical weapons. Both the countries agreed under the declaration that they would not develop, produce or otherwise acquire chemical weapons or use such weapons under any circumstances like war, and that they would cooperate with each other in finalization and adoption of a Comprehensive Chemical

\textsuperscript{59} Ibid., pp. 190-191.
Weapons Convention which ensures the security of all states and encourages the full utilization of achievements in the field of chemistry for peaceful purposes, especially of economic development of developing countries. The two countries also declared that they would exercise their right to develop their chemical industry and related applications and products only for peaceful purposes and for the welfare of their people.⁶⁰

Both India and Pakistan reiterated the need for the early conclusion within the framework of the Conference on Disarmament of a global convention for the complete and effective prohibition of the development, production, stockpiling and use of chemical weapons and their destruction. They also reiterated their resolve to become original States party to the proposed convention in the Conference on Disarmament.

This declaration was an important disarmament and arms control measure in South Asia. It contributed not only to the security of India and Pakistan but to all the countries of the region. This declaration, in a sense was an imitation of the two international conventions i.e. Biological Weapons Convention and Chemical Weapons Convention because most of the provisions of Indo-Pak declaration resemble to these conventions.

Under this declaration, both India and Pakistan also reaffirmed their commitment to the Protocol for Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1915, and recalling the relevant Resolutions of the General Assembly upholding the validity of the 1925 Geneva Protocol.

⁶⁰ Kanju, op. cit., p. 187.
Further, the two countries under the declaration also made their commitment to durable peace and security in the region. They realised that a complete and effective prohibition of chemical weapons would contribute to the security of all states.\footnote{Ibid., pp. 188-189.}

\section*{VIII. South Asian Seas Action Plan}

In March 1995, the five marine members of South Asia—Bangladesh, India, Maldives, Pakistan and Sri Lanka—adopted the South Asian Seas Action Plan at a meeting of plenipotentiaries in New Delhi which came into force in January 1998.

Both India and Pakistan are signatories to the South Asian Seas Action Plan. This is a nuclear related agreement which provides a framework under which limited environmental release and effluent data from TAPS and KANUPP could be shared. Both these facilities are located on the coastline of the Arabian Sea, impact regions and are potential thermal, chemical and radioactive pollutant sources. Sharing information on these facilities is suggested in the South Asian Seas Action Plan that has been created to implement requirements of the United Nations Convention on the Law of the Seas (UNCLOS). The detail study about TAPS and KANUPP has been made in the previous chapters.

This plan also provides for a “Regional Programme of Action for the Protection of the Marine Environment of the South Asian Seas from Land-based Activities. The proposed activities include the Development of Marine Pollution in the Coastal Waters of the South Asian Seas and the Regular Exchange of Relevant Data and Information”\textsuperscript{63} The UNCLOS has specific provisions relating to the prevention, reduction and control of marine pollution from land based activities. According to these provisions of the UNCLOS, provisions has been made in the South Asian Plan to protect the South Asian seas from the land-based activities which leads to pollution in the seas.

The BARC in India has initiated two projects in the marine pollution area. One involves the use of radio-tracers in the Hooghly in West Bengal near Calcutta. In this study, the BARC has released and tracked 8 Curies of a radioactive Scandium isotope in the form of Scandium glass from disposal sites of material dredged from Calcutta port. The other BARC marine research project is in cooperation with the MS Swaminathan Research Foundation in India and involves the use of Nuclear and Biological Tools in Coastal Systems Research. Given this interest in the marine coastal environment, the BARC could be a suitable partner for supporting the South Asia Seas Action Plan.

The South Asian Co-operative Environment Programme (SACEP) has been designated as the Secretariat for the implementation of the Action Plan. SACEP was established through the initiative of the United Nations Environment Programme-Regional Office of Asia Programmes. The member countries of SACEP are

\textsuperscript{63} Ibid.
Afghanistan (not an active member), Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka.  

**IX. The CTBT in South Asia; the Stand of India and Pakistan**

By 1994 when the negotiations for a Comprehensive Test Ban Treaty (CTBT) started in the Conference on Disarmament, India began playing a role which in 1996 became the focus of global attention.

By 1994, when the CTBT negotiations were underway in the CD, the scientists from BARC put pressure on the Indian government to allow for the tests as this treaty would seal off the testing option.

