

**Building Trust
and Reducing Risks:**

**Nuclear Confidence Building in
South Asia**

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Acronyms

AEC	Atomic Energy Commission
CBM	Confidence Building Measure
DRDO	Defence Research Development Organization
ISI	Inter Services Intelligence
IWT	Indus Waters Treaty
JWG	Joint Working Group
KRL	Khan Research Laboratories
LOC	Line of Control
MFN	Most Favored Nation
MND	Minimum Nuclear Deterrence
MOU	Memorandum of Understanding
NCBC	Nuclear Confidence Building Center
NRRC	Nuclear Risk Reduction Center
NFWP	North-West Frontier Province
NSAB	National Security Advisory Board
PAEC	Pakistan Atomic Energy Commission

Building Trust and Reducing Risks: Nuclear Confidence Building in South Asia

Suba Chandran*

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Abstract

Since the 1980s there have been at least four crises between India and Pakistan in which the presence of nuclear weapons played a role. Despite the dangers, India and Pakistan have yet to reach a common understanding on nuclear issues due to three important factors: the lack of official movement on nuclear confidence building; the official faith, especially within the civilian and military bureaucracies, in the functioning of nuclear deterrence in the subcontinent; and the rigidity of the bureaucracies to move further and consider developments at track II levels. In nuclear dialogue in particular there is additional pressure exerted by the nuclear bureaucracies in each country that have their own institutional interests and rivalries.

High-level back channel diplomacy of the type witnessed in 1999 and 2003-04 offers a means of overcoming civilian and bureaucratic inertia and establishing a political understanding between New Delhi and Islamabad on nuclear issues. This has the potential to lead to new nuclear agreements, such as an understanding on missile testing or even a common nuclear doctrine, although this would require careful navigation of the convergences and divergences of Indian and Pakistani nuclear policy. New permanent bi-lateral institutional mechanisms to address nuclear issues are also necessary for further progress. Leaving such discussions to *ad hoc* Joint Working Groups established during every rapprochement process has not worked. These could take the form of Nuclear Confidence Building Centers dedicated to reaching and preserving nuclear stability. A technical committee would discuss and monitor agreements whilst a strategic committee continuously engaged in dialogue on new nuclear security and stability measures.

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Nuclear Consensus: Crucial Blocks and Blockades

India and Pakistan have been building nuclear weapons since the 1980s. Since then there have been at least four crises between the two countries – minor and major – in which the presence of nuclear weapons played a role, at different levels. These include the *Brasstacks* crisis in 1987¹; crisis in 1990²; Kargil war in 1999³; and the border confrontation in 2002. Of these four crises, two took place before and two after the nuclear tests of India and Pakistan in 1998. Since the 1980s, there have been four major

summits at the highest levels, including Islamabad (1989), Lahore (1999), Agra (2001) and Islamabad (2004), besides numerous meetings at various regional and international forums.⁴ There were two major agreements/understandings relating to bilateral nuclear issues in 1988 and 2001.⁵ There have also been numerous meetings at the secretary level in the last two decades.

Irrespective of the positive and negative developments, India and Pakistan are yet to reach concrete understandings on nuclear issues at the state level. There are at least three crucial factors for the slow progress: the lack of official movement on nuclear confidence building; the official faith, especially within the civilian and military bureaucracies, in the functioning of nuclear deterrence in the subcontinent; and the rigidity of the bureaucracies to

¹ For an analysis of the *Brasstacks* crisis from Indian, Pakistani and American perspectives see Kanti Bajpai and others, *Brasstacks and Beyond: Perception and Management of Crisis in South Asia* (New Delhi: Manohar, 1995).

² There are two excellent studies on the 1990 crisis: P. R. Chari, Pervaiz Iqbal Cheema and Stephen Philip Cohen, *Perception, Politics and Security in South Asia: The Compound Crisis of 1990* (New York: RoutledgeCurzon, 2003); and Devin T. Hagerty, *The Consequences of Nuclear Proliferation: Lessons from South Asia* (London: BCSIA Studies in International Security, 1998). Also see Seymour Hersh, “On the Nuclear edge,” *New Yorker*, 29 March 1993. While the first two studies are analytical, Seymour Hersh’s report published in 1993, caused a big controversy by asserting that nuclear weapons were close to being used during the conflict.

³ Many studies have been undertaken on the Kargil conflict. See the following: Praveen Swami, *The Kargil War* (New Delhi: Signpost, 2001); Maj. Gen. Ashok Krishna and P. R. Chari, eds., *Kargil: The Tables Turned* (New Delhi: Manohar, 2001); Jasjit Singh, ed., *Kargil 1999: Pakistan’s Fourth War for Kashmir* (New Delhi: Knowledge World, 1999); A K Verma, *Kargil* (New Delhi: Manohar, 2002); Ashley Tellis and others, *Limited Conflicts Under the Nuclear Umbrella: Indian and Pakistani Lessons from the Kargil Crisis* (Rand, 2001); Shaikat Qadir, “An analysis of the Kargil Conflict,” *RUSI Journal*, April 2002; Shireen Mazari, *The Kargil Conflict 1999: Separating fact from fiction* (Islamabad: Institute of Strategic Studies Islamabad, 2003).

⁴ For example, besides these bilateral summits, there were five crucial meetings at the highest levels: two between Indira Gandhi and Zia ul Haq in November 1982 (New Delhi) and March 1983 (New Delhi); one between Rajiv Gandhi and Benazir Bhutto in July 1989 (Islamabad); one between Chandrashekar and Nawaz Sharif in November 1990 (Male); and one between I K Gujral and Nawaz Sharif in November 1997 (Male). There were numerous other meetings, but the above mentioned are significant for their content and the decisions taken in their aftermath.

⁵ The 1988 agreement signed between Rajiv Gandhi and Benazir Bhutto include the “prohibition of attack on each other’s nuclear installations and facilities.” The Lahore declaration, signed in 2001 by Atal Behari Vajpayee and Nawaz Sharif stated that both India and Pakistan “shall take immediate steps for reducing the risk of accidental or unauthorised use of nuclear weapons and discuss concepts and doctrines with a view to elaborating measures for confidence building in the nuclear and conventional fields, aimed at prevention of conflict.”

move further and/or consider developments at track II levels.

Lack of official movement on building nuclear confidence

First, most of the understandings and meetings on nuclear issues between India and Pakistan have taken place at track II and academic levels and not between the two states' governments. The only agreement that is functional was signed by Rajiv Gandhi and Benazir Bhutto in 1988 relating to the non-attack of each others' nuclear facilities, which also includes a requirement to exchange lists of their respective nuclear installations. Ever since the agreement came into effect, both countries have been regularly exchanging a list every year on January 1.

What has been achieved besides this? During the Lahore summit, both countries signed a Memorandum of Understanding (MOU) on various nuclear issues and it was also agreed in the Islamabad summit in January 2004 to discuss them. These agreements are discussed below.

While the Kargil conflict intruded before any positive developments could take place in discussing nuclear issues following the Lahore memorandum, formal meetings did take place between India and Pakistan after the Islamabad summit. The first meeting was at secretary level in June 2004 to discuss nuclear confidence building measures (CBMS).⁶ Natwar Singh, India's External Affairs Minister, stated in an interview before this meeting that nuclear stability was the most important issue on the Congress government's agenda.⁷ It was also reported that J. N. Dixit and Tariq Aziz,

who were engaged in back channel diplomacy, discussed de-linking nuclear negotiations from developments in Kashmir, while others in Delhi discussed the setting up of Nuclear Risk Reduction Centers (NRRCs); withdrawing nuclear capable missiles from the borders; and establishing a mechanism to reduce the risk of accidental or unauthorised use of nuclear weapons.⁸ Tariq Usman Haider, who led the Pakistani delegation stated before that meeting that they were looking for 'result-oriented talks'.⁹ It is believed that during this meeting India provided a draft agreement on prior notification of missile testing.¹⁰ At the end of this meeting, all that could be agreed upon was establishing a "dedicated and secure" hotline between their Foreign Secretaries to prevent misunderstandings and "reduce risks relevant to nuclear issues."¹¹

In December 2004, the second round of meetings on nuclear confidence building took place. It was expected that during this meeting both countries would reach an agreement on pre-notification of missile tests.¹² However, no agreement was reached due to differences and technical matters. According to an editorial in *The Nation*, a leading English-language daily from Pakistan, "the talks could not make progress because India wanted the agreement to be confined to surface-to-surface missiles only while Pakistan rightly maintained that it should extend to all types."¹³ Ultimately, the December 2004 meeting ended without any concrete agreement.

⁸ "Pakistan agreed to keep nuke CBMs separate from Kashmir," *Daily Times*, 15 June 2004.

⁹ "Pak team for result-oriented talks on nuclear CBMs," *The Hindustan Times*, 18 June 2004.

¹⁰ See C. Raja Mohan, "Beyond nuclear stability: Towards military peace and tranquility on the Indo-Pak border," *The Indian Express*, 14 December 2004.

¹¹ Amit Baruah, "India, Pakistan agree on hotline for nuclear issues," *The Hindu*, 21 June 2004.

¹² "Pak-India missile pre-test notice pact on 14th," *The Nation*, 10 December 2004; "Pakistan, India to discuss agreement on missile tests next week," *The Nation*, 12 December 2004.

¹³ See Editorial, "Disagreement on CBMs," *The Nation*, 17 December 2004.

⁶ The meeting took place at New Delhi during 19-20 June 2004. The Indian team was led by Sheel Kant Sharma Additional Secretary at India's External Affairs Ministry and the Pakistani team by Tariq Usman Haider, Additional Secretary at the Pakistan Foreign Office.

⁷ "Nuclear security tops Indo-Pak talks agenda," *Hindustan Times*, 10 June 2004.

Clearly nothing substantial is happening at the governmental level relating to bilateral nuclear confidence building measures. Given the recent history, one can expect a lack of progress on these issues. Two reasons have been cited from India and Pakistan for this non-movement: one, India's inflexibility to negotiate on this crucial issue after the "undoing of the Lahore initiative by Pakistan and its direct role in the violence let loose in Jammu and Kashmir"; and two, Pakistan's inflexibility in linking it with "the prior resolution of the J&K issue."¹⁴ But is this hypothesis true, or are there other issues beyond these that are also impeding progress?

Although there may have been inadequate progress between India and Pakistan at the state level, there have been numerous positive developments on the potential for nuclear confidence building at track II and academic levels. Since 2000 in particular, many conferences and workshops have taken place both inside and outside South Asia on reducing nuclear dangers between India and Pakistan. Strategic analysts and the academic community have taken active part in these meetings along with retired officials from the military and bureaucracy. Numerous studies have been undertaken on this crucial issue involving the strategic and academic community both in India and Pakistan. Besides general issues on nuclear stability, two specific studies have been published recently on institutions, which could assist India and Pakistan in nuclear risk reduction.¹⁵ In addition General Jehangir

¹⁴ V. R. Raghavan, "South Asian nuclear dialogue," *The Hindu*, 1 September 2000.

¹⁵ The first study was undertaken at the Stimson Center by a serving officer with a Pakistan Army, Rafi uz Zaman Khan, Deputy Director, Arms Control and Disarmament Affairs, Strategic Plans Division, JSHQ. See "Nuclear Risk Reduction

Karamat, former Chief of Army Staff of the Pakistan Army, in a presentation made at the University of Bradford provided details on the structure and functions of Nuclear Risk Reduction Centers between India and Pakistan.¹⁶

Clearly nothing substantial is happening at the governmental level relating to bilateral nuclear confidence building measures.

