

# Nuclear Non-Proliferation and International Security

*Shyam Saran*

I welcome this opportunity to present to such a distinguished audience some views on issues relating to nuclear non-proliferation and international security. At the outset, I would like to thank the Institute for Defence Studies and Analyses (IDSA) for inviting me to deliver this address. The Institute has a well deserved reputation as our premier strategic think-tank and quite appropriately, they have focused on a subject that not only has a strong contemporary relevance but represents a long term challenge for India and the international community. There is a vigorous, and in my opinion, a healthy debate underway currently on a range of issues that relate to different facets of this subject. A number of recent developments including the Next Steps in Strategic Partnership (NSSP), the July 18 Agreement with the United States, the September vote in the IAEA and the recent deliberations of the NSG have contributed to that. While connecting the common threads, it is our case that India's approach to nuclear non-proliferation has been a consistent one, a principled one and one grounded as much in our national security interests as in our commitment to a rule-based international system.

## **Commitment to Non-Proliferation**

India's commitment to nuclear non-proliferation is not new. Indeed, this is an area where we can truly claim to be among the founding fathers! The Indian leadership, particularly Jawaharlal Nehru, was among the first in the world to appreciate the dangers that nuclear weapons posed to humanity. As with the rest of the world, our understanding of the complexities of the challenges posed by nuclear weapons developed over time. Initially, Hiroshima and Nagasaki were responsible for a strong sense of moral outrage at a weapon of mass destruction. It took the Bikini atoll tests and the fate of the Japanese vessel The Fortunate Dragon to dramatize the dangers of radioactivity. As the number of nuclear weapon powers increased, and their rivalry acquired an increasingly adversarial character,

---

*Strategic Analysis*, Vol. 29, No. 3, Jul-Sep 2005

© Institute for Defence Studies and Analyses

there was a growing realisation of the political, military and eventually even existential nature of the problem. At the same time, nuclear technology offered a promise of development that could not be ignored, least of all by a society emerging from colonial rule and seeking to leapfrog in its development process. Bilateral cooperation programmes and the Atoms for Peace contributed to the spread of nuclear technology and its increasing application for power generation and other civil purposes. These two competing trends created the dilemma of how the benefits of the technology could be best harnessed without adding to the security challenges inherent in that spread. That is an issue that still confronts the international community and is one that is not confined to nuclear technology alone.

The initial debate about the control of nuclear weapons and technology focused on four issues: cessation of nuclear testing, creation of nuclear free zones, the problem of sharing nuclear weapons particularly within alliance structures, and the possibility of renunciation of nuclear weapons by nations that had not yet produced them. India took a position on each one of these issues, arguing strongly in favour of restricting both the spread and quantum of nuclear weaponry. Pandit Nehru's call in 1954 for a 'standstill' to nuclear weapons tests and then for a test ban began a process that eventually led to the 1963 Partial Test Ban Treaty. En route, this debate also produced the 1959 Antarctica Treaty that created a nuclear free zone on that continent. The application of a nuclear free zone in other areas was not deemed viable by India given the proximate location of nuclear weapon powers, a position that continues to this day. The sharing of nuclear weapons, a prospect that seems so ludicrous today, was a serious possibility in the 1950s and 60s, and sharing of weapon technologies had actually taken place. India's position was one of firm opposition, and this eventually became a global norm. It was the renunciation of nuclear weapons that became the most contentious issue in the non-proliferation proposal debate.

In 1956, India proposed the international control of military reactors and then co-sponsored the non-proliferation proposal in the United Nations. Nehru prophetically warned the world as far back as 1957 not only of nuclear proliferation but of connected dangers of terrorism. But from being an early and enthusiastic supporter of this concept, Indian reservations deepened as it watched the evolution of an international treaty conspicuously lacking, despite its strong urging, in a mutuality of obligations between the weapon states and non-weapon states. Finally, as you are all aware, India chose not to be a party to the NPT, precisely because

of its inherently discriminatory nature.

