

CTBT AND PAKISTAN'S NUCLEAR CAPABILITY

TERJUMAN-UL-QURAN

February 2000

PROF. KHURSHID AHMAD



CTBT AND PAKISTAN'S NUCLEAR CAPABILITY

By Professor Khurshid Ahmad

Pakistan's nuclear capability is in danger. Nevertheless, Allah has protected it from all risks and intrigues since the inception of the nuclear program and He will protect it in future, as well. Moreover, the way Pakistani people have been defending it assures that they will continue to defend it in days to come. However, what is lamentable, and it should be told clearly, is that the danger is also emanating from those quarters the nation has been relying on for the safeguard of national interests.

The reassuring aspect is that the nation is fully alive of the situation. It was Allah's will that recourse to national debate was resorted to before any major step. It shall crystallize everything separating the chalk from the cheese. The foreign office is in the forefront of the campaign for signing the CTBT, but we are sure that the people, particularly the Islamic forces and the army would not allow the rulers to proceed in a direction that may imperil the security and freedom of the country. International pressure and economic constraints pose a serious challenge, but in situations like this lies the test of nations. Our record of 52 years is not bright or enviable, yet it is a fact that whenever the existence and security of the country was threatened, people stood up as a 'single whole' and the army fought valiantly for the homeland. Though our performance has been disappointing in other fields, development of nuclear capability and making it an effective deterrent for defence is such an achievement the nation takes pride in. Braving hardships and overcoming all hurdles, the nation, its armed forces and its scientists have achieved a distinction which is a source of affliction for the enemy who, therefore, has been all out to deprive us of the capability by trapping us in new snares.

Against all odds, it was decided in 1974 to develop nuclear capability in order to block Indian designs of political and military domination in the sub-continent. The program was carried on despite the hostile attitude of America, France and all European countries in 1977-78. Then throughout the next ten years, Pakistani nation ignored the American sanctions, imposed by the Carter administration in 1979 and continued in the shape of Semington, Pressler and other Amendments afterwards.

The nation continued its march towards its goal with complete determination. This restrained India from committing any aggression against Pakistan despite full scale preparation and planning at least for three times from 1984 to 1999. The nation faced international pressure and 'siege' before and after Pakistan's nuclear tests in May 1998 and the country was saved from any compromising situation in spite of the then government's weakness and proneness to surrender. We would be able to ward off the present coercion, too. However, the situation provides an occasion to brief the nation on the factual situation so that it's every decision meets the demands of the country's freedom, its security, defence and dignity. The decision should be based on logic, in the best national interests and in an open atmosphere. It should not be taken under external pressure or

economic strain, nor there an attempt to settle issues of vital and strategic importance in an emotional way.

The foremost question is: how and why the need for a debate has arisen so suddenly. To be more precise, why the issue of signing CTBT was raised when it was dying its own death. After the Oct. 12 takeover, the Chief Executive General Pervez Musharraf declared many a time in unambiguous terms that he had important issues to address and that he did not want to be involved in the CTBT issue. After assuming his responsibilities and in the background of Indian nuclear doctrine, the foreign minister too reiterated Pakistan's principled stand. But the benefits and rewards of joining CTBT were discovered all of a sudden in the third week of December and the foreign office spearheaded a campaign for Pakistan's taking precedence over India by signing the treaty and, thus, yoking itself into slavery. This was joined by the official media with its conventional one-sided propaganda. It is, however, a matter of satisfaction that there is freedom of expression and the press and that the Islamic and political forces, Ulema and scholars are alive enough to initiate a debate and forced the foreign office and its supporters to be on the defensive. Discussion, held till now, clearly indicates that despite its being a technical and a complex issue, the country's overwhelming majority is aware of its results and implications and is ready to block the way against any step that may weaken the nuclear capability, today or in future.

Anyhow the question remains that as to why this issue was raised at this particular time. Is it not ironic that when even the US Senate has refused to ratify the treaty and America has no more political and moral strength, Pakistan's foreign office has become anxious to revive it though at the same time its spokespersons are declaring that the treaty is dead or near-dead. They are expressing doubts over the possibility of treaty's coming into force. What stops from burying a dead treaty, then!

Proponents of the signing have not been able to spell out the benefits that are supposed to accrue from it. However, their references suggest that:

- Economic sanctions against Pakistan will be lifted and investment would increase.
- Pakistan would get a 'high moral ground' over India. Relations with the international community would improve putting an end to the present state of isolation.
- US President Clinton would include Pakistan in his visit to South Asia.

