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Worth a read

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FROM DRAMA TO ROUTINE - More progress can be expected in India-US relations

Ronen Sen

The recent visit of the American secretary of state, Hillary Clinton, to India for the second session of the strategic dialogue between India and the United States of America provided a good opportunity for taking stock of the state of the relationship and the direction in which it was headed. It was clear that some choppy waters would need careful joint navigation, particularly in nuclear and defence cooperation. While engaged in endeavours to keep the relationship on an even keel, it is evident that neither country can afford to lose sight of the broadening horizons of our regional and global cooperation. As both governments, for varying reasons, are increasingly looking inwards, there has been a growing perception of a drift in the relationship. This perception is perhaps exaggerated. Yet it is not entirely unfounded and needs to be addressed.

There is no explicit commitment in the India-US civil nuclear agreement requiring US transfers of enrichment and reprocessing technologies to India. Such transfers are subject to an amendment to the agreement. We were all aware that such an amendment was most unlikely. George W. Bush's proposal was to deny ENR technologies to countries which did not possess them. It was aimed at countries like Iran. One of the main reasons for the extraordinary political capital spent by Bush in pushing through the single country Nuclear Suppliers Group exemption for India was to enable countries like France and Russia to make such transfers, if required. **The Barack Obama administration's initiative to get the 46-member NSG to unanimously amend its guidelines to effectively bar ENR transfers to India was a violation of the India-US nuclear agreement. It was even more incomprehensible that our other strategic partners, like France and Russia, chose to violate their agreements with India by being party to the NSG decision. They did not have similarly powerful domestic constituencies of non-proliferation ideologues. Their parliaments do not have the same decisive role in policy making as the US Congress. We will have to hold the US administration to its assurance of completely fulfilling its nuclear deal with India, though this will be more important in terms of optics than in substance. We**

should expect Russia and France to take the lead in undoing the damage they have done during the G8 and NSG meetings by reiterating legally binding commitments for ENR equipment and technologies to India.

We have a reciprocal commitment to ratify the Vienna Convention on supplementary compensation on nuclear liability and to fully implement our obligations under this convention. This will involve reconciliation of our international obligations to exclude supplier liabilities and adherence to our domestic law which mandates stringent supplier liabilities. It remains to be seen how we will square this circle. Our principal case against the US on their unilateral abrogation of the Tarapur agreement was that an international commitment could not be nullified by domestic legislation. Now the shoe is in the other foot. We have committed ourselves to a level playing field. We cannot legally apply different requirements for suppliers from different countries, or have different rules for domestic and foreign suppliers. The letters of indemnification we have apparently issued to some suppliers are of doubtful legal validity.

Apart from nuclear power, defence cooperation is an integral part of our strategic partnership with the US and our other major partners. Despite its decline, US expenditure on research and development and modern defence systems exceeds that of all our other strategic partners combined. It is, and will for coming decades remain, the only military power with a global reach. **The US not only bars military sales to China but has persuaded its allies in Europe to do the same. It is also imposing increasing restrictions and pre-conditions on its military assistance to Pakistan. At the same time, the US is offering some of its best weapon systems to India. US companies have, therefore, already bagged contracts worth about \$8 billion and further deals for around \$6 billion are in the pipeline.** The approach of both US companies to the medium multi-role combat aircraft deal was incredibly inept. They had no reason to be surprised by our decision. The US authorities moreover perceived a political pattern and an ideological orientation by linking our MMRCA decision with our cutting back on the number of joint military exercises, and the lack of movement in concluding a couple of agreements which had been finalized at the official level years ago. On the other hand, the US track record on after-sales product support on some important systems has been unsatisfactory. It should be more forthcoming on technology transfers. Americans have yet to understand that adjustments to different systems of functioning are not a one-way process. Having been used to dealing with either allies or adversaries, they are not yet oriented to dealing with partners.

Till 2007, the US position on Afghanistan-Pakistan was summed up by a senior US official who remarked that the US would do what it could on Afghanistan and do what it should in Iraq. Bush's increasing frustration with Pakistani double-dealing was manifested only in July 2008 with the high-level leak of Pakistani complicity with the terrorist attack on our embassy in Kabul, followed shortly thereafter by intensive drone attacks in Pakistan. **Obama had a better appreciation than his predecessor of the realities on the ground and had no illusions about the role of Pakistan. The 26/11 terrorist attack in Mumbai had a transformative impact on the US. The prompt operational and institutional cooperation with India, the bold and spectacularly successful Abbottabad operation, the relentless drone attacks, the suspension of some military assistance to Pakistan, the federal prosecution of Tahawwur Rana in Chicago, the recent arrest of Ghulam Nabi Fai and charges of their links with Inter-Services Intelligence handlers need to be viewed in an integrated perspective.**

Both in terms of public statements and active collaboration in counter-terrorism, the US played a far greater role than any of our other strategic partners. There is growing convergence of Indian and US perspectives on Afghanistan and Pakistan. However, it is not in our interest or that of the US to be seen as acting in close concert. The same applies to China. Statements by our senior ministers welcoming the partial suspension of US military aid to Pakistan were inadvisable and counter-productive. We should deal with our immediate neighbours like China, Pakistan and Afghanistan from the perspective of our own priorities and interests. Constant carping on perceived US double standards on terrorism and the engagement with Pakistan betrays lack of both objectivity and self-esteem. The limits of US leverage on Pakistan are evident from the thousands of US soldiers killed or wounded as a result of safe havens in Pakistan. We have also, over the past decade and more, confused others and tied ourselves in knots with somersaults regarding the linkage between terrorism and talks. It is high time we got our own act together on tackling terrorism and ended the unedifying spectacle of political squabbling and turf battles between our agencies.

Some of our analysts still cannot comprehend that no long-term partnership can be sustained without the ballast of mutually beneficial economic cooperation. There were derisive remarks about Obama visiting India as the US salesman-in-chief rather than a statesman. There were no such comments on the economic agenda of visiting British, French, Chinese and other global leaders. Recognizing the importance of closer corporate ties, the US-India CEO Forum was followed by similar forums with France, the United Kingdom, Brazil, China, South Africa and Russia.

There is a clear tendency in India to hold the US to much higher standards of expectations than any of our other strategic partners. We expect the US to follow our script on all issues of interest to us, while often viewing reciprocal US expectations as affronts to our sovereignty. Even while collaborating closely, we tend to shy away from any overt US embrace. We cannot maintain the unprecedented pace of our cooperation between 2005 and 2008. Since 2009, however, the relationship has not only been consolidated but significantly broadened in scope and content, both in the bilateral and the global perspective. The import of Hillary Clinton's speech in Chennai advocating a more assertive leadership role for India in Asia has been better realized abroad than in our country. As our relationship matures, it will become less dramatic and more tranquil and predictable. We have some way to go before we reach that phase. Both our countries will have to be persistent in our efforts in steering our ties towards this destination.

The author is the former Indian ambassador to the US