In May 1995, India took the stand that the CTBT should stipulate a plan of time-bound global disarmament. It did so because in its' view the NPT failed to tackle disarmament which is one of its fundamental aims. This stance was reiterated by India in 1996 as on January 25, Indian Ambassador Arundhati Ghose stated to the CD that the CTBT “should be securely anchored in the global disarmament context and be linked through treaty language to the elimination of all nuclear weapons in a time-bound framework”. In fact, the linking of the CTBT with time-bound global disarmament was never envisaged when the treaty was proposed. However, there has been considerable reduction of nuclear and strategic weapons after the end of cold war.

On June 28, the same year, a draft CTBT was submitted to the CD by Netherlands which required that it should be ratified by five super powers including

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64 Ibid.
66 Satyabrata, op. cit., p. 461.
67 Ibid.
68 Kanju, op. cit., p. 38.
India, Pakistan and Israel, among other countries, as it has also been mentioned earlier. In this way, it was necessary for India to ratify the draft treaty.

But on August 20, India vetoed this draft treaty and barred it from entering into the UN General Assembly as a CD approved document.\(^6^9\) The five nuclear powers made moves to bypass this Indian veto so that the draft treaty could enter into General Assembly.\(^7^0\) The Indian Ambassador Ghose, while making a remark over this stated that:

“India condemned the US-China backroom deal, by which China’s concerns on verification procedures were accommodated”. She added “the entry into force clause has been modified at the insistence of a small number of countries with the clear aim of imposing obligations on India and placing it in a position in which it did not wish to be. Such a provision has no parallel. It is unprecedented in multilateral negotiations and international law that any sovereign country should be denied its right of voluntary consent on adherence to an international treaty”.\(^7^1\)

India’s position on the CD negotiations supported its nuclear option by providing a rationale to veto the draft treaty in the CD. In fact, India demanded that the CTBT should stipulate a plan for global disarmament as it has been mentioned above. It also wanted a treaty to ban weapons research not involving nuclear tests such as computer simulations and laboratory experiments. The June 28 draft treaty did not meet these conditions, which nuclear weapons states rejected; hence, India vetoed the draft treaty on August 20.\(^7^2\)

\(^6^9\) Satyabrata, op. cit., p. 462.
\(^7^0\) Ibid., p. 162.
\(^7^1\) Ibid., p. 462.
\(^7^2\) Ibid.
As it is discussed earlier also that due to India’s veto of the draft treaty in the CD, Australia asked the General Assembly to consider a resolution calling for the General Assembly to adopt the draft CTBT. In this way, on September 10, when CTBT was finally put to vote, India did not pose hurdles but voted against it. India also did not sign the treaty when it was opened for signature.\(^\text{73}\)

India’s stand on the CTBT which reflects its opposition to the treaty is, in fact, linked with its traditional political stance on disarmament and non-proliferation. It has been a strict critic of negligence of the NWS in their efforts towards nuclear disarmament and has held the view that both horizontal and vertical proliferation of nuclear weapons should be dealt with simultaneously. Hence, India gives preference to the fact that there should be a system of equality in disarmament and non-proliferation and sees the global elimination of nuclear weapons as the only fair and effective way to control the nuclear proliferation. For such an idea the CTBT, which does not effectively prohibit nuclear tests, is insufficient to prevent NWS from improving their nuclear stock piles.\(^\text{74}\)

Pakistan’s role in the CTBT manifested its’ support for the treaty in principle. It did not oppose the CTBT negotiations in the CD. It, unlike India, supported the draft CTBT of August 20, 1996, submitted by Netherlands to the CD. On October 10, 1996, when the CTBT was put to vote in the General Assembly, Pakistan, unlike India, voted in favour of the treaty.

However, Pakistan took the stand that it will not sign CTBT unless India does. In fact, it has tied up it’s stance on CTBT to that of India and has left the onus of first move to India. In case of NPT, Pakistan like India refused to sign the treaty and took


\(^{74}\) Ibid.
the stand that both India and Pakistan should simultaneously sign the treaty. It reveals that Pakistan, to a large extent, has tied up its’ stance on international nuclear arms control and non-proliferation treaties to that of India.\textsuperscript{75}

In March 2001, due to the persuasion of Japan, Pakistan went very close to signing the CTBT. However, the latter denied signing because, at that time, India conducted the test of Prithvi Ballistic Missile. Further, Pakistan has attended some conferences as an observer-Article 14 Conference on the CTBT, Preparatory Commission Meetings and Conference on Facilitating Entry into Force of the Treaty—which shows its interest in the CTBT and it’s attempt to do the ground work for joining the treaty.\textsuperscript{76}