The fact is that none of these pleadings carries any weight. Economic coercion dates back to 1976 when CTBT had no existence. In the arena of international politics, friendships and isolations base on circumstances and mutual interests. Owing to our strategic importance during the cold war in general and the Afghan Jihad in particular, the attitude of Western nations was quite different from what it is now because of the change in world scenario. As for President Clinton's visit, he is welcomed; but given his weak position in the last year of his term, expecting any 'worthwhile'

developments on key issues would be simply self-deluding. Himself failed to get the Treaty ratified by the Senate despite his all out efforts, how can he be expected to deliver for us.

It is wrong to say that Senate's non-ratification is the outcome of US' internal politics. It was for the second time during the 20th century that the Senate rejected any international treaty after President's signatures. The first example was the non-ratification of the Treaty of Versailles. The extent of the humiliating defeat can be judged from the fact that it could not muster up even simple majority what to say of two-third majority that was needed for the purpose. 51 votes were cast against it and 49 in favor. Also, not all the Republicans voted against it. Some Republicans' vote in favor means that voting was not on party basis. Different Committees of the Senate had discussed it over a period of one year while the debate continued at different levels and throughout the country. Decision was arrived at only after such enormous debate. What is to be taken note of is that the Republicans have a majority in both the houses of the Congress, and this has been the case for the last ten years and prediction for the future, too, is that the Republicans would continue to enjoy a majority. Even the office of the President can go to them. Given these facts, it can be safely said that benefits of Clinton's visit are more imaginary than real.

The most serious harm of this 'yielding' type of thinking is that nation's attention and policy making institutions' deliberations get focused on the ephemeral or the artificial and the real issues lose sight of. The real issue is neither Clinton's visit nor economic sanctions; neither pressures nor warmth or lack of it in relations. The issue is about setting Pakistan's own objectives and preferences, its security and interests, its peoples' resolve and aspirations, and knowledge of goals and consciousness to the challenges. This is the framework in which we have to make decisions. Away from it lies no road to welfare and prosperity.

CTBT has a background and cannot be taken in isolation from it. It is not a complete entity by itself. Contrary to the assertions from the foreign office, it is not a mere technical matter, either. It is a document about a very vital issue. The issue is not about the ban on nuclear test explosions, it is about nuclear capability. To present the case as if the ban has nothing to do with the capability amounts to intellectual dishonesty and distortion of sound policy making. It is, therefore, urged that the real nature of CTBT and its place in the global nuclear doctrine be determined first. This has to be done with intellectual honesty and scientific precision so that there is no ambiguity left. Neither any slack in deciding about nations destiny can be tolerated nor international treaties be viewed in isolation of their context; for it would be a blunder of Himalayan proportions with serious repercussions.

Even a student of history knows that political strength requires military and economic power. Moreover, military power depends upon military technology along with the size, training and morale. These all are must for development and dominance. That is the reason why the Holy Qur'an stresses on the need of war equipment and apparatus, along with trust in Allah, faith and firm resolve, and that

two of the order that may deter the enemy from committing aggression: "Against them make ready your strength to the utmost of your power, including steeds of war, to strike terror into (the hearts of) the enemies, of Allah and yours, and others besides, whom ye may not know but whom Allah doth know." **(Al-Qur'an 8: 60)**

World War II had ended with the military operationalization of the nuclear power. Ever since, the whole period (though conventional war ability does play a decisive role) is characterized by the nuclear capability and its deterrent value. For this very reason the last half century presents a struggle and machinations for attaining nuclear capability and depriving others of the same.

The atomic bombs that America had dropped on Japan did not come after test explosions. But later on, explosions were to become the only tests any country had to get through for its recognition as a nuclear power. After Russia and China's acquiring nuclear power status, Non-Proliferation Treaty (NPT) was developed so as to shut the door for the rest of the countries. This treaty was enforced in March 1970 and 174 countries are its members. In the name of non-proliferation of nuclear weapons and projecting their elimination as the ultimate objective, this treaty actually aims at securing permanent monopoly of nuclear technology by the five powers. Discussions on the treaty tell that the objective was to 'cleanse' the world, excepting those countries that already had acquired the capability, of nuclear weapons, and to 'restrict the use' of nuclear technology to peaceful purposes only. All this was done cleverly and with quite dexterity. While the rest were left dreaming for nuclear weapons' elimination and hoping for being provided nuclear capability for peaceful purposes, the hegemony and the right of the five were secured amid holding out the promise that the treaty's objectives would be achieved within 25 years. But what transpired in actual practical terms was that these five countries developed and stockpiled as much nuclear weapons as their resources allowed and ambitions licensed. At one time, the count exceeded 70,000. What remained unfulfilled was the promise of providing nuclear technology for peaceful uses to other countries. Yet, the respective favorites were facilitated to acquire nuclear capability, illegally.

