

Nuclear Normalcy: A Reality Check of India's Nuclear Non-Proliferation Record

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Abstract

India's much-hyped nuclear non-proliferation record has numerous loopholes that are usually overlooked. In the Nuclear Suppliers Group (NSG), the Participating Governments (PGs) tend to ignore India's nuclear proliferation activities in Europe, the Middle East, Japan and the US. In the NSG, the US-led bloc favours India and sets a discouraging precedent of a discriminatory approach and preferential treatment. Moreover, this trend highlights how a state's influence instead of its credentials, become the deciding factors when it strives for acquiring global nuclear normalcy. Similarly, in the international nuclear non-proliferation regime, defining 'nuclear normalcy' is embedded in the strategic interests of powerful Nuclear Weapon States (NWS) known as P-5. This political debate on nuclear normalcy has overshadowed both legal and technical grounds for categorising any state as nuclear 'responsible' or 'mainstreaming' it in the global nuclear regime. In South Asia, nuclear normalcy is linked with the membership of NSG which is seen as a criterion to define any nuclear state as a 'responsible nuclear state.' In this context, this paper examines India's claim to 'nuclear normalcy' and its implications for Pakistan.

Keywords: Nuclear Non-proliferation Regime, Nuclear Normalcy, Indian Proliferation Record, Nuclear Suppliers Group (NSG), South Asia

Introduction

The international nuclear non-proliferation regime is a collective term which is used for various bilateral, multilateral arrangements aimed at restricting incidents of nuclear proliferation. The nuclear non-proliferation regime is more of a reflection of powerful states' desire to have a monopoly on

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nuclear technology. Through setting norms and legally binding obligations to regulate the access to dual-use items, powerful nuclear states use this regime as an instrument to achieve their political objectives. Besides, despite preventive measures and arrangements, those states which have sophisticated nuclear technologies or related equipment are more vulnerable to illicit nuclear trafficking. In this perspective, India's case is noteworthy as it pursued its nuclear programme through illicit¹ and vertical nuclear proliferation.² It remained involved in horizontal nuclear proliferation also,³ hence, violated its political commitments towards the nuclear non-proliferation regime.

Historically, India has always supported the notions of nuclear non-proliferation and universal disarmament. As an obligation to demonstrate its commitment towards peace, India remained an active participant in the discussions on nuclear disarmament at various international forums. However, India remained reluctant to translate its words into actions.⁴ The government of Prime Minister Jawarhala Nehru supported banning of nuclear tests in 1954.⁵ Later, in 1974, India's Peaceful Nuclear Explosions (PNE), ironically known as 'Smiling Buddha,' surfaced as the first Indian act of diversions of its peaceful nuclear capabilities towards weapons

¹ Illicit nuclear trade, or trafficking in nuclear commodities or technologies, is defined as a trade that is not authorised by: 1) the state in which it originates; 2) under international law; 3) the states through which it transits or 4) the state to which it is imported. Also see, David Albright, Andrea Stricker & Houston Wood, "Future World of Illicit Nuclear Trade Mitigating the Threat," Institute for Science and International Security (ISIS), 2013, http://isis-online.org/uploads/isis-reports/documents/Full_Report_DTRA-PASCC_29July2013-FINAL.pdf

² Vertical Proliferation: the acquisition and build-up of more technically-advanced, reliable or destructive nuclear weapons among existing NWS. "International Security in a Changing World Politics of Nuclear Weapons: A Cheat Sheet," Stanford University, 2016, <https://web.stanford.edu/~imalone/Teaching/pols114/PoliticsNuclearWeaponsCheatSheet.pdf>

³ Horizontal Proliferation: the pursuit, acquisition or development of nuclear weapons (or nuclear material) across current non-nuclear weapon states. Ibid.