\textbf{X. Lahore Memorandum of Understanding}

On February 21, 1999, the Foreign Secretary K. Raghunath of India and the Foreign Secretary Shamshad Ahmed of Pakistan met in Lahore and signed the Lahore Memorandum of Understanding (MoU). This MoU was signed during the Lahore Summit when the Lahore Declaration was also signed by the Prime Ministers of India and Pakistan, A.B. Vajpayee and Nawaz Sharif, respectively. According to this MoU, both India and Pakistan had approved confidence building measures for proving security environment and reducing the risk of a nuclear war. As a part of this MoU, both sides agreed to establish a nuclear hotline between their respective foreign ministries, similar to the arrangement established between Moscow and Washington DC, during the Cold War.\textsuperscript{77}

\textsuperscript{75} Ibid.
\textsuperscript{76} Ibid.
The Lahore MoU in some aspects resembles with the International Agreement on Prevention of Nuclear Accidents signed between the USA and the USSR in 1971. As the former wants ultimately to prevent a nuclear war, while the latter is also in agreement for the prevention of an accidental nuclear war. Simultaneously, both want to prevent the accidental use of nuclear weapons.

Seven of the eight points enlisted in the Lahore MoU directly addressed nuclear weapons reduction for the first time. The issues decided upon were.

1. The two sides shall engage in bilateral consultations on security concepts, and nuclear doctrines, with a view to developing measures for confidence building in the nuclear and conventional fields, aimed at avoidance of conflict.

2. The two sides would undertake to provide each other with advance notification in respect of ballistic missile flight tests, and shall conclude a bilateral agreement in this regard.

3. The two sides are fully committed to undertake rational measures to reduce the risks of accidental or unauthorized use of nuclear weapons under their respective controls. The two sides further undertook to notify each other immediately in the event of any accidental, unauthorized or unexplained incident that could create the risk of fallout with adverse consequences for both sides, or an outbreak of a nuclear war between the two countries, as well as to adopt measures aimed at diminishing the possibility of such actions, or such incidents being misinterpreted by the other. The two sides shall identify/establish appropriate communication mechanisms for this purpose.
4. The two sides shall continue to abide by their respective unilateral moratorium on conducting further nuclear test exposions unless either side, in exercise of its national sovereignty, decides that extraordinary events have jeopardized its supreme interests.

5. The two sides shall conclude an agreement on prevention of incidents at sea in order to ensure safety and navigation by naval vessels, and aircraft belonging to the two sides.

6. The two sides shall periodically review the implementation of existing CBMs and where necessary, set up appropriate consultative mechanism to monitor and ensure effective implementation of these CBMs.

7. The two sides shall undertake a review of the existing communication links (e.g. between the respective Director General, Military Operations with a view to upgrading and improving these links, and to provide for fail-safe and secure communications).

8. The two sides shall engage in bilateral consultations on security, disarmament and non-proliferation issues within the context of negotiations on these issues in multilateral fora.  

The technical details of these measures were to be worked out by experts of the two sides before mid-1999, with a view to reaching bilateral agreements, however, it never moved beyond the signing ceremony. In fact, the Kargil conflict undermined the process of NCBMs, which was initiated in the post May 1998 nuclear weapon

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78 Ibid.
tests. The official dialogue process between the belligerent neighbours would be revived and the measures listed in the MoU could be pursued, sincerely.\textsuperscript{79}

\textbf{XI. Disarmament and India’s Draft Nuclear Doctrine; and the reaction of Pakistan}

Draft Nuclear Doctrine (DND) of India was formulated by the National Security Advisory Board (NSAB) and was released in August 1999.\textsuperscript{80} However, this Doctrine was not approved by the Government of India and it was also not a policy document of the Government.\textsuperscript{81} As about three months later, Foreign Minister Jaswant Singh declared the true nature of the DND. Answering a question about whether it was India’s official nuclear doctrine he replied:

“The National Security Advisor Board is a group of non-official strategic experts and analysts. It was tasked by the National Security Council to prepare a number of papers, including one on a possible Indian Nuclear Doctrine. This it prepared and submitted to the National Security Adviser, also releasing it publicly for a larger debate. That debate is now underway. It is, thus, not a policy document of the Government of India.”\textsuperscript{82}