In 1995, when NPT's renewal date approached and nuclear powers' dual policy faced criticism, then a new snare was spread. In May 1995 NPT was extended for an indefinite period and two important decisions were taken for controlling the opposition: first, to hold review conferences every ten years, and second, to outline the features of the nuclear world order of the future. Under the second decision, many steps were taken as immediate targets. This three point program included: Comprehensive Test Ban Treaty (CTBT) that was to be finalized by 1996; Fissile Material Cut-off Treaty (FMCT); and Nuclear weapon powers' promise and resolve for reduction in their nuclear weapons.

These three measures are an extension of NPT and part of the global nuclear order that is to develop under it. They cannot be separated from each other. Though it is claimed that CTBT and the proposed FMCT would not be based on discrimination among countries and shall apply to all

on equal basis, it is a fallacy because both these are merely part of the bigger plan envisaged in NPT and serve to perpetuate nuclear apartheid at global level.

While the objective was elimination of nuclear weapons and cleansing the world of them, but the Western nations in general and America and Russia in particular were bent upon:

- First, nuclear deterrence should remain, monopolized by nuclear weapons powers;
- Second, nuclear capability of the rest of the countries be freezed at the level where it stood at the time of any agreement;
- Third, any possibility of emerging of any challenging power be eliminated;
- Fourth, whatever the scope there was for the peaceful use of nuclear technology, it should be further limited and practically left at the mercy of nuclear powers.

What the NPT had termed as irrevocable right of every country becomes clear when it is reckoned that Section IV says: Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the parties to the Treaty to develop, research, production and use of nuclear energy for peaceful purposes.

This has no promise for extending cooperation the nuclear powers had been made responsible for. And this was practically eliminated from later agreements. This means that what is being considered non-discriminatory has led to depriving of the right to research and development for peaceful purposes.

CTBT's link with NPT and with the entire nuclear order is not merely because of its historical background but in the CTBT itself, particularly in its Preamble it calls, as many as five times, for not only nuclear non-proliferation but also for elimination of weapons. Very cleverly it has been reckoned as its objective and target in Article VIII -1 of CTBT. Though seemingly this treaty is concerned with nuclear test explosions, in fact it aims at the elimination of nuclear capability. Obviously, not P-5 countries but others would be its victim because NPT does not recognize them as nuclear weapons states. Even though this is not mentioned in the beginning but in the chapter 'Review of the Treaty', it has been said that a Conference shall be held after ten years:

"To review the operation and effectiveness of this treaty, with a view to assuring itself that the objectives and the purposes in the Preamble and the provisions of the Treaty are being realized"

(Article VIII -1)

The draft of CTBT has been prepared very tactfully, and cleverly and by leaving many ambiguities it has been ensured that once joining it would leave a country at the mercy of major powers which would grind their own axe with the help of self-moving administrative machinery. An Executive Committee comprising 51 countries would decide with two-third majority and weaker nations would be dumb-founded before it just like Iraq was before the so-called Investigation Team of the

United Nations. Interpretation of different provisions of the treaty would be the exclusive right of the Committee.

The text of CTBT calls for deep study and analysis. Sniffing the risks involved American Senate has rejected its ratification. Some are: Title of the treaty declares nuclear test with all its fullness as its target. In Article I of the Treaty the terms used are 'test explosion' and 'other nuclear explosions', without clearly defining 'test' and 'explosion'. It is not mere coincidence but a calculated move so that the determination of what is 'test' and what is not could be left at the discretion of the Executive Committee.

It is also worth noting that not only 'nuclear weapon test explosions' but also a very ambiguous term 'other nuclear explosions' has been used. Quite different meanings can be attributed to these terms in the light of the preamble and the repeated use of the term 'nuclear disarmament' in it. Making the information of a country's entire nuclear system a part of the world order is the most dangerous aspect of the treaty. It would mean that every country shall have to keep the setup, being established with the help of 300 investigation centers, informed of all its nuclear capabilities. This leaves nothing as national secret. Under the garb of 'test' and 'explosions' it is a comprehensive system for monitoring the entire nuclear research and implementation capability, none would be able to escape the tentacles of. Not only investigation and a technical system for acquiring information are central to the basic concept of the treaty but also a dangerous system of ground inspections. Anything coming to their grip would never be safe. It is stated that the inspection site would be only where test would be suspected and a spokesman of the foreign office has gone to the extent of saying that it would be an area of five to six miles. But a deeper study of the text clearly reveals the mention of an area of one thousand square kilometers and 50 kilometers in one direction. **(Protocol of the CTBT – Part II, A.3)**

