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BASIC is an independent think tank and registered charity promoting innovative ideas and international dialogue on nuclear disarmament, arms control, and nonproliferation. Since 1987, we’ve been at the forefront of global efforts to build trust and cooperation on some of the world’s most progressive global peace and security initiatives, advising governments in the United States, United Kingdom, Europe, the Middle East and Russia. Through an approach based on active listening, understanding and empathy, BASIC builds bridges across divides and lays new pathways to inclusive security.

Summary

The failures attached to the global non proliferation regime are more acute than ever. Nuclear modernisation is fueling global instability, creating new threats and deepening obstacles to global nuclear disarmament. As nuclear outliers and non signatories to the Non Proliferation Treaty, India and Pakistan remain unconstrained by global legal non proliferation obligations. And yet, the risk of a nuclear exchange between the two is often ignored when discussing the continued sustenance of the NPT. As nuclear custodians, India and Pakistan both recognise their inherent duty to assume certain responsibilities. These obligations mirror some of the values attached to the NPT. It is this universal understanding that frames the global disarmament vision and drive for collective consensus. For the continued viability of the NPT, India and Pakistan cannot be ignored and left in the cold.

1. Nuclear Risk

1.1 India and Pakistan are the only two nuclear armed nations that have engaged in direct military action against one another. This defies conventional wisdom purporting that nuclear armed states do not fight wars against each other.¹

1.2 Pakistan’s inability to match India’s conventional superiority leads to a low nuclear threshold and is the raison d’être for Pakistan’s capability to rapidly deploy short range tactical nuclear weapons. Any conventional military action that threatens Pakistan’s territorial integrity is highly destabilising because ‘true red lines’ are imprecise and therefore cannot be avoided with any degree of certainty. This is to say, in deciding to use nuclear weapons, Pakistan has set a very low bar.²

1.3 Vipin Narang informs us that to credibly threaten the first use of nuclear weapons, “the Pakistan Army would adopt largely delegative command and control

procedures that place nuclear weapons in the hands of theater commanders with few physical impediments to their release.”³ In supporting this observation, Sechser and Fuhrmann believe “these procedures - combined with limited civilian oversight - (make) it easier for Pakistan to deploy and use nuclear weapons quickly in a crisis.”⁴

1.4 Pakistan’s option to delegate and disperse nuclear weapons to battlefield commanders is designed to increase survivability. But, it is not without its risks. Dispersed nuclear weapons are vulnerable to premature or unauthorised reckless military release, and to interception by terrorists, thereby risking the loss of military control over nuclear weapons.⁵

1.5 Whilst Pakistan’s nuclear capabilities are designed to deter India, the United States is the key target of Pakistani nuclear signaling. This is designed to secure American intervention on Pakistan’s behalf to constrain Indian escalation and dominance of any strategic conflict. However, hostilities could escalate rapidly leaving very little warning time for the United States (and wider international community) to identify and locate key Pakistani decision-makers before nuclear release is delegated to battlefield commanders.

1.6 Under normal conditions, strategic stability between India and Pakistan appears stable and secure. But if subjected to sufficient stress under crisis pressure, such as India’s mobilisation of Cold Start, stability is likely to deteriorate rapidly and risks overstepping Pakistan’s ‘red lines’. Under these fragile conditions, India’s National Command Authority is likely to ‘hold-out’ from authorising the use of strategic capabilities until Pakistan becomes the first to breach the nuclear threshold, either by a demonstrated warning shot or targeted strike against India’s population and/or military forces. At this point, India may feel compelled to commit, as stated in the 2003 nuclear doctrine, to massive retaliation using strategic nuclear weapons.

