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Indian Nuclear Development, NSG and Nuclear Non-Proliferation Regime: An Analysis

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ABSTRACT: This research paper identifies the issues and shortcomings in the global nuclear non-proliferation regime, in the context of US policies that have facilitated India and has disturbed South Asia's Balance of Power. The Non-Proliferation Treaty (NPT), with its three pillars which include; nuclear weapons, arms control and disarmament, and the peaceful use of nuclear energy, is considered to be the pivot of the global nuclear non-proliferation regime. Whereas, the Nuclear Suppliers Group (NSG) supplements the non-proliferation ideals of the non-proliferation regime. Both the NPT and the NSG allow the sharing of nuclear technology, among the signatory states of the NPT, for peaceful purposes only. This merit of sharing nuclear know-how for only peaceful purposes is also one of the factors to be considered for participation in the NSG. The Indian-US nuclear deal, NSG waiver to India, and the India-IAEA Safeguards Agreement are the demonstration of how facilitating India has compromised the global nuclear non-proliferation ideals.

Keywords: India, NPT, Indo-US nuclear deal, NSG, Nuclear Non-Proliferation Regime, US

I. INTRODUCTION

The arrival of nuclear weapons in world politics called for arrangements for the regulation of nuclear technology across the globe. The nuclear non-proliferation regime was established for the sole purpose of containing the spread of nuclear weapons in the world. A regime can be defined as "a set of commonly accepted rules, norms, and institutionalized ways according to which collective decisions are taken at the global level" (Benjamin, 1983). It comprises of various multilateral and bilateral legally or non-legally binding treaties and mechanisms. Internationally, disarmament and arms control measures include various treaties and initiatives such as the Global Zero, the Conference on Disarmament (CD) Nuclear Non-Proliferation Treaty (NPT), Fissile Material Cut off Treaty (FMCT) and Comprehensive Test Ban Treaty (CTBT), etc. The CTBT has not been enforced yet, while the FMCT has not been concluded yet. The states disagree on whether to include or exclude the already existing fissile material stocks under the scope of FMCT. The issue faced by the FMCT is that the States which support the inclusion of the existing stock of the fissile material, possessed by the nuclear-weapon states, call out for signing a "Fissile Material Treaty (FMT)", on the other hand, the states that are in favor of signing the treaty under the name of "Fissile Material Cut-Off Treaty (FMCT)" actively back banning the manufacturing of fissile materials by the member states (Nuclear Threat Initiative, 2018).

The NPT, almost near to universality, is considered to be the backbone of the global nuclear non-proliferation regime. The Treaty alone was considered insufficient for hindering the proliferation challenges i.e. the spreading of nuclear weapons technology across the globe. Interestingly, even the increase in the number of states that became a member of the NPT, the Treaty remained unsuccessful in controlling the slow spread of nuclear weapons at the international level. The NPT is supported by four non-legally binding, informal Export Control Regimes (ECRs) that include; Nuclear Suppliers Group (NSG), Missile Technology Control Regime (MTCR), Australia Group (AG) and Wassenaar Arrangement (WA). Scholars have also called the aforementioned cartels to be a challenge to non-proliferation regimes and disarmament (Mianet.al., 2006)

This research study will discuss how the ideals of disarmament, non-proliferation regime, and arms control measures at the global level have suffered as a result of inequitable policies of the US and the likeminded states towards South Asia. Special focus will be on the favors given to India in terms of the Indo-US nuclear deal, NSG waiver to India and the IAEA agreement. The scope of this paper is limited to analyzing how the above-mentioned policies, by facilitating India, have compromised the spirit of the global nuclear non-proliferation regime.

II. HISTORICAL BACKGROUND

The President of the US, Eisenhower delivered a famously known address titled “Atoms for Peace” in the year 1953 to the UNGA. It was proposed in his address that nuclear material and information should be shared for only peaceful purposes with other states, which could be monitored by establishing a regulatory agency at the international level.