Similarly, the investigation period has been given as 60 days, extendible upto 70 days. Then over and above the rest, powers have been assumed, not only for inspection but also for 'intrusive manners' under Sections 48 and 58-IV, very cleverly. The extent and intensity of the on-site inspection can be accessed from these powers:

“The sole purpose of an on-site inspection shall be to clarify whether a nuclear weapon test explosion or any other nuclear explosion has been carried out in violation of Article I, and to the extent possible to gather any facts which might assist in identifying any possible violation.”

The scope of the last sentence has horrible implications ignoring which would be a great folly. Intrusive inspection has thus been secured: The on-site inspection shall be conducted in the least intrusive manner, consistent with the efficient and timely accomplishment of the inspection mandate... Wherever possible, the inspection team shall begin with the least intrusive procedures

and then proceed to more intrusive procedures only as it deems necessary to collect sufficient information to clarify the concern about possible non-compliance with this Treaty.

After conceding this right how would one be able to save any facility from the high-handedness of the international team?

It is asserted that we shall get America accept some of our conditions. But, even if we are able to make America concede, what would be the legal position? America could not get its own conditions accepted by the Senate. The six-point security system proposed by President Clinton could not pacify the American Senate. The reservation law that the American Congress approved in regard to chemical weapons got approved for the American vanity of being world power, otherwise the Treaty has no such provision. Section XV of the Treaty is clear that:

The Articles and the Annexure to this Treaty shall not be subject to reservation. The authority to approve or reject the reservations about the Treaty, Protocol and its Annexure is not enjoyed by a country but lies with the Administration of the Treaty which can reject the reservations on the basis of their being repugnant to the objectives of the Treaty.

It is being contended that if India conducts explosion, we would follow suit. Under what law? CTBT has no room for it. As far as the question of withdrawal from Treaty is concerned, it is also contentious. First, it needs a six months' notice. Second, such a notice would mean that during this period you become vulnerable for your enemy because notice establishes that you have been outrun and that your deterrence is not effective. Above all, you leave yourself at the mercy of world pressure. North Korea indicated to withdraw from the NPT but America immediately forestalled it through blockade. Iraq also wanted to withdraw but was not allowed! If the pressure is becoming unbearable when you have not joined the Treaty, how would you stand it when once entered, and there would certainly be no question of withdrawal.

Our analysis exposes the truth of the claim that CTBT pertains only to explosions and that there is nothing damaging in it. But the real issue is more basic. If nuclear deterrence is necessary for the country, as the Chief Executive as well as the foreign minister have been reiterating time and again, then the questions arise: whether nuclear deterrence is a static concept or a dynamic phenomenon which makes it incumbent in the wake of changing circumstances and risks that this deterrence should continuously be updated and upgraded. Is it possible to upgrade it without test explosions?

We are not for arms race, conventional or nuclear. Neither it is needed nor can we afford it. But the defensive strength that could teach the enemy a lesson and to deter it from committing aggression is a need that cannot be curtailed or compromised on. It is called the least effective deterrence. It is a relative concept that is determined according to the present and future dangers. Now the prevailing situation is that India's conventional war arsenal is many times more than us.

According to an estimate, Indian army is four times, air force seven times and navy at least eleven times, and according to another seventeen times, stronger than our army, air and naval forces. Under such circumstances, our defence capability depends heavily on nuclear deterrence. In this respect too, Indian nuclear establishment is both older and larger than ours with the ratio of proficiency of almost 4:1, though the proficiency that we possess today provides effective deterrence for the time being.

The Indian nuclear doctrine, that has central position in its military system, that involves an expenditure of \$ 15 billion during the next ten years and that has changed the balance of power in the region, makes it indispensable for us to plan and strive for augmenting our nuclear capability. We do not want to compete with India, but a total disparity is unacceptable, either. We cannot do without new tests and new technologies.

