INDO-US NUCLEAR DEAL: IMPLICATION FOR INDO – PAK PEACE PROCESS

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The United States retains enormous political, economic and strategic advantages in the current international politics. It towers above the rest of the great powers. The much-anticipated global effort to balance against American supremacy—which the Realists have been anticipating for more than fifteen years, now—has simply not occurred. Similarly, Neo-realism, with its faith in the automaticity of balancing behavior, has a hard time with the notion of open-ended unipolarization. With the US emergence as a more powerful actor on the world stage, India reinvented its foreign policy—positioned itself to face the rise of China, replaced state socialism with economic liberalism and openness to globalization, and began to work closely with the world's sole super power. Washington reciprocated by supporting its drive for a Great Power status in the 21st century and striking a deal for a far-reaching strategic partnership.

The Bush-Singh summits (July 2005 and March 2006) demonstrated Washington's tilt towards New Delhi as its partner of the twenty-first century. The Bush administration has been fully sympathetic to India's great-power aspirations. In July 2005, the bilateral relationship received a major boost with both the countries pledging to step up cooperation in non-military nuclear activities, civilian space programmes and high-technology trade and expand dialogue on missile defence. Ashton B. Carter wrote that as part of the agreement, President George W. Bush broke with long-standing U.S. policy and openly acknowledged India as a legitimate nuclear power, ending New Delhi's 30-year quest for such recognition.[1] President Bush's March 2006 South Asia tour further consolidated this partnership. New Delhi, today, no longer suspects Washington of trying to undercut its influence in the region.

During the Bush-Singh summits in Washington and Delhi, both sides agreed to broaden their strategic engagement. They agreed on several joint ventures that highlight the breadth of the new

U.S.-India relationship, among them revitalized economic and energy dialogues, a CEO Forum, a Global Democracy Initiative, a Disaster Response Initiative, the completion of the Next Steps in the Strategic Partnership (NSSP) process, and a partnership to fight HIV/AIDS. They launched new efforts in education, agriculture, science, and space launch and agreed to send an Indian astronaut on the Space Shuttle for the first time.[2] But these areas of cooperation have not received much attention. Only Atomic Energy seems to be in the news. The recorded facts indicate that in 1974, before the Pokhran test, the Indian Atomic Energy Commission produced 800 MW of electricity. In 2006, it is producing 2700 MW. This indicates after 32 year just over 1900 MW has been added over three decades. It manifests that Atomic Energy has never been a priority in India. Why both India and the U.S. have been pursuing this controversial deal? What is the impact of nuclear deal on regional politics? The answers of these questions are important for critical analysis of the South Asian political and strategic environment.

It's impossible to understand the logic of Indo-U.S. cementing relationship, especially in the realm of nuclear cooperation, without reference to Washington's larger strategic goals and American business interest in the growing economic market of India.[3] To achieve and sustain its strategic primacy in the international politics, the U.S. needs to build a system of alliances which neutralizes all rivals and dissenters and co-opts previously recalcitrant states-be they 'Old Europe' (which defied the U.S. on Iraq), or Russian Federation and China. Such alliances must contain or counter possible challenges, which might arise from anywhere. That is where India comes in. C. Raja Mohan argued, "it senses that Europe and India have traded places in terms of their attitudes towards United States: while Europe seethes with resentment of U.S. policies, India is giving up on habitually being the first, and most trenchant, critics of Washington. As pessimism overtakes Europe, growing Indian optimism allows New Delhi to support unpopular U.S. policies."[4] Specifically, India's strategic location between West Asia and Southeast Asia, and its pivotal position in South Asia makes it imperative in the U.S. strategic calculations.

Similarly, India is very attractive for the American business due to its growing economic market. It was reported that India's economy grew at 6 percent a year from 1980 to 2002 and 7.5 percent a year from 2002 to 2006. The size of middle class in India is almost 250 million people. It is now the world's fourth-largest economy. Soon it will surpass Japan to become the third-largest.[5] Simultaneously, the Indians consider China a potential adversary. China's relations with Myanmar and Pakistan[6], its facilities in the Coco Islands off the Andaman and its ability to influence political attitudes in South Asia and in many Indian Ocean littoral states figure prominently in India's security calculus. Mohan Malik argued, "the US and India have similar geo-strategic concerns about China's growing power and influence. For India, which has long regarded China as a strategic adversary, the Bush Administration's characterization of China as 'strategic competitor' rather than a strategic partner was a welcome development."[7]

This convergence of interests has placed India in a special league of the United States and undermined Pakistan's vitality in the latter's foreign and strategic policies. It seems that this strengthening bilateralism would have overwhelming impact on the South Asian politics. The repercussion of the U.S.-India nuclear deal sounds straightforward i.e. arms race between adversaries in the region. Simultaneously, it is a very complex issue because in its literary meaning the nuclear deal is only for increasing the peaceful-use of nuclear technology in India. Indian's irresponsible nuclear history, however, generates pessimistic conclusions. It's a recorded fact that in May 1974, India broke the terms of two nuclear contracts, one with the United States and one with Canada, in which a nuclear reactor and heavy water were provided under a peaceful-use requirement. India secretly shifted materials from these deals to its weapons program—and it continues to do so.[8]

The Indo-U.S. strategic partnership would not only have a potential to increase the asymmetry in the conventional balance of power between India and Pakistan, but it also undermine the balance of terror, which guarantees the strategic stability between belligerent neighbors since May 1998. In addition, the Indo-U.S. cooperation in the field of missile defenses negatively influences the strategic

environment of the region. The following study seeks to examine the likely impacts of the Indo-U.S. nuclear deal on the peace process between India and Pakistan. The paper is divided into three sections. It begins with an elaborated discussion on the Indo-U.S. nuclear deal. It is followed by a brief overview of peace process between India and Pakistan. The third section covers the Indo-U.S. nuclear deal's anticipated implications for the peace process.