The International Atomic Energy Agency (IAEA), established in 1957, was the end product of the US 1954 Atomic Energy Act. The IAEA is an international regulatory authority which was formulated to regulate the spread of nuclear technology and its distribution for peaceful uses. The Agency’s main task is to assist the participation of the non-nuclear weapon states in peaceful nuclear cooperation across the globe (Bunn, 2005).

The nuclear nonproliferation regime that revolves around the NPT, entered into force in 1970; the NPT provides a clear outline of the code of conduct to its 191 state parties (Bunn, 2005). The Nuclear non-proliferation treaty divides the member states into two groups i.e. the Nuclear Weapon States (NWS) and the Non-Nuclear Weapon States (NNWS). The NPT prohibits member states except for the P5 states from acquiring nuclear weapons. The P5 states include the US, United Kingdom, Russia, France, and China, have developed nuclear weapons before 1 January 1967, and are called de-jure NWS (SIPRI, 2011). Under the NPT these de-jure nuclear weapons states have taken a pledge to take measures for the global disarmament of nuclear weapons. Other categories of the states that have acquired nuclear weapons after the NPT entered into force in 1970 are known as de-facto Nuclear Weapons States (NWS). These states, which include Pakistan, India, and Israel, have not signed the NPT (SIPRI, 2011). North Korea is the only de-facto nuclear weapon state that initially signed the NPT but withdrew in 2003.

- **Smiling Buddha: Established the NSG**

The global nuclear non-proliferation regime which was formulated to address the nuclear security and proliferation issues was weakened when India conducted a nuclear explosion in 1974. The 1974 nuclear test which was conducted by India was considered as the open deviation from the efforts of the global comity of nations regarding nonproliferation (Ganguly, 1999, p-160-61). The Indians claimed this nuclear explosion to be peaceful i.e. it was carried out for non-military purposes and was named “Smiling Buddha”. The 1974 tests exposed the flaws in the NPT, as it had failed to prohibit the misuse of nuclear weapons by India which is a NNWS. It was after the 1974 PNE when the great powers felt the need of establishing a group of suppliers to cap the technological transfers related to nuclear exports across the globe. The plutonium material which was used in detonating the first nuclear device by India was diverted from the “Canadian-Indian Reactor, US” (CIRUS). CIRUS was a reactor with the sole purpose of research and had a capacity of 40-megawatt that was provided to India by Canada in 1956 (Lee, 2006) and interestingly that was not placed under formal safeguards (Abraham, 1998, p-121).

Canada in the aftermath of Smiling Buddha ended all nuclear cooperation with India, but neither demanded the accounting of plutonium material used in CIRUS nor did it ask India to comply with the IAEA safeguards. Ironically, Canada that ratified the NPT in 1970 (UNODA fact sheet on the treaty of NPT, n.d.) as a non-nuclear weapon state was involved in laying the foundation of the horizontal proliferation of nuclear weapons in South Asia. Canada being a party to the NPT has violated the article I and II of the NPT. The first two articles of the NPT prohibit the member states of the NPT from providing any sort of assistance to a Non-Nuclear Weapon State (NNWS) in its pursuit of acquiring nuclear weapons technology. Moreover, these articles also bind the NNWS to permanently give up the pursuit of developing or acquiring nuclear weapons (Kimball, 2012).

According to the Indian claims, the India-Canada agreement did not prohibit using the plutonium material, that was produced at the CIRUS reactor, for conducting peaceful nuclear explosions. The Indian officials insist that India did not breach the agreement with Canada (Edwards, n.d.). However, sanctions were placed on India to isolate it from the global nuclear trade. In 1975 the Nuclear Suppliers Group (NSG) was established in response to Indian detonation of a Peaceful Nuclear Explosion (Hibbs, 2017) in the year 1974 (NSG History, n.d.). The PNE conducted by India was a clear demonstration of the fact that the transfer of nuclear technology purely for peaceful purposes by a nuclear weapon state, such as Canada, can be entirely misused by any non-nuclear weapon state, such as India (NSG History, n.d.). The NSG was created to keep a check on the countries that are not a party to the NPT but were involved in the trade of nuclear-related material. Since its establishment, the NSG has played the role of a complementary arrangement to NPT for achieving the goals of the non-proliferation of nuclear weapons. Moreover, India again tested a nuclear weapon device in May 1998. In response to the Indian tests, Pakistan tested five nuclear devices on 28 May 1998.