Unfortunately the state both in India and Pakistan does not give importance to, and worse even recognize, these studies/developments. In a seminar held at the Institute of Peace

and Conflict Studies in June 2004, a former Indian foreign secretary commented that they (the Ministry of External Affairs) never gave any importance to those meetings and outcomes at track II levels on nuclear issues.¹⁷

Official Belief in Deterrence and Nuclear Rhetoric

The civilian bureaucracies, militaries and political institutions both in India and Pakistan believe in the existence of deterrence and its functioning, hence they see no need to take extra measures.¹⁸ India

Centers,"

<<http://www.stimson.org/southasia/pdf/rafikhan.pdf>>. The second study was a working report of a group, of "senior, non-governmental Indians, Pakistanis and Americans." See "Nuclear Risk Reduction Centers in South Asia," <http://www.csis.org/isp/nrrc/0406_nrrreport.pdf>.

¹⁶ See General Jehangir Karamat, "Nuclear Risk Reduction Centres in South Asia," <http://www.bradford.ac.uk/acad/sassu/publications/General_Karamat.pdf>.

¹⁷ The author was present at this seminar held by the IPCS at New Delhi in June 2004.

¹⁸ Personal observation during seminars and conferences. Officials from both civilian and military bureaucracies have always underplayed the threat of nuclear weapons both during Kargil conflict and 2002 confrontation. In particular, Bruce Riedel's account on Pakistan preparing its nuclear weapons during the Kargil conflict has been considered is an over stated case, based on faulty

believes that Pakistan did not expand the conflict in Kargil due to its nuclear weapons; while Pakistan believes its nuclear weapons deterred India from attacking after the 13 December terrorist strike on latter's parliament.¹⁹ Abdul Kalam on the eve of his becoming Indian President stated that nuclear weapons prevented war²⁰; while General Musharraf was on record stating that "deterrence theory" worked for Pakistan in preventing India from attacking it in 2002.²¹

Beyond the official belief in the existence of deterrence, numerous statements made by state officials during crises and normal periods, were deliberately over played or underplayed at particular point, and were dismissed as rhetoric for internal audiences once the crisis was over. In other words, both countries not only believe in nuclear deterrence but also in the escalation and de-escalation of nuclear rhetoric. During the Kargil war there were at least two statements from Pakistan broadly mentioning the use of nuclear weapons. In May 1999, Sharif was reported to have stated: "Last year's (1998) nuclear tests has given Pakistan the confidence to counter 'any enemy attack'.... They (the people of Pakistan) are confident for the first time in their history that in the eventuality of an armed

attack, they will be able to meet it on equal terms." Later, Shamsad Ahmad, Pakistan's Foreign Secretary issued a statement: "We (Pakistan) will not hesitate to use any weapon in our arsenal to defend our territorial integrity."²²

In 2000, during an interview with CNN, General Musharraf commented that Pakistan would use nuclear weapons if its security was threatened.²³ Abdul Qadir Khan in September 2000 warned "India dare not translate its evil designs in the region or else we would destroy big Indian cities within minutes."²⁴ There were nuclear threats during and after the border confrontation in 2002. In December 2002, General Musharraf warned "if Indian troops moved a single step across the international border or Line of Control, they should not expect a conventional war from Pakistan."²⁵ George Fernandes, the then Defence Minister of India stated in January 2003: "I would say that if Pakistan has decided that it wants to get itself destroyed and erased from the world map, then it may take this step of madness (of using nuclear weapons against India). But if it wants to survive then it would not do so."²⁶

All these above mentioned statements, in retrospect, were seen as mere rhetoric by the other side, by the civilian bureaucracies, militaries and the political institutions in both countries. Clearly, the divide between nuclear signalling and rhetoric is either thin, or not recognized by both states. While most outside the state would consider them as nuclear signalling, the decision-making apparatus considers it as rhetoric and downplays or overplays it

American intelligence. Riedel's account has been referred elsewhere in this essay.

¹⁹ Even a avowed anti deterrence analyst such as Pervez Hoodbhoy stated in an interview: "There is little doubt that Pakistan's nuclear weapons stopped India from attacking after the December 13 attack by jihadists on the Indian Parliament. So in that sense I agree...that deterrence did work." See "Deterrence will not always work," *Frontline*, Vol. 19, No. 12, 8-21 June 2002.

²⁰ "Nuclear weapons helped avert war: Kalam," *The Hindu*, 20 June 2002.

²¹ "Deterrence theory has worked: Musharraf," *The Hindu*, 19 June 2002. He was also quoted stating: "By testing, with outstanding success, the delivery systems of our strategic capability, these men validated the reliability, accuracy and the deterrence value of Pakistan's premier surface-to-surface ballistic missiles systems of the Hatf series, namely Ghauri, Ghaznavi and Abdali...We need to ensure that the three basic ingredients of this deterrence – capability, credibility and resolve – never get compromised." See "Strategic balance restored: president," *Dawn*, 19 June 2002.

²² "Pakistan may use any weapons: Shamshad," *The News*, 31 May 1999.

²³ "Pak ready to use nukes if threatened: Musharraf," *The Asian Age*, 5 January 2000

²⁴ "Abdul Qadeer warns India," *The Statesman*, 14 September 2000.

²⁵ See "Musharraf had warned of n-war," *The Hindu*, 31 December 2002.

²⁶ "Pakistan would be erased if it uses nukes: Fernandes,"

<<http://www.rediff.com/news/2003/jan/27fer.htm>>, 27 January 2003. Also see "Pakistan will be 'erased' in nuclear conflict: Fernandes," *Daily Times*, 28 January 2003.

according to the situation. Nuclear rhetoric escalation is taken for granted and both sides believe they understand each other. The crucial question in this sense would be: what if during a crisis, serious signalling is underplayed as rhetoric and not acted upon?²⁷

Both India and Pakistan have always underplayed any reports emanating from outside on the threat of nuclear escalation as either mischievous or bogus. External research works or statements were dismissed as either 'bookish' without knowing the reality or worse having some vested interests. In his essay, Bruce Riedel, Special Assistant to President Bill Clinton and Senior Director for Near East and South Asia Affairs in the National Security Council, mentions evidence of Pakistan "preparing their nuclear arsenals for possible deployment" as crucial in Bill Clinton's efforts towards de-escalating the conflict in June 1999.²⁸ The bureaucracies, militaries and political institutions both in India and Pakistan never took such reports seriously. These reports were always treated with a cynicism relating to the failure or the unreliability of American intelligence elsewhere, especially in Iraq, and such reports were deliberately ignored and underplayed.

²⁷ Rahul Roy-Chaudhury has delved specifically into nuclear signalling during the border confrontation in 2002 and concludes "India and Pakistan's signals were not clear and easily discernible. Indeed, the signals from both New Delhi and Islamabad appeared confusing and ambiguous." According to him, there were five major lessons: the signalling was not always read as intended; non-signal perceived as a signal; presence of multiplicity of actors confusing the signal; cross purposes; and weak understanding. See Rahul Roy-Chaudhury, "Nuclear Doctrine, Declaratory Policy, and Escalation Control," in Michael Krepon, Rodney W. Jones, and Ziad Haider eds., *Escalation Control and the Nuclear Option in South Asia* (Washington DC: Henry L Stimson Centre, 2004), pp. 102-118.

²⁸ Bruce Riedel, "American Diplomacy and the 1999 Kargil Summit at Blair House," Policy Paper Series (Center for the Advanced Study of India, University of Pennsylvania), p. 8.

The Rigid Military and Civilian Bureaucracies

The rigid civilian and military bureaucracies along with the political institutions also play a crucial role in the slow progress in Indo-Pak issues in general and the nuclear issues in particular. The Cold war politics in South Asia, the four wars since independence (1947, 1965, 1971 and 1999), militancy in Punjab and Kashmir and lack of sufficient institutional exchanges have made these bureaucracies rigid. Besides their unwillingness to move from their stated positions, they do not trust the other side and a new proposal is always seen with suspect eyes. Options suggested by individuals or institutions outside the government are seen as idealistic and impractical. In most cases they are not even considered for an internal discussion. This institutional rigidity further increases, when it comes to the question of Kashmir.

An analysis of the formal meetings in the past, especially between the two bureaucracies amplifies their rigidity. Since the new round of rapprochement began in October 2003, numerous meetings have taken place at technical levels between the secretaries of India and Pakistan. Various confidence building measures have been proposed ranging from security issues to improving popular movement across the Line of Control (LOC) and international border.²⁹ Some of the specific issues include talks on nuclear confidence building, increasing bus and rail services, gas pipelines and the Baglihar dam. The meeting on nuclear CBMs, as discussed earlier, did not make any breakthrough. The proposal to have more bus and rail services across the border across the LOC and IB was deadlocked for a long period as India and Pakistan failed to reach an understanding on technical issue of what document to

²⁹ Between April 2003 and October 2004, according to a report, nearly 100 CBMs were exchanged between the two countries. See "96 CBMs exchanged by India, Pak since April 2003," *The Tribune*, 31 October 2004.

use.³⁰ On gas pipelines there has been no movement, as India links it with larger economic objectives of Pakistan granting MFN status.³¹ On Baglihar, both differ in principle on the objectives of the dam.³²

A deeper analysis into the reasons for deadlocks or non-movement in these issues reveals the rigidity prevalent in both the bureaucracies. To an extent, political institutions in both countries are less rigid and have been willing to take extra steps. The case of Vajpayee and Sharif and their preference to have secret emissaries and conduct silent diplomacy would reflect this aspect of Indo-Pak relations.³³ One explanation for the Pakistani military

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proceeding with its plans in Kargil could be its exclusion from this secret diplomacy. Even during the current rapprochement, the role played by Tariq Aziz, Brajesh Mishra and later J. N. Dixit was significant.

In nuclear dialogue, besides the civilian and military bureaucracies, there is an additional pressure, from the nuclear bureaucracies in terms of the pressure from scientists. While the governments do not take into account the perceptions of the nuclear bureaucracies on political issues, they play a crucial role, as a pressure group in terms of their own interests and how much the government could yield. For example, India and Pakistan would have no problems at the political level to declare a moratorium on further nuclear testing but may not be able to do the same on missile testing, not only because they perceive missiles as essential for security and deterrence, but also because the pressure from the scientific community to continue with missile tests. According to Raj Chengappa, Abdul Kalam and Chidmabaram pleaded to Deve Gowda, the then Indian Prime Minister in 1996 to give permission for nuclear tests.³⁴ The scientists have made numerous statements linking missiles with the security of state both in India and Pakistan. Dr Samar Mubarakmand, recipient of Nishan-e-Imtiaz, the highest civilian award in

³⁰ India and Pakistan in principle agree to start a bus service between Srinagar and Muzaffarabad. India prefers that the travel be done with Indian and Pakistani passports, as has been the case with Kashmiris travelling between the two countries. Pakistan prefers UN documents or local ones, but not respective passports. The issue has been resolved and both countries have agreed to initiate the bus service from April 2005. See "India, Pakistan seal deal on Srinagar-Muzaffarabad bus link," *The Hindu*, 17 February 2005.

³¹ Initially India had economic and security questions regarding pipelines via Pakistan. Now, the main issue is economic, in terms of getting MFN status.

³² Pakistan objects to the construction of the dam, as it fears that it would affect the water flow in the river Chenab, which is in violation with the Indus Waters Treaty (IWT) that both countries have signed. India's response has been that the dam would not affect the water flow and its construction is well within the IWT. Negotiations between India and Pakistan took place in January 2005, but failed to resolve the issue. Pakistan has already submitted a set of documents with the World Bank, requesting the latter to appoint a neutral expert to look into the issue. See "Baglihar dam talks breakdown," *The News*, 7 January 2005; Imtiaz Alam, "Water disputes and Indo-Pak talks," *The News*, 10 January 2005; "Baglihar: World Bank gets documents from Pakistan," *The Hindu*, 30 January 2005.

