

The British American Security Information Council (BASIC)

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#### The Author

Dr Rishi Paul is a Senior Nuclear Policy Analyst at BASIC, supporting the overall management and growth of the think tank and directing the Southern Asia project on nuclear responsibilities, a pioneering initiative exploring India and Pakistan's responsibilities around nuclear weapons. His work covers a broad range of issues ranging from the NPT review process to nuclear risk reduction. He is also the Clerk for the All-Party Parliamentary Group on Global Security and Non-Proliferation, a cross-party group of UK parliamentarians working on nuclear issues

Recent publications for BASIC include, 'Foregrounding India's Nuclear Responsibilities: Nuclear weapons possession and disarmament in South Asia' and 'Indian and Pakistani nuclear responsibilities.'

Rishi has addressed the NATO Defence College in Rome, provided media commentary for international news outlets and recently delivered written evidence to the House of Lords, Select Committee on International Relations, "Rising nuclear risk, disarmament and the Nuclear Non-Proliferation Treaty."

Rishi holds both an MA in Strategic Studies and a PhD from the University of Leeds. Whilst an academic researcher at the University of Leeds, his doctorate successfully examined the dynamics of U.S. nuclear strategy and the challenges posed by incorporating ballistic missile defence into strategic doctrine.

#### **BASIC**

The British American Security Information Council (BASIC) is an independent think tank and registered charity based in central London, promoting innovative ideas and international dialogue on nuclear disarmament, arms control, and nonproliferation. Since 1987, we've been at the forefront of global efforts to build trust and cooperation on some of the world's most progressive global peace and security initiatives, advising governments in the United States, United Kingdom, Europe, the Middle East and Russia. Through an approach based on active listening, understanding and empathy, the charity builds bridges across divides and lay new pathways to inclusive security.

BASIC has developed institutional expertise across a number of transatlantic issue areas, including the UK-US nuclear relationship, the UK's Trident programme, the politics of disarmament and arms control in the UK Parliament, NATO nuclear weapons in Europe, the Middle East, the evolving role of responsibility in nuclear governance, and expanding technological threats to SSBN platforms.

## Introduction

On 22nd November 2019, BASIC organised a half-day scoping workshop in New Delhi at the Centre for Air Power Studies (CAPS), to road test the 'nuclear responsibilities' framing. The discussion was held under the Chatham House Rule and included around 30 representatives from think tanks, academia, Ministry of External Affairs, and the military, with strong diversity in gender and age. The day was facilitated by Dr Rishi Paul (Senior Nuclear Policy Analyst, BASIC) and Dr Manpreet Sethi (Distinguished Senior Fellow, CAPS). BASIC participation in the workshop was funded by the United Kingdom Foreign and Commonwealth Office.

The aim of the day was to facilitate an exchange of views between the Indian nuclear policy community and BASIC on the subject of 'nuclear responsibilities'. BASIC explained the framing it has developed along with the Institute for Conflict Cooperation and Security (ICCS), University of Birmingham. This was part of the joint BASIC-ICCS Programme on Nuclear Responsibilities between 2016-2020. By framing nuclear weapons policy and diplomacy through the lens of responsibility, the Programme aims to build international understanding, dialogue, and a shared culture of responsibilities around nuclear weapons.

India historically has a dualistic take on nuclear weapons and perceives them as a necessary evil. It seeks universal nuclear disarmament and dislikes the weapons for their indiscriminate destructive consequences. Yet, it feels compelled to accept them as an inevitable tool of deterrence in its nuclearised regional environment. The country has a long diplomatic record that illustrates this polarity of opinion. This notably includes its status as a non-signatory to the Non-Proliferation Treaty (NPT) in protest to what it views as the inflexible and discriminatory distinction that the treaty draws between Nuclear Weapon States (NWS) and Non-Nuclear Weapon States (NWS). Nevertheless, India is not immune to nuclear risk, and is caught up in two nuclear dyads – with China to the north and Pakistan to the west – which India recognises should be carefully managed to preserve crisis stability.