The Nuclear Deal

On July 18, 2005 Bush Administration announced civil nuclear cooperation with India. President Bush offered to modify U.S. nonproliferation laws and revise the global nuclear order to facilitate full cooperation with India on civilian nuclear energy.[9] In simple terms it agreed to lift a ban on civilian nuclear technology sales to nuclear-armed India, despite its refusal to sign the nuclear non-proliferation treaty or give up its nuclear arms. This cooperation would effectively grant India highly sought-after access to sensitive nuclear technology only accorded to states in full compliance with global nonproliferation standards. It would also treat India in much the same way as the five original nuclear-weapon states by exempting it from meaningful international nuclear inspections.[10] It is a virtual endorsement of India's nuclear weapons status. Conversely, the previous U.S. administrations adopted the stance that India's nuclear arsenal, which was first tested in 1974, was illegitimate and should be eliminated or at least seriously constrained.

The deal would enable India to obtain enriched uranium to fuel its nuclear reactors; acquire nuclear reactors from the international market; and participate in international nuclear research and development.[11] The implementation of the civil nuclear energy cooperation deal requires the U.S. Congress to alter U.S. laws and policies. Wade Boese wrote, "Perhaps the most ambitious and arguably most controversial commitment was Bush's promise to work toward altering U.S. law and international rules in order to permit full-scale civilian nuclear trade with India."[12] According to the reports the Senate Foreign Relations Committee indicated that it would judge the efficacy of the Indian separation plan in terms of

three criteria—compliance with the International Atomic Energy Agency safeguards, non-assistance to India's nuclear weapons program, and transparency.

The Indian Foreign Secretary Shyam Saran visited Washington on December 21-22, 2005. The primary objective of the visit was to expedite the implementation of agreements and understandings contained in the July 18, 2005 Joint Statement issued following the discussions held between the Indian Prime Minister Manmohan Singh and President George W. Bush. The Indians earnest desire was to implement Indo-U.S. Civil Nuclear deal. Though in July, President Bush agreed to assist India with the development of nuclear energy, but the U.S. Congress was insisting that India demonstrate there should be complete separation between energy and military activities because India was not a member of the Nuclear Non- Proliferation Treaty. The U.S. committed in the 1968 nuclear Nonproliferation Treaty (NPT) "not in any way to assist" a non-nuclear-weapon state's acquisition of nuclear arms. Although New Delhi has not signed the NPT, India under the treaty's terms is a non-nuclear-weapon state because it did not explode a nuclear device before January 1, 1967.[13] The scheme of separation of Indian civilian and military nuclear facilities was adopted by the Bush Administration to convince the international community that its nuclear aid would not contribute in New Delhi's drive for nuclear weapons acquisition. That's why President Bush encouraged India to develop a separation plan that is credible, transparent, and defensible.

Presently, the 45 members of the voluntary Nuclear Suppliers Group restrict nuclear exports to India because it lacks full-scope safeguards, which entails IAEA supervision of all nuclear facilities and materials.[14] During Mr. Saran visit, therefore, the Bush Administration's high ups gave impression that without the prior settlement of the issue regarding the separation of nuclear facilities, i.e. division between civilian and military facilities, the civil nuclear energy cooperation between India and U.S. would not be feasible. The Bush Administration desires to cooperate with India in the nuclear field, but it could not ignore opposition of the anti-nuclear proliferation lobby within or outside the U.S. Congress,

which is against the acceleration of nuclear arms race in South Asia. The high ups in the Bush Administration articulated that the credible and defensible—from a nonproliferation standpoint—separation plan was a prerequisite for proposing legislation to Congress that would create an exception for nuclear cooperation with India.