³³ In the aftermath of Lahore declaration, Vajpayee and Sharif were engaged in a serious dialogue through their emissaries RK Mishra and Niaz Naik respectively. There were at least six rounds of talks between these two emissaries and there was a considerable understanding, before Kargil conflict

broke this channel. For Niaz Naik's account of what all have been discussed see Robert G. Wirsing, *Kashmir in the Shadow of War: Regional Rivalries in a Nuclear Age* (Armonk, New York: M.E.Sharpe, 2003): 25-33. There was also another account by a journalist on the same issue. See Kushanava Choudhury, "After the Lahore Summit: The Real Story," <<http://www.rediff.com/news/2000/nov/23naik.htm>>.

³⁴ Chegappa writes: "According to Gowda, 'short of falling at my feet they begged me to give clearance for a test but I said no.'" See Raj Chengappa, *Weapons of Peace: The Secret Story of India's Quest to be a Nuclear Power* (New Delhi: Harper Collins, 2000), p. 399.

Pakistan, was quoted stating that Pakistan's missile and nuclear system, has made it impregnable and unconquerable.³⁵

The pressure from the nuclear bureaucracies as a whole, the internal competition, if not rivalry, between the various scientific establishments also needs to be taken into account. The nuclear bureaucracies both in India and Pakistan are not monolithic organizations but have various sub-branches dealing with different aspects. For example in Pakistan, between the Kahuta Research Laboratories (KRL) and Pakistan Atomic Energy Commission (PAEC), and in India between the Atomic Energy Commission (AEC) and the Defence Research Development Organization (DRDO), there is a divide in terms of objectives and functions, but there is also overlap. The differences amongst the nuclear institutions also play a role in exerting pressure on the government. Both the organizations and the individuals compete for government's attention. There have been numerous reports about this intra-competition/rivalry between the various scientific institutions within the country.³⁶

³⁵ "Pakistani scientist says missile programme 'wholly indigenous, peaceful'" *The Nation*, 22 October 2003.

³⁶ This intra competition and/or rivalry is more pronounced in Pakistan's nuclear bureaucracy, as there is not only a struggle between the institutions, but also between the 'father' and 'step fathers' of Pakistan's nuclear bomb. According to a report, "Until the nuclear explosions in 1998, Khan had sole claim over the making of the bomb, and to the Pakistani public, the name of Khan and KRL stood for Pakistan's nuclear program. After the explosions, however, the media reported an ugly battle, as both groups of scientists made their bid to appear as the real bomb makers. This bizarre situation went to such an extreme that the government of Nawaz Sharif had to intervene to silence the scientists and clarify the contributions of the two organizations: Uranium had been enriched by KRL; other processes, up to the explosions, were handled by PAEC." See Najum Mushtaq, "Pakistan: Khan forced out," *The Bulletin of Atomic Scientists*, July/August 2001, <http://www.thebulletin.org/article.php?art_ofn=ja01mushtaq>. According to Neil Joeck, "Competition between the two institutions (KRL and PAEC), as well as personal animosity, has flared into the open in the past. Islamabad must impose some coherence on these competing bureaucracies to ensure central

The rigid bureaucracies – civilian and military – in both countries remain crucial to any forward movement in building confidence on nuclear issues and reducing risks. The political institutions could be persuaded, or are perhaps already are convinced of the need for such efforts. The issue is how to convince the bureaucracies that believe in the existence of deterrence, do not agree, or worse, ignore any non-governmental and track II efforts on the need for nuclear risk reductions, and remain rigid in their perceptions vis-à-vis the other? This is the main challenge for the political elites and the common populace, who would otherwise have fewer problems in cooperating with each other.

Overcoming the Rigidity: Is there a way out?

If the bureaucracies cannot be convinced, can they be overcome? Have there been instances in South Asia in which the civilian and military bureaucracies have been circumvented? Have there been other initiatives between the governments not involving the bureaucracies or at least serious efforts before taking the latter into confidence? Have such efforts been productive and succeeded in achieving what the bureaucracies otherwise could not?

Since the nuclear tests, there have been two instances in which those who engaged in the back channel diplomacy bypassed the civilian and military bureaucracies. As mentioned earlier R. K. Mishra and Niaz Naik in 1999 and Brajesh Mishra and Tariq Aziz in 2003-2004 played a crucial role in reducing the distance between the political leadership. These meetings were deliberately kept away from the regular channels of communication.

control in time of crisis." See Neil Joeck, "Nuclear Relations in South Asia," in Joseph Cirincione, ed., *Repairing the Regime*. Also see Amir Mir, "Musharraf's Nuclear Headache Grows as Other Experts Come Into US Focus," *South Asia Tribune*, <http://www.satribune.com/archives/feb29_mar6_04/P1_headache.htm>.

The first process failed to achieve anything significant due to the Kargil conflict, but the discussions were intensive and focused primarily on reaching an understanding on Jammu and Kashmir. According to Niaz Naik's version of what happened during these meetings, Vajpayee and Sharif agreed to focus on four issues:

Both sides should move beyond publicly stated positions on Kashmir. A solution to Kashmir must take into account the interests of India, Pakistan and above all the Kashmiri people. The solution to Kashmir must be just, fair and feasible. The agreed solution to Kashmir must be final and not partial.³⁷

Even during the Kargil conflict, there were two crucial meetings between the two emissaries in June 1999, in which they came close to reaching an agreement on withdrawal from Kargil.³⁸ Unfortunately these meetings could not proceed further, as India decided to opt for a military response, rather than a political

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rapprochement in Kargil.³⁹ When Atal Vajpayee was the Prime Minister, it is believed that the meetings between Brajesh Mishra and Tariq Aziz were crucial in reaching an agreement at Islamabad in January 2004.⁴⁰ After the Islamabad summit in January 2004, Tariq Aziz and J. N. Dixit played a crucial role in sustaining the bilateral political process through their back channel meetings.⁴¹ According to a news report, it was these two who were instrumental in India and Pakistan reaching the agreement at the end of their talks on nuclear CBMs in June 2004.⁴²

These meetings were purposefully kept confidential. C. Raja Mohan, a leading commentator and analyst, himself a part of various track II level meetings, wrote that these meetings, were in fact leaked by 'traditional opponents' (meaning the bureaucracies) of the peace process, because they were kept out of the decision making.⁴³

Could these channels be influenced to reach broad understanding on nuclear risk

³⁷ Robert G. Wirsing, *Kashmir in the Shadow of War: Regional Rivalries in a Nuclear Age*, p. 27.

³⁸ In these two meetings, Nawaz Sharif and Vajpayee sent personal notes on how to de-escalate. Sharif sent a note: Both prime ministers should reiterate their commitment to the Lahore process; Both India and Pakistan should take concrete steps to restore the sanctity of the Line of Control; The Indian side should stop the shelling and aerial bombing in the Kargil sector in order to restore an atmosphere conducive to peace, and both prime ministers should renew efforts to complete the process started at Lahore to include resolution of all issues between them, including Jammu and Kashmir. Vajpayee responded: Pakistan should announce the withdrawal of its forces from Kargil and all would be ok...the directors-general of military operations of each side's army should together work out a plan for the mutual withdrawal of forces. See Robert G. Wirsing, *Kashmir in the Shadow of War: Regional Rivalries in a Nuclear Age*, pp. 30-31. Also see Nasim Zehra, "Covert Contacts," *The News*, 2 July 1999.

³⁹ For the reasons see Suba Chandran, "One Step Forward, Two Steps backward: Will Vajpayee stand firm this time?" <http://www.ipcs.org/India_Pak_articles2.jsp?action=showView&kValue=1235&status=article&mod=a>. Also see AG Noorani, "Kargil Diplomacy," *Frontline* 16, No.16 (13 August 1999)

⁴⁰ See "How India and Pakistan broke the ice," *Hindustan Times*, 8 January 2004; "India, Pakistan keep back-channel diplomacy alive," *Dawn*, 26 March 2004; and C. Raja Mohan, "Dixit-Aziz back channel: Traditional opponents in Pak try to undermine it," *The Indian Express*, 13 December 2004.

⁴¹ See "Dixit, Aziz hold secret talks in Delhi," *The Tribune*, 11 September 2004; "Top aides to hold talks on Kashmir: Quiet meetings planned," *Dawn*, 12 September 2004.

⁴² "Dixit, Aziz brokered nuke deal in secret," *The Times of India*, 23 June 2004.

⁴³ See C. Raja Mohan, "Dixit-Aziz back channel: Traditional opponents in Pak try to undermine it," *The Indian Express*, 13 December 2004.

reduction measures, leading to an agreement between India and Pakistan at the political level? The civilian and military bureaucracies could then be requested to follow up the broad political understanding with technical and functional details. This would help both countries to reach an understanding faster and also without much of the historical and bureaucratic baggage. For example, R. K. Mishra and Niaz Naik were acting purely at the political level, as secret emissaries of Vajpayee and Sharif, without much being divulged to the civilian and military bureaucracies about their meetings and objectives. If R. K. Mishra and Niaz Naik could reach crucial understanding on a complicated issue such as Kashmir, one is sure that it would be easier for persons engaging in back channel diplomacy to reach an agreement on nuclear issues.

This would also help the bureaucracies to work on already defined broad parameters, instead of them working to arrive at an understanding on what those parameters could be. This paper assumes this is a possibility and a better approach towards nuclear risk reduction measures between India and Pakistan.

In this case, clearly, two sets of processes would be required: First, reaching a broad political understanding, at the highest levels between India and Pakistan, perhaps culminating in a treaty on nuclear risk reduction. Second, a set of permanent institutions, more or less insulated from the daily political rhetoric, which would be totally dedicated to maintaining nuclear stability and building further confidence which could be expanded, revised and updated on a regular basis. This paper proposes a formal bilateral understanding, in the form of either an agreement or treaty for the first; and institutionalizing the measures through constituting Nuclear Confidence Building Centers (NCBC), for the second.

Reaching Political Understanding: From Nuclear Agreements to a Treaty?

What broad political understanding could India and Pakistan reach at the highest levels? What has been agreed so far? What are the major disagreements? What could be done further?

The Nuclear Agreements: So Far

Two agreements have been signed so far between India and Pakistan on nuclear issues. Both have been the result of a process initiated by charismatic leaders who wanted to reach an understanding with the other. The first was the by-product of the Islamabad summit in 1988 between Rajiv Gandhi and Benazir Bhutto and the second was the by-product of the Lahore summit in 1999 between Nawaz Sharif and Atal Behari Vajpayee. If there is any third agreement, then it could again only be a by-product of a major summit, forcing the bureaucracies to proceed further and not as a result of an understanding emanating from long meetings of joint working groups.

The first agreement between India and Pakistan on *Prohibition of Attack Against Nuclear Installations and Facilities* was signed between the foreign secretaries during the Islamabad summit in 1988. It states:

Each party shall refrain from undertaking, encouraging or participating in, directly or indirectly, any action aimed at causing the

destruction of, or damage to, any nuclear installation or facility in the other country. Each Contracting Party shall inform the other on 1st January of each calendar year of the latitude and longitude of its nuclear installations and facilities and whenever there is any change.⁴⁴

The second was the memorandum of understanding signed between the foreign secretaries of India and Pakistan in February 1999 during the Lahore summit states:⁴⁵

The two sides shall engage in bilateral consultations on security concepts, and nuclear doctrines, with a view to developing measures for confidence building in the nuclear and conventional fields, aimed at avoidance of conflict.

The two sides undertake to provide each other with advance notification in respect of ballistic missile flight tests, and shall conclude a bilateral agreement in this regard.

The two sides are fully committed to undertaking national measures to

⁴⁴ See Agreement between India & Pakistan on Prohibition of Attack Against Nuclear Installations and Facilities
<http://www.indianembassy.org/South_Asia/Pakistan/Prohibition_Attack_Nuclear_Dec_31_1988.html>.