⁴ Arundhati Ghose, "Negotiating the CTBT: India's Security Concerns and Nuclear Disarmament," *Journal of International Affairs* 51 (1997), <http://fas.org/news/india/1997/ctbtghose.htm>

⁵ "1945-54: Early Efforts to Restrain Nuclear Testing," Comprehensive Test Ban Treaty Organisation (CTBTO), <http://www.ctbto.org/the-treaty/history-1945-1993/1945-54-early-efforts-to-restrain-nuclear-testing/>

development.⁶ In response, the Nuclear Suppliers Group (NSG) was formed in 1974, for regulating legitimate nuclear trade between the Nuclear Non-Proliferation Treaty (NPT) member states for peaceful purposes.⁷ The NSG was created with the aim to prevent other states from taking the Indian route of acquiring nuclear weapons capability i.e., diversion of nuclear technology supplied for peaceful purposes.⁸

Towards nuclear non-proliferation regime, the Indian approach reflects double standards. At international level, India maintains that it has an 'impeccable' non-proliferation record which makes it a responsible nuclear state with strong credentials for the NSG membership.⁹ In this context, it is important to trace and reveal India's nuclear proliferation history that will help clarify India's tall claims of 'impeccable non-proliferation record.'

Perspectives on Nuclear Normalcy

Nuclear normalcy or nuclear mainstreaming¹⁰ is a well-known term which is frequently used in nuclear literature. The connotation of these terms varies from positive to negative, depending on which nuclear state is being referred to. If a state shares like-mindedness with the US and influential capitals in the West, it is more likely to win a positive connotation of nuclear normalcy.

The general interpretation of nuclear normalcy could include any nuclear state that fulfils certain merits of the nuclear non-proliferation regime, eventually becomes a 'responsible' nuclear state. In South Asia, the literature has mainly referred to this concept in the context of NSG

⁶ "Peaceful Nuclear Testing," Comprehensive Test Ban Treaty Organisation (CTBTO), <http://www.ctbto.org/nuclear-testing/history-of-nuclear-testing/peaceful-nuclear-explosions/>

⁷ The NSG is an informal export control arrangement with 48 Participating Governments (PGs). See, "Participants of NSG," Nuclear Suppliers Group, <http://www.nuclearsuppliersgroup.org/en/participants1> and "History of NSG," Nuclear Suppliers Group, <http://www.nuclearsuppliersgroup.org/en/history1>

⁸ Ibid.

⁹ Dipanjan Roy Chaudhury, "Draft Proposal Boosts India's Chances for Entry into NSG," *Economic Times*, 2018, <https://economictimes.indiatimes.com/news/defence/draft-proposal-boosts-indias-chances-for-entry-into-nsg/articleshow/56245579.cms>

¹⁰ Mark Fitzpatrick, *Overcoming Pakistan's Nuclear Dangers* (Abingdon: Routledge for the IISS, 2014).

membership, sorted by Pakistan and India in 2016.¹¹ Apart from fulfilling the other nuclear non-proliferation commitments, the literature reviews and highlights the apparent ‘rule of thumb’ which implies that the NSG membership signifies the stature of a member nuclear state as a responsible nuclear state.¹² The NSG facilitates and legitimises civil nuclear trade among its PGs. The 2008 NSG waiver to India has allowed it to build its collaboration with 14 PGs for either receiving nuclear material or any related technology.¹³ This waiver grants India the status of a *de-facto* nuclear weapon state, which is beyond the scope of the NPT. If India is granted membership of the NSG, it will be able to export civil nuclear technology to other PGs.¹⁴

Alternatively, if one traces back the debate on nuclear normalcy and its merits, a country should have either signed or politically committed itself to the obligations of other pillars of the overall nuclear non-proliferation regime. However, there is no specific rule that identifies the exact number of treaties and conventions that a state needs to sign for becoming a nuclear normal state. Yet, it is worth noting that a state or an institution cannot decide whether another state should be globally recognised as a nuclear normal state or not. One account suggests that instead of offering any state a ‘conditional proposal’ for a nuclear normal state, the responsibility of nuclear normalcy lies within the regime itself.¹⁵ The debate on proposing a regional non-proliferation regime for Pakistan and India suggests mainstreaming into the global nuclear non-proliferation regime. For outlier NPT nuclear weapon states, the legitimacy of this proposed regime can be endorsed by the NPT member states only. The NPT modelled Regional

¹¹ Muzaffar Ganaie and Sajad Wani, “India’s Entry into NSG: What it Means for India and Nuclear Non-Proliferation Regime,” *Mainstream Weekly*, March 18, 2008, <http://www.mainstreamweekly.net/article7809.html>

¹² Karthika Sasikumar, “India’s Emergence as a ‘Responsible’ Nuclear Power,” *International Journal* (2007): 825-844, <https://www.jstor.org/stable/40204339>