The campaigner for separation plan opined that it would serve two purposes: politically, it could help to exhibit India's commitment to nonproliferation, and legally, it must ensure U.S. compliance with Article 1 of the NPT. After weighing the pros and cons of the separation plan, New Delhi agreed to separate its civilian and military facilities in return for full civilian nuclear energy cooperation from the United States. In this context, instead of "perpetual" safeguards arrangements between India and the International Atomic Energy Agency (IAEA) that will signal finality to civilian separation, New Delhi is interested in concluding a ''voluntary'' safeguards arrangement with the IAEA that could allow Delhi to pull nuclear facilities out of the civilian list in the future and put them back to military use. At the same time, the U.S. is not seeking to put under international supervision existing spent nuclear fuel, which contains plutonium, a key ingredient for making nuclear arms. The State Department in response to written questions by Senate Foreign Relations Committee Chairman Richard Lugar (R-Ind.) said that "as most such agreements are not retroactive, we would not expect the agreement to specify that previously produced material must be returned to the plant in order to be placed under safeguards."[15]

The Congress preferred that the separation plan must ensure, and the safeguards must confirm, that Indo-US civil nuclear cooperation would not in any way enhance India's capability to produce nuclear weapons. Importantly, the current U.S. legal standard, and in fact, the international standard now, is that only comprehensive nuclear safeguards provide that level of assurance.[16] Whether the perpetual safeguards arrangement would be able to prevent the Indians from using nuclear material from the declared civilian nuclear facilities for the military usage? It's a debatable question. Indian nuclear fuel cycles for nuclear weapons and energy are intimately intertwined. Moreover, India's diplomats and civil

servants are notorious for adhering to independent positions regarding the nuclear technology.[17] The Senate Foreign Relations Committee criterion contains many loopholes. It is not an alternative to comprehensive safeguards. Moreover, the India's past record reveals that it would violate the agreement. For example, the 40-megawatt Canadian supplied CIRUS reactor located North of Mumbai was proof of an apparent diversion. Hence, it would be difficult to resolve the issues such as CIRUS, which was intended for peaceful use, but was diverted for military purposes.[18]

While adopting a selective and unilateral approach without much regard for the rules that apply to everyone the Bush Administration agreed to finalize the Indo-U.S. nuclear deal. On March 2, 2006 President Bush and Prime Minister Manmohan Singh signed civilian nuclear cooperation pact in New Delhi. They agreed: first to pursue civil nuclear cooperation to allow India to cooperate and trade in this key area. Second, India has agreed to take steps that will bring it into the international non-proliferation mainstream, including placing its civilian nuclear facilities and programs under International Atomic Energy Agency (IAEA) safeguards and adhering to the guidelines of the Nuclear Suppliers Group (NSG) and the Missile Technology Control Regime (MTCR).[19] The pact marked a major breakthrough for New Delhi —long treated as a nuclear pariah by the world—as it allowed to access American atomic technology.[20] While defending his nuclear deal with India, President Bush stated, "this agreement is in our interest and therefore I am confident we can sell this to our congress."[21]

Realistically, the Indo-US nuclear deal directly contravenes the Nuclear Nonproliferation Treaty (NPT), NSG and the U.S. Nonproliferation Act. India is not a party to NPT. The NPT provides the norm and the foundation for an international regime to prevent the spread of nuclear weapons around the world. The NPT permits vertical proliferation of nuclear weapons and prohibits the horizontal proliferation of nuclear weapons. The Indo-U.S. nuclear deal is a direct violation of the Article 1 of the NPT. Article 1 of the Treaty states that Nuclear Weapon States parties to the Treaty do not transfer to any recipient whatsoever nuclear weapons or control over such weapons or explosive devices directly or indirectly, and not in

any way to assist, encourage or induce any non-weapon state to manufacture or acquire nuclear weapons or control over such weapons. India is a non nuclear weapon state by the treaty definition. According to the Treaty only those states are nuclear weapon states, which conducted their nuclear weapons explosion prior to January 1, 1967. In the words of Strobe Talbott, "no wonder the NPT—originally an American idea that depends on unstinting American support—is in jeopardy."[22] In addition, to be eligible for importing Part I items (fissile materials, nuclear reactors and equipment, and reprocessing and enrichment equipment) from any Nuclear Supplier Group member, states must have comprehensive IAEA safeguards covering all their nuclear activities and facilities. Thereby, the practicability of the deal requires exceptional changes in the U.S. foreign assistance law. This has to be followed by a consensual vote in the NSG, followed by India specific amendments in the IAEA Safeguards Agreement.

The nuclear deal between India and the U.S. would only become effective once it is approved by a joint Congressional resolution. The Bush Administration has initiated a process to finalize the deal. Consequently, on July 25, 2006 the House of Representatives passed the Resolution Number 5682 that was introduced by Congressman Henry Hyde - the Chairman of the International Relations Committee. It was passed by an overwhelming majority of 359 for and 68 against the resolution. Still, it's not clear what would be the final shape of the law, because Senate approval is awaited. Nevertheless, the passage of the bill and a few associated developments provide a glimpse of what might be in the final legislation. The Senate Foreign Relations Committee had already certified the Resolution 3709 that will be introduced by Senator Richard Lugar in the Senate on which the floor vote is expected in September 2006.

The House Bill permits the President to waive portions of the Atomic Energy Act and sets forth conditions for the waivers. According to the condition list the President has to submit reports on American Foreign Policy objectives and India's Nuclear Program. This include annual reports on the Fissile Material Cut-Off Treaty, India's participation in the Proliferation Security Initiative, U.S.

efforts to dissuade and, if necessary, sanction Iran for its efforts to acquire weapons of mass destruction (WMD), as well as India's fissile material and nuclear weapon production rate and whether imported uranium has enhanced India's nuclear weapon production rate.[23] If India tests a nuclear weapon, nuclear cooperation must stop. The important features of the House Bill are:

- Credible separation plan for India's civil and military nuclear programs.
- IAEA safeguards agreement in perpetuity in accordance with IAEA standards.
- India is making substantial progress toward concluding an Additional Protocol.
- India is working toward the FMCT.
- India is supporting efforts to prevent the spread of enrichment and reprocessing technology.
- India is securing nuclear materials.
- The Nuclear Suppliers Group has decided by consensus to permit nuclear cooperation with India.

