



## From CTBT to FMCT The Nuclear Debate in India

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A humorous story, true incidentally, relates a conversation between two young BJP legislators in the mid-nineties when India's entry into the CTBT was being furiously debated.. One says, "What is all this jazz about CTBT and FMCT. All I know is that the train starts moving when the siri (whistle) blows in VT," The other sagely answers, "That's all I know brother. But if you want to know more we are advised to talk to ...." Here he named a famous academic with saffron characteristics.

In truth, the debate in India died down thereafter on the CTBT. It never really started on the FMCT. But these arms control agreements are vital for pursuing a step-by-step approach to achieve the elusive goal of 'nuclear zero'. Moreover, 'all this jazz' critically impinges upon India's strategic and energy security. The obtaining lack of interest, therefore, is appalling. Stated simply, the Comprehensive Test Ban Treaty (CTBT) envisages the total prohibition of nuclear weapons' testing in all environments, including underground. Currently, the Limited or Partial Test Ban Treaty (1963), which is in force, disallows nuclear weapon tests in the atmosphere, outer space and under water; but permits underground tests to be conducted. This exception was made due to the difficulties that existed in the early sixties in detecting and distinguishing underground nuclear tests from (earthquakes and similar natural seismic events. These difficulties reflected the then existing state of science, but considerable progress has since been made to enable detection of very low yield underground nuclear tests using a multiplicity of sensors.

After much ado the CTBT was negotiated and enacted in 1996. It requires 44 states with nuclear facilities relevant to manufacturing nuclear weapons to join and ratify the Treaty before it can enter into force. All have not signed. There are 9 holdouts, which includes China, Egypt, India, Indonesia, Iran, Israel, North Korea, Pakistan and the United States. The United States has signed, but not ratified the CTBT; in fact, President Clinton was hugely humiliated when its ratification was rejected by the US Senate in 1999 due to Republican obduracy, which still continues. There is no doubt that, should the United States ratify the CTBT now, a domino effect would result, and the other holdouts would quickly fall in line.

The Fissile Materials Cutoff Treaty (FMCT), again described simply, envisages the cessation of all manufacture of fissile materials for weapons purposes. The Treaty specifically prohibits the manufacture of weapons-useable fissile materials, and not to fissile materials that could be used for power generation.. Moreover, the ban only applies to future production of weapons-useable fissile materials, not past stocks that might have been accumulated over the years. Negotiations on the FMCT have remained frozen before the 65-member Conference on Disarmament in Geneva for more than a decade. The current impasse arises from Pakistan's reluctance to joining the FMCT negotiations, which has blocked any forward movement thereon since all decisions in the CD are mandated to be reached by consensus. Pakistan's rationale is that it cannot halt its weapons grade fissile materials production since it needs to rival India's superior capabilities, and derive a nuclear arsenal of adequate sufficiency.

So, what is the present urgency to review India's national positions on the CTBT and FMCT? What are these positions, anyway? Apropos, it should be noticed that India has traditionally supported the enactment of a CTBT, but this unequivocal posture has been followed a zigzag course. India was among the earliest advocates of a complete cessation of all nuclear arms testing in the fifties and was responsible for steering the Limited or Partial Test Ban Treaty towards fruition in 1963. Thereafter, it co-sponsored the resolution, along with the United States, introducing the CTBT in the United Nations (1993), but later withdrew its support in 1995 for domestic and strategic compulsions. Following its nuclear test series in 1998 India imposed a voluntary moratorium upon itself and pledged to desist from further nuclear testing. In an important statement made to Parliament on 15 December, 1998, Prime Minister Vajpayee had declared that "in the assessment of our scientists, this stand [voluntary moratorium on nuclear testing] does not come in the way of our taking such steps as may be found necessary in future to safeguard our national security." It was surmised that the Prime Minister was assured that computer simulation was sufficient to obviate the need for field testing, which greatly assuaged the hostility in the international community. A similar commitment was made by Prime Minister Manmohan Singh to continue India's voluntary moratorium on nuclear tests, which finds mention in the Indo-US Agreement of July 2005 which incorporated the historic Indo-US nuclear deal.