The participants at the scoping roundtable generally responded positively to the framing, regarding it as a useful way of thinking and talking about nuclear weapons policy that might help facilitate self-reflection at the national level and, in time, mitigate tensions in the region. One participant said that the nuclear debate in Southern Asia is mostly 'static' and that the framing could offer 'new and fresh thinking'. However, also present were individuals who expressed some scepticism about what kind of impact such a dialogue could have. Both perspectives are set out in this report. With this feedback in mind, BASIC and the ICCS intend to return to India in the coming year to deepen some of these discussions.

### Background to the Programme on Nuclear Responsibilities

'Nuclear responsibilities' are the responsibilities of states and other actors around nuclear weapons. All actors that have the power (directly or indirectly) to impact nuclear weapons policy have nuclear responsibilities. This encompasses both nuclear possessor states (NPS) and non-nuclear possessor states (NNPS). The Programme on Nuclear Responsibilities, the home for the discourse, has been developed to offer a neutral conceptual framework, vocabulary, and forum for thinking and talking about nuclear responsibilities and is designed principally for policy makers and policy influencers. In focusing on discourse, this framework sets itself apart from initiatives that seek to achieve specific outcomes, such as arms control accords and confidence building measures (CBMs). It assumes that if people can better empathise with each other's security interests, and better understand how their own state's actions have contributed to fear and insecurity on the part of others (what has been called 'security dilemma sensibility' by Booth and Wheeler), then this will improve the prospects of reaching common ground, and improve communication and understanding in crisis situations <sup>1</sup>

To do this, the Programme works at the national and international levels. National engagements, like this one, aim to seed domestic discussion. Indian officials and experts have often made the claim that India is a 'responsible nuclear power'; the Programme is designed to give India's national nuclear policy community a space to explore what this really means and to dive into the criteria – both explicit and implied – that could be used to assess this claim. International nuclear responsibilities dialogues, which follow sustained national engagements, bring relevant states together to discuss their shared and differing conceptions in an openminded, non-judgmental, and pluralistic manner. Between 2018 and 2020, BASIC and the ICCS have held meetings in London, Tokyo, Kuala Lumpur, Geneva, the Hague, and São Paulo.<sup>2</sup>

The nuclear responsibilities framework is informed by the guiding principle that states have 'common but differentiated responsibilities' (CBDR) to build trust, reduce strategic risks and advance multilateral nuclear disarrmament.<sup>3</sup> The benefit of this construction is that while states may have 'common' and equal sovereign responsibilities in the eyes of the law to contribute to these ends, it allows 'differentiated' responsibilities to be more equitably apportioned among states and other actors within the community, based on their access to power, collective and individual liability for the problems, and willingness to volunteer themselves to solve them. On this basis, it is said that the nuclear possessor states have additional or greater 'special responsibilities'. Yet, assigning responsibilities is not intended to be a blame game, but rather a way to ascertain how best to cooperate in the shared global interest

- 1 Ken Booth and Nicholas J. Wheeler, The Security Dilemma: Fear, Cooperation and Trust in World Politics
  (Basingstoke: Palgrave Macmillan, 2008) p.7
- 2 Sebastian Brixey-Williams, 'Everything you need to know about the Programme on Nuclear Responsibilities,' *BASIC*, 5 November 2019, <a href="https://basicint.org/everything-you-need-to-know-about-the-programme-on-nuclear-responsibilities/">https://basicint.org/everything-you-need-to-know-about-the-programme-on-nuclear-responsibilities/</a>?preview=true& thumbnail id=12092>.
- 3 Sebastian Brixey-Williams, Common but Differentiated Nuclear Responsibilities: Perspectives from Tokyo (London: BASIC and ICCS) 2019 p.6



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# **Key Themes**

The half-day agenda comprised three sessions: first, an overview of the nuclear responsibilities framing; second, a discussion exploring the 'special responsibilities' of the NPS; and third, a brainstorm on how to foreground India's leadership in promoting nuclear responsibilities within the region and internationally. Rather than organising the report by session, the following conveys the key themes that emerged and occasionally resurfaced throughout the roundtable.