Importantly, India has fifteen nuclear reactors in operation, with an installed generating capacity of 3,310 megawatts (MW). Seven more reactors with a capacity of 3,420 MW are under construction and scheduled for completion by 2009. A nuclear reactor is a device in which nuclear chain reactions are initiated, controlled, and sustained at a steady rate (as opposed to a nuclear explosion, where the chain reaction occurs in a split second). The nuclear reactors are used for many purposes, but the most significant current uses are for the generation of electrical power and, for the production of plutonium for use in nuclear weapons. Noteably, the first nuclear reactors were used to generate plutonium for nuclear weapons. Presently, only four Indian reactors in operation (capacity 620 MW) and two under construction (capacity 2000 MW) are under International Atomic Energy Agency (IAEA) safeguards.

The Bush Administration had given into the demands from the Indian nuclear lobby. It exempted large portions of Indian nuclear infrastructure from international inspections. To settle a nuclear deal, India classified 14 of its 22 reactors as civilians. These

fourteen nuclear facilities would be under safeguards and opened to international inspections.[24] Eight are deemed military reactors, making them exempt from inspection. Moreover, there had been no mention of facilities such as research reactors enrichment plants or reprocessing facilities being declared as civilians. Reportedly, implementation would be conducted in phases, from 2006 to 2014. India's fast-breeder reactor program—the Fast Breeder Test Reactor and the Prototype Fast Breeder Reactor under construction—is not included in the civilian list.[25] Precisely, fast breeder reactors, which can produce large quantities of the nuclear bomb material plutonium, as military facilities are outside the IAEA's purview. The breeder reactors have been generally regarded as a proliferation concern because of their production of weapon-grade plutonium.

While spelling out the separation plan under the Indo-U.S. nuclear deal, the Indian ruling elite has made clear that India alone would decide which future reactors would be kept in the military category and exempt from any safeguards. On August 17, 2006 Prime Minister Singh reiterated his government's earlier stance in the Rajya Sabha and again in the Lok Sabha on August 23, that India would not bend in the face of U.S. pressure and would not accept any conditions that would go beyond the July 18th Joint Statement and the March 2, 2006 separation plan. Strongly refuting the claim that the proposed U.S. Bill, as passed by the House of Representatives, could become an instrument to influence or even dictate Indian foreign policy.[26] In unequivocal terms, Prime Minister Singh further declared that India was "not willing to accept a moratorium on the production of fissile material" and that India was not "prepared to go beyond a unilateral voluntary moratorium on nuclear testing as indicated in the July statement."[27] In simple terms there will be no capping of the India's strategic program and the deal ensures adequacy of fissile material and other inputs to meet current and future requirements of Indian nuclear program.

Ironically, the Bush Administration claimed that its nuclear deal with India would be a net benefit for the global nonproliferation regime. It asserted that quantity of facilities placed under safeguards would provide a good measure for determining the credibility of the plan from a U.S. perspective. Here Bush Administration deliberately

overlooked India's past record in the realm of nuclear and space technological cooperation. India received both nuclear and space technologies under the pretext to use them for peaceful purposes, but it deviated from its commitments and exploited them for making nuclear weapons and missiles. On May 18, 1974, for example, India cheated on its agreements with the U.S. and other nations by using a peaceful nuclear energy program to build a nuclear bomb. It used plutonium produced in a Canadian-supplied reactor to detonate a bomb. In a reaction, Canada terminated its nuclear fuel trade with India and Pakistan. The U.S. endeavored to establish an effective Nuclear Supplier Group. Precisely, a strictly quantitative approach does not address the question of whether the separation plan is defensible from a nonproliferation standpoint. It's because the lift a ban on civilian nuclear technology sales to nuclear-armed India, grant India highly sought-after access to sensitive nuclear technology. This would enable India to obtain enriched uranium to fuel its nuclear reactors; acquire nuclear reactors from the international market; and participate in international nuclear research and development. Even the American nonproliferation experts are skeptical of this deal.[28] They believe that the agreement would permit India to keep its major existing nuclear infrastructure, as well as future elements of its nuclear sector shrouded in secrecy and devoted to manufacturing nuclear weapons. Moreover, this deal would also free up India's limited domestic reserve of uranium for both energy and weapons to be singularly devoted to arms production in the future.

The above discussion proves that Bush Administration did not obtain meaningful commitments from New Delhi—no promise that India would limit its growing nuclear arsenal or take new steps to help combat nuclear proliferation. Indeed the deal would speed up India's nuclear weapons production, because it authorized New Delhi to import uranium, the lack of which had long stalled the progress of its nuclear program. Joseph Cirincione opined; "The deal endorses and assists India's nuclear weapons program. U.S.-supplied uranium fuel would free up India's limited uranium reserves for fuel that would be burned in these reactors to make nuclear weapons." According to the estimates, the U.S. nuclear assistance would allow India to increase its current capacity to

produce 6-10 additional nuclear bombs a year to several dozen per year. More precisely, there is nothing in Indo-U.S. nuclear deal that would prevent New Delhi from developing more new warheads a year.