⁴⁵ See
<[http://www.indianembassy.org/South_Asia/Pakistan/mou\(lahore01211999\).html](http://www.indianembassy.org/South_Asia/Pakistan/mou(lahore01211999).html)>.

reducing the risks of accidental or unauthorised use of nuclear weapons under their respective control.

The two sides further undertake to notify each other immediately in the event of any accidental, unauthorised or unexplained incident that could create the risk of a fallout with adverse consequences for both sides, or an outbreak of a nuclear war between the two countries, as well as to adopt measures aimed at diminishing the possibility of such actions, or such incidents being misinterpreted by the other. The two sides shall identify/establish the appropriate communication mechanism for this purpose.

The two sides shall continue to abide by their respective unilateral moratorium on conducting further nuclear test explosions unless either side, in exercise of its national sovereignty decides that extraordinary events have jeopardised its supreme interests.

The two sides shall conclude an agreement on prevention of incidents at sea in order to ensure safety of navigation by naval vessels, and aircraft belonging to the two sides.

The two sides shall periodically review the implementation of existing Confidence Building Measures (CBMs) and where necessary, set up appropriate consultative mechanisms to monitor and ensure effective implementation of these CBMs.

The two sides shall undertake a review of the existing communication links (e.g. between the respective Directors-General, Military Operations) with a view to upgrading and improving these links, and to provide for fail-safe and secure communications.

The two sides shall engage in bilateral consultations on security, disarmament and non-proliferation issues within the

context of negotiations on these issues in multilateral fora.

The Nuclear Agreements: What Next?

How to proceed further towards reaching an understanding at the highest levels? What should be the focus? Should it include a moratorium on further nuclear testing? Should it include refraining from testing long-range missiles, capable of carrying nuclear weapons? Should it include reaching an understanding on nuclear doctrines?

An analysis of the respective positions of India and Pakistan is essential to reaching a conclusion on these questions. There have been occasions in which issues related to nuclear risks were discussed at the highest levels. During the Agra summit, it was believed that General Musharraf and Atal Vajpayee discussed ways to reduce nuclear risks, with additional inputs being provided by Brajesh Mishra and Abdus Sattar.⁴⁶ According to reports, it was also agreed by both the leaders to form a technical committee including members of the foreign and defence ministries, the armed forces and scientific and other experts.⁴⁷ But this effort did not proceed, as both India and Pakistan failed to reach a consensus at the end. It is widely believed that both leaders were ready for a joint statement, but the hawkish elements within the BJP establishment scuttled it.⁴⁸

After the Agra Summit, according to another news report, the Government of India asked the Chairman of the Chiefs of Staff Committee to prepare a blueprint for a nuclear stabilisation regime with the aim

⁴⁶ This meeting was held between the two leaders at one-to-one level; Brajesh Mishra and Abdus Sattar were asked to provide key inputs on this issue. See "PM, Musharraf agree on nuclear risk reduction," *The Statesman*, 16 July 2001.

⁴⁷ See "PM, Musharraf agree on nuclear risk reduction," *The Statesman*, 16 July 2001.

⁴⁸ See AG Noorani, "Kargil Diplomacy," *Frontline* 16, No.16 (13 August 1999).

of reducing nuclear tensions and formulating a structure to avoid nuclear accidents.⁴⁹

An understanding at the highest political level, concluding preferably in a treaty, besides pressurizing the civilian and military bureaucracy to move further, would also have tremendous symbolic value between the two countries.

The understanding to share information in nuclear installations on the first January of every year, presently has tremendous symbolic value, especially when quoted in newspapers.

The proposed treaty needs to be simple without many complications and drafted in a simpler language, so that it can be concluded and remain effective. Three issues where there could be broad understanding and consensus could be the focus of such a treaty, without going into detail. These three could include a moratorium on testing, an understanding on missile testing and agreeing in principle to establish a common nuclear doctrine.

Moratorium on nuclear testing

There are issues that could be included in a formal agreement on which India and Pakistan would have fewer problems in agreeing with each other. For example, the moratorium on nuclear testing. Both countries have already stated that they will not test any further. The joint statement at the end of the bilateral meeting in June 2004 on nuclear confidence building measures stated:

Each side reaffirmed its unilateral moratorium on conducting further nuclear explosions unless, in exercise of national sovereignty, it decides that

⁴⁹ "Indian nuclear experts to visit Pak," *The Pioneer*, 25 July 2001.

extraordinary events have jeopardised its supreme interests.⁵⁰

Though there were statements on resuming the nuclear tests, they were issued more as rhetoric for internal audiences.⁵¹ Neither the regional nor the bilateral environment calls for nuclear testing, at least in the near future. Given

the international opposition and the need to work closely with the global community, neither India nor Pakistan can afford to resume nuclear tests. The economic and political consequences would be disastrous.

Since there is a consensus already, which has been individually and jointly proclaimed by both countries, a moratorium on testing could be the first focus of the proposed treaty.

An Understanding on Missile Testing?

Would India and Pakistan refrain from testing their long-range missiles? Various scholars and analysts have suggested it as a measure of nuclear risk reduction.⁵² There have been unrealistic claims about 'cap, roll back and eliminate'. Both nuclear weapons and missiles in South Asia are here to stay, and perhaps even develop further. Given the 'prestige'

⁵⁰ "No more nuke tests: India, Pak," 20 June 2004, <<http://in.rediff.com/news/2004/jun/20pak.htm>>.

⁵¹ For example, in November 2000, Jaswant Singh, the then External Affairs Minister, announced that the moratorium announced by India was only voluntary and could resume at any time if India's security required it. See "India can still conduct N-tests, says Jaswant," *The Indian Express*, 25 November 2000; In March 2001, Abdul Qadeer Khan stated that Pakistan was capable of conducting some more nuclear tests. See "Pak. capable of more nuke tests: Khan," *The Hindu*, 12 March 2001.

⁵² See P. R. Chari, "Nuclear Restraint & Risk Reduction," *The Hindu*, 19 October 2000.

factor and the official belief in nuclear weapons as providing security, one could conclude that, even if global nuclear disarmament (a highly unlikely scenario) became a reality, India and Pakistan would be the last states to contribute to such an effort. Both India and Pakistan are well aware that the nuclear haves would never agree to a complete nuclear disarmament; hence they can keep exploiting the double standards of the nuclear haves, whilst themselves insisting on the rhetoric of their nuclear weapons as 'weapons of peace'.

Any suggestions on confidence building measures should take into account this reality.

What could India and Pakistan agree on missiles at this juncture? Clearly missile tests do increase anxiety, as could be seen in Table 1, thereby providing temporary instability, especially when relations were not that cordial.

Would India and Pakistan refrain from further testing? While it would be an ideal suggestion, it is difficult to conclude that both countries would agree to it. Both countries believe that missiles are essential for their national security, and therefore continue testing and production. George Fernandes explaining the rationale for testing India's Agni series of missiles, stating in April 2003: "The test firing of Agni-III is overdue and we feel the need for that long-range missile as part of our policy of deterrence."⁵³ General Musharraf in July 2003 stated: "Our nuclear and missile programmes are our strength. No one can even think of entering into any deal on such national honours."⁵⁴

Expecting India and Pakistan to refrain from testing missiles, at this stage, would not yield any positive results. The missile

⁵³ "Agni-III test-fire this year: Fernandes," *The Hindu*, 7 April 2003.

⁵⁴ "Nuclear programme is our strength: Musharraf," *The Times of India*, 4 July 2003.

tests are seen vital to the maintenance of 'minimum credible deterrence'. Since both countries believe in this concept, there is little chance of an immediate halt.⁵⁵ Perhaps, over a period, after adequate testing and especially after the scientific community is satisfied with these tests, it may be reasonable to expect both countries to refrain from further testing.

What could be achieved at this stage is an agreement that would help both countries

...the missile tests *per se* do not produce adverse reaction; rather the adverse situation makes the missiles tests provocative.

to be more transparent in terms of testing, size and distance. It is interesting to note that the missile tests *per se* do not produce adverse reaction; rather the adverse situation makes the missiles

tests provocative. Whenever there has been a rapprochement between the two countries, the missile tests were not taken as seriously and reactions were not as serious. The reactions from India and Pakistan to the testing of Shaheen-II in March 2004, is an interesting case that needs to be probed. Commenting on the test, the *Dawn*, in its editorial mentioned:

(Testing Shaheen II) also marks a high level of technological expertise, which one hopes will find peaceful applications in non-military fields for the country's advancement. The hope also will be that the missile test, of which New Delhi was informed in advance, will not spoil the atmosphere of cordiality marking Indo-Pakistan relations. Neither Pakistan nor India can afford the kind of lavish spending

⁵⁵ For example, in March 2004, after testing Shaheen II, surface-to-surface ballistic missile that could reach 2000 kms, the statement from the government of Pakistan said: "(The test) reflects Pakistan's resolve to maintain minimum credible deterrence as the corner stone of its security policy." See "Pakistan tests its longest-range missile," *Dawn*, 10 March 2004.

that has gone into developing their nuclear programmes.⁵⁶

The Hindu, in its editorial also took a conciliatory approach towards the Shaheen-II test, linking the testing with the competition between the Pakistan Atomic Energy Commission (PAEC) and Khan Research Laboratories (KRL). It mentioned:

With Ghauri-II, the Khan Laboratories could claim to have given Pakistan not only the atomic bomb but also the capability to land it over most of India.

After Dr. Khan's disgrace, President Musharraf and the PAEC needed to demonstrate that Pakistan's strategic capability had not been imperilled. The launch of Shaheen-II, a more modern missile than the Ghauri-II and with a significantly greater range, is obviously intended to send a reassuring message to Pakistanis... India needs to recognise that the Shaheen-II test, while most unfortunate and ill-timed, does not shift the balance of power in favour of Pakistan.⁵⁷

Table 1: Missile Tests and Reactions since 2001

Event	Reaction
January 2001: India test fires Agni II	Pakistan considered it as part of India's ambitious nuclear and missile programme posing a threat to its security. ¹
January 2002: India tests a shorter range version of Agni	<p>“Our government has decided that we will not be provoked into responding to India's test, because... by doing that, we will fall into the Indian way of dealing with the situation.” (Abdus Sattar in an interview to the CNN)¹</p> <p>“The missile test carried out by India and some information, some news even, of maybe a possibility of a nuclear test is most untimely and may I also say provocative.” (General Musharraf in his speech at Washington D.C. in February 2002)¹</p>
May 2002: Pakistan tests Hatf V, a medium range surface to surface ballistic missile	“Neither India nor the international community is fooled by these Pakistani antics. Gen. Pervez Musharraf is fully aware of India's strong retaliatory capability...Pakistan faces total annihilation should it dare to use nuclear weapons.” (Sunil Shastri, BJP Party Spokesman) ¹

⁵⁶ Editorial, “Shaheen-II test,” *Dawn*, 11 March 2004.

⁵⁷ Editorial, “Significance of *Shaheen II*,” *The Hindu*, 12 March 2004.