#### Initial Reactions to the Nuclear Responsibilities Framing

The discourse coming from New Delhi has always been that India is positively disposed toward global nuclear disarmament and that it is ready and willing to disarm alongside others. Specifically, India's 2003 nuclear doctrine endorses this objective and political leaders have made attempts to prioritise this vision. Moreover, India has set a precedent for employing the framing of responsibility in relation to nuclear weapons possession, with the country often describing itself as a 'responsible nuclear power.'

For a detailed overview of India's nuclear doctrine see Ministry of External Affairs, "The Cabinet Committee on Security Reviews Perationalization [sic.] of India's Nuclear Doctrine." *Government of India*, last modified January 04, 2003, <a href="https://mea.gov.in/press-releases.htm?dtl/20131/The\_Cabinet\_Committee\_on\_Security\_Reviews\_perationalization\_of\_Indias\_Nuclear\_Doctrine+Report+of+National+Security+Advisory+Board+on+Indian+Nuclear+Doctrine>.

#### Overcoming Abstractions in the Nuclear Responsibilities Framing

Participants reflected that there is a risk that the concept of nuclear responsibilities could deteriorate into abstractions and generalisations and become too removed from policy actions. Some felt that if states were to converse with one another from a subjective and often theoretical norms-based perspective then they risk distraction from clear and direct policy action, or could end up procrastinating on the important issues.

It was agreed that the appropriate response is to be continually aware of these risks while looking for ways to translate a normative discussion into concrete proposals, rather than rushing into a discourse on strict obligations or traditional treaty-based negotiations. In that sense, an inclusive discussion of nuclear responsibilities and norms could be viewed as a 'stepping stone' to a legal document further down the road, although this need not be the natural end goal. An overly policy-oriented approach to nuclear responsibilities, on the other hand, risks the discourse becoming prisoner to individual national interests. An open discussion of norms and principles allows for greater creativity and innovation, which is necessary when so much of the discussion has been stuck within ubiquitous debates over nuclear deterrence.

#### Nuclear Behaviour, Not Legal Status

Considerable discussion was devoted to the relationship between responsibilities and legal regimes. This was an anticipated theme given both India's self-image as a responsible nuclear power and its position outside many of the main nuclear weapons treaties.

It was acknowledged that the NPT regime is under considerable strain, with the NWS pursuing far-reaching nuclear modernisation plans, and many NNWS losing confidence in the willingness of possessor states to work towards disarmament in good faith under Article VI. Unsurprisingly, a number of participants believed the NPT to be moribund altogether, with one asking: 'If you don't believe the Permanent Five [members of the UN Security Council] should be the same five countries today, why should the NPT be accepted?' This, they suggested, could prompt a discussion on a new global nuclear order that is not based on the NPT.

If, as might be the case, today's deterrence requirements require fundamental revisions to longheld assumptions due to changing nuclear dynamics and emerging technologies, then existing arms control regimes will also require associated amendments. Some within the group suggested that if nuclear responsibilities dialogues can be viewed as the beginning of a new conversation, the NPS would begin to recognise that they possess special responsibilities and attempt to identify them. This could renew confidence in a global non-proliferation regime and bring the international community together.

For this, participants recognised that it is important to prevent the corruption of the language of 'nuclear responsibilities' or campaign for predetermined responsibilities, if states are to realise the full potential in bringing people together. Some suggested that the core objective must be to develop a clear, common vocabulary in order to promote a respectful and fruitful dialogue. A greater focus on positive norms could transform the complex deterrence-based nuclear order and help reduce the salience of nuclear weapons.

On this basis, the participants in India largely felt that the NPS should be judged by their nuclear behaviours, and not only by their status in relation to particular non-universal treaties such as the NPT. Participants unanimously agreed that most nuclear responsibilities should not be directly connected to membership of the NPT; rather, nuclear responsibilities should be perennial and

transcend treaty obligations. This does not mean that nuclear responsibilities should be viewed as an alternative to enforcing treaty obligations. Rather, they argued that the nuclear responsibilities frame might enable urgent discussions on nuclear doctrine that does not get caught up in historic allegations.