Since August 1999, (when the doctrine was first released) the DND has not been put before any parliamentary committee nor it has been given a formal title.\textsuperscript{83} According to Mohammed B. Alam – Professor of History and Political Science, Miyazaki International College, Japan – “it was not clear whether the doctrine as presented was a set of recommendations or just simply a set of formulations based on

\textsuperscript{79} Ibid.
\textsuperscript{81} P.R. Chari, “India’s Nuclear Doctrine: Confused Ambition”, p. 126, see \texttt{http://www.esn.mis.edu/npr/pdfs73chari.pdf}.
\textsuperscript{82} Ibid., p. 127.
\textsuperscript{83} Alam, op. cit., No. 80.
reasoned judgment made by a select group of India’s leading academics, bureaucrats, diplomats mostly based on the New Delhi’s power corridor.\textsuperscript{84}

The preamble of the DND, inter-alia includes that, “This document outlines the broad principles for the development, and employment of India’s nuclear forces. Details of policy and strategy concerning structures, deployment and employment of nuclear forces will flow from this framework and will be laid down separately and kept under constant review”.\textsuperscript{85}

The major points of the Draft Nuclear Doctrine are summarized as under:

1. India’s DND is based on the principle of pursuing security through reliance on the presumed efficacy of nuclear deterrence. The DND, however, admits that such deterrence can fail in which case India promises adequate punitive retaliation.

2. The nuclear deterrence requires that India maintains (a) sufficient, survivable and operationally prepared nuclear forces, (b) a robust command control system, (c) effective intelligence, and early warning capabilities, (d) comprehensive planning and training for operations in line with the strategy, and (e) the will to employ nuclear forces and weapons.

3. India’s nuclear arsenal must be such that it will always provide maximum credibility, effectiveness and survivability. Therefore, the size of the arsenal cannot be fixed but its nature must be dynamic and flexible enough to respond to change in the security environment (such as changes in the weapons postures of perceived rivals), to changing security needs and to technology advances.

\textsuperscript{84} Ibid.
\textsuperscript{85} Kanju, op. cit., p. 183.
4. India’s nuclear might must deter the use and threat of use of nuclear weapons against India. However, India will not resort to the use or threat of use of nuclear weapons against Non-Nuclear Weapon States if they are not aligned with Nuclear Weapon States.

5. India will not be the first to initiate a nuclear strike, but will respond with punitive retaliation, meaning massive enough to be unacceptably damaging to the opponent.

6. The nuclear arsenal will be tightly controlled by the political centre, namely the Prime Minister, but will also be of a highly mobile and dispersed nature.

7. India’s nuclear forces will be survivable, effective, diverse, flexible and responsive to the requirements in accordance with the concept of credible minimum deterrence. These forces will be based on a triad of aircraft, mobile land-based missiles and sea-based assets.

8. Space based and other assets shall be created to provide early warning communications, damage/detonation assessment.

9. The safety and security of the weapons system is of paramount importance, and all precautions will be taken to ensure against sabotage, theft and unauthorised or inadvertent use of nuclear weapons (the DND says nothing on how this is to be achieved or ensured).
10. India will not accept any restriction whatsoever on its research and development capabilities or activities in regard to nuclear weapons and related areas.\textsuperscript{86}

Special attention has been given in the DND to disarmament and arms control. It is stated in the preamble that weapons of mass destruction and nuclear weapons are a threat to humanity, and peace and security. Although the former have been eliminated by international treaties, but the latter remain instruments for national and collective security, “the possession of which has been sought to be legitimised through the permanent extension” of the NPT in 1995. The Nuclear Weapons States have asserted that they will continue to depend on nuclear weapons for the future. These developments amount to virtual abandonment of nuclear disarmament.

India will protect its autonomy of decision making and in strategic matters in such a world where a few nuclear powers have legitimised nuclear weapons for an indefinite future. However, India will aim at promoting peace and security around it.\textsuperscript{87}

Apart from the above given particular provisions are also made in the DND for disarmament and arms control which are as follows:

India believes in the goal of complete, global, verifiable and non-discriminative nuclear disarmament. It shall continue its efforts to achieve the goal of a nuclear weapon-free world.