The conclusion worth stressing here is that both the BJP-led UPA and the Congress-led NDA governments have pledged to maintain the moratorium on nuclear testing, which is the essential purpose of the CTBT. By definition, however, a moratorium envisages the suspension of an activity, which is an impermanent condition and can be unilaterally abrogated at will. India is

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under no obligation or pressure at present to convert its moratorium into a permanent renunciation of underground nuclear testing. Will it succumb, however, to the domino effect and join the CTBT if the United States ratifies the Treaty?

Apropos, President Obama promised to pursue CTBT ratification "aggressively" in his famous Spring 2009 Prague. After his recent success in achieving ratification of the New START agreement, there is fair optimism in Washington that the CTBT's ratification is do-able, despite the predictable opposition by the Republicans and the affected civilian and military bureaucracies. Significantly, Russia has also pressed all governments in the Conference on Disarmament in Geneva to join the CTBT. Russian Foreign Minister Sergei Lavrov declared that: "The task of enacting the Comprehensive Nuclear Test Ban Treaty as soon as possible is particularly important. We once again call on all of the countries that have not yet signed and ratified the treaty to do so." He added that: "Unilateral moratoriums on nuclear tests are useful, but they cannot substitute this obligation [to enter the CTBT], which is key to global security." The reference to the Indian stance and its procrastination on ceasing nuclear tests in perpetuity is apparent and cannot be ignored.

The justification often heard in official quarters to explain this policy of figuratively 'keeping ones powder dry' is that India may need to respond if China or Pakistan tests in future, and must therefore retain its own right to test. But the counter-factual questions need to be asked: why should China or Pakistan conduct nuclear tests in defiance of the international community, which strongly disapproves such nuclear exhibitionism? Do they need to test for political or strategic purposes? Or, for technical reasons like ensuring stockpile reliability or developing new warhead designs? Again, these questions have only arisen in the American context, given the influence of its weapons laboratories and manufacturing lobbies and their allied political interests. Do similar conditions obtain in China or Pakistan? There is some uncertainty in this regard, but that leads on to another counter-factual question: why should India feel impelled to respond in like fashion? Should it resume nuclear testing without any credible rationale that serves its national interest? Like reciprocating to Pakistan's missile tests with its

own missile tests in a gladiatorial contest? In the absence of convincing logic, there is little reason for India to defy the international community if Pakistan or China should choose to test and infract the present taboo against nuclear testing

What about the FMCT? India has expressed its support to a universal, non-discriminatory and verifiable Treaty, which is standard formulation for declaratory statements. But, it has not been called upon yet to take any stand on the divisive issues embedded in the FMCT draft provided by the Bush Administration some three years back, since the related negotiations have yet to commence. Hillary Clinton upped the ante by declaring recently that a ban on manufacturing new nuclear-weapons related material was in the world's interests, and that multinational talks on the FMCT should commence. Warning Pakistan she said, "Our patience is not infinite. There is no justification for a single nation to abuse the consensus principle and forever thwart the legitimate desire of the 64 other states to get negotiations under way on an agreement that would strengthen our common security." Strong words, but it remains to be seen whether strong words will translate into strong actions. All too often in the past US policy declarations have buckled under pressure, and yielded to the reality that supplies to the American forces and ISAF in Afghanistan have to traverse Pakistani territory to reach them. The security of the supply line can only be guaranteed by Pakistan, despite its being in league with non-state actors like the Al Qaeda, Lashkar-e-Toiba, and other sub-rosa groups that have an interest in procuring nuclear weapons. Hillary Clinton stated the obvious by reiterating that, since, "fissile material could fall into terrorists' hands, we must reduce the amount of such material that is available" which draws pointed attention to negotiating and finalizing the FMCT.

Unfortunately, the perspectives adopted by New Delhi and, for that matter, Islamabad in dealing with issues relating to the CTBT and FMCT are wholly unreal. Why? The short answer is that they ignore the intrinsic nature of nuclear weapons, which can inflict enormous death and destruction within seconds, while their after effects could last for generations. It was recognized at the very dawn of the nuclear era that nuclear weapons can only serve the ends of deterrence. And,

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nothing more, or anything else. Any use of these weapons by nuclear adversaries would result in mutual annihilation. Any use of nuclear weapons by a nuclear weapon power against a nuclear unarmed country would visit the greatest moral abhorrence on the culprit. These are not the fulminations of nuclear pacifists. The empirical evidence corroborates the ineluctable fact that nuclear weapons have not been used by nuclear weapon powers against their nuclear unarmed adversaries since Hiroshima and Nagasaki even when they were facing imminent defeat. The experience of Vietnam and Afghanistan reveals that the United States and former Soviet Union accepted ignominious defeat while confronting far weaker adversaries rather than contemplate reaching the nuclear threshold.