¹³ “Nuclear Power in India,” World Nuclear Association, last updated in February 2019, <http://www.world-nuclear.org/information-library/country-profiles/countries-g-n/india.aspx>

¹⁴ Bhaswati Mukherjee, “Washington’s Waiver: India Inches Closer to NSG Membership,” *Economic Times*, 2018, <https://economictimes.indiatimes.com/news/defence/washingtons-waiver-india-inches-closer-to-nsg-membership/articleshow/65268120.cms>

¹⁵ Zahir Kazmi, “Normalising the Non-proliferation Regime,” *Survival* 57, no. 1 (2015): 133, <https://www.tandfonline.com/doi/full/10.1080/00396338.2015.1008302>

Non-Proliferation Treaty further strengthens the principles of non-proliferation, regional disarmament and peaceful uses of nuclear weapons.¹⁶ This assertion has deflected the rule-based approach that all the NSG member states should adopt for entry of non-NPT nuclear weapon states including Pakistan and India. In this regard, Pakistan supports the criteria-based approach and calls for simultaneous entry of both Islamabad and New Delhi into this group.¹⁷ Russia, the US and its like-minded states are supportive of India's 'country-specific approach' that highlights the Indian entry into the NSG alone based on preferential treatment¹⁸ and its so-called "impeccable" nuclear non-proliferation record.

In this debate, India's much-hyped nuclear normalcy case has portrayed the Indian image as a responsible nuclear state. This characterisation, however, needs to be examined, which warrants a reality check. Set in this context, this paper traces India's proliferation record and exposes its tall claims of a 'responsible nuclear state' in the global nuclear non-proliferation regime.

Proliferation: Incidents and Responses

India's nuclear non-proliferation record is not as clean as it is projected by India itself or perceived in the US and the Western capitals. This approach clearly indicates the presence of a "nuclear apartheid"¹⁹ state in the international system, which is halting any significant success towards the overall goal of nuclear non-proliferation, at large.

¹⁶ Adil Sultan, *Universalising Nuclear Non-proliferation Norms — A Regional Framework for the South Asian Nuclear Weapon States* (Palgrave Macmillan, 2019).

¹⁷ Ministry of Foreign Affairs, Government of Pakistan, *Record of the Press Briefing by Spokesperson*, June 23, 2016, <http://mofa.gov.pk/pr-details.php?mm=Mzg4Nw,>

¹⁸ Malik Qasim Mustafa, "Criteria-Based Approach to the NSG Membership: An Equal Opportunity for India and Pakistan," *Strategic Studies* 36, no. 2 (2016): 9, http://issi.org.pk/wp-content/uploads/2016/08/3-Qasim_Mustafa_SS_Vol_36_No.2_2016..pdf

¹⁹ Anna-Mart Van Wyk, "Nuclear Apartheid: the Quest for American Supremacy from World War II to the Present," *Cold War History*, May 18, 2011, 273, <https://www.tandfonline.com/doi/abs/10.1080/14682745.2011.569149?journalCode=fcwh20>

In 1956, under the Atoms for Peace programme, Canada provided India with the CANDU reactor and India also purchased heavy water from the US. These contracts were aimed at keeping the dual-use nuclear items confined to the peaceful realm of nuclear technology. In 1974, India's PNE provided evidence of diversion of dual-use items towards establishing a weapons programme.²⁰ As a result, both the Canadian and US governments condemned the Indian violation of peaceful nuclear agreements. Consequently, the Canadian government decided to freeze nuclear cooperation with India.²¹ In 1970, the US administration issued an *aide-memoire* on the peaceful use of nuclear technology to the Indian Atomic Energy Commission (IAEC).²² This action became necessary as India considered the interpretation of the peaceful application of nuclear technology for conducting PNE. That action clearly demonstrated the dichotomies of terminologies used for a peaceful nuclear explosion and for peaceful application of nuclear energy.²³ Afterwards, in 1978, the US administration passed the Nuclear Non-Proliferation Act (NNPA) and restricted the exports of sensitive and dual-use nuclear items to those countries who have not placed their nuclear facilities under the International Atomic Energy Agency's (IAEA) full-scope safeguards.²⁴

India and the Middle East

India's first illicit and horizontal proliferation-related nuclear selling market was identified in the Middle East. In 1975, the Indian proliferation in Egypt was highlighted by a US Intelligence report that revealed New Delhi's willingness to assist Egypt in developing a nuclear programme to deter Israel. In 1982, India also committed to assisting Iran in developing its nuclear programme.²⁵ In the mid-1990s, Israel indicated that India had sent nuclear experts to Iran for staging nuclear cooperation.²⁶ A 2006

²⁰ Naeem Salik, "Evolution of India's Nuclear Programme," in *The Genesis of South Asian Nuclear Deterrence* (Oxford University Press: 2009) 15.