One participant felt that withdrawal from a particular treaty — as has happened in the case of US-Russia arms control in recent years in no way alters or precludes the responsibility to act prudently and be prepared for scrutiny. In this respect, the group questioned if withdrawal from a treaty is sufficient reason to withdraw from engagement. This prompted a discussion around the obligation to ensure the 'spirit' of arms control and nonproliferation regimes endure. India's observance of the NPT's non-proliferation provisions was cited by a large portion of the group in India as an example of respect and acknowledgment of the spirit of the NPT. India's adherence towards non-proliferation norms was also interpreted by a number of participants as one of the drivers for the U.S.-India Civil Nuclear Agreement. Clearly, there is recognition in India that there are benefits to be had from engaging with the non-proliferation regime — of which the NPT is a cornerstone though not it's only constituent — and that there are shared ideas of responsibilities, even as India sits outside of the Treaty itself.

#### Responsibility vs Irresponsibility

The Programme is careful to avoid the language of irresponsibility, which typically accompanies efforts to assign blame, often to a strategic adversary. This was discussed in the introductory session, and there were some strong feelings within the room about perceived acts of irresponsibility perpetrated by others, which should be identified and acknowledged. Through sustained engagement, the Programme will explore the effect that blaming behaviour can have in resolving conflicts, and suggest ways to transform the discourse to one that is more positive and forward-looking.

#### Risk Reduction and Nuclear Responsibilities

Throughout the course of the discussion, participants often found it useful to frame nuclear risk reduction as a core responsibility, seeing a natural intersection between the two.

One presenter used an ABCDE model to outline what they understood as key nuclear responsibilities, which they situated within a broader nuclear risk reduction framework:

- Actions that reduce risk of arms race instability.
- **B**ehaviour that fosters mature responses and promotes constructive international engagement.
- **C**ompliance with legal commitments and norms.
- **D**octrines that stabilise risks.
- Efforts towards nuclear risk reduction and disarmament.

Drawing from the proposed scheme, participants felt that nuclear responsibilities dialogues could help advance the risk reduction agenda in the region. Examples of risk reduction measures mentioned during the day included, but are not limited to:

- Curbing the incentives to modernise arsenals beyond minimum 'assured destruction' requirements;

- Incentivising the adoption of confidence building measures (CBMs);
- Disincentivising the temptation to adopt brinkmanship as a tactic; and
- Reducing the chances and risks of misunderstanding and miscalculation.

Alternatively, another participant proposed a norm of 'responsible nuclear ownership' and suggested steps to identify standards of expected behaviour. However, the concept of responsible 'ownership' could inadvertently signal a reluctance to work towards disarmament as it might read as implying value and indefinite possession. It could be a retrograde step if India were to abandon its self-image as a reluctant temporary custodian of nuclear weapons seeking a transparent and verifiable path towards global nuclear disarmament.

#### Deterrence and No First Use

Several participants made the point that possessing nuclear weapons brings with it a responsibility to limit use. It also encompasses a responsibility to preserve deterrence stability without lowering the threshold for use.

A state's behaviours and policy choices around nuclear weapons are animated by their underlying belief systems. The belief of non-use of nuclear weapons runs deep within Indian strategic culture and explains the basis for certain nuclear weapon policy decisions.<sup>2</sup> India's position of strictly limiting the use of nuclear weapons to retaliation (i.e. deterrence by punishment) excludes 'first-strike,' battlefield, and counter force strategies, and casts nuclear weapons as pure instruments of political deterrence.

Meanwhile, the nuclear strategies of some countries that choose to brandish nuclear weapons for the purposes of coercion and compellence expand the role of the weapon from the 'core purpose of deterrence' and thereby increase the sense of salience attached to them. This could easily drive proliferation and destabilise strategic balances. Thus, participants overwhelmingly supported the proposition that every nuclear possessor had a strong responsibility to limit the weapon's intended purpose, for nuclear use to maintain deterrence, and to only plan for retaliation.

Deterrent relationships shape how states conceive of their nuclear responsibilities, and all NPS have different risks to manage. While individual policy choices around nuclear weapons will elicit judgments from the others, participants felt that this should be tempered with an understanding that requirements vary widely.