October 2002: Pakistan tests Ghauri-IV, a medium range surface to surface ballistic missile	“We (India) are not particularly impressed with these missile antics of Pakistan. As is well-known, Pakistan’s missiles are based on clandestinely imported material, equipment and technology.” (Foreign Office Statement, quoted in news paper) ¹
January 2003: India test fired Agni, a medium range surface-to-surface missile.	“Pakistan has no fears from Agni missiles as far as our national and territorial security is concerned and India has not succeeded in establishing that the balance of power in South Asia has been shifted in its favour through such missile tests.” (Jamali, Prime Minister of Pakistan) ¹
March 2003: India test fired Prithvi	March 2003: Pakistan test fired Abdali in response.
April 2003: George Fernandes announced that India would test Agni-III later in 2003.	“We have stated before that India is the proliferator in this region. India is the one which is proliferating the missile programme...It is better that the international community gives attention to it and prevents India from this relentless pursuit of more and more weapons.” (Aziz Ahmed Khan, Spokesman for the Pakistan’s Foreign Ministry) ¹
March 2004: Pakistan tests Shaheen-II, surface-to-surface ballistic missile with longest reach of 2000 kms.	No hostile reaction from India. On the contrary, Masood Khan, Pakistan foreign office spokesman stated: “I don’t think that the missile test would have any adverse impact on the composite dialogue process that we started some time ago.” ¹
June 2004: Pakistan tests Ghauri	No hostile reaction from India. On the contrary, General Musharraf made a specific statement: “the test was not intended to send any political signals outside the country but was necessary for validation of technical parameters.” ¹
July 2004: India tests Agni A-1.	“Both countries (Pakistan and India) do the tests. It is a sovereign right of a country to take any measure for its defence...We reserve the sovereign right to improve our defence capability and same right be granted to other countries.” (Mushahid Hussain, Chairman of Senate foreign relations committee) ¹

G. Parthasarathy, former Indian High Commissioner to Pakistan also linked the testing of missile with internal politics. He wrote:

After disgracing Dr A. Q. Khan, Pakistan needs a national hero to serve as the symbol of its proudest “achievements”— the nuclear bomb and the missile programme. The

physicist, Dr Mand, is a Punjabi close to the hawkish sections of the Urdu media in Lahore. While he was the driving force behind the May 1998 nuclear tests, he has also been in charge of what was known as the National Development Complex in Fatehjang, where missiles of Chinese origin are assembled. Dr. Mand thanked Allah for the success of the Shaheen-2 test. He

rubbished the “achievements” of the Dr. A. Q. Khan Laboratories in Kahuta, pointing out that merely 2000 out of Pakistan’s 5000 nuclear scientists worked in Kahuta. He also asserted that Shaheen-2 was far superior to the liquid-fuelled Ghauri missiles assembled with North Korean assistance in Kahuta.⁵⁸

Later, when India tested Prithvi missiles during the same month, there was no reaction from the other side; no official statements were made linking the test with instability or escalation. Ever since, the reactions to missile tests have been more mature.⁵⁹ This could be linked to the existing rapprochement during this period.

Could, then, a broad political understanding be concluded on missile tests which would produce less instability? In this case, this understanding at the political level could focus on reaching transparency vis-à-vis the missile tests, so that they did not lead to instability. There were news reports that both India and Pakistan would sign a pact on pre-notification of missile tests, in December

⁵⁸ G. Parthasarathy, “Power equations in Pakistan: How it acquired its missiles and bombs,” *The Tribune*, 25 March 2004. There were contrary perceptions; for example, see Gen. V. P. Malik’s analysis of the implications and reasons for the tests. He wrote: “The aim of the test as stated officially was “to ensure the reach of the missile was sufficient to deter aggression and prevent military coercion”. But the un-stated aims appeared to be three. One is to demonstrate its strategic capability to India. Ever since Operation Parakram, Pakistan has often accused India of military coercion. Two, it may be related to India’s deal with Israel to buy the Phalcon airborne radar system that has been officially criticised by Pakistan, and India’s Agni III missile test, expected to be carried out in the near future. Three, to convey to Pakistan’s domestic audience that the A. Q. Khan affair had not compromised its nuclear and missile programmes.” Gen. V. P. Malik, “Missile testing: No way to send political messages,” *The Tribune*, 22 March 2004.

⁵⁹ In May and June 2004 Pakistan tested Ghauri; in July 2004, India tested Agni A-1; in August 2004, India tested Agni-II; in October 2004, Pakistan tested Ghauri/Hatf-V; in November 2004, India tested Dhanush; in December 2004, Pakistan tested Hatf-IV/Shahen-I; in January 2005, India tested Trishul.

2004, during their nuclear CBM negotiations.⁶⁰ Efforts to reach an understanding on pre-notification of missiles were intensely discussed in the December 2004 meeting held at Islamabad between the two teams.⁶¹ These failed at the end due to technical differences.⁶² An understanding on missile tests, which already exists between both countries, could then form the second part of the proposed treaty. At a later stage, when there is a better understanding, both countries could enlarge the focus. Attempting an all-comprehensive understanding on missile tests at this juncture would only scuttle any progress.

A Common Nuclear Doctrine?

Would India and Pakistan be able to reach an understanding over nuclear doctrines? India has already drafted its nuclear doctrine⁶³ and it has been extensively commented upon.⁶⁴

⁶⁰ “Pak-India missile pre test notice pact on 14th,” *The Nation*, 10 December 2004; “Pakistan, India to discuss agreement on missile tests next week,” *The Nation*, 12 December 2004.

⁶¹ The talks were even stretched to reach an understanding, as commented by a Pakistani official: “The two sides, however, are determined to reach the agreement on pre-notification of flight-testing of missiles and it is for this that they decided to hold further talks on Wednesday.” See “Inconclusive N-talks extended for today,” *The Nation*, 15 December 2004.

⁶² According a report, quoting a source, the agreement could not be reached “due to varying interpretations of the scope and technical parameters involved, the two delegations decided to reflect further and consult their respective systems.” See “Nuclear talks end without agreement: Deal on Sir Creek survey,” *Dawn*, 16 December 2004. According to Pakistani sources, “India wanted the agreement to be confined to surface-to-surface missiles only while Pakistan rightly maintained that it should extend to all types,” including missiles that could be fired from submarines. See, “Editorial: Disagreement on CBMs,” *The Nation*, 17 December 2004.

⁶³ India’s National Security Advisory Board (NSAB) published a draft nuclear doctrine in August 1999. See “Draft Report of National Security Advisory Board on Indian Nuclear Doctrine,”

<http://www.indianembassy.org/policy/CTBT/nuclear_doctrine_aug_17_1999.html>; In January 2003, India’s Cabinet Committee on Security, in its press release stated India’s nuclear doctrine and also the progress in operationalizing it. See “Cabinet

Of the various issues, three remain cornerstones of India's nuclear doctrine: no-first-use, inclusion of China as a significant factor and minimum credible deterrence. The no-first-use policy, according to the government means "nuclear weapons will only be used in retaliation against a nuclear attack on Indian territory or on Indian forces anywhere."⁶⁵ However, there is no unanimous approval of this policy amongst the strategic community. The (first) National Security Advisory Board (NSAB) for example, in January 2003 recommended that India should reconsider

this policy.⁶⁶ Bharat Karnad, brings out the dilemma of the no-first-use:

...it beggars the imagination to think that any Indian government will at any time and for any reason whatsoever risk exposing the country to nuclear devastation from an incoming strike even if armed with infirm intelligence about such an occurrence, without resorting to a preemptive nuclear attack of its own to thwart it.⁶⁷

However, most independent analysts and the government stand by the no-first-use policy. George Fernandes, the then External Affairs Minister, subsequently made a statement that there was no need for India to review its no-first-use policy. He stated: "We have a nuclear doctrine, a nuclear and strategic force command chain in position. So we stand by the no-first-use policy."⁶⁸ The government believes that its no-first-use policy also means that its retaliatory strike would be so severe as to cause 'unacceptable damage'.⁶⁹

Second, nuclear weapons in India are not seen as Pakistan specific, but rather as Asia specific. Most Indian analysts consider nuclear weapons and the policy aim of India's security in the region vis-à-vis China and Pakistan. Some even consider that nuclear weapons "are multi-missioned" to "push the country's legitimate great power ambitions, root genuine strategic independence ('autonomy'), resist... 'power pressure'

Committee On Security Reviews Progress in Operationalizing India's Nuclear Doctrine," <<http://pib.nic.in/archieve/lreleng/lyr2003/rjan2003/04012003/r040120033.html>>.

⁶⁴ The following commentaries analyse the Indian nuclear doctrine, both supporting and criticizing it; P. R. Chari, "India's Nuclear Doctrine: Confused Ambitions," *The Nonproliferation Review*, Fall-Winter 2000, pp. 123-135; Bharat Karnad, "Deconstructing the Indian Nuclear Doctrine," in Pervaiz Iqbal Cheema and Imtiaz H. Bokhari, *Arms Race and Nuclear Developments in South Asia* (Islamabad: IPRI, 2004), pp. 60-70; Rajesh Rajagopalan, "A welcome debate," *The Hindu*, 28 August 1999; Editorial, "Let's Talk Nuclear," *The Times of India*, 26 August 1999; Raja Menon, "The Nuclear Doctrine," *The Times of India*, 26 August 1999; Editorial, "Virtue of restraint," *The Times of India*, 20 August 1999; Amitabh Mattoo, "India's Nuclear Doctrine In Search of Strategic Autonomy," *The Times of India*, 19 August 1999; Editorial, "A nuclear doctrine," *The Hindu*, 19 August 1999; Kanti Bajpai, "A Flawed Doctrine," *The Times of India*, 7 September 1999; K. Subrahmanyam, "A Credible Deterrent: Logic of the Nuclear Doctrine," *The Times of India*, 4 October 1999; C. Uday Bhaskar, "New command structure makes India's nuclear posture more robust," *Hindustan Times*, 6 January 2003; K. Subrahmanyam, "Essence of Deterrence," *The Times of India*, 7 January 2003; Editorial, "Defence in a nuclear age," *The Indian Express*, 7 January; Editorial, "Command and control," *The Hindu*, 7 January 2003; V. R. Raghavan, "Nuclear building blocks," *The Hindu*, 7 January 2003; R. Rajaraman, "Nuclear posture," *The Hindu*, 7 February 2003; Vinod Patney, "Cutting through the nuclear fog," *The Indian Express*, 15 January 2003.

⁶⁵ See "Cabinet Committee on Security Reviews Progress in Operationalizing India's Nuclear Doctrine,"

<<http://pib.nic.in/archieve/lreleng/lyr2003/rjan2003/04012003/r040120033.html>>.

⁶⁶ "Scrap nuclear no-first-use policy, advises security panel," *Hindustan Times*, 10 January 2003. According to this news report, the NSAB, in its report to the National Security Advisor even recommended that India should not be obliged to its announcement relating to unilateral moratorium on nuclear tests.

⁶⁷ Bharat Karnad, "Deconstructing the Indian Nuclear Doctrine," in Pervaiz Iqbal Cheema and Imtiaz H. Bokhari, *Arms Race and Nuclear Developments in South Asia* (Islamabad: IPRI, 2004), p. 69.

⁶⁸ See "India not to review no first use of nuke policy: Fernandes," *Hindustan Times*, 14 January 2003.

⁶⁹ "Fernandes warns Pakistan against N-rhetoric," *The News*, 8 January 2003.

exerted, in India's case, by Washington and Beijing...⁷⁰

Third is India's emphasis on minimum nuclear deterrence (MND). However, like Pakistan, the government has specifically restrained itself from defining it, leaving many crucial questions unanswered. MND is further discussed below.

Although Pakistan is yet to publish a formal doctrine, there have been adequate statements from the state and also articles/opinions from those considered close to the state.⁷¹ In addition, there are numerous commentaries on Pakistan's nuclear policy and strategy.⁷² What are the

⁷⁰ Bharat Karnad, "Deconstructing the Indian Nuclear Doctrine," in Pervaiz Iqbal Cheema and Imtiaz H. Bokhari, *Arms Race and Nuclear Developments in South Asia* (Islamabad: IPRI, 2004), pp. 63-64.