1.7 India’s decision to respond against Pakistan using massive retaliation is, by inference, an admission that its nuclear doctrine omits both proportionality (i.e., ‘like-for-like’ response) and the development of limited nuclear war options to achieve controlled war termination.⁶ Similarly, India’s doctrine of massive retaliation is highly destabilising because it incentivises Pakistan to develop nuclear preemptive options / missions to mitigate the risk of an Indian nuclear strike that decapitates Pakistan’s ability to respond in kind, vis-a-vis ‘use-it or lose-it.’⁷

⁴ Todd S. Sechser and Matthew Fuhrmann, Nuclear Weapons and Coercive Diplomacy (United Kingdom: Cambridge University Press, 2017), 149.
⁷ Ibid
2. (d) The Nuclear Non-Proliferation Treaty

2.1 India’s and Pakistan’s recent acquisition of nuclear weapons signals a partial failure of the NPT regime to project non-proliferation values and norms. The NPT is seen in South Asia as a form of ‘nuclear apartheid’ that legitimised - to their enormous disadvantage - a two tier system in the international order.8

2.2 India’s refusal to join the ‘discriminatory’ NPT stems from a deeply held view amongst Indian policy planners that membership would preclude their sovereign rights to defend themselves and detract from their status as a growing power on the international scene. The NPT is interpreted by India as a western ploy or ‘trojan horse’ designed to disrupt economic prosperity and the right to self-determination.9

2.3 There is, nevertheless, good support for many of the norms that are contained within the NPT, offering hope that South Asia could take part in the wider regime if they were recognised as partners rather than supplicants. Indian policy framers do not construe their possession of nuclear weapons as incompatible with the wider global non-proliferation regime. Rather, they presume they possess “exceptional-ness ... based on three elements tailored specifically to India’s profile: (1) India is an emerging power; (2) India is a fellow democracy; and (3) India is a responsible nuclear actor.”10

2.4 This perception of India’s “exceptional-ness” resonates with the worldview of western democracies and can be seen in India’s ability to bypass many of the rules and conventions of civil-nuclear commerce, when India’s exemption by the Nuclear Suppliers Group was granted in 2008.11

2.5 India’s partial admission to the Nuclear Suppliers Group created a damaging precedent weakening the NPT regime by creating a back door to the privileges previously reserved exclusively to NPT members who have accepted legal obligations, and to respect the fundamental non-proliferation norm.

2.6 Pakistan’s reluctance to become a formal member of the NPT is a paradox. On the one hand, policy-framers accept the non proliferation norm and are keen to impress their intention to pursue disarmament talks with India. And yet, nuclear proliferation in the form of Chinese technical assistance is also viewed as essential

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8 Ibid, 7.
9 Ibid, 8.
11 Ibid
for meeting Pakistan’s security needs. As the ties deepen, so do the obstacles in navigating a course to achieve credible disarmament proposals with India.

2.7 Pakistan’s unconventional approach to the acquisition of nuclear capability is indicative of a serious trust deficit that has also fueled the insecurities between NPT signatories and the wider non proliferation system. This has created divisions and deepened obstacles to achieving credible proposals for global nuclear disarmament.

2.8 Using the India model as a benchmark, Pakistan now also seeks a similar accommodation and route to access civil nuclear commerce without accepting status as a non-nuclear weapon state under the NPT. Pakistan has attempted to placate the international community using a number of methods, including tightening nuclear command and control procedures, developing fissile material accounting processes; and incorporating IAEA verification and safeguard monitoring procedures to civil nuclear facilities. But it is still developing low yield nuclear weapons.

2.9 Linking India’s NSG membership with Pakistan “invokes the fear of a crumbling nuclear regime under the weight of the exceptions being granted to India.” But granting Pakistan partial admittance to the NSG on similar terms as India could restore the political imbalance and signal genuine inclusivity, whilst also strengthening some technical dimensions of the global non proliferation and export control regimes.

5. Nuclear Modernisation Programmes

3.1 India is currently developing a full nuclear triad comprised of land, sea and air. Whilst this is not necessarily inconsistent with their nuclear posture as identified in the 2003 nuclear doctrine, the pursuit of ballistic missile defence shifts the nuclear trajectory towards implementing full spectrum offence / defence dominance. India is also developing nuclear tipped short-range ballistic missiles and pursuing Multiple Independently Targetable Reentry Vehicles.