This history is worth recalling, if only for the reason that it demonstrates that India had sensitivities about nuclear weapons from the very inception of that technology and that these were reflected in its approach to international security. In fact, India was prepared to advocate bold and radical measures to prevent the spread of nuclear weaponry, some would argue even at the cost of its own interests. Today, when other countries speak about non-proliferation, it may not be out of place to remind ourselves that our activism in this regard well predates the NPT. Developments since 1968 only further underline India's non-proliferation credentials. Unlike some other states who eventually joined the NPT, India did not undermine the NPT even though it differed with many of its premises. At no stage did we support irresponsible theories that projected nuclear proliferation as a new version of balance of power. India, in fact, scrupulously followed all the basic obligations of an NPT member, resisting suggestions for nuclear cooperation that could have had adverse implications for international security. Indeed, in the four decades since NPT, our record contrasts favourably with NPT members, even of the weapon state category, some of whom encouraged and abetted proliferation for political or commercial reasons. Our export control performance during this same period also contrasts favourably with those of many developed nations who could not stop their companies from supporting clandestine WMD programmes. At a policy level, this was an important component of a larger commitment to disarmament enunciated most notably by Prime Minister Rajiv Gandhi's 1988 Action Plan. As you are all aware, the indefinite extension of the NPT and the enactment of the CTBT finally compelled an exercise of the Indian weapon option in 1998.

### **Responsible Nuclear Power**

As a responsible nuclear weapon state, we are even more conscious of our obligations to the international community on the control of WMD technologies and their delivery systems. This appreciation has guided many of the policy initiatives undertaken in recent days, but this may be an opportune occasion to spell out India's current approach to global non-proliferation and international security, particularly as it has evolved since India's emergence as a Nuclear Weapon State in May 1998. The key components of this approach are :

- While India is a Nuclear Weapon State, it remains committed to the goal of complete elimination of nuclear weapons. The model that could be followed in this regard is the Chemical Weapons Convention, which is both multilateral as well as non-discriminatory in the rights enjoyed by, and obligations it imposes, on parties to the Convention. We continue to believe that the best and most effective nuclear non-proliferation measure would be a credible and time-bound commitment to eliminate nuclear weapons from existing arsenals, including India's own nuclear weapons. We have no desire to perpetuate the division between nuclear-have and have-nots.
- A new global consensus on non-proliferation is called for, taking into account the new challenges that have emerged since the Nuclear Non-Proliferation Treaty was concluded. Clearly, some NPT members, both Nuclear Weapon States and non-Nuclear Weapon States, have not adhered to the provisions of the Treaty and this requires global norms that go beyond the NPT. For example, India has agreed in the Indo-US Joint Statement of July 18 that it would not transfer reprocessing and enrichment technologies and would support international efforts to limit their spread. We have accepted that a new global consensus would have to be based on new and more rigorous standards being observed in export controls on sensitive technologies. India has signaled its willingness to be part of this consensus by adopting a very comprehensive WMD Export Control legislation and harmonizing our export control lists with those incorporated in the Nuclear Suppliers Group (NSG) and Missile Technology Control Regime (MTCR) guidelines. This has enabled us to fulfill the obligations prescribed in the UNSC Resolution 1540.
- We believe that States should adhere to the commitments that they have made under international treaties and instruments and must be transparent in fulfilling their commitments. We are unable to accept as legitimate the pursuit of clandestine activities in respect to WMD related technologies. Our own security interests have been seriously undermined by the clandestine nuclear weapons programmes in our neighbourhood aided and abetted, or at the least, selectively ignored by some NPT signatories themselves. In seeking clarity on such clandestine activities, the international

community must focus not merely on recipient states but on supplier states as well; otherwise our global non-proliferation effort would be undermined by charges of motivated selectivity and discrimination. With respect to the Iran nuclear issue, we welcome Iran's cooperation with the IAEA in accounting for previously undeclared activities, but it is important that remaining issues which involve the Pakistan-based A.Q. Khan network are satisfactorily clarified as well. We see no reason why there should be an insistence on personal interviews with Iranian scientists but an exception granted to a man who has been accused of running a global 'nuclear Wal-Mart'. These aspects must surely be considered for an objective assessment on this question.