⁷¹ See the following: Agha Shahi, Zulfikar Ali Khan and Abdul Sattar, "Securing Nuclear Peace," *The News*, 5 October 1999. This article has been widely referred in terms of relating it with an official position. The fact that Zulfikar Ali Khan was from the military establishment and the rest from the foreign office lends credibility to this article; another report prepared by the Landau Network contained interviews from the establishment on Pakistan's nuclear policy. The establishment in Pakistan however later refuted the details in the report. See Maurizio Martellini and Paolo Cotta-Ramusino, "Nuclear safety, nuclear stability and nuclear strategy in Pakistan: a concise report of a visit by Landau Network-Centro Volta", <<http://lxmi.mi.infn.it/~landnet/Doc/pakistan.pdf>>; Also see Shireen M. Mazari, "Understanding Pakistan's Nuclear Doctrine," in Pervaiz Iqbal Cheema and Imtiaz H. Bokhari, *Arms Race and Nuclear Developments in South Asia* (Islamabad: IPRI, 2004), pp. 71-82.

⁷² Shireen M. Mazari, "Understanding Pakistan's Nuclear Doctrine," in Pervaiz Iqbal Cheema and Imtiaz H. Bokhari, *Arms Race and Nuclear Developments in South Asia* (Islamabad: IPRI, 2004); Zafar Iqbal Cheema, "Pakistan's Nuclear Use Doctrine and Command and Control", in Peter Lavoy, et al, ed., *Planning the Unthinkable* (Ithaca: Cornell University Press, 2000); Rodney Jones, "Pakistan's Nuclear Posture: Quest for Assured Nuclear Deterrence," *Regional Studies*, Vol. 18, No. 2, Spring 2000; Samina Ahmed, "Pakistan's Nuclear Weapons Programme," *International*

corner stones of Pakistan's nuclear policy? The following could be observed in this regard.

First Pakistan's nuclear policy is India specific. Pakistan considers that its nuclear

Pakistan considers that its nuclear weapons are 'security-driven' whereas India's weapons are 'status-driven'.

weapons are 'security-driven' whereas India's weapons are 'status-driven'.⁷³

There have been numerous reports and analysis, linking Pakistan's bomb with that of an 'Islamic Bomb';

however the Islamic component of both the bomb and the policy is exaggerated and not based on reality.⁷⁴ Certainly, the state in Pakistan, managed either by its secular polity or the powerful military would never like to use it as an Islamic bomb. If there is a failure of the state or the jihadis or the Islamic parties take over the state, would this policy likely to remain?⁷⁵ That is a different question

Security, Vol. 23, No. 4, Spring 1999; General Aslam Beg, "Dynamics of nuclearized South Asia," *The Nation*, 10 May 1999; Zafar Iqbal Cheema, "Pakistan's Nuclear Policies: Attitudes and Postures," in P. R. Chari et al ed., *Nuclear Non-Proliferation in India and Pakistan* (New Delhi: Manohar Publishers, 1996).

⁷³ Shireen M. Mazari, "Understanding Pakistan's Nuclear Doctrine," in Pervaiz Iqbal Cheema and Imtiaz H. Bokhari, *Arms Race and Nuclear Developments in South Asia* (Islamabad: IPRI, 2004), p. 71.

⁷⁴ See the following works on 'Islamic bomb': Edgar O' Balance, "The Islamic Bomb," *National Defense*, December 1980, reproduced in *Strategic Digest*, June 1981, Vol.11, No.6; Zahid Malik, *Dr. A.Q.Khan and the Islamic Bomb* (Islamabad: Hurmat, 1992); Weissman and H Krosney, *The Islamic Bomb* (New York: Times Books, 1981).

⁷⁵ Stephen Cohen in his recent seminal work discusses these crucial questions. See Stephen Philip Cohen, *The Idea of Pakistan* (New Delhi: Oxford, 2004). Also see "Unfulfilled Promises: Pakistan's Failure to Tackle Extremism," ICG Asia Report N°73, 16 January 2004; "Pakistan: The Mullahs and the Military," ICG Asia Report N°49, 20 March 2003; Husain Haqqani, "The Role of Islam in Pakistan's Future", *The Washington Quarterly*, Winter 2004-2005, Volume 28, No.1, pp. 85-9; Hassan Abbas, *Pakistan's Drift into Extremism: Allah, the Army, and America's War on Terror* (New York: M.E.Sharpe, 2004); and

altogether; it is suffice to mention here that the weapon is purely political and has no religious connotations whatsoever.

Second, Pakistan does not believe in a no-first-use policy and has refused to respond to India's offer of a no first use agreement. In an interview with NBC in January 2002, General Musharraf stated: "We (Pakistan) want to denuclearise South Asia. We want to sign a No War Pact with (India)."⁷⁶ Though its nuclear policy is not stated formally, the political and military leadership have stated it in various forums and occasions. In March 2003, General Musharraf explained the key aspects briefly:

Pakistan (does) not have global ambitions but was compelled to go nuclear due to belligerence in its neighbourhood...We are not into any arms race with anyone. Minimum credible deterrence remains the cornerstone of our security policy and towards that end we have defined and quantified for ourselves the notion of minimum deterrence...Beyond that quantified notion, Pakistan will not pursue an open-ended strategic weapons arms race. In my opinion, in the nuclear game, numbers beyond a point lose their significance.⁷⁷

Third, Pakistan also has also hinted that its nuclear threshold could be lower. Shireen Mazari noted that the "increasing conventional imbalance will make Pakistan's reliance on its nuclear

capabilities more acute and thereby will lower the nuclear threshold."⁷⁸ In his interview, Lt. Gen. Khalid Kidwai, Director, Strategic Plans Division (SPD) mentioned:

Nuclear weapons are aimed solely at India. In case that deterrence fails, they will be used if a. India attacks Pakistan and conquers a large part of its territory (space threshold); b. India destroys a large part either of its land or air forces (military threshold); c. India proceeds to the economic strangling of Pakistan (economic strangling); d. India pushes Pakistan into political destabilization or creates a large scale internal subversion in Pakistan (domestic destabilization).⁷⁹

Fourth, Pakistan has also been insisting on a minimum nuclear deterrence. However, like India, Pakistan has also restrained from defining what constitutes MND. Abdus Sattar, Foreign Minister of Pakistan stated and explained their MND position:

Minimum nuclear deterrence will remain the guiding principle of our nuclear strategy. The minimum cannot be quantified in static numbers. The Indian build up will necessitate review and reassessment. In order to ensure the survivability and credibility of the deterrent Pakistan will have to maintain, preserve and upgrade its capability. But we shall not engage in any nuclear competition or arms race."⁸⁰

This MND, according to scholars in Pakistan, would not aim at matching India,

Stephen Philip Cohen, "The Jihadist Threat to Pakistan," *The Washington Quarterly*, Vol.26, No.3 pp. 7-25. In India, many fear that Pakistan would eventually fail and the fundamentalists would take over the nuclear weapons. See Gurmeet Kanwal, "Pak nukes may end up in Islamist fundamentalist hands," *The Indian Express*, 24 February 2004.

⁷⁶ "Pak ready for denuclearisation of S Asia, sign No War Pact," *Hindustan Times*, 24 January 2002.

⁷⁷ "Pakistan's army given new nuclear-capable missile," *The Times of India*, 7 March 2003. Also see "Further Escalation of Political, Nuclear Tensions in South Asia," *Disarmament Diplomacy*, Issue 70, April-May 2003, <<http://www.acronym.org.uk/dd/dd70/70ddnr04.htm>>.

⁷⁸ Shireen M. Mazari, "Understanding Pakistan's Nuclear Doctrine," p.75.

⁷⁹ Maurizio Martellini and Paolo Cotta-Ramusino, 'Nuclear safety, nuclear stability and nuclear strategy in Pakistan: a concise report of a visit by Landau Network-Centro Volta', <<http://lxmi.mi.infn.it/~landnet/Doc/pakistan.pdf>>.

⁸⁰ "Pakistan Responds To India's Nuclear Doctrine," *Disarmament Diplomacy*, Issue No. 41, November 1999. <<http://www.acronym.org.uk/textonly/dd/dd41/41p akis.htm>>.

but its “level will be at a higher numbers’ level.”⁸¹

Fifth, Pakistan has been arguing for a “nuclear restraint regime” for a long period.⁸² Though it has not been explained explicitly what Pakistan means by a nuclear restraint regime, it is understood that it aims at an understanding on ‘minimum nuclear deterrence’; and an effort towards regional strategic arms control – including conventional and nuclear weapons and perhaps a no-war-pact, which Pakistan has been insisting on for a long time. A foreign ministry official was quoted saying, in February 2004: “There should not be an open-ended race for strategic or conventional arms. It also aims to limit the risk of a nuclear conflict and a missile race.”⁸³

Convergences and Divergences: A Nuclear Tally

Clearly there are elements of divergence and some broad convergence between the nuclear doctrines of India and Pakistan (see Table 2). On the policy of no-first-use, there is a clear divergence between the two countries. Given Pakistan’s conventional and nuclear structure, it would never agree to a mutual no-first-use arrangement, while insisting on a no-war-pact. Given the continuing problems of resolving the Kashmir issue and the continuance of cross border terrorism, it is highly unlikely that India would agree a no-war-pact.

⁸¹ Shireen M. Mazari, “Understanding Pakistan’s Nuclear Doctrine,” p.75.

⁸² See “A threat to Pakistan security: FO,” *Dawn*, 18 January 2001.

⁸³ “Pak proposes nuclear war pact with India,” *The Times of India*, 17 February 2004.

It appears that both the policies – no-first-use and no-war-pact – seem to be political rhetoric. Both countries will keep emphasizing them, irrespective of knowing that it would not be acceptable to the other side.

India and Pakistan: Nuclear Posture and Doctrines

On minimum nuclear deterrence (MND), there is a convergence at least at the rhetorical level. But what constitutes the MND? There has been no further explanation on this crucial issue. Rodney Jones asks the following questions vis-à-vis the MND of India and Pakistan: “Does it imply the sufficiency of small numbers of nuclear weapons? Nuclear

Given the continuing problems of resolving the Kashmir issue and the continuance of cross border terrorism, it is highly unlikely that India would agree a no-war-pact.

weapons held in reserve? Low readiness or alert rates of a nuclear force? Renunciation of nuclear war fighting? Mainly counter-value targeting?”⁸⁴ As seen above, the MND as envisaged by India and Pakistan would be determined more by India’s nuclear force structure. On the other hand, Pakistan, rhetorically, would not like to enter into a nuclear arms race with India – it would like to keep the MND at a ‘higher level’ as Shireen Mazari has commented.

Pervez Musharraf in one of his statements made it clear: “We do not want to indulge in any arm race but we want to maintain the minimum deterrence level essential for our security.”⁸⁵ Would Pakistan be willing to settle for a nuclear asymmetry with India, if the latter decides to settle for it with China? W. P. S Sidhu has commented that India could settle with China on nuclear force structure with a

⁸⁴ Rodney Jones, “Minimum Nuclear Deterrence Postures in South Asia: An Overview,” April 2002, <<http://www.ceip.org/files/nonprolif/templates/article.asp?NewsID=2640>>.

⁸⁵ “Deterrence will be kept: Musharraf,” *Daily Times*, 27 February 2004.

Table 2: India and Pakistan Nuclear Posture and Doctrines

	India	Pakistan
No First Use	Yes	No
Minimum Nuclear Deterrence	Yes	Yes
Regional Strategic Restraint Regime	No and Yes No: If the restraint regime is to be strictly region based excluding China Yes: If a strategic regime is to include China	Yes and Indifferent Yes: If the restraint regime would be between India and Pakistan. Indifferent: If a strategic regime is to include China
Nuclear Disarmament	Yes, if it is global.	Yes, if India disarms.

ratio of 1:3.⁸⁶ Would Pakistan then be willing to agree on the same? While 1:3 ratio may or may not be acceptable to Pakistan; the fact is there are alternatives that both countries could pursue. A larger debate needs to be created and sustained both in India and Pakistan on this crucial question.