²¹ George Perkovich, *India's Nuclear Bomb: The Impact on Global Proliferation* (University of California Press: CA, 1999).186.

²² Sharon Squassoni, "India's Nuclear Separation Plan: Issues and Views," Congressional Research Service (CRS) Reports 11, (2006), <https://fas.org/sgp/crs/nuke/RL33292.pdf>.

²³ *Ibid.*, 159.

²⁴ Perkovich, *India's Nuclear Bomb*, 206.

²⁵ "Indian Intention to Help Iran with its Nuclear Energy Programme," in "Nuclear Proliferation: The Indian Profile," Islamabad Policy Research Institute (IPRI), 51.

²⁶ "Israeli Paper Alleges Indo-Iran Nuclear Ties," in *Nuclear Proliferation*, 55.

Congressional Research Service (CRS) report explicitly talked about the proliferation of Indian nuclear, chemical and biological related equipment or technology in Iraq and Iran.²⁷

India and Europe

India has used several routes in Europe to carry out its illicit nuclear trading for vertical proliferation. In one of the incidents in 1986, the Indian Defence Ministry was found to be involved in the purchase of two industrial cameras-flash discharge X-ray machines from a British company named Hadland Photonics of Hemel Hempstead. The timeline of buying such equipment was important because, at that time, India was keenly working on its nuclear weapons programme. In response, the British government blocked these sales and, for these items, India approached the Swedish company, Scandiflash of Uppsala.²⁸ India also negotiated with a British firm, GEC-Marconi, which was found active in the illegal transfer of nuclear and missile-related technology to India.²⁹

On another occasion, the Norwegian Trade Minister, Jan Balstad, confirmed the illegal transfer of a Norwegian-heavy water moderator to India and, he said that their government strongly regrets the diversion of such technology to a non-NPT signatory state, India.³⁰ As the Norwegian government, according to its law, cannot supply nuclear technology to a country which is not a member of the NPT.³¹ Balstad identified the name of the Norwegian company, Norsk Hydro and its contact with the West German firm named Rohstoff-Einfuhr for dealing with the illicit supply of heavy water along with a smaller shipment of heavy water from the former Soviet Union.³² The Secretary of the IAEC, S Rajgopal, refused any such

²⁷ Sharon Squassoni, "India and Iran: WMD Proliferation Activities," Congressional Research Service (CRS) Reports (2006), <http://www.au.af.mil/au/awc/awcgate/crs/rs22530.pdf>

²⁸ Ibid.

²⁹ "British Firm Gec-Marconi Had Secretly Exported Nuclear and Missile Technology to India," in Nuclear Proliferation, 54.

³⁰ "15 Tons of Norwegian Heavy Water was Illegally Diverted to India," in Nuclear Proliferation,.

³¹ Ibid.

³² "Norway Claims Heavy Water Diverted to India," in Nuclear Proliferation, 52.

involvement in buying heavy water moderator from Norway while admitting their involvement with the former Soviet Union.³³

However, in the 1990s, the Norwegian Foreign Minister, Sigrid Romundset, confirmed the shipment of heavy water from Norway to India through Romania. This incident was also confirmed by the Romanian officials to Norway.³⁴ Moreover, in 1992, the Norwegian government found latest developments in this case and said that India had also received 12.5 tons of heavy water illegally diverted from its original destination of Romania to the Indian Directorate of Purchase and Storage in Mumbai.³⁵

India, US and Japan

In 2001, the US indicted three executives, David Brown, Richard Hamilton and Vincent Delfino, of Berkeley Electronics, a Marin County electronic firm, for illegally supplying five dual-use electrical pulse generators that have significant military utility.³⁶ In 2005, the US lifted ban on blacklisted departments of the Indian Space Research Organisation (ISRO). These departments were illegally receiving missile equipment and related technology,³⁷ whereas, the US retained a ban on the ISRO's Space Centre and Satellite Launch Pad departments.³⁸ In the backdrop of the growing Indo-US strategic relations, the US lifted the ban from a few Indian strategic organisations in 2011, while the partial ban on few suspected departments was retained.³⁹

In East Asia, Japan lifted the ban on 11 Defence Research and Development Organisation (DRDO) and ISRO's organisations for the prospective bilateral civil nuclear energy cooperation with India.⁴⁰

³³ Ibid.