III. THEORETICAL FRAMEWORK

The international political system is composed of interconnected interests of the states, these interests can be categorized at the strategic, economic, and political levels. The nuclear non-proliferation regime can be analyzed under the neo-liberalist school of thought, which emphasizes on promoting peace and security in the

world through transnational interdependence and international regimes. The global nuclear non-proliferation regime along with the arms control and disarmament arrangements are examples of the international regimes that can prove to be instrumental in the promotion of peace, security, and stability in the world.

The establishment of the nuclear non-proliferation regime at the global level, for curbing the dissemination of nuclear weapons in the world, falls under the neoliberalist school of thought. However, the element of prestige and balance of power in South Asia possibly extending to Asia Pacific, through the prism of Waltz's structural realism cannot be completely overlooked.

Interestingly, the regime which was established to ensure world peace and security via stopping the spread of weapons of mass destruction has been compromised by facilitating India. The US and its like-minded states have favored India by providing India with an NSG waiver, Indo-US nuclear deal, and other nuclear agreements/ MoUs with several other states.

When it comes to political economy, neo-liberalism is an approach that refers to freeing up the economy by removing barriers and restrictions. This approach is in favor of a free-market in which all the economic decisions are given in the hands of the market rather than the state (Neoliberalism, n.d.). Neoliberalism argues that even in an anarchic system cooperation can emerge through the building of transnational institutions, norms, and international regimes (Pevehouse & Goldstein, 2008).

The fact that United States offered Indo-US nuclear deal to a non-NPT member (India) and worked with the other likeminded states to give special NSG waiver to India for getting the economic benefits that the Indian nuclear market could offer can be explained via the Neoliberalist school of thought. It is evident that the economic opportunities which India can offer match the interests of Western states. Indian leaders claiming to be the advocates of nuclear non-proliferation, arms control and disarmament, are well verse to take advantage of the Western state's look East policy. In contrast, the US with its like-minded states has bypassed the norms and principles of the global non-proliferation regime to enable India in various nuclear cooperation deals.

During the Cold War era, the US and Indian relations were identified as "estranged" (Kux, 1992, p-447), full of mistrust, and hostile (Talbot 2004, p-10-11). The US developed military relations with Pakistan because India has already developed military relations with the Soviet Union earlier (Chray, 1995; Kux, 1992). The July 1982 visit of Indira Gandhi to the US renewed the bilateral partnership (Tellis, 2013, p-305; Perkovich, 1999). Over the past decade, India has emerged as a significant player that offers huge investment opportunities to the world. Furthermore, the rise of BRICS (Brazil, Russia, India, and China) places India into a very strong position. India understands that the American strategy is to counter China in the region, so India has been trying to become more relevant globally and regionally through expanding the size of its collaboration with America (Vanaik, 2004).

IV. THE INDO-US NUCLEAR DEAL

President Bush proposed the India-US Civil Nuclear Cooperation Agreement in 2005; it was a milestone that lifted all nuclear trade sanctions from India. The deal between India and the United States was signed and ratified by the American Congress on October 8, 2008. This deal puts a huge question mark on the effectiveness of the international nuclear non-proliferation efforts. Moreover, this deal also challenges the reliability of the official stance of the United States regarding the global nuclear nonproliferation regime (Barathwal-Datta, 2020). The US justifies this deal by speaking about its commercial interests in the Indian nuclear industry. This deal has also been viewed as an unprecedented reorientation of Indo-US relations. Pant (2007, p-471) denotes it as a move to maintain a global balance of power to counter Militant Islam and China. Kapur and Ganguly (2007) mentioned it as a domestic policy shift for the sake of economic partnership with India. Carranza (2007, p-469) identifies this move by the US to contain China in the region. Chacko (2014, p-337) identified this move as "trust-building". Pate (2018, p-211,157) identifies this deal to be a shift in the US policy "the reconstitution of US identity as a great power and an arbiter of the global nuclear order". India's case is special as it is a non-NPT nuclear-weapon state that has been involved in internal proliferation during 1974 and tested its nuclear weapons in 1998.