Another issue of convergence, again at the rhetorical level, is on nuclear disarmament. Pakistan has repeatedly mentioned that it would give up nuclear weapons, if India does so. India has claimed that it would give up nuclear weapons, if there is global nuclear disarmament. Both are clearly rhetoric, knowing well that the other party would not agree to the demand.

On the strategic restraint regime, both countries converge and diverge. India is against any strategic regime at the regional level only between India and Pakistan, but

⁸⁶ According to W. P. S. Sidhu, “there are several advantages for India accepting a ratio of 1:3 between the Indian and Chinese arsenal. First, it links and pegs the Indian nuclear force to China’s and therefore provides a rationale for a build-up in future. Second, this ratio is not only more favourable than the one between China and the two superpowers in the 1960s but would provide parity between India and China in the early decades of the next century.” See W. P. S. Sidhu, “China and the Nuclear vision,” *The Indian Express*, 22 September 1999.

may not be averse to the idea if China would also become a part of it. India believes that Pakistan’s nuclear policy is India specific, while its own policy is not Pakistan specific. According to a report published on the Indian embassy’s website in Washington during the June 2004 meeting “New Delhi has rejected Pakistan’s proposal for a nuclear restraint regime, pointing out that unlike Pakistan’s nuclear program, which is India-centric, India’s is not Pakistan-centric.”⁸⁷ Analysts, outside the government in India have also rejected Pakistan’s proposal for a ‘restraint regime’ as rhetoric and have called for an understanding of India’s threat perceptions from other borders.

Could there be a trilateral understanding including China, India and Pakistan to reach a consensus on a nuclear restraint regime in South Asia? If India could live in asymmetry with China, would Pakistan then be ready to live in asymmetry with India? Clearly if China is to compete with the US, and India with China and Pakistan with India, there would never be an end to the nuclear race in South Asia or at the global level. A threshold needs to be reached, both in South Asia and

⁸⁷ “India, Pakistan agree to keep nuclear weapons safe,”
<http://www.indianembassy.org/i_digest/2004/jun/1.htm>.

elsewhere. In South Asia, this threshold could be established at a trilateral level including India, China and Pakistan or at two bilateral levels including India and Pakistan, and India and China. Natwar Singh, External Affairs Minister of India, in June 2004 suggested a common nuclear doctrine for the three countries.⁸⁸ The idea of a common nuclear doctrine could be explored once India and Pakistan, along with China, agree on preliminary issues and negotiations proceed. Could this common doctrine then exclude divergent issues such as the no-first-use, while including minimum nuclear deterrence and global disarmament, even if they have only rhetoric significance?

A hypothetical treaty

Taking into account the convergences and divergences, India and Pakistan could sign an agreement, worked silently through back channels. This approach would have many merits. First, it would be of enormous political and psychological value, giving a crucial boost to the struggling bilateral rapprochement process. Second, it would also reassure the international community, which is worried about Kashmir as a nuclear flash point and regard South Asia as the most dangerous place in the world. While there have been serious political and academic efforts towards a safe South Asia, there have also been certain vested, intelligence reports floated occasionally on nuclear dangers in South Asia, contributing only to political and nuclear instability. For example, Seymour Hersh's article about the nuclear crisis in 1990 between India and Pakistan⁸⁹ or the recent account of Bruce Riedel, discussed earlier, on Pakistan readying nuclear weapons during the Kargil conflict have been considered as vested stories.

Such a treaty, which would acknowledge the positive contribution of the former, would also put an end to, or at least undermine, potentially destabilizing reports. Third, it would also reduce the impact of rigid postures amongst the bureaucracies towards reaching an agreement and provide the direction for them to work further.

The proposed treaty between India and Pakistan then could run as follows:⁹⁰

Reaffirming the continued commitment of their respective governments to the principles and purposes of the U.N. Charter; Reiterating the determination of both countries to implementing the Simla Agreement in letter and spirit; Guided by the earlier agreements between their Prime Ministers that an environment of peace and security is in the supreme national interest of both sides and that resolution of all outstanding issues, including Jammu and Kashmir, is essential for this purpose;

*The Prime Minister of India and the Prime Minister of Pakistan agree to
Refrain from further nuclear testing
Inform each other about any missile tests in advance
Work towards a common nuclear doctrine for the region, taking into account the security needs of each country
Work towards global nuclear disarmament
Establish institutions in both countries that would look into political and technical issues to achieve the above mentioned and also suggest measures to improve nuclear stability in the region.*

⁸⁸ "Common N-doctrine needed: Natwar," *Hindustan Times*, 2 June 2004.

⁸⁹ Seymour Hersh, "On the Nuclear Edge," *The New Yorker*, March 29, 1993, pp. 92-95.

⁹⁰ The first section of this proposed draft is borrowed from the MOU signed between the foreign secretaries of India and Pakistan during the Lahore summit. While the mentioning of the UN charter would remain a continuation of the global rhetoric, the inclusion of Shimla agreement and Jammu and Kashmir are specific, to convince the traditional interests of both India and Pakistan.

Establishing Institutions: Nuclear Confidence Building Centers (NCBCs)

The Need for Institutions

Why do nuclear confidence building or risk reduction needs institutions? Why cannot the existing means be continued? In what way would an institutional approach be an advantage if the present structures have failed?

The reasons are many; the following are significant amongst them: First, it is essential that India and Pakistan establish institutions on a permanent basis to look into nuclear issues, instead of leaving it to *ad hoc* Joint Working Groups (JWGs). The JWGs are generally established during every rapprochement process and their performance has waxed and waned depending on the broader political atmosphere and specific objectives at a particular period. A JWG on nuclear issues, whether it meets separately or is part of other such meetings on various issues ranging from Siachen to Sir Creek, have always faced the domino effect. A success or a failure in one meeting creates enough ripples to affect the process in the other. A cursory look into the success stories would reveal the successful functioning of Indus Water Treaty, though with occasional frictions between India and Pakistan. One reason for this success could perhaps be its insulation through an independent treaty. The nuclear confidence building/risk reducing institutions could also be established

through a separate treaty and be made an independent process.

Second, given the nature of sub-continental politics, its inherent politics along with the constant drive to shift the status quo either politically or militarily or both, relations between India and Pakistan are likely to remain unstable, at least in the near future.⁹¹ While Pakistan would like to re-write the status quo through sub-conventional means in Jammu and

Kashmir, India would also like to rewrite the status quo in terms of stopping cross border terrorism through conventional

...it is essential that India and Pakistan establish institutions on a permanent basis to look into nuclear issues.

⁹¹ There have been excellent research works linking instability with nuclear weapons and nuclear escalation from different perspectives. See the following: Essays by Rodney Jones ("Nuclear Stability and Escalation Control in South Asia: Structural Factors") and Michael Krepon, "The Stability-Instability Paradox, Misperception, and Escalation Control in South Asia") in Michael Krepon, Rodney W. Jones, and Ziad Haider eds., *Escalation Control and the Nuclear Option in South Asia* (Washington D.C.: Henry L. Stimson Centre, 2004); Varun Sahni, "Explaining India-Pakistan Crises: Beyond the Stability-Instability paradox," in Pervaiz Iqbal Cheema and Imtiaz H. Bokhari, *Arms Race and Nuclear Developments in South Asia* (Islamabad: IPRI, 2004), pp. 133-149; Feroz Hassan Khan, "Challenges to Nuclear Stability in South Asia," *The Nonproliferation Review*, Spring 2003, Vol.10, No.3, pp. 5, 9-73; Feroz Hassan Khan, "The Independence-Dependence Paradox: Stability Dilemmas in South Asia," *The Arms Control Today*, October 2003; Michael Krepon and Chris Gagne eds., *The Stability-Instability Paradox: Nuclear Weapons and Brinkmanship in South Asia* (Washington, D.C.: Henry L. Stimson Center, 2001).

means. While the political leadership is likely to remain rigid in terms of developing a better understanding both internally and bilaterally, the military leadership is seeking to develop new concepts to break the cycle. The sub-continent's history since the nuclear tests reveals these dilemmas. Pakistan has been supporting cross border terrorism as a means to bring India to the negotiating table and achieve its objectives. India has been using 'coercive diplomacy' to resist such efforts. Internally, the Union government in New Delhi has been rigid in its approach to improve its relations with the Kashmiris in terms of reaching a political understanding⁹²; hence New Delhi-Srinagar relations will continue to remain unproductive.

The Indian military is developing or has already developed new concepts including limited war and "cold start". Pakistan would also remain politically unstable, at least for the next two years with trouble for General Musharraf and his handpicked party, running the government – PML (Q) arising from the MMA, tribal uprisings in the North-West Frontier Province (NWFP) and Balochistan and the jihadi and sectarian elements in the country.⁹³ In

⁹² Numerous efforts were initiated within India at the New Delhi-Srinagar level; but they could not be sustained due to the Union government's willingness to expand the focus of negotiations outside conducting elections for the state legislative assembly and forming the government. The Union government has been reluctant to initiate a dialogue on autonomy; worse, it did not even discuss when the J&K State legislative assembly passed a resolution on autonomy and send it to the Union Parliament. The government has also failed to sustain any dialogue with the moderate and separatist forces, outside the J&K government.

⁹³ I have explained this elsewhere. See Suba Chandran, "Pakistan in 2005: Implications for India and Indo-Pak Dialogue," *IPCS Issue Brief* 28, February 2005.

India, a major militant attack as happened in December 2001, has the potential to trigger a military confrontation. The need for specialised institutions is essential now more than ever during this unstable period to convey and share messages and information, so that there is no accidental escalation.

Third, the institutions are important for the growth of a third actor in sub-continental politics besides the state in India and Pakistan – namely the armed groups with independent objectives. While the armed groups have been used by the state to achieve their political objectives vis-à-vis the other state, what is significant is the

slow but steady differences between the objectives of the armed groups and the state which has been using the former. In the Indo-Pak context, the link between the state, especially of Pakistan's Inter Services Intelligence (ISI) and the jihadi organizations are breaking or have already broken, due to policies pursued by General Musharraf in post-9/11 period. The fact that Musharraf himself has been the target of attacks from jihadi groups reveals this aspect. How much of the jihadi support is still retained by the ISI or the ISI support by the former, however, remains a crucial issue, especially in India. Whatever may be the ground situation, there have been serious doubts both in India and elsewhere over 'rogue elements' both in the ISI and Pakistan's Army and their linkages with the jihadi organizations. The threat of nuclear weapons falling into their hands, again whatever may be the reality in Pakistan, remains a serious concern in India. The scandal involving the nuclear scientist A. Q. Khan in Pakistan has only raised suspicions and contributes to the perception in India that nuclear weapons in Pakistan are not in safe custody. Given this element of suspicion, institutions may

The threat of nuclear weapons falling into their hands, again whatever may be the reality in Pakistan, remains a serious concern in India.

provide vital information, especially during crisis periods, to reassure political leaderships and stabilise the situation.

The idea of an institutional approach is neither new nor revolutionary. The US and Russia have established Nuclear Risk Reduction Centers (NRRCs) between them. Between India and Pakistan, it is believed that India was considering the idea of setting up a nuclear risk reduction center during the Agra summit in 2001. According to a report, India wanted to discuss a joint risk reduction center or two centers.⁹⁴ Three excellent reports have already been published on the constitution of nuclear risk reduction centers between India and Pakistan.⁹⁵

From Risk Reduction to Confidence building

As mentioned there have been three excellent studies/reports on building NRRCs as institutions to reduce nuclear risks in South Asia. Should India and Pakistan establish NRRCs to address the nuclear dangers in South Asia? Or does the Indo-Pak situation warrant something more than mere NRRCs? The NRRCs were the product of Cold War dynamics; would they be applicable to the Indo-Pak situation?