³⁴ "Heavy Water from Romania was Re-Shipped to India," in *Nuclear Proliferation*, 53.

³⁵ "Rules Broken by India, Says Oslo," in *Nuclear Proliferation*, 54.

³⁶ "US Firms Indicted for Nuclear Sales to India," in *Nuclear Proliferation*, 57.

³⁷ Madhumathi D S, "ISRO Still has Three Centres on US Blacklist," *Hindu*, 2005, <http://www.thehindubusinessline.com/todays-paper/tp-economy/isro-still-has-three-centres-on-us-blacklist/article2188151.ece>

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Nirmala Ganapathy, "ISRO, Godrej, BEL off Japan's Blacklist," *Economic Times*, June 2, 2010, http://articles.economictimes.indiatimes.com/2010-06-02/news/28413967_1_high-tech-trade-high-tech-items-entities

In 2008, the US Export Enforcement Prosecution held many cases against the Indian nuclear scientists and a few American firms for illegally transferring nuclear technology to India. Two prominent cases were the indictment of the two Indian nationals, Parthasarathy Sudarshan and Mythili Gopal, who were indicted for illegally exporting 500 controlled microprocessors and other equipment to the Indian space agency.⁴¹ Also, the MTS Systems Corp. in Minnesota was indicted for false certification of seismic testing equipment for nuclear purposes to India.⁴²

Preferential Treatment with India

Despite all these incidents, the Indo-US civil nuclear deal was announced by President Bush and Prime Minister Manmohan Singh on July 18, 2005.⁴³ The White House press release mentioned that the IAEA has approved the India-specific safeguard agreement and provides the way forward for the NSG waiver.⁴⁴ As a result, an India specific Additional Protocol (AP) offered to place 14 out of its 22 Nuclear Power Plants (NPPs) under the IAEA safeguards in 2006.⁴⁵ The US Congress also amended its 1954 Atomic Energy Act in order to provide civil nuclear cooperation to the non-NPT member state, India.⁴⁶ The US Congress introduced the Hyde Act in 2006, with the aim of sharing the growing economic potential in civil nuclear energy under the NSG guidelines.⁴⁷ Further, the NSG waiver was granted to India in 2008, which has allowed India to conclude civil nuclear deals with other PGs of the NSG.⁴⁸

It is ironic that the same export control cartel that was formulated in the wake of the Indian PNE still supports the Indian ‘country-specific approach’

⁴¹ Ibid.

⁴² Department of Justice, *Fact Sheet: Major US Export Enforcement Prosecutions During the Past Two Years*, 2008.

⁴³ US Department of State, *US - India: Civil Nuclear Cooperation*, <http://www.state.gov/p/sca/c17361.htm>

⁴⁴ Ibid.

⁴⁵ Squassoni, “India’s Nuclear Separation Plan.”

⁴⁶ Democratic Policy Committee, 2008, *HR 7081, the United States-India Nuclear Cooperation Approval and Non-proliferation Enhancement Act*, http://www.dpc.senate.gov/dpcdoc.cfm?doc_name=lb-110-2-157

⁴⁷ Ibid.

⁴⁸ Wade Boese, “NSG, Congress Approve Nuclear Trade with India,” Arms Control Association, 2008, https://www.armscontrol.org/act/2008_10/NSGapprove

under the US-led bloc. Contrary to all the Indian proliferation incidents, the US and its like-minded states have appreciated India's nuclear non-proliferation record and are willing to provide full NSG membership to India. In fact, New Delhi is gathering all kinds of moral and political consensus to surpass the standard membership criteria of joining the NPT. In the case of granting India the NSG waiver, the discriminatory and exceptional behaviour of the US and its like-minded states' is in itself a violation of the spirit of the NPT.