Whilst some ambiguity surrounding nuclear use is considered by some nuclear weapon possessors as necessary for deterrence, many felt that maintaining the right balance between ambiguity and transparency represents a special responsibility of the NPS. In particular, India's 2003 nuclear doctrine clearly states that India maintains a policy of No First Use (NFU).<sup>3</sup> However, though participants acknowledged that this is unverifiable, it was also pointed out that the

<sup>2</sup> Dr Rishi Paul, Foregrounding India's Nuclear Responsibilities: Nuclear Weapons Possession and Disarmament in South Asia (London: BASIC), 2018.

<sup>3</sup> Ministry of External Affairs, "The Cabinet Committee on Security Reviews Perationalization [sic.] of India's Nuclear Doctrine." *Government of India*, last modified January 04, 2003, https://mea.gov.in/press-releases.htm?dtl/20131/The\_Cabinet\_Committee\_on\_Security\_Reviews\_perationalization\_of\_Indias\_Nuclear\_Doctrine+Report+of+National+Security+Advisory+Board+on+Indian+Nuclear+Doctrine

seriousness of the commitment could be seen in the kind of capability being built by the nation. One participant also supported the notion that a special responsibility of a NPS with an NFU policy is sustained engagement and reassurance that strengthens credibility.

Some also felt that policy choices around nuclear use were determined by a nation's security perceptions. For instance, Pakistan's conventional forces imbalance with India that makes Pakistan see its nuclear capability as a way of strategic balancing to India's conventional superiority makes it unlikely that it could accept NFU. However, given that an NFU strategy increases the threshold for use, it was suggested that the commitment to work towards a universal NFU could represent a special responsibility applicable to all NPS.

More than once, a comparison was drawn between India and the United Kingdom, two countries that are said to field a 'minimum deterrent,' although precisely what is meant by this varies in each case. It was suggested that both countries have a special responsibility to develop a definition for 'minimum deterrent' and promote this model among other nuclear possessor states.

One member within the group identified that significant improvements to remote sensing and missile accuracy indicate that ground-based retaliatory nuclear forces capabilities might become vulnerable and therefore unreliable as an assured second-strike capability, weakening deterrence in a dangerous way. Special responsibilities around the hardening and concealment of retaliatory forces would therefore appear paramount to guard against possible pre-emptive nuclear options. The same individual argued that "previous assumptions around arms control would therefore need to be revisited." This dynamic may cause NPS to develop greater redundancies in their arsenals to ensure survivability and thus affect the prospects of arms control.

#### Special Responsibilities of Nuclear Possessor States

Participants generally accepted that the nuclear possessor states bear special responsibilities associated with the possession of nuclear weapons. One participant ascribed this to three reasons: the nature of the weapon itself; how the weapon is used, which has a grave impact on both adversaries and the possessor; and the deterrent use of the weapon.

In particular, it was felt incumbent on the U.S. and Russia to show leadership and draw the other NPS into dialogue, with a view to pioneering new multilateral arms control accords. However, one participant expressed some scepticism that states could successfully identify common norms of nuclear behaviour with nine nuclear possessors. Rather, since the established nuclear order is based upon deterrence stability which is under increasing strain, they felt that there is a need to create a new order to reconcile the challenges of the current times and cater to the wider group of nuclear custodians. Until that fact is explicitly acknowledged by the international community, their attempts to manage the nuclear order and stem further proliferation will likely be frustrated.

One participant highlighted the fact that there is no "nuclear taboo around possession." Rather, "the global community has accepted that if a state seeks an existential deterrent, eventually it will develop it despite the combined efforts of the global community to impose non-proliferation measures and sanctions." If, as has been the case, some states come to view nuclear weapons as 'the coin of power,' then NPS possess a special responsibility to limit and to decrease the salience of their nuclear weapons and work for the conditions that delegitimise their use.