India and Pakistan should go beyond risk reduction and aim at confidence building; they should negotiate constituting Nuclear Confidence Building Centers (NCBCs). The NCBCs would be slightly different from the NRRCs on the following accounts. First, the NCBCs could have expanded functions as compared to

⁹⁴ “PM, Musharraf agree on nuclear risk reduction,” *The Statesman*, 16 July 2001.

⁹⁵ Rafi uz Zaman Khan, “Nuclear Risk Reduction Centers,” <http://www.stimson.org/southasia/pdf/rafikhan.pdf>; CSIS Report, “Nuclear Risk Reduction Centers in South Asia,” http://www.csis.org/isp/nrrc/0406_nrrcreport.pdf; and General Jehangir Karamat, “Nuclear Risk Reduction Centres in South Asia,” http://www.bradford.ac.uk/acad/sassu/publications/General_Karamat.pdf.

NRRCs. The latter formalized towards the end of the Cold War, and started functioning only in the post cold war period; thus the NRRCs became functional when the political relations between the two superpowers had become less crisis prone, if not cordial. In the subcontinent, it is highly unlikely that the conflicts, especially the core ones – J&K and cross border terrorism – will be resolved soon. Hence any institutions would have to function in a highly volatile atmosphere, and one which is crisis prone. In other words, they would not have the luxury of a ‘post-conflict’ period as happened between the US and Russia.⁹⁶

No doubt, any suggestions at Indo-Pak level need to take into account the existing sub-continental nuances but cannot be totally rejected outright. What is needed in the Indo-Pak context is something beyond mere technical centers to monitor an agreement signed between the two countries. The NRRCs are an end of the agreement whereas the NCBCs would be a means to further strengthen and expand an initial nuclear treaty between India and Pakistan. The NRRCs have a negative connotation – they are designed to reduce risks, while the NCBCs function would be positive. They would act as the building blocks of Indo-Pak nuclear confidence.

⁹⁶ Would the NRRCs as found between the US and Russia be applicable to the Indo-Pak situation? Expanding the question further, are Cold War nuclear confidence building measures have relevance for South Asia? There have been arguments both supporting and negating these questions. What is surprising in this debate is, that those who believe in deterrence in South Asia and argue that if it could work during the Cold War, it would also work in South Asia, are the first ones to repudiate that measures that were taken during the Cold War may not be applicable in the Indo-Pak situation. See Michael Krepon, “Nuclear Risk Reduction: Is Cold War Experience Applicable to South Asia?” in Michael Krepon and Chris Gagne, eds. *The Stability-Instability Paradox*, pp. 1-14; P. R. Chari, “Nuclear Restraint, Nuclear Risk Reduction, and the Security-Insecurity Paradox in South Asia,” Michael Krepon and Chris Gagne, eds. *The Stability-Instability Paradox*.

Second, the NRRCs are the end result or a by-product of an understanding reached at the end of a strenuous process involving numerous bilateral and multi lateral agreements on arms control and disarmament. In the Indo-Pak context, there are no arms control or disarmament measures available of any consequence.

An institutional joint commission or working group is essential on nuclear issues to reach consensus on building confidence, thereby reducing nuclear risks. The NCBCs could be entrusted with this responsibility, and one of its functions would be to suggest measures to promote nuclear arms control and keep the MND as “minimum” as possible.

Nuclear Confidence Building Centers (NCBCs)

Structure and Functions

There would be two NCBCs – one each in India and Pakistan. They would be comprised of two committees – technical and strategic. The technical committee would comprise technicians to monitor the provisions of an agreement. The strategic committee would primarily act as a political committee comprising members drawn from the ministries of external affairs, home, defence, armed forces, national security council/advisory board and at least one member each from the academic community. The objective of including members from the National Security Council/Advisory Board and the academic community is to act as a cushion amongst the rigid bureaucracies and provide independent alternatives, with no vested interests. In a sense, the strategic committee would be a mixture of members from both tracks I & II.

The Technical Committee

The technical committee of the NCBCs could have the functions that have been associated with the NRRCs. Zaman Khan has suggested that the NRRCs “serve as an effective, exclusive, and dedicated technical means of official communication

for the rapid exchange of accurate and factual information.”⁹⁷

General Karamat and the Working Report prepared by the CSIS have suggested three main functions for the NRRCs in terms of relaying “Special-messages, Agreement-mandated messages and Clarification messages.”⁹⁸

They would act as the monitoring/verification units of technical details. Second, with a renewed focus on the physical safety of nuclear installations both in India and Pakistan, they would assist in exchanging information, to protect them from any attack from non-state actors. Third, they would directly communicate to each other during normal and crisis periods, thereby eliminating the dangers of accidental nuclear war occurring out of nuclear accidents. They would function as tools of official communications by which relevant information is exchanged between the two countries.

The Strategic Committee

The strategic committee of the NCBCs would identify measures to reduce the dangers and increase confidence between the two countries. They would discuss measures that are of both immediate and long term concern and advise respective

India and Pakistan should go beyond risk reduction and aim at confidence building; they should negotiate constituting Nuclear Confidence Building Centers.

⁹⁷ Rafi uz Zaman Khan, “Nuclear Risk Reduction Centers.”

⁹⁸ See Jehangir Karamat, “Nuclear Risk Reduction Centres in South Asia” and CSIS Report, “Nuclear Risk Reduction Centers in South Asia.”

governments on what further measures could be adopted.

The secretaries of respective foreign ministries would lead the strategic committee. The members could be drawn from various departments, including the home and defence ministries; armed forces; and importantly the strategic community. Inclusion of members from strategic community is essential, in order to provide some space outside the rigidity emanating civilian and military bureaucracies and also to enhance the nuclear debate in both countries. To an extent, the strategic committee would comprise of members from both tracks I and II.

The strategic committees would have their own timetable in terms of bilateral meetings, so as to be insulated from the negative impact of non-movement on other issues. They would have a fixed schedule with a provision to meet during emergencies. It has already been agreed to establish a hotline between the foreign secretaries.⁹⁹

⁹⁹ Amit Baruah, "India, Pakistan agree on hotline for nuclear issues," *The Hindu*, 21 June 2004.

This paper has not looked into the details of what the focus of this committee could be. There has been excellent research work published on nuclear risk reduction suggesting measures including non-weaponization, non-deployment, de-alerting, de-targeting, induction without deployment, early warnings, etc.¹⁰⁰ It is sufficient here to mention that the strategic committee would look into these issues, examine their feasibility and make further suggestions. Once agreed by both the governments, it would be left to the technical committee to implement them.

The strategic committee would also discuss nuclear doctrines aiming to reach an understanding at regional and global levels. At the global level, the strategic committee would find more convergences between India and Pakistan, though there may be many divergences at the regional level. There could also be a time in the future in which India and Pakistan may have to discuss nuclear issues with China, engaging in a trilateral dialogue. The strategic committee would lead any such discussion.

¹⁰⁰ See the following essays P. R. Chari, "Nuclear Restraint, Nuclear Risk Reduction, and the Security-Insecurity Paradox in South Asia," in Michael Krepon and Chris Gagne, eds. *The Stability-Instability Paradox*, pp. 16-36; Chris Gagne, "Nuclear Risk Reduction in South Asia: Building on Common Grounds," in Michael Krepon and Chris Gagne, eds., pp. 37-58; Kent Biringer, "Missile threat reduction and monitoring in South Asia," in Michael Krepon and Chris Gagne, eds., pp. 59-82; W. P. S. Sidhu, *India's Security and Nuclear Risk-Reduction Measures* (Washington: Henry L. Stimson Centre Report, 1998); Z Mian, R. Rajaraman and M. V. Ramana, 'Early Warning in South Asia: Constraints and Implications', *Science and Global Security* Vol. 11, No 2-3, pp. 109-150; M V Ramana, R. Rajaraman, Zia Mian, "Nuclear Early Warning in South Asia: Problems and Issues," *Economic and Political Weekly*, 17 January 2004, Vol.39, No.3, pp. 279-284.

Conclusion

There have been three major summits since the nuclear tests in 1998 – the Lahore Summit (1999), Agra Summit (2001) and Islamabad Summit (2004). There have also been numerous meetings at the technical level involving the secretaries from various ministries from both countries and also at the foreign ministerial levels. Nuclear stability in South Asia has been discussed in all these meetings; beginnings were made, proving only to be false starts later.

As discussed above, three factors remained and will remain crucial in reaching a bilateral understanding on nuclear stability in South Asia. The official track (Track I), especially at the foreign secretaries level, has not made significant process and, given the history, it is unlikely that they will reach a consensus. The unofficial track (Track II) has made significant progress in terms of reaching an understanding. Unfortunately the official track has not recognized this and is also unlikely to do so in the future. The civilian and military bureaucracies believe in nuclear weapons and nuclear deterrence, and hence are likely to continue on their present trajectories with respect to their nuclear forces.

A fourth factor, though not bilateral, needs to be added. The international community, especially the US, is likely to remain wedded to their immediate strategic interests in the region. Unfortunately nuclear weapons and related developments in South Asia have been secondary to other strategic interests. The Second Cold War in the 1980s and the War on

Terrorism in the present decade have kept, and seem likely to keep the nuclear issue a subsidiary one. The long-term

international reactions to the nuclear and missile cooperation in the 1980s between China and Pakistan, nuclear tests by India and Pakistan and the War on Terrorism prove how vulnerable the international community has

been to nuclear developments in South Asia. India and Pakistan know this well and complete removal of sanctions after 9/11 has only confirmed that ‘nuclear’ aspects of South Asia would always be a secondary concern. If the Cold War in Afghanistan made the US ignore or make the nuclear issues secondary, the War on Terrorism will make Indo-Pak nuclear and missile pursuits secondary. Apart from occasional planted stories on South Asia as a nuclear flash point and some serious conferences and research publications on nuclear stability, infrequent external pressure remains limited and is fended easily by the strong bureaucracies in India and Pakistan.

On the positive side, when compared to the civilian and military bureaucracies in India and Pakistan, perhaps surprisingly the political leadership is less rigid and amenable to a consensus on nuclear stability in South Asia. It needs to be underlined that the above assertion is limited to nuclear stability and does not relate to reaching a consensus on Jammu and Kashmir. The political leadership need not worry in terms of the public reaction for any understanding on nuclear issues. On the contrary, they have grounds for believing such an understanding would

...complete removal of sanctions after 9/11 has only confirmed that ‘nuclear’ aspects of South Asia would always be a secondary concern.

have popular support. However, the political leadership on both sides may not be convinced about whether they would receive such popular support for any consensus on Jammu and Kashmir. In other words, nuclear weapons and nuclear stability are less of a political issue than Jammu and Kashmir. Hence, the political leadership may be willing to take the extra step and be amenable to reaching a consensus on nuclear stability between India and Pakistan.

In this case, the academic and strategic community outside the government should pressurize or influence the political leadership to take the lead in terms of reaching a broad political understanding on nuclear stability. Such an understanding need not be based on minute technical details, where the political leadership may need technical assistance. Instead, it could focus on what has been agreed at popular and rhetorical levels.

An agreement on a moratorium on nuclear tests, notification on missile testing, establishment of technical institutions, along with agreeing the initiation of a discussion on reaching a common nuclear doctrine could form the beginning of a process at the political level. The respective bureaucracies could then be consulted to implement these provisions subsequently.

Finally, India and Pakistan should constitute institutions dedicated to reaching and preserving nuclear stability. While a technical committee would monitor agreements, a strategic committee would continuously engage in taking adequate measures on nuclear security and related new developments. Led by the secretaries from foreign ministries in both countries, the strategic committee would consist of members from track II and would meet independently of other bilateral meetings between India and Pakistan. These meetings would have their own schedule so as to prevent any domino effect on non-development on other issues.

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