As no first use of nuclear weapons is India’s basic commitment, hence, it shall press the Nuclear Weapons States to conclude an international agreement banning

\textsuperscript{86} Ibid., pp. 183-185.
\textsuperscript{87} Ibid., p. 181.
first use of nuclear weapons. Further, the appropriate nuclear risk reduction and CBMs shall also be negotiated and instituted.\textsuperscript{88}

Pakistan has not issued a formal nuclear doctrine and does not have a ‘no first use policy’. It has chosen not to publicly enunciate a comprehensive nuclear doctrine partly because it does not see a political or status utility for the nuclear capability, rather, it envisages the nuclear capability as having a purely defensive, security related-purpose. Pakistan’s threat perceptions are seen as stemming primarily from India, both at the level of all-out conventional war, limited war and low intensity conflict (LIC). Within the nuclear framework, Pakistan seeks to establish deterrence against all out conventional war.

Even on the deterrence issue, Pakistan has stressed that while it seeks to maintain nuclear deterrence at the lowest possible level, the level at which it will finally be maintained will be determined in accordance with any escalatory steps taken by India.\textsuperscript{89}

While Pakistan has consistently reiterated its commitment to a minimal level of nuclear deterrence, it has linked the stability of such deterrence to ensuring that Pakistan does not find itself in a position of strategic vulnerability in areas such as fissile materials, ballistic missiles and conventional forces. Pakistan believes that a wide disparity in fissile material stockpiles of India and Pakistan could erode the stability of nuclear deterrence. The impact of such symmetry could be further exacerbated once India acquires the S-300 ABM system and additional anti-aircraft system from the Russian Federation. Pakistan clearly declared that although it was not prepared to get into an arms race with India, it would be compelled to take steps

\textsuperscript{88} Ibid., p. 186.
\textsuperscript{89} Shireen M. Mazari, Understanding Pakistan’s Nuclear Doctrine, see http://www.issi.org/journal/2004-files/no-3/article/sa.html
necessary to preserve the credibility of its deterrence if India continued to move up the nuclear ladder.\textsuperscript{90}

On November 25, 1999, while responding to India’s DND, Foreign Minister Abdus Sattar of Pakistan stated that “No issue is more vital for the security of Pakistan than what should be Pakistan’s strategy in the face of India’s declaration of intent to build a massive arsenal of nuclear weapons and delivery systems”. Mr. Sattar continued that “minimum nuclear deterrence will remain the guiding principle of Pakistan’s nuclear strategy. The minimum cannot be quantified in static numbers. The Indian buildup will necessitate review and reassessment. In order to ensure the survivability and credibility of the deterrent Pakistan will have to maintain, preserve and upgrade its capability. But we shall not engage in any nuclear competition or arms race.”\textsuperscript{91}

According to General Khalid Kidwai, the head of the National Command Authority’s (NCA) Strategic Planning Division in Pakistan, “Pakistan reserves the right to use nuclear weapons if the very existence of the country is at stake”. Kidwai told a team of physicists from Italy’s Landau Network, an arms control institution, in late 2001 that “nuclear weapons were solely aimed at India. They would be used if India conquers a large part of Pakistan’s territory, destroys a large part of Pakistan’s land or air force, economically strangles Pakistan or pushes it to political destabilization.”\textsuperscript{92}

In this way, measures taken by India and Pakistan in South Asia for nuclear disarmament and arms control were very limited as compared to those at the

\begin{thebibliography}{99}
\bibitem{90} Ibid.
\end{thebibliography}
international level. However, some steps like NWFZ were taken before Indo-Pak nuclear tests while others like Lahore Declaration were taken after this event. Two measures—Pressler Amendment and Symington Amendment—were significant steps which were enforced in the region by an external power—US. Further, in all the discussions, NWFZ proposals deserve particular attention here. Pakistan had been almost continuously proposing for NWFZ in South Asia but India had been resisting it or stressing for the participation of all regional countries for a possible solution. The stance taken by India amply indicates her intentions of going nuclear; it seems probably, due to this reason that India did not accept the NWFZ proposals of Pakistan. On the other hand, it also indicates the negligence on the part of the super powers to keep away from getting involved fully in this issue so that they could prevent the nuclearisation of the region. Moreover, Indo-Pak stands on NPT also reveal their real intentions to become nuclear powers. In fact, the issue of nuclear non-proliferation in South Asia is internally woven with nuclear non-proliferation at the global level. Hence, the remedy lies in some kind of mutual agreement among the super powers and India and Pakistan as well as NNWS for nuclear non-proliferation and nuclear weapons free world.