Brief Overview of Peace Process

The genuine debate regarding the peace process between India and Pakistan was started, once both sides acknowledged that the adversary possessed nuclear weapons capabilities.[29] Though the strategic equilibrium reduced the likelihood of full-scale war, but it increased the possibility of limited war, inadvertent and accidental use of nuclear weapons. Prevention of inadvertent and accidental use of nuclear weapons became the major concern of New Delhi and Islamabad. During the Lahore Summit in February 1999, Indian Foreign Secretary K. Raghunath and Pakistani Foreign Secretary Shamshad Ahmad signed the Memorandum of Understanding (MOU). According to the MOU, both India and Pakistan had approved confidence-building measures for improving their security environment. Seven of the eight points enlisted in the MOU directly addressed nuclear risk reduction.[30] Importantly, the MOU signed in Lahore was the result of the nine months long parallel diplomatic dialogue facilitated by the U.S. which brought the two sides on the negotiating tables. The U.S. initiative primary objective was to encourage India and Pakistan to adopt strategies that would avoid a destabilizing nuclear and missile competition, reduce regional tension and bolster global non-proliferation. One of the main contours of the Talbott Mission was to engage New Delhi and Islamabad into a direct, high-level frequent productive dialogue. Though the 1999 Kargil conflict destabilized the peace process that was initiated in Lahore summit, yet it was a crucial first step of a peace process between India and Pakistan. Simply, it sets the model for Indo-Pakistan peacetime bilateral summits for addressing the war prone issues.[31]

The 1999 Kargil conflict, hijacking of the Indian Airlines plane, failure of 2001 Agra summit and prolong 2001-2002 military standoff deepened grievances between the belligerent neighbors. However, the strategic equilibrium and the active involvement of the

U.S. once again brought both sides on the negotiating tables, which facilitated process to ameliorate, stabilize, and reduce nuclear dangerous on the subcontinent. Consequently, throughout 2003 numbers of Confidence Building Measures (CBMs) were initiated by India and Pakistan, which resulted in a Composite Dialogue (January 2004) to avoid arms race, promote restraints, reduce risk and maintain the nuclear deterrent at the minimum credible level. A few important of them are listed below:

- On May 18, 2003, twenty Indian nationals freed from Pakistani jails as part of the CBMs.
- The Indian External Affairs Ministry announced resumption of Delhi-Lahore bus service on May 26, 2003. Consequently, the Delhi-Lahore bus service resumed on July11, 2003.
- On October 22, 2003, India decided to resume cricket and other sporting links with Pakistan.
- On October 29, 2003 Pakistan accepted 12 CBMs proposed by India.
- On November 15, 2003, Pakistan banned three militant outfits including Jaish-e-Mohammad.
- On November 23, 2003, the then Prime Minister of Pakistan Zafarullah Jamali offered (unilateral) ceasefire along the Line of Control. India reciprocated and as a result both sides agreed for a formal ceasefire along the Line of Control on November 25, 2003.
- On December 1, 2003, New Delhi and Islamabad reached accord on the resumption of flight links and they resumed air links on January 1, 2004.

The Indian prime Minister, Atal Bihari Vajpayee arrived Islamabad on January 3, 2004 for the 12th SAARC Summit. He met President General Pervaiz Mushaaraf and Prime Minister Jamali on the sidelines of SAARC summit. The meeting between Prime Minister Vajpayee and President Pervaiz Mushaaraf resulted in the two countries agreeing to hold Composite Dialogue in February 2004 on bilateral issues, including Jammu and Kashmir. On February 18, 2004 the Foreign Secretaries of India and Pakistan reviewed and endorsed the agreement worked out at the Director

General/Joint Secretary meetings on all subjects on the agenda of the Composite Dialogue. Both sides agreed on the following schedule of meetings:

- Foreign secretaries would meet in May/June, 2004, for talks on peace and security including CBMs and Jammu and Kashmir.
- Talks on Siachen; Wullar barrage; Sir Creek; terrorism and drug trafficking; economic and commercial co-operation; and promotion of friendly exchanges in various fields would be held at the already agreed levels, in July 2004.

The following technical-level meetings would be held earlier:

- Meeting between director-general Pakistan Rangers and inspector-general Border Security Force (of India) in March/April 2004.
- Expert-level talks on nuclear confidence-building measures in the latter half of May 2004.
- Committee on drug trafficking and smuggling in June 2004.

They also reviewed the existing links between the director-generals of Military Operations of Pakistan and India and agreed to consider further strengthening these contacts. The foreign minister of Pakistan and the external affairs minister of India would meet in August 2004 to review overall progress. A one-day meeting of the foreign secretaries would precede this.[32] On June 19-20, 2004, after the first round of discussion in Delhi, the officials of India and Pakistan discussed/agreed on the following issues:

- A dedicated and secure hotline would be established between the two foreign secretaries, through their respective Foreign Offices to prevent misunderstanding and reduce risks relevant to nuclear issues.
- They decided to work towards concluding an agreement with technical parameters on pre-notification of flight-

testing of missiles, a draft of which was handed over by the Indian side.