India's vertical nuclear proliferation suggested that India has sufficient uranium reserves and capacity to run its current reactors for more than a century. The total unsafeguarded nuclear reactor capacity can allow India to make 356 to 493 plutonium-based bombs. For more than six decades, India is developing a three-stage fuel cycle. Once operational, each unsafeguarded fast breeder reactor will produce 144 kg of weapon-grade plutonium that is sufficient to make at least 28 nuclear weapons per year.⁴⁹ Furthermore, India operates four reprocessing plants with a cumulative capacity of producing 360 to 430 tons of heavy metal per year.⁵⁰

Similarly, the US has ignored the strategic implications of the Indian unsafeguarded nuclear facilities. For instance, the secret gas centrifuge uranium enrichment plant located outside Mysore⁵¹ serves the nuclear material for nuclear submarines in India.⁵² The Rare Materials Plant Facility is also not under the IAEA safeguards and is capable of producing Highly Enriched Uranium (HEU) for military purposes.⁵³ Similarly, the Special

⁴⁹ Syed M Ali, "Indian Unsafeguarded Nuclear Reactor Programme: The Role of Individuals, Politics and Technology," in *Indian Unsafeguarded Nuclear Programme: An Assessment* (ISSI: 2017), 118-119.

⁵⁰ Sameer A Khan, "Indian Reprocessing Plant," in *Indian Unsafeguarded Nuclear Programme*, 124.

⁵¹ Ibid.

⁵² David Albright and Susan Basu, "India's Gas Centrifuge Enrichment Programme: Growing Capacity for Military Purposes," Institute for Science and International Security (ISIS), 2007, <http://isis-online.org/uploads/isis-reports/documents/indiagrowingcapacity.pdf>

⁵³ David Albright and Serena Kelleher-Vergantini, "Construction Finishing of Likely New Indian Centrifuge Facility at Rare Materials Plant," Institute for Science and International Security (ISIS), 2013, <http://isis-online.org/isis-reports/detail/construction-finishing-of-likely-new-indian-centrifuge-facility-at-rare-mat/>

Material Enrichment Facility in Karnataka is also an unsafeguarded facility.⁵⁴

All such developments reveal India's hypocrisy towards the nuclear non-proliferation regime and exposes its 'impeccable' non-proliferation record. The US and other PGs have ignored India's past activities of nuclear proliferation. They are more interested in the economic benefits they expect to gain by selling nuclear-related technology or uranium to India. Indeed, nuclear cooperation with a state like India, which has a long history of illicit trafficking and diversion, while still being non-party to major treaties, leaves a question mark on the very purpose and expected the success of the global nuclear non-proliferation regime. This also raises a concern about the Indian nuclear normalcy over its poor credentials vis-à-vis nuclear non-proliferation regime.

Implications of India's 'Nuclear Normalcy'

Even for the NWS — US, Russia, China, UK and France — there is no set criteria for 'nuclear normalcy.' Neither these states have a legally defined nuclear normalcy in any existing nuclear treaty. The fate of the P5 nuclear states have been sealed by declaring them as *de jure* NPT states whether they are responsible nuclear states or not, there exists no oversight mechanism that helps them define as 'normal' or 'mainstreamed nuclear state.'

The case is different in South Asia. The NPT outlier nuclear weapon states — Pakistan and India — should find an equal opportunity and similar treatment towards nuclear mainstreaming. The increasing geopolitical interests of the US in India, vis-à-vis China makes India an emerging strategic partner for the US. This factor pushes the US to further support the Indian interests and dismiss Pakistan's strong nuclear credentials towards the nuclear mainstreaming⁵⁵ and encourages India to project its non-existent credentials as a responsible nuclear state in the world.

⁵⁴ David Albright and Serena Kelleher-Vergantini, "India's New Uranium Enrichment Plant in Karnataka," Institute for Science and International Security (ISIS), 2014, http://isis-online.org/uploads/isis-reports/documents/SMEF_Brief_July_1_2014_FINAL.pdf.