For signing the Indo-US deal the US advocated that the NSG should amend the existing international nuclear trade laws, alongside amendments in the IAEA safeguards manual (Jaspal,2008). The international community's response was divided into two main categories. The first category has few states, that have taken a principled stance in favour of non-proliferation, such as South Africa, China, etc., these states have been the main opponents of the Indo-US deal. The second category is of the states that considered these events to be a new milestone achieved by the International community, these states have offered India nuclear deals they include; Russia, Australia, France, Germany, etc. This particular deal between the US and India has undermined the role of the nuclear non-proliferation regime as a strong institution and the major proponent of the nuclear non-proliferation and disarmament ideals. This deal cross-examines the credibility of the NPT. According to Article III of the Nuclear Non-proliferation Treaty (UN Office of Disarmament Affairs, n.d.) any nuclear deal

between a nuclear weapon state and a non-nuclear weapon state, case in point the US and India, cannot be amalgamated without signing the IAEA safeguards agreement.

The Indo-US deal benefited India by ending India's isolation from the nuclear club. This deal was also of symbolic value as it elevated India's status by recognizing India as a nuclear power. Although the progress on this deal has been long subject to nuclear liability and domestic laws of India and the US, India has already benefited from this deal. Furthermore, the US companies will start having their due share of benefits as soon as this deal materializes. Considering America's superpower status, this deal opened doors for India to sign various other nuclear cooperation agreements with France, Australia, United Kingdom, and Canada.

However, the deal has not been finalized yet, even after the signing of this deal almost one decade earlier, due to strong opposition within US policymakers. Many Congressional Committees such as Senate Committee on Foreign Relations (SCFR) and the House International Relations Committee (HIRC) has shown concerns on the deal specifically regarding the safeguard of nuclear facilities, prevention of export of nuclear facilities and separation of civil and military nuclear facilities (Mistry, 2014, p-77-78). The deal was analyzed as "weakening the NSG's commitment to the treaty" (Marky, 2006) and "ill-conceived" (Marky, 2006) and it was identified that India had already violated the pledge regarding the prohibition of nuclear weapon use for military purpose (Lugar, 2005). On the other hand, many influential policymakers have been in favour of this deal by considering it essential for the success of the Indo-US strategic partnership, these include Condoleezza Rice (US Secretary of the State) and Alcee Hastings (Democrat Congressman) (Dutta, p-12-13). Nonetheless, the US media, in general, has been the major critic of the Indo-US deal.

The India-Australia Civil Nuclear Cooperation Agreement entered into force on 13 November 2015 (Agreement between Government of Australia and India, 2014). According to this agreement both India and Australia pledged to start cooperation in the fields of peaceful nuclear energy, and to have mutual obligations when it comes to the application of physical security, safeguards, use and transfer of the "nuclear and non-nuclear material, components, equipment, and technology transfer" (Agreement between Government of Australia and India, 2014).

India and Canada started civil nuclear cooperation in 2013 through signing India-Canada Civil Nuclear Pact, according to this pact the Canadian firms were allowed to export controlled nuclear equipment and materials to India, however, this was purely related to the IAEA safeguards (Ministry of External Affairs India, 2017).

India and France agreed on the use of nuclear energy for peaceful purposes, this agreement was signed in 2010 and it entered into force on January 14, 2010 (India-France Joint Statement, 2010). According to this agreement, India and France will collaborate in the areas related to the development of the use of nuclear energy for peaceful purposes. It was decided that both states will also sign agreements related to the confidentiality of the information and techniques for future cooperation in the area of using nuclear energy for peaceful purposes. These future agreements will also focus on intellectual property rights directly related to using nuclear energy for peaceful purposes (India-France Joint Statement, 2010).