- Each side reaffirmed its unilateral moratorium on conducting further nuclear explosions unless, in exercise of national sovereignty, it decides that extraordinary events have jeopardized its supreme interests.
- They would continue to engage in bilateral discussions and hold further meetings to work towards implementation of the Lahore Memorandum of Understanding of 1999 reached between then Prime Ministers Atal Bihari Vajpayee and Nawaz Sharif.
- They would continue to engage in bilateral consultations on security and non-proliferation issues within the context of negotiations on these issues in multilateral fora.
- They recognized that the nuclear capabilities of each other, which are based on their national security imperatives, constitute a factor for stability.
- They would be committed to national measures to reduce the risks of accidental or unauthorized use of nuclear weapons under their respective controls and to adopt bilateral notification measures and mechanisms to prevent misunderstanding and misinterpretations.
- They declared that they would be committed for working towards strategic stability and reiterated they were conscious of their obligation to their peoples and the international community.

The Composite Dialogue has produced a few tangible accomplishments, including a cease-fire along the Line of Control, the establishment of a new bus service between Srinagar and Muzaffarabad and permission for members of the All Parties Hurriyat Conference (APHC) to travel to Pakistan. In addition substantial developments took place in the realm of nuclear and missiles. In 2005, they signed agreement regarding the pre-notification of ballistic missiles tests to each other. On April 25-26 2006, for example, the main focus of the fourth round of talk was to negotiate an agreement to reduce risk of nuclear accidents or unauthorized use of nuclear weapons. Since August 2005—the third

round of expert-level nuclear talks in New Delhi—the subject nuclear risk reduction has been receiving serious considerations of both India and Pakistan. At that time, India tabled a draft of agreement about lessening the risks of nuclear accidents or unauthorized use of nuclear weapons between India and Pakistan. In the fourth round, the draft was reviewed for constituting consensus. Though the delegates failed in producing a consensus document about the nuclear risk reduction mechanism, yet they expressed their commitment to resolve the issue in the near future. During the joint statement on April 26 both sides expressed their determination that an agreement to reduce the risk of nuclear accidents would be finalized during the Foreign Secretary level meeting scheduled in July 2006 in New Delhi. Unfortunately the July meeting of Foreign Secretaries was postponed by India.

Tentative positive developments generate optimism regarding the sustainability of peace process. Realistically, beneath this feel-good ambiance troublesome puzzles remain taxing. Agreed, nuclear weaponization of India and Pakistan marked total war between them as a negative sum game. Kargil 1999 and Military Standoff 2001-2002, for example, didn't alter geo-strategic situation between India and Pakistan. Balance of terror dynamics and repercussions of military conflict necessitate process of conflict management and resolution between them. Nevertheless, it remains to be seen whether a true Indo-Pakistan *rapprochement* may be consolidated. It is certain that an ongoing peace process would not go far without establishing a sustainable mutual-self interest and impartial support of the U.S. to the process. The real tangible result(s) of the Composite Dialogue process is yet awaited. The near zero progress on the core issue-Kashmir dispute and U.S. tilt towards India- alarms the possible reversibility of the ongoing peace process.

Implications

Presently, of course, one of the major U.S. foreign policy objectives is to have cordial relations with both India and Pakistan. Concurrently, the U.S. has been assisting India to come forward a "major world power in the 21st century." The former has been

supplying sophisticated technologies to the latter, which would have serious repercussions for the future politico-strategic landscapes of Asia in general and South Asia in particular. C. Raja Mohan wrote: "But for the Bush administration, the deal is less about nuclear issues than it is about creating the basis for a true alliance between the U.S. and India—about encouraging India to work in the U.S. favor as the global balance of power shifts."[33] The U.S. need that India would play a pivotal role in Asia is bound to create awkward problems for Pakistan. President Bush's South Asian trip (March 2006) made obvious that Washington does not adopt policy of even-handedness towards New Delhi and Islamabad. More precisely, the U.S. strategic partnership with India is deeper in substance and wider in scope than its relationship with Pakistan.

The Indo-U.S. strategic partnership has a potential to destabilize the strategic balance of power between New Delhi and Islamabad. Importantly, the U.S. so far has no such nuclear agreement with Pakistan, which is American ally in the fight against terrorists in Afghanistan. Among other negative developments, the Composite Dialogue could be a casualty of the U.S. tilt towards India in the near future. There is a remarkable shift in the behavior of the Indian leadership towards peace process between India and Pakistan since the signing of Indo-U.S. Nuclear Deal. The subsequent developments indicate that Indian leadership has been giving an impression that it is in an advantageous situation in prevalent global politics due to its close relationship with the U.S. and Pakistan lacks the sole super power support vis-à-vis its arch rival. India seems more comfortable and confident with the low-key methods of Bush administration, which has avoided injecting itself directly into the Kashmir dispute. According to C. Raja Mohan "the Bush administration has also publicly held Pakistan responsible for cross-border terrorism and has extracted the first-ever assurances from Pakistan to put an end to the attacks. New Delhi does not entirely believe these promises, but it has nonetheless come to trust Washington as a source of positive of influence on Islamabad."[34] These developments have contributed in the haughtiness of Indian leadership. Thereby, New Delhi, instead of compromising has been trying to dictate Islamabad.