Some participants felt that NPS may possess 'graded responsibilities' depending on the size of their strategic inventory and nuclear doctrines, whilst others felt that nuclear responsibilities only make sense if it is common and not differentiated. Another debate involved the idea of assumed

and assigned responsibilities. The merits of both are compelling, but also problematic in their own ways. On one hand, participants felt that assigned responsibilities can be apportioned more equitably, and would be stymied by the creation of a hierarchy that could come to be associated with status. On the other hand, assumed nuclear responsibilities rely on states to conduct an honest and effective process of introspection and evaluation, but will likely be subject to procrastination. Ultimately the group was unable to reach a full consensus on this issue, but acknowledged that the NPS all undoubtedly possess special responsibilities.

#### Proposed Special Responsibilities of the Nuclear Possessor States

In each box like this one, the responsibilities listed were proposed by participants throughout the day. They are given in full and in no particular order, to promote debate and discussion, without implied support.

- A 'general obligation' on NPS is to be as transparent as possible to reduce the risks of arms racing and nuclear collisions caused by misunderstanding or bad signalling.
- Participants felt that because no first use is unverifiable, the NPS bear a special responsibility to consider how best to ensure their policy is credible and believed, and to take actions consistent with this pledge.
- Special responsibility to separate nuclear retaliatory use from conventional warprosecuting strategies, and to decouple systems.
- Special responsibility to synchronise declaratory and operational policy.
- Special responsibility to limit the role of nuclear weapons to retaliation only.
- Special responsibility to move beyond existing bilateral Cold War arms control structures.
- Special responsibility to disavow use of low-yield nuclear weapons or other systems that may have particularly destabilising impacts.
- Special responsibility to recognise that nuclear use is 'always strategic.'
- Special responsibility to ensure nuclear weapons are not used for blackmail, coercion or compellence.
- Special responsibility to assess the impact of novel emerging technologies or strategic stability.
- Special responsibility to embed nuclear forensics culture and skills into safety and security architectures.
- Special responsibility to recognise nuclear use as taboo, and to see nuclear possession only as a temporary custodianship of nuclear weapons intimately coupled with the responsibility to work towards elimination.

## Conclusion

Nuclear responsibilities are both a precursor to and a product of nuclear norms. As conceptions of responsibility align and coalesce, norms emerge. When norms exist, responsibilities can follow. This means that India would benefit from a sustained international effort to shape and develop the responsibilities discourse with a view to expanding the areas of understanding and consensus. This underscores the assumption that framing nuclear responsibilities around a norms discourse, rather than the more common legalistic approach, ensures a wider and more inclusive process.

There was universal recognition among participants in New Delhi that the possession of nuclear weapons entails concomitant responsibilities, some of which are distinct from the responsibilities of the non-possessors. Some also felt that overt recognition of nuclear responsibilities could help Indian nuclear diplomacy, and specifically assist in crafting a vision for disarmament. This could be the starting point for more inclusive discussion with other possessors and non-possessors, in a context in which India is often excluded from discussion because they are not party to the NPT.

The challenge before India is to find an active voice in the global nuclear order, and this roundtable demonstrated that the nuclear responsibility framework could make an important contribution in this regard by giving greater clarity to India's values and commitments. The language of responsibility has power and can influence change. Making genuine statements about responsibility helps build trust and assurance. It also fosters an atmosphere of cooperation and keeps longer-term goals like disarmament on the agenda. Finally, the language of nuclear responsibilities adds essential context to behaviours and can reduce the risk of dangerous misinterpretations.

While only representing a cross-section of the robust discussion, the roundtable gave the impression of a nuclear weapons policy community that feels deeply committed to a number of core national norms and responsibilities. Moreover, India shares common conceptions of responsibility with many states, and yet, some felt that those responsibilities often get politicised whilst their veracity is questioned. To avoid this, there is a need to ensure diverse perspectives are included in the process of formulating and expressing them. One participant suggested that transnational civil society "should act as facilitators acting behind the scenes," helping states identify and act upon their nuclear responsibilities. Contributions made from a wider group inevitably leverages expertise and yields a richer dialogue.

BASIC connects governments, policy influencers, and experts to design credible proposals to build international trust, reduce the risks of nuclear use, and advance nuclear disarmament. Through our innovative research and bespoke dialogues, we shape policy and work with decision-makers to transform the peace and security architecture of the Euro-Atlantic area and beyond.

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