For the India-UK Civil Nuclear Cooperation the declaration was signed on 11 February 2010 in the New Delhi (Ministry of External Affairs India, 2013). According to the official statement, this agreement will help companies from the UK to collaborate with Indian companies (or partners) in the arena of civil nuclear technology. The MoU will also help India and the UK to achieve the target of low carbon growth and energy security (MoU between UK, Northern Ireland, and India, 2015).

Having mentioned all the significant Civil nuclear cooperation deals of India with vital states. This is evident that at the international level the deal signed between India and the US has opened the gates for India's collaboration in the spheres of importing nuclear technology and equipment. This proves that the civil nuclear deal signed between India and the US has been an open violation of the global nonproliferation efforts in general, and the NPT in particular. It highlights that global politics is biased specifically when it comes to nuclear-related policies towards the nuclearized states (India and Pakistan) of South Asia. During the course of events, Pakistan created nuclear weapons solely to create a balance of power in the South Asian region. Pakistan, India's nuclear neighbor, in the wake of this deal was completely sidelined from getting the same benefits as India. While showering nuclear cooperation deals with India, it is interesting to observe that Pakistan has remained under immense international scrutiny and criticism over the A. Q. Khan episode. On the other hand, at the international level, there is a noticeable number of states that are now engaged in nuclear trade with India. This demonstrated that the world has overlooked India's history of diverting plutonium material from the CIRUS reactor (provided by Canada) to build a bomb-grade fissile material.

V. NSG WAIVER TO INDIA

India conducted the Peaceful Nuclear Explosion in 1974 this resulted in the establishment of the Nuclear Suppliers Group in 1975. It was called PNE because India claimed that the nature of this explosion was non-military, however, at that time India did not have a civil nuclear program (World Nuclear Association,

2018). The NSG was aimed at the prevention of the spread and misuse of nuclear materials, nuclear technology, and nuclear-related equipment at the global level. Ironically, there has been a debate going on inside the Nuclear Suppliers Group's plenary meetings for including India as a member of this group. It is interesting to recall that the NSG adopted the Part-I of its Guidelines as a reaction to Peaceful Nuclear Explosions that were conducted by India in 1974. Furthermore, it is interesting to note that the US, in the wake of the 1974 Indian nuclear test, institutionalized its domestic nuclear policy by vexing the US 1978 Nuclear Nonproliferation Act (NNPA) (Potter, 2005, p-344; Perkovich 1999, p-206).

To mainstream India in the international nuclear trade, the US along with other likeminded countries granted India the NSG's clean waiver on September 6, 2008. The NSG waiver exempted India from the NSG guidelines which demand the enforcement of comprehensive safeguards as an essential condition of conducting nuclear trade at the international level (Jaspal, 2008). The NSG waiver that was given to India permitted it to actively participate in the global nuclear trade. Moreover, this has proved to be symbolic as it was instrumental in strengthening India's status at the global level as a responsible nuclear state which has no proliferation record. It is ironic how the world has overlooked the Indian horizontal proliferation record.

According to the open-source data available India has already concluded nuclear cooperation agreements with various states other than the US, such as Russia, and France, etc. (The Australian Safeguards and Non-Proliferation Office, 2009) Furthermore, India benefited from the deal between India and US by signing several nuclear cooperation agreements with other states like Russia, France, U.K., South Korea, Canada, Argentina, Kazakhstan, Mongolia and Namibia (Rising Power Initiatives, 2012). The nuclear cooperation deals/agreements signed in the aftermath of NSG waiver will make India economically strong. However, this waiver is a serious breach to the credibility of the NSG, with special reference to its complementary mechanism to the NPT. The NSG waiver granted to India is inconsistent with IAEA guidelines and the NPT.

The NSG clean waiver given to India in 2008 permits India to get access to all sorts of nuclear technology which also includes reprocessing and enrichment technology. However, as per NSG's revised guidelines, the non-NPT states were not eligible for having the enrichment and reprocessing technologies.