Although the two sides have agreed on a wide range of confidence-building measures, including resolution of Kashmir dispute. Presently, however, Prime Minister Singh has been distancing from the agreed framework of Composite Dialogue. The general impression is that the third party role in the resolution of Kashmir dispute is undeniable. Without some form of subtle but firm third party intervention, Kashmir settlement is most unlikely. Sumit Ganguly opined; "…. the prospects that two sides will reach a settlement on their own are dim."[35] He added, "the United States can, and should, play a role in facilitating an end to the conflict by prodding both sides to reach an accord."[36] In this context, the U.S objective role in the settlement of Kashmir dispute seems inevitable. During the 2001-2002 military standoff between India and Pakistan, for example, the U.S. had taken an impartial position and assisted in lowering the tension. Washington's constructive role resulted in the resumption of dialogue between the belligerent neighbors.

Prior to the Indo-U.S. nuclear deal finalization, it was expected that Washington would influence both New Delhi and Islamabad in resolving the chronic Kashmir dispute. Nevertheless, during his March 2006 South Asian trip, President Bush avoided the Kashmir issue just to please his Indian hosts. This shift in the Washington posture over the Kashmir issue undermined the peace process between India and Pakistan. On March 24, 2006 Prime Minister Singh, offered Pakistan a "Bilateral Treaty of Peace, Security and Friendship" and demanded reciprocity. He categorically stated that linking the Kashmir dispute to normalizing ties between the two countries would be a mistake. Pakistan immediately rebutted the de-linking of Kashmir from the ongoing peace process.[37] Realistically, it seems unrealistic to expect that the two countries could move forward putting the Jammu and Kashmir issue on the backburner. If de-linking were to work and could lead to better relations between Pakistan and India it would have happened in the last 59 years. Admittedly, due to balance of terror another Indo-Pakistani war is not likely, it remains possible.

In the aftermath of nuclear pact unveiling, India seems on the verge of becoming a great power. The world started to take notice of India's rise, which enhanced latter's hegemonic attitude in South

Asia. While working closely with Washington, New Delhi demonstrates primacy and a veto over the actions of outside powers in the region. The hegemonic attitude of India has always been opposed by Pakistan. Islamabad condemns the Indira Doctrine. According to the Indira Doctrine, India claims a right to intervene in the internal affairs of neighboring countries if disorder threatens to extend beyond national boundaries. Conversely, India would not tolerate similar interventions by an outside power. If external help is needed to meet an internal crisis, states should first look within the region for help. On January 18, 2006 Riaz Mohammad Khan foreign secretary of Pakistan termed India's comments on the events in Balochistan, interference in Pakistan's internal affairs. He categorically stated that Islamabad would, resent, reject and always oppose any attempts to impose a Monroe Doctrine of hegemony on it. The resurfacing of this traditional approach in both states foreign policies pose a serious challenge to the ongoing peace process between the belligerent neighbors.

In mid July 2006 India indefinitely postponed talks between the foreign secretaries of the two nations, linking progress in any discussions to Pakistan ceasing support for terrorism. Prime Minister Manmohan Singh said on July 14 that India had information that the Mumbai attacks had support from across the border, without naming Pakistan. The allegations and the delay in talks was a negative development. Conversely, for avoiding a deadlock in the peace process and improving the deteriorating situation, President Musharaaf offered Indians that Islamabad was ready to work with them for curbing the menace of terrorism. President's offer to cooperate in the investigation was neither accepted nor rejected by India. Meanwhile, New Delhi continued its supports to the dissident in Balochistan. The interference in each other's internal affairs severely damages the peace process. For instance, Islamabad ordered Deepak Kaula, visa counsellor at the Indian High Commission to leave Pakistan within 48 hours on August 5, 2006. Pakistani Foreign Office Spokesperson claimed that he was "caught indulging in practices incompatible to his status." According to the press reports he was caught red-handed while receiving a sensitive documents and maps of Balochistan.[38] India immediately reciprocated by declaring Syed Muhammad Rafique Ahmed,

Pakistan's political counsellor in Delhi, as persona non grata. The Indian External Ministry spokesman told reporters that Pakistan's Syed Ahmed, was involved in activities incompatible with his diplomatic status. Therefore he was declared persona non grata and ordered to leave India by August 7, 2006. Importantly, catching and expelling diplomats on charges of spying have been a frequent occurrence between India and Pakistan prior to January 2004 SAARC Summit. However, since the start of Composite Dialogue both sides were avoiding tit-for-tat expulsion of diplomats of each other.