- For the future, we believe we have the responsibility and the capability to participate fully and actively in global R&D efforts to evolve proliferation-resistant nuclear technologies, which enable us to derive the full benefit of nuclear energy, minimizing the risk of diversion to military uses. There are two critically important projects in which some key countries with advanced nuclear technology are members. One is the International Thermonuclear Energy Research (ITER) project, which is aimed at development of energy through nuclear fusion. The EU, US, Russia, China, Japan and South Korea are partner countries, and India is likely to be invited soon to join as a full partner. The other is the U.S.- led Generation IV initiative, which aims at creating reactor prototypes that are not prone to proliferation. India looks forward to join this cutting-edge effort as well. In both cases, India's participation is welcomed not only in recognition of its advanced capabilities but also its record as a responsible nuclear state.

### **Dealing with Misperceptions**

If you look at India's recent actions against the backdrop of this approach, then a great deal of the apprehension and negative perception about India's nuclear policy, would appear misplaced.

- First, there is a continuity and consistency in our approach that may sometimes be masked by the particularities of a specific decision;
- Secondly, what appears to some observers as inordinate external

influence over our decision-making in sensitive areas is, in fact, rooted in our own well-considered and independent judgement of where our best interests lie. This is in keeping with our tradition of non-alignment;

- Thirdly, we must adjust to change, change inherent in our emergence as a Nuclear Weapon State, change inherent in the sustained dynamism and technological sophistication of the Indian economy, and, as a consequence, change in global expectations of India as an increasingly influential actor on the international stage.

Since 1998, a key challenge to India's foreign policy has been to seek global recognition and understanding of its impeccable record on non-proliferation despite its decision to acquire nuclear weapons. This recognition is important though some may not see it that way. We live in an increasingly globalised world and as India's economy shifts towards greater technological sophistication, it will need access to cutting-edge technologies in virtually all fields. In each of the recent initiatives India has taken, whether the NSSP, the July18 Indo-US Joint Statement, the applications to participate in ITER and Generation IV, Glonass and Galileo Satellite Navigation Systems, the Indo-U.S.Space Launch Agreement, and several others, this technological compulsion has been a major consideration. These would not have been possible, and India could have remained in a technological strait-jacket had it not backed up its commitment to non-proliferation with the adoption of global norms as has been done by other states with advanced nuclear technology. The cumulative results of the steps we have taken, such as enactment of the WMD Bill, the upgradation of the national export control lists so as to harmonize them with those of the NSG and MTCR, the proposed separation of our civilian and military nuclear facilities and the negotiation of an Additional Protocol with the IAEA, is to increase the confidence of the international community in the robustness and effectiveness of our export control systems making us a more viable destination of advanced dual use technologies. With the US, there is already a more liberal and predictable licensing of dual use technology for Indian industry.

Indeed, we have a situation today where the Government has created a favourable enabling environment and it is our end-users who should display greater vigour in taking advantage of resultant opportunities. China, with a much less favourable licensing regime, imports ten times the dual technology that we do from the United States. For our space and



nuclear industries, the completion of NSSP resulted in the removal of many of our organizations from the Entity List, with consequent licensing benefits. Some organizations remain listed and we continue to work for their removal. The 'NSG plus' and 'MTCR plus' restrictions that were in place were also done away with. The space industry today is permitted direct cooperation for developing, producing, marketing and operating US commercial satellites and those of third nations that contain US origin components. It created the basis for discussions that we have currently on the conclusion of a bilateral space launch agreement with the US. It has also contributed to a useful dialogue on the subject of missile defence.