Exchange of views with nuclear scientists and military experts, study of relevant literature and the analysis of the views of experts on the US Senate's discussions on CTBT lead us to conclude that closing the door for further test explosions would tantamount to committing suicide. Praise be to Allah, we have the capacity and resources to enable us to maintain our nuclear capability for meeting any threat. Not only research but also tests are a must to achieve that end. Whatever strength we have, and which fulfills our needs against immediate risks, needs strengthening and modernization ignoring which can be very dangerous. Tests may be needed for scores of reasons. Our scientists have enumerated fourteen such needs (see the article by Dr. Sultan Bashiruddin Mahmood and Mohammad Naseem, monthly Impact International, London, July 1999; which has been reproduced by The Nation and Nawa-i-Waqt recently). In our view, there are at least four defence needs, in addition to the experiments for peaceful uses, for which we cannot forsake our right at any cost:

- Weaponisation without which deterrence is just an imaginary concept;
- Miniaturization through which precision can be acquired. This is essential for making the whole project cost-effective. Over and above all, the nuclear weapons can be made target-oriented and the effects of radioactivity can be minimized;
- Development in the Thermo Nuclear front for its importance in a close competition;
and
- Harmonization between nuclear weapons and the delivery system.

Besides these is the need for upgrading technology and deriving benefits from it. For this, experiments are again needed to reach definitive results.

An analysis of India's nuclear doctrine shows that it is working for rendering anti-missile technology and nuclear weapons ineffective. Exposing new challenges, this underscores the importance of deterrence and call for continued research and experiments. An important aspect of nuclear deterrence is the capacity to survive first attack and to have a potential to launch the

second one, i.e. counter attack. These are the aspects that cannot be taken care of without preventing the global nuclear maneuverings from getting hold of us. We have not signed NPT and we should not sign CTBT, likewise. We may talk on FMCT but the development process must continue and we should not provide any opportunity to the Western nations to take hold of our system.

There are some intellectuals who do not feel the need for nuclear capability. Such peoples' advice for signing CTBT is understandable. But when those who are convinced of the deterrence value and the army leadership that is fully aware of the fact that enemy's onslaught cannot be adequately countered without effective deterrence, it is then that the support for CTBT or weak position or silence becomes quite disturbing and unexplainable.

We appeal to all those who consider the nuclear capability and its development as essential for the country's security, to know full well the game-plan and desist from taking any step that may prove disastrous.

Pakistan is the only Muslim country that has acquired nuclear capability. Not only Pakistan but the whole Muslim world has a right on us and our future is linked with it. It is unfortunate that during all this period Muslim countries did not act sagaciously and signed NPT and CTBT completely ignoring Israeli and American threats to their very existence and survival. The stand of the Muslim world should have been principled one and they should have demanded of the West: either eliminate nuclear weapons and save the world from destruction, or accept our right to acquire what you have already acquired and developed. In today's world, balance of power depends on nuclear deterrence and if the Muslim world remains devoid of it, it would be at the mercy of others. Pakistan has challenged the Western monopoly. It is now our duty to safeguard this capability and win a distinct place in the comity of nations by striking a balance in international power politics. If Pakistan is coerced under international pressure and economic burden, it shall be a tragedy not only for Pakistan but for the entire Muslim world. Muslim countries should join hands to deal with problems and prepare a comprehensive viable strategy.

Pakistan cannot afford to ignore the risks from India even for a moment. What India is doing in Kashmir, perpetrating cruelty and perpetuating its illegal occupation through the brutal use of force, cannot be tolerated. The nuclear doctrine of Pakistan cannot be de-linked from the non-discrimination at world level and from the risks of Indian aggression. It is certainly linked with an equitable solution of the Kashmir dispute. Also, it cannot be separated from the need of unity and role of the Muslim world. Pakistan has to be conscious of the Indian somersaults and bargaining tactics. The relationship of trust and cooperation between the people of Pakistan and the army is indicative of this reality. Any strategy for national security should cover all these aspects. The deterioration in economic conditions cannot be a justification for compromise on national interests.

To wake up the people and mobilizing them for facing the economic challenge is the need of the hour. To accept global American dominance and regional Indian hegemony under economic pressure is simply unacceptable to this proud and dignified nation that had secured its freedom from both the British and the Hindu by offering great sacrifices during the historical struggle. Now the same freedom is in jeopardy. If the present leadership is not appreciating the real feelings of the nation, it is committing a fatal mistake. The so-called democratic but in fact self-serving dispensations of the past were prepared to compromise on national interests but Allah frustrated their designs and made them symbol for others to derive lessons from.

Our advice is that the country's leadership should act sagaciously, desist from committing mistakes of the past, give respect to the feelings and aspirations of the nation, win their hearts and counter the external dangers and intrigues with trust in Allah and public support. CTBT is a trap and entering in it would amount to putting national security at stake. Pakistani people would never tolerate such a step; rather stop from proceeding further in this direction. It is not a technical matter, it is a matter of life and death for us and we would never allow anyone to play with it.

PROF KHURSHID AHMAD