

Bulletin of the Atomic Scientists

Possible Indian reaction to U.S. ratification of the CTBT

BY AMANDEEP GILL | 5 MAY 2009

During his recent speech in Prague regarding U.S. nuclear policy, President Barack Obama said that his administration would "immediately" and "aggressively" pursue U.S. ratification of the [Comprehensive Test Ban Treaty](#) (CTBT) to achieve a global ban on nuclear testing. As a candidate, he had similarly [promised](#) to reach out to the Senate to secure early ratification of the CTBT and thereafter, to launch a diplomatic effort to bring on board other states (e.g., China, Egypt, India, Indonesia, Iran, Israel, Pakistan, and North Korea) whose ratification is necessary for the treaty to enter into force. (Article XIV of the treaty requires 44 nuclear-capable states to ratify the treaty before it becomes binding international law.) Three of the aforementioned holdout countries, including India, haven't even signed the treaty. Recent [statements](#) from Indian officials suggest that this will remain the case even if the Senate does ratify the CTBT in the near future.

Therefore, is the Obama administration better off focusing on other aspects of reducing nuclear danger where India may be a more willing partner?

Nuclear testing has a special place in the Indian nuclear discourse. Case in point: In 1954 Prime Minister Jawaharlal Nehru called for a worldwide moratorium on nuclear testing and continued to stump for a test ban until 1963 when the Partial Test Ban Treaty was signed. But when it came to joining the CTBT in 1996, New Delhi balked, opting out of treaty negotiations after two and a half years of active participation in negotiations. Indian officials objected to the CTBT because they thought it didn't contribute to nuclear disarmament; it wasn't comprehensive enough; and that it sought to constrain New Delhi against its wishes in violation of international law. (See "[Negotiating the CTBT: India's Security Concerns and Nuclear Disarmament](#).") Significantly, the domestic debate in India on the CTBT emphasized the security dimension of nuclear policy--particularly after China's first nuclear test in 1964 and then again in the mid-1980s when substantive

developments in Pakistan's nuclear weapons program became difficult to ignore.

After India conducted a series of nuclear tests in May 1998, the CTBT debate resurfaced in the country once again, with New Delhi announcing its readiness to discuss moving toward a *de jure* formulation of its voluntary moratorium on further explosive testing. "India would be prepared to consider being an adherent to some of the undertakings in the Comprehensive Test Ban Treaty," it announced in an official government statement. "But this cannot obviously be done in a vacuum. It would necessarily be an evolutionary process from concept to commitment and would depend on a number of reciprocal activities."

As before, the debate took place at a political and technical level. Politically, talk surrounded the nature of India's relationship with the international nonproliferation regime, including the CTBT, which was seen as an adjunct to the Nuclear Non-Proliferation Treaty (NPT) and India's relationship to it. (India hasn't signed the NPT either--or any nuclear-weapons related treaty other than the Partial Test Ban Treaty.) The technical discussion centered on whether the six Indian nuclear tests conducted to date were sufficient--i.e., would these tests allow India to field a credible deterrent and obviate the need for another round of testing in the future?

The latest phase in this debate began with the July 18, 2005 launch of the U.S.-India civil nuclear agreement process by Indian Prime Minister Manmohan Singh and U.S. President George W. Bush. Included in the joint statement Singh and Bush issued that day was a commitment from India to continue its moratorium on further explosive testing. U.S. critics attacked this provision as inadequate, while Indian critics called it constraining. For example, opposition leader L. K. Advani asked Singh last year if the agreement would allow India to conduct another series of tests if required in the future. Singh's response was to emphasize the sovereign right of India to test, if required. India's External Affairs Minister Pranab Mukherjee put it more curtly in October 2008 when he said that India has the right to test while others have the right to react.

In the United States, supporters of the U.S.-India nuclear deal emphasized the strong link between future Indian nuclear testing and the consequences of such an action--namely, the cessation of any future U.S. fuel supplies for Indian nuclear reactors. The U.S. Congress eventually strengthened this link by passing an amendment that limited the fuel reserve that India could build from foreign supplies. It's notable that then-Senator Obama signed on to this amendment.

The larger nuclear debate in India since the CTBT negotiations centers on how New Delhi should relate to the wider nonproliferation regime pending nuclear

disarmament and what should be the nature and extent of the Indian nuclear deterrent.

The debate on the CTBT in the United States also reflects these questions of politics and technology. As such, following his Prague speech, Obama tasked Vice President Joe Biden to lead a review of the complex political and technical issues that surround the CTBT. With this background, what kind of diplomatic chain reaction could be expected if the Senate were to ratify the CTBT? It's likely that China would follow suit. But what about India? What could convince New Delhi that the CTBT is actively contributing to nuclear disarmament so it fulfills Prime Minister Atal Bihari Vajpayee's December 1998 promise of "not standing in the way of entry into force" of the CTBT?

A lot depends on how Obama's nuclear policy agenda is implemented. Thus, India would have two options: (1) sign and ratify the CTBT and allow it to be brought into force; or (2) refuse to sign the CTBT but continue its voluntary moratorium on testing, leaving the treaty's signatories to find a way to make a global testing ban work without completing the requirement of Article XIV of the treaty.

Option number two is more likely, and theoretically, India could renew testing, an option that even treaty signatories can exercise in their supreme national interest. But both political and technical factors argue against new testing unless the credibility of the Indian deterrent were undermined by new developments.

In such a context, it's important to remember both the history of the testing debate in India and the fragile structure of confidence building between India and the existing nonproliferation regime.

After years of solitary (but responsible) play, India has begun to adhere to the Nuclear Suppliers Group (NSG) rules, signed the International Atomic Energy Agency's Additional Protocol, and committed to a Fissile Material Cutoff Treaty. For their part, the NSG and others have started to reciprocate by treating India as a full trading partner. This process is similar to China's transformation from an outlier (circa 1963, when it was denouncing the nonproliferation regime) to becoming an NSG member in 2004.

The process of crafting a workable agreement between India and the existing nonproliferation regime is still ongoing, and given the history and inconclusive nature of the Indian testing debate, pushing hard for CTBT ratification may disrupt India's evolution toward becoming a participant in international nuclear controls. On the other hand, can the world afford to wait for however long India's movement toward full international nuclear partner will take?

The diminishing marginal returns from the current NPT regime are spurring innovative ideas over the control of fissile material, the nuclear fuel cycle, and the delegitimization of nuclear weapons--much in the same way that biological or chemical weapons are no longer seen as legitimate tools of war. Engagement with India on these concepts may turn out to be more productive for both Washington and New Delhi. As this engagement moves apace, the CTBT may be seen less as a stepchild of the international nuclear regime from which India has distanced itself, but rather as one of a number of treaties that involves India in a network of mutual restraints. Whether India belongs specifically to one treaty or another would then be immaterial.

Copyright © 2009 Bulletin of the Atomic Scientists. All Rights Reserved.

Source URL (retrieved on 11/24/2009 - 12:42):

<http://www.thebulletin.org/node/6957>

IT IS 5 MINUTES TO MIDNIGHT

www.thebulletin.org