The Pakistani leadership has expressed strong desire for the continuity of peace process between India and Pakistan. It believes that peace is in the interest of both nations, therefore, it has been trying to avoid those actions, which undermine the peace process. The ruling elite in Pakistan has been doing its best to save the peace process between belligerent neighbors. Regardless of the Indian leaderships accusation—Islamabad was involved in the series of terrorist's strikes in India and postponement of foreign-secretary level talks—Pakistani leaders and officials have been demanding for the resumption of the peace process. Pakistan's President Pervez Musharraf and Prime Minister Shaukat Aziz have condemned the July 2006 Mumbai terrorists attacks. They also reminded the Indian leadership that the anti-peace lobbies in both states must not hijack the peace process.

To be precise, the consolidation of nuclear pact in March 2006 added a negative variable in India and Pakistan relations. Already, the ongoing peace process between them wasn't without serious challenges. The uneven implementation of existing CBMs, the poor personal chemistry between the ruling élites, and the constraint imposed by the domestic politics in both India and Pakistan provide sufficient kindling for fires on the subcontinent despite the optimistic outlook of Composite Dialogue. The kindling could be lit by sparks from acts of terror and subversion, continued unrest in Indian Held Kashmir, non- settlement Siachen Glacier, violation of Indus Water treaty, arms race between India and Pakistan and above all India's interference in Pakistan's internal affairs. This pessimistic futuristic scenario seems realistic after the

manifestation of Washington obvious tilt towards New Delhi. The U.S. willingness to overlook India's misdeeds in Indian held Kashmir and in the internal affairs of Pakistan weigh heavily on the minds of Pakistani policymakers and people and cast doubts on U.S. professions of friendship. More precisely, the Indo-U.S. cementing relationship and Washington's tilt towards New Delhi has been foreclosing the possibility of any meaningful rapprochement between India and Pakistan.

Conclusion

President Bush's decision—based on the argument of 'Indian exceptionalism'—to allow India to continue its nuclear weapon program outside the parameters of the NPT is a clear message for other nations that there are no international norms. There are only alliances of self-interest. No question, the deal will bring the U.S. and India closer. The U.S. has now winked at India's bomb, after winking at Israel's bomb. On the other hand, Pakistan's relations with India have been on the slide since March 2006-- more so since the serial bomb explosions in Mumbai in July 2006 -- could be expected to deteriorate further. If this trend in both states relationships continues, the Indo-Pakistan border would not remain tranquil. Hence, Pakistan has to cast a warier eye on its possible disadvantages and should have an intelligent and focused diplomacy to counter the certain set of possible future dangers to its national security.

End Notes

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2. Ambassador R. Nicholas Burns, "The US and India: The New Strategic Partnership", *Asia Society,* New York, October 18, 2005, http://www.asiasociety.org/speeches/burns05.html,accessed on August 3, 2006.
3. The National Security Strategy of the United States of America, September 27, 2002. <http://www.whitehouse.gov/nsc/nss.pdf>.
4. C. Raja Mohan is a member of India's National Security Advisory board. See C. Raja Mohan "India and the Balance of Power", *Foreign Affairs,* Vol. 85, No. 4. , July/August 2006, p. 25.
5. Gurcharan Das, "The India Model", *Foreign Affairs*, July/August 2006, p. 2.

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8. For more details about India's irresponsible nuclear record see Thomas Graham Jr., Leonor Tomero, Leonard Weiss, "Thinking Again: U.S.-Indian Nuclear Deal", *Foreign Policy,* Posted July 24, 2006. <http://www.foreinpolicy.com/story/cms.php?story_id=3533&print=1>, accessed August 1, 2006.
9. C. Raja Mohan, Op. cit., p. 28.
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11. Indo-US Joint Statement, *The Hindu.* <http://www.hindu.com/thehindu/nic/indousjoint.htm>
12. Wade Boese, "Nuclear Deal Center Stage for U.S., India", *Arms Control Today,* March 2006, http://www.armscontrol.org/act/2006_03/MARCH-usindia.asp assessed on September 4, 2006.
13. See the text of Nuclear Non Proliferation Treaty.
14. The Nuclear Suppliers Group coordinates controls on exports by nations with advance nuclear power technology. The Group was the result of a U.S. initiative, and the latter has long helped prevent the group's members from giving in to pressure from their nuclear industries to sell technology more liberally abroad.
15. Wade Boese, "Nuclear Deal Center Stage for U.S., India", Op.cit.
16. Sharon Squassioni, "CRS Report for Congress; India's Nuclear Separation Plan: Issues and Views", *Congressional Research Service,* The Library of Congress, March 3, 2006.
17. Ashton B. Carter, Op.cit., p. 44.
18. India's 1974 nuclear weapon test explosion used plutonium produced by a Canadian –supplied reactor (CIRUS) moderated with heavy water supplied by the United States under a 1956 contract stipulating that it be used only "for research into and the use of atomic energy for peaceful purposes. To this day, India does not deny the 1974 test device used Canadian and U.S. equipment and material. See "Historical Documents Regarding India's Misuse of Civilian Nuclear Technology Assistance", *Arms Control Today,* <http://www.armscontrol.org/country/india/Historic_Documents_India_Nuclear_Test.asp?p...> accessed on May 16, 2006.
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<http://www.whitehouse.gov/news/releases/2006/03/20060302-13.html>, accessed on August 5, 2006.

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