Pakistan and India have an active nuclear weapons program and remain non-signatory to the NPT and various other arms control and disarmament treaties. On one hand, India being an NPT non-signatory state has been facilitated by the US and numerous other states; as they have signed nuclear cooperation deals with India and have given India a special NSG waiver. Additionally, India is getting support from like-minded states for its entry into the NSG. On the other hand, Pakistan has been denied all the perks India is enjoying based on the proliferation allegations about A.Q. Khan network and accusations about Pakistan having the fastest-growing nuclear weapons program. The point of analysis here is that in the A.Q. Khan episode there were several other suppliers and importers with whom the state of Pakistan was not at all linked. The sponsors of nuclear non-proliferation and global disarmament, without remorse, are signing nuclear deals with India, have been pointing fingers at the Pak-China nuclear cooperation under the 1994 grandfathered agreement (Braun, 2008).

VI. INDIA-IAEA SAFEGUARDS AGREEMENT

For facilitating India into various nuclear deals the IAEA safeguard pattern was changed, in February 2009 a special arrangement for India that was negotiated between India and the IAEA Board of Governors (BOG) (IAEA, 2009). Whereas on the other hand, Obama claimed in his speech during his visit to Prague that America would seek world security and peace without nuclear weapons (Obama, 2009). In 2006, to materialize Indo-US deal and nuclear agreements with other states, India took legal commitment to ratify the IAEA Additional Protocol (AP). The rule of the thumb is that the IAEA AP is more intrusive and includes the voluntary safeguards agreement that aims at providing access to both categories of nuclear sites i.e. declared and undeclared sites.

The IAEA has the function of verification i.e. concerning the NPT it verifies that all states whether the possessor of nuclear weapons or not while using nuclear power for peaceful purposes must abide by their obligations as NPT members to the global nuclear non-proliferation. The nuclear facilities are verified under the IAEA Safeguards Agreements. The standard operating procedure is that inspections are done regularly by the IAEA inspectors. The IAEA inspectors visit nuclear facilities and verify the records of the nuclear material that are maintained by the state. This includes all the nuclear facilities under the state's control. Moreover, the inspection is done for checking instruments installed by the IAEA and their surveillance equipment. Lastly, the physical inventories of nuclear material are also confirmed.

The IAEA item-specific safeguards are applied to the six Indian civilian power reactors. According to the data available in the open-source, "eight more reactors have become subject to the IAEA safeguards during 2008-1, all the future civil facilities that India will establish, following the 2008 US-India agreement and 2014 Additional Protocol will also be included" (World Nuclear Association, 2014). There is skepticism in India as it

is perceived that the safeguards will not only compromise the Indian energy security policy in the long run but also will hinder the speedy process of India's nuclear program (McGoldrick et al., 2005).

In contrast to this Pakistan, being a non-NPT member and without any prerequisites of signing nuclear cooperation deals with other states than the US, has still signed facility-specific INFCIRC/66/Rev.2 type safeguards with the IAEA. According to the facility, specific safeguards agreement only specific declared nuclear facilities are open for the IAEA inspection. Islamabad has not yet signed an AP with the IAEA.

On July 25, 2014, the Additional Protocol (AP) between India and the IAEA entered into force (IAEA Office of Public Information and Communication, 2015). The AP is aimed at applying the IAEA safeguards to Indian civil nuclear facilities. India has taken very few obligations under the India specific IAEA Additional Protocol. According to it, "India has pledged only to report IAEA the details about exporting the nuclear materials such as thorium and uranium only if the quantity of export of uranium is more than 10 tons and thorium 20 tons per year" (Ramana, 2014).

The India specific IAEA Additional Protocol has reshaped the IAEA's safeguards regime. Before this AP the IAEA safeguard regime had a quantitative system. Post-India specific AP the IAEA safeguard's regime is now focused on the qualitative accounting and monitoring of the declared quantities of nuclear materials and activities (Arms Control Association, 2015). "The focus of the IAEA has shifted towards getting a full picture of a state's nuclear-related activities, this is aimed at gathering the data about all the imports and exports related to nuclear technology and equipment" (Arms Control Association, 2015).

Nevertheless, according to the Para (8) of the nuclear verification agreement between IAEA and India, the verification mechanism India has pledged are not linked to the quantitative measures i.e. the inventories of nuclear materials (The conclusion of Safeguards Agreement and Additional Protocol between the government of India and IAEA, 2009). In a nutshell, the Additional Protocol which India has ratified is not at all intrusive and does not cover all the Indian nuclear facilities.

Another ambiguity about this safeguards agreement is that according to the Indian Officials in case of an interruption in the fuel supplies to India, India reserves the right to withdraw certain facilities from inspection (Kimball et.al., 2008). This has been mentioned in the preamble and specific operative articles of the IAEA agreement with India.

The agreement between IAEA and India signed in 2009 (Vestergaard, 2015, p-53) is often termed as the "Umbrella Agreement" as it permits India to place additional Indian nuclear facilities under the IAEA safeguards gradually. The IAEA overlooked the fact that India has actively maintained a nuclear program outside of the IAEA safeguards and has kept on producing the fissile material. This particular Additional Protocol lacks fruitful non-proliferation benefits. It can easily provide India with sufficient nuclear material for making more weapons and increasing the size of the Indian nuclear arsenal. Therefore, it will increase the prospects of instigating a nuclear arms race in the South Asian region.

The guidelines of umbrella agreement are a reflection of global twofold policies; it is the weakest among all IAEA APs signed with any other NWS. The negotiated Indian specific safeguards agreement has provided huge leverage to Indian nuclear facilities. Robert J. Einhorn pointed out that such exceptions to India by amending existing laws could make the US as "selective and self-serving and non-consistent" in the eyes of the world (Einhorn, 2005). This deal can cause growth in Indian nuclear arsenal and can also be a hurdle in achieving the US nuclear non-proliferation objectives. Whereas, some believe that separation of the civilian and nuclear facilities may enhance Indian capacity to produce fissile material (Mianet. Al, 2006, 117).

VII. CONCLUSION

Although universal in its approach and applicability the NPT is dominated by the Western states. India, Israel, and Pakistan pose a unique challenge to the nuclear non-proliferation goals. The three have not joined or accepted the NPT, but engage with the non-proliferation regime at several levels and are interested in joining NSG. While the NSG was created in reaction to Indian Peaceful Nuclear Explosions of 1974, India has managed to get a special waiver that has further led to the culmination of civil nuclear cooperation deal/agreements with twelve NSG participants.

This dynamic of Western discriminatory policies towards South Asia to facilitate India as a player in global nuclear trade have serious implications on the global non-proliferation regime. The US being the perpetrator of creating favorable policies for India has undermined the spirit of the NPT and various other non-proliferation, arms control, and disarmament mechanisms.

Nonetheless, the nature of global non-proliferation regime itself is discriminatory. As it has failed to prevent nuclear non-proliferation and to promote global arms control and disarmament. The P5 states themselves have acquired their nuclear weapon programs via vertical proliferation. The global contradictory standards while favouring India and rejecting Pakistan have made the NPT and the NSG discriminatory. International involvement in advocating India's entry into various nuclear cooperation agreements while putting down Pakistan shows a trend of nuclear deceit.

The NPT members while doing nuclear cooperation agreements with India for economic benefits violate their NPT commitments. The Western media and the US twofold policy concerning India and Pakistan is further revealed from the support provided to India's entry into the Nuclear Suppliers Group. India being a country that was involved in horizontal proliferation will prove to be counter-productive for the global non-proliferation regime and will deteriorate the prospects of Pakistan's growth at the international level. Likewise, in such an unjust international environment the chances of an arms race in South Asia cannot be overruled. The international community must take notice of this and needs to take concrete steps towards making the nuclear non-proliferation regime impartial for all states.

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