⁵⁵ Zafar Khan and Rizwana Abbasi, "Pakistan in the Global Nuclear Order," *Islamabad Nuclear Paper Series*, no. 1 (2016): 42-46, <http://issi.org.pk/wp-content/uploads/2016/02/Nuclear-Paper-Series-No.-1.pdf>

As the aftermath, after the discovery of illicit international proliferation network, a group of 24 involved states were exposed and indicted. As an individual, A Q Khan's proliferation activities were not state-sanctioned and hence, Pakistan strengthened its national export control system at par with international standards.⁵⁶ The fool-proof security system is in place at all strategic organisations including Personal Reliability Programmes. Pakistan is fully committed to various international commitments related to the nuclear non-proliferation regime.⁵⁷ However, India's irresponsible behaviour is evident in aforementioned illicit and horizontal proliferation history towards Europe, the Middle East, Japan and even in the US. Israel and the US who always remain concerned over the Iranian potential of acquiring nuclear weapons have overlooked the Indian assistance in proliferating the nuclear expertise to Iran. Likewise, there was no protest made by any of the Middle Eastern countries at the previous NPT Review Conferences to stop India illegally assisting Iran on nuclear matters.

The US took some action against the Indian illicit and horizontal nuclear proliferation acts. It had blacklisted India's top national nuclear and scientific organisations, DRDO and ISRO for more than five years. These blacklisted organisations have not only proved India's considerable involvement in diverting sensitive nuclear technology for military purposes but also illegally pursuing, utilising and further transferring the dual-use technology to other states. On the contrary, the progressive Indo-US strategic partnership has developed cooperation with the previously banned Indian national organisations. The US has declared India as a major defence partner. Based on the US interests in the so-called Indo-Pacific region, India receives hi-tech defence cooperation in military and non-military missions.⁵⁸

The US has granted India a status of Strategic Trade Authorisation-1 (STA-1) that allows India to be treated equally as with the North Atlantic Treaty Organisation (NATO) members. It provides India with an export free

⁵⁶ Kazmi, "Normalising the Non-proliferation Regime." 138-139.

⁵⁷ Ministry of Foreign Affairs, Government of Pakistan, *Pakistan's National Nuclear Regime*, <http://www.mofa.gov.pk/documents/PNSR.pdf>.

⁵⁸ US Congress, *To Provide for United States Actions to Advance the United States-India Strategic Relationship*, April 8, 2018, <https://www.congress.gov/116/bills/hr2123/BILLS-116hr2123ih.pdf?fbclid=IwAR2xjiafqRyD1ItxDvKWwgHM1RWHchSIMvSbFA3gL-9WnZdUI6SpcvxF-Iw>.

license for trading hi-tech defence supply in future. The STA was originally granted to those states which are a member of all four multilateral export control groups including the NSG, Missile Technology Control Regime (MTCR), Australia Group and Wassenaar Arrangement. India became a member of all other export control groups except the NSG.⁵⁹ In this context, the US Principal Deputy Assistance Secretary of State for South and Central Asia, Alice Wells, commented that China is the only country that vetoes the Indian full membership case at the NSG. Based on this factor, the US will not limit its cooperation with India. The US acknowledged that India meets all merits of the NSG and henceforth, it grants India a status of STA-1 for pursuing defence trade in future.⁶⁰ Such developments have offered implications for the South Asian region, especially for Pakistan.

Therefore, the US double standards towards the so-called Indian nuclear normalcy have overshadowed India's dismissive behaviour towards peace and regional dialogue and contributed towards 'nuclear (ab)normality' in South Asia. Such behaviour is dangerous for a strategic restraint regime and threatens Pakistan's national security. For instance, the uplifting of the political and legal barriers over India for accessing the dual-use defence technology will double the Indian imports of conventional arms in future. The future role of the US in strengthening the Indian military defences is destabilising for the strategic balance vis-à-vis Pakistan. India can potentially get the US missile expertise in advancing its missile defence programme. The US role, as an extra-regional player, complements India to further undermine the strategic stability of South Asia. India superiority over conventional asymmetry will drag Pakistan into never-ending the arms race and further erodes the regional peace and stability.

Despite after over a decade, the Indo-US nuclear deal still faces a lingering issue of India's liability legislation over implementing their respective civil nuclear cooperation. Whereas, in the backdrop of a declining US nuclear market, the US Westinghouse faces the charges of

⁵⁹ "US gives India Strategic Trade Authorisation-1 Status: All You Need to Know About What This Means," *First Post*, July 31, 2018, <https://www.firstpost.com/world/us-gives-india-coveted-strategic-trade-authorisation-1-status-all-you-need-to-know-about-what-this-means-4856681.html>

⁶⁰ "India Meets All Qualifications to be Member of NSG: US," *Economic Times*, September 13, 2018, http://economictimes.indiatimes.com/articleshow/65792369.cms?from=mdr&utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst

bankruptcy in 2017. Westinghouse has offered 6 NPPs to India⁶¹ and seems to secure the potential economic gains in the relatively newer and cheaper Indian nuclear market.