What does the international community gain in making an exception to the current regulations for India? How do we answer the proponents of the current global non-proliferation regime, who see the exception being made for India as the unraveling of this regime?

The exception for India is rooted precisely in its record on non-proliferation, even though it is not formally a member of the NPT. It is significant to note that the Indo-US understanding in civilian nuclear cooperation is prefaced by President Bush conveying his appreciation for India's strong commitment to preventing WMD proliferation. He has acknowledged India as a responsible State with advanced nuclear technology. There is today no other State, which has this record of responsibility and is still denied non-discriminatory access to civilian nuclear technology. Secondly, our export controls are today at global standards and our policy of non-transfer of re-processing and enrichment technologies, in fact, put us in an "NPT plus" category. Thirdly, in considering its approach towards the resumption of full civil nuclear energy cooperation with India, the international community has to ask itself whether India is a partner or a target for the global non-proliferation regime. It clearly cannot be both at the same time. Our view is that India's commitment and India's record points to it being a partner. Technology-denial regimes that treat India as a target must, therefore, be abandoned. Fourthly, the international community also needs to ask whether the global non-proliferation regime is better with India inside the tent or outside. As a corollary, will civil nuclear cooperation with India strengthen the non-proliferation system or weaken it? Obviously, we cannot be inside the tent if we do not measure up to the required norms. We, of course, are convinced that we do, for the reasons that I have already enumerated.

## **The New Context**

India is today a rapidly expanding industrial economy with a wide array of technologies that are relevant to proliferation. That in itself makes a case why our export controls and their effective implementation will matter more and more for global non-proliferation efforts. As a nuclear weapon state, our support for international norms is critical for their success. But it is not only in our controls and restraint that we can make a difference. The time when NPT was regarded as self-enforcing is long past. The spread of technologies cannot be controlled by cartelisation alone. There are enough examples to show that commercial and political incentives can defeat that. The challenge that the world currently faces requires more active endeavours. This is particularly so as the dangers of non-state actors acquiring nuclear weapons have given the WMD threat an added dimension. UNSC Resolution 1540 is one example of the global community's response. There are others, among them a combination of national and trans-national efforts. The Container Security Initiative and Proliferation Security Initiative are two such examples. Advocates of non-proliferation must seriously examine whether the support of India towards global efforts is to their advantage. That support is difficult to muster if India perceives itself as unfairly treated despite its demonstrated commitment to a rule bound system.

A word about separation of our civilian and military nuclear facilities. Some non-proliferation advocates contend that since it is India which will determine what is civilian and what is military, this would open the door for flouting non-proliferation norms. This betrays a lack of understanding of the July 18 Joint Statement. The Indo-US Agreement is not about India's nuclear weapon programme. It is about civilian nuclear energy cooperation. The objective of the agreement is to advance India's energy security through full civilian nuclear energy cooperation. It is legitimate for our partners to expect that such cooperation will not provide any advantage to our strategic programme and hence the need to separate it from our civilian nuclear sector. But it makes no sense for India to deliberately keep some of its civilian facilities out of its declaration for safeguards purposes, if it is really interested in obtaining international cooperation on as wide a scale as possible. This would be quite illogical.

India is poised today to enter a new phase in its foreign policy. We aspire to be a permanent member of the Security Council. We are



demonstrating a growing capability to shoulder regional and global responsibilities. Our focus is increasingly on trans-national issues that today constitute the priority challenges – whether it is terrorism or proliferation, pandemics or disaster relief. We cannot sit out the debates on the big issues of our times. Our interests demand a vigorous and articulate diplomatic effort that explains our positions and advances our interests. Non-proliferation is one area where we have a record to be proud of and I would conclude by emphasizing that it has been and will remain one of our principal contributions to international security.

Shri Shyam Saran is Foreign Secretary of India.