The conclusion available here is that nuclear weapons are essentially unusable and that the tradition of non-use of nuclear weapons in crisis situations has embedded itself firmly in the international psyche. T.V.Paul notes in his seminal study on 'The Tradition of Non-Use of Nuclear Weapons' that: "The tradition of non-use serves several of the cherished goals of [the] international community, such as preventing nuclear war, avoiding inadvertent escalation, helping to reduce the proliferation of nuclear weapons, and depreciating the value of nuclear weapons as the currency of power in the international system."

In these circumstances, entering the CTBT now, and the FMCT, whenever its draft becomes available for consideration, should not present any problem. New Delhi and Islamabad currently possess an estimated 90 to 100 nuclear weapons each, which rivals the stockpile of the United Kingdom. These numbers are more than sufficient to deter an attack upon each other by each other, which includes China, in the case of India

on rational considerations. Adding to the Indian nuclear stockpile and sophisticating its nuclear warheads to enable war-fighting makes absolutely no sense whatever. The reason is axiomatic. Nuclear weapons are not meant to fight wars, but to deter them. Why? It requires no great perspicacity to appreciate that an armed conflict between nuclear armed adversaries, with its inevitable action-reaction dynamics, is a prescription for mutual annihilation. Indeed, the Cuban Missile Crisis in 1962, when the world reached the dangerous precipice of a nuclear holocaust, was the last serious direct confrontation between the United States and the Soviet Union that could have resulted in disastrous consequences.

The empirical evidence informs that nuclear weapons states are unable to use their nuclear weapons against nuclear unarmed states. A strong moral taboo exists against the use of nuclear weapons against civilian populations, which is quite unlike their being targeted by conventional weapons during major conflicts. For instance, the conventional bombing of Dresden and Tokyo during the Second World War resulted in casualties in the tens of thousands, rivaling those in Hiroshima and Nagasaki. But, the Dresden and Tokyo bombings, though widely condemned, have not led to any moral taboo against their repetition in future, unlike nuclear bombing.

How might we summarize these arguments and derive appropriate findings? The basic conclusion can be emphasized that nuclear weapons are essentially unusable. The tradition of their non-use has strengthened immeasurably over the nuclear era, which dawned tragically in 1945. The question, therefore, of what are the parameters of a credible and minimum deterrent must be sought within this prevailing ethic. The numbers of nuclear weapons that constitute this credible and minimum deterrent lies in the eyes of the interlocutor. But, in the Indian context, the need for nuclear holdings ranging from the tens to the hundreds has been passionately argued by these interlocutors. The usual methodology pursued is to determine—arbitrarily-- how many population, military and industrial centers need to be eliminated in the adversary country or countries. That number is multiplied by two or three depending on the preferences of the interlocutor

to cater for a primary attack and provide for adequate reserves. Without arguing against the fallacies in this dubious logic, it could be asked whether India, Pakistan or China would view with equanimity the loss of their capital city. Or, their major commercial centers viz. Mumbai, Karachi or Shanghai? Or, their large industrial complexes? Or, major developmental projects, atypically large dams? The answer to these uncomfortable questions is 'No'.

The inexorable logic then supervenes that the size and shape of the deterrent must be sought at the lowest possible levels of weaponry. What is the logic then in adding to numbers, or to improve these weapons interminably to enhance their war-fighting capabilities? The inevitable conclusion has then to be reached that there is no need to keep increasing fissile material production for weapons purposes. And, to invest vast sums in the R & D efforts in sophisticating nuclear warheads. Should this logic be agreed upon there is little reason for India not to enter the FMCT and the CTBT; it would enable India to reclaim its lost élan of leading the world in the promotion of nuclear disarmament.



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