With regards to India's unsafeguarded nuclear facilities, it has gained more with less oversight on its voluntarily-placed nuclear power plants under the IAEA ambit. The Indian military modernisation and its nuclear naval ambitions from diverted unsafeguarded weapon-usable fissile material will likely to increase Pakistan's strategic anxiety and threat perception vis-a-vis India. It is using its unsafeguarded nuclear fuel into advancing its nuclear triad and MIR Wing of Agni-V and VI ballistic missiles coupled with canisterisation of these missile systems. Such advancements have indicated that India is adopting a 'comprehensive nuclear first strike' against Pakistan.⁶² Hereafter, the Indian unsafeguarded weapon-usable fissile material is enforcing the war-fighting environment in the region.

Therefore, the Indian nuclear (ab)normalcy has presented a classic example of illicit, horizontal and vertical nuclear proliferation that contradicts to its self-claimed status of a responsible nuclear weapon state. Pakistan, which is a victim of so-called Indian nuclear normalcy — mainly because of its abnormal behaviour towards disturbing the strategic stability of the region, would never allow India to defame Pakistan's internationally praised efforts at the nuclear non-proliferation regime.⁶³ Pakistan will continue to pursue its nuclear mainstreaming and highlight the Indian ambitions of vertical proliferation that undermines deterrence stability of South Asia. Pakistan will never allow India to assert its hegemonic attitude for dismissing Pakistan's regional peace and stability efforts.

The normal nuclear South Asia is significant for regional strategic stability. The international community should support peace and stability in this region.

⁶¹ "US and India Commit to Building Six Nuclear Power Plants," *Reuters*, March 14, 2019, <https://www.reuters.com/article/us-usa-india-nuclearpower/us-and-india-commit-to-building-six-nuclear-power-plants-idUSKCN1QU2UJ>.

⁶² Mansoor Ahmad, "India's Nuclear Exceptionalism Fissile Materials, Fuel Cycles and Safeguards," *Belfer Centre*, 2017, 44, <https://www.belfercenter.org/sites/default/files/files/publication/India%27s%20Nuclear%20Exceptionalism.pdf>.

⁶³ "IAEA DG Satisfied at Pakistan's Nuclear Safety, Security Standards," *APP*, March, 14, 2018, <http://www.app.com.pk/iaea-dg-satisfied-pakistans-nuclear-safety-security-standards/>.

They should discourage any discrimination and preferential basis towards such states that claim to be a responsible nuclear state and its detrimental action of massive military build-up shows otherwise and affects the peace and stability of the region.

Conclusion

India's proliferation record exposes the tall claims of a 'responsible nuclear state' that has been involved in illicit, horizontal and vertical nuclear proliferation. Supported largely by the West, the Indian narrative on 'nuclear normalcy' in South Asia disappointingly overlooks the history of the Indian proliferation. The case of India's NSG membership bears testimony to the fact that the notions of discrimination and preferential treatment prevail in the international nuclear regime. Pakistan's support for a criteria-based approach for all the non-NPT nuclear states adds value to the nuclear non-proliferation regime. Furthermore, this nuclear regime has never given a universal definition of 'nuclear normalcy,' hence, the concept of the normal nuclear state remains a hostage of nuclear power politics.

Indeed, the US role, as an extra-regional player, further emboldens India to undermine the strategic stability in South Asia. The Indo-US civil nuclear cooperation has been modified and stretched toward fulfilling the greater goals of Indo-US defence cooperation. The interests of New Delhi and Washington are aligned to counter China's rise but India's excessive military build-up bear grave consequences for Pakistan. India's superiority over conventional asymmetry will draw Pakistan into a never-ending arms race. Similarly, peace and stability in South Asia cannot be sustained while India maintains the exponential growth of nuclear warheads for military purposes. Consequently, India's responsible nuclear behaviour creates an environment of nuclear war fighting in South Asia. It is suggested that international community should discourage India's hegemonic designs and encourage India to participate in a regional dialogue with Pakistan.