

# AIR POWER

*Journal of Air Power and Space Studies*

Vol. 14 No. 2 • Summer 2019  
(April-June)



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## **CENTRE FOR AIR POWER STUDIES**

### **VISION**

To be an independent **centre of excellence on national security** contributing informed and considered research and analyses on relevant issues.

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To encourage independent and informed research and analyses on issues of relevance to national security and to create a pool of domain experts to provide considered inputs to decision-makers. Also, to foster informed public debate and opinion on relevant issues and to engage with other think-tanks and stakeholders within India and abroad to provide an Indian perspective.

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## ➤ EDITOR'S NOTE

The Bharatiya Janata Party (BJP) is back in power for a second continuous term. With several new faces in the Cabinet of Ministers selected by Prime Minister Modi for his second term in office, it provides an opportunity for the new dispensation to be able to 'do things differently' as India progresses in its march towards self-reliance under the 'Make in India' tag line. The new Defence Minister, Shri Rajnath Singh, has stated that he attaches the "highest priority" to "sufficiently" equip the armed forces to meet any operational requirement. With adequate delegation of financial powers to the three Service Headquarters (HQs), it is hoped that critical voids in operational items would be fulfilled at the earliest.

With all the debate that has taken place post-Pulwama, the dust does not seem to settle down. Armchair strategists are at their best—even four months after the events of February 26/27 analysing with the benefit of hindsight what actually did/did not/ could have happen(ed). Fortunately, the one count on which all—Indian media and 'strategists' alike—seem to have a consonance of views is that of the high level of training of Indian Air Force (IAF) aircrew and fighter controllers; any lax performance by either could have resulted in ugly headlines on 28 Feb. The facts are simple: Balakot was attacked successfully by highly trained Mirage 2000 aircrew flying the mission under most trying conditions—in adverse weather, and at a time (2 am to 6 am) when human biological functions and performance efficiency (circadian rhythms) are at their lowest levels. Unless adequately trained, any demanding activity, e.g. carrying out an extremely important operational mission at such times, is fraught with the danger of 'things going wrong' due to human limitations. Secondly, the performance of our fighter controllers was 'spot-on' in 'scrambling' the MiG-21s to intercept the large force of incoming enemy

aircraft, and thereafter controlling the Su-30s in taking defensive actions vis-à-vis the F-16s that were in a decidedly more advantageous position for launch of their Air-to-Air Missiles (the AMRAAMs) as compared to the Su-30s armed with a combination of the R-77/R-73. What the debate has not really focused on is whether Pakistan had thought through the escalation dynamics if it had actually been successful in claiming a higher number of IAF aircraft; and whether escalation dominance indeed rested with the Pakistan Air