3.2. This undermines repeated claims and assurances made by Indian policy framers that nuclear force posture and doctrine is predicated upon achieving ‘credible minimum deterrence.’ The development of a full nuclear triad and implementation of strategic defence does not constitute an acceptable definition of

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a minimum deterrent and thus weakens the global disarmament regime by providing an alternative perspective that is at odds with accepted definitions.

3.3 Instead of reducing nuclear force levels, India’s drive to develop a full matrix of strategic and defensive capabilities undermines the drive towards achieving global nuclear disarmament. Both Pakistan and China are likely to follow suit with an increase in nuclear delivery systems and associated disruptive technologies that elevate the risk of developing nuclear war-fighting missions to match increased capabilities. This ‘action-reaction’ cycle is highly destabilising to the region and broader international security environment as it will usher a new arms race in the region.

3.4 India’s nuclear developments put at risk the development of confidence building measures geared towards future bilateral (with Pakistan) or trilateral (and China) arms control agreements. India and Pakistan have yet to enter into formal arms control agreements though prior confidence building measures have been reached. These include the (1988) Non Attack Agreement; (2004) Missile Test Notification Agreement; (2005) Agreement on Pre-Notification of Flight Testing of Ballistic Missiles; and the India - China (1996) Agreement on Confidence Building Measures in the Military Field Along the line of Actual Control in the India - China Border Areas. But there have been no agreements for some time, and no bilateral strategic talks at all in the last six years.

3.5 Pakistan recently carried out the flight test of the Babur-3, its new submarine-launched cruise missile. This enables Pakistan to develop a sea-based nuclear deterrent in response to India’s emerging SSBN capability. But it is a dual-capable system and thus highly destabilising - any conventional attacks using the Babur-3 could be interpreted as a live nuclear attack and trigger a nuclear response.

3.6 Pakistan’s pursuit of a sea-based nuclear deterrent represents a shift in strategic directory and is orientated towards developing and securing a second-strike capability against India. This would indicate that contrary to the political rhetoric, Pakistani policy framers are developing an increased reliance on nuclear weapons to meet their expected security needs.

3.7 Along with China and India, Pakistan is now also contributing to the ominous nuclearisation of the Indian Ocean. With three nuclear armed nations soon to be patrolling this area, any future nuclear arms control agreements will become considerably harder to achieve. This is because the number of stakeholders and power projection capabilities will have increased; the perception that deep concessions would have to be made becomes a significant obstacle to overcome. There will also need to be critical talks on how best to avoid clashes at sea.
9. The Role of the UK

5.1 As an influential nation in global affairs with deep historical ties to both India and Pakistan, the UK is well positioned to exert its considerable nuclear diplomacy in South Asia, though it will need to do so with care and empathy. This can be achieved by undertaking a course that will not only strengthen the global non-proliferation regime and restore confidence between NPT signatories, but also contribute to achieving some level of regional stability. The UK should orient its South Asia foreign policy towards achieving two key pillars of the non-proliferation regime: transparency and inclusivity.

5.2 To achieve this, the UK could consider the conditions under which it would propose Pakistan’s partial membership to the NSG on similar terms as India. India was granted a partial waiver under a set of conditions, one of which was to work towards a Fissile Material Cut-Off Treaty. The UK should also seek to ensure that India bolsters its efforts to achieve this key pledge. Whilst pursuing this objective, the UK should pursue a similar dual-track with Pakistan to achieve the same non-proliferation objective.

5.4 India’s commitment to no first use of nuclear weapons was a contributory factor that paved the way to grant the partial NSG waiver. The UK should also incentivise Pakistan to adopt an NFU policy in the form of a negotiated bilateral treaty with India. In return, India would need to consider effective means to assure Pakistan of its national security without damaging and destabilising nuclear deployments. One unusual and counter-intuitive idea could be for India to provide funds (over a set duration) for Pakistan to purchase and upgrade conventional forces designed to stabilise the relationship. This would enable Pakistan to maintain escalation control and permit enough time for the international community to intervene before reaching the nuclear level. This may seem unrealistic, but we are currently trapped in a situation that is slowly but inexorably sliding towards increased risk of nuclear exchange, requiring states to consider more radical approaches.

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