

Counterproliferation: A Shared Objective for India and the U.S.

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With the U.S. decision nearly a decade ago to engage in civil nuclear cooperation with India and to regard it as a responsible nuclear-armed state—despite its unwillingness to join the Non-Proliferation Treaty—the two powers are now able to cooperate more effectively on goals they strongly share: curbing the spread of nuclear weapons to additional countries and preventing nuclear terrorism. In the period ahead, they should step up their cooperation in the following areas:

Interdicting illicit nuclear transfers: Although India has resisted joining the Proliferation Security Initiative, Washington and Delhi have cooperated on an *ad hoc* basis to stop illicit shipments of sensitive items to states of proliferation concern. To facilitate such cooperation, they should set up an informal bilateral mechanism to exchange intelligence, share expertise in identifying illicit shipments, conduct exercises, and engage in other activities that would better prepare them for cooperative interdiction operations.

Expediting India's membership in the multilateral suppliers groups: Since 2010, the United States has sought to facilitate India's entry into the Nuclear Suppliers Group (NSG), Missile Technology Control Regime (MTCR), Australia Group (AG), and Wassenaar Arrangement (WA). India has made much progress in harmonizing its export controls with the guidelines and control lists of the various groups, although more work is needed, especially in the case of the AG and WA. More active outreach by Delhi to individual regime members will also be required

to build the necessary consensus in each group. India could bolster its case by further strengthening the implementation and enforcement of its export controls, which would be facilitated by continued cooperative India-U.S. efforts in the area of export control capacity.

Promoting India-U.S. civil nuclear cooperation: Expectations that the India-U.S. civil nuclear agreement would lead to enhanced bilateral nuclear cooperation have not been fulfilled, largely because of the Indian law that, contrary to standard international practice, assigns liability for nuclear accidents to suppliers rather than operators, which has discouraged American (as well as French and Russian) reactor manufacturers from finalizing sales to India. It is time to explore a solution with the new Modi government, whether through modification of India's legislation or through some other means (e.g., creation of a special insurance fund).

Enhancing nuclear security: The two countries strongly share an interest in enhancing the physical protection of nuclear weapons and materials against theft or seizure by terrorist groups. The existing bilateral working group on nuclear security should meet more frequently and cooperate more intensively, carrying out joint exercises and training activities and sharing best practices in such areas as transportation security and personnel reliability programs.

Avoiding inadvertent nuclear use: At the highest levels, India has called for practical measures to

reduce the likelihood of the accidental or unauthorized use of nuclear weapons. Based on the unilateral steps it has taken in this area, as well as the cooperative arrangements it has concluded with the Soviet Union/Russia, the United States should engage bilaterally with India on avoiding accidental or unauthorized use. The two countries should also consider the value of holding multilateral discussions on the subject that might also include Pakistan and China.

Constraining nuclear testing: India maintains a unilateral and voluntary moratorium on nuclear weapons tests, but has resisted adherence to the Comprehensive Test Ban Treaty (CTBT). The Obama administration favors CTBT ratification, but sufficient opposition in the Senate to a permanent and legally

binding treaty blocks ratification. In these circumstances, Washington and Delhi should consider supporting a joint statement in which the leaders of seven nuclear powers (China, France, India, Pakistan, Russia, U.K., U.S.) would make a political commitment not to be the first of the seven countries to conduct another test of a nuclear weapon, perhaps for an initial five-year period. Such a multilateral political commitment—a “no first test” arrangement—would avoid the difficulties in both India and the U.S. of a permanent, legally-binding agreement, but would support shared nonproliferation goals, help pressure other states not to test, and not preclude eventual entry into force of the CTBT when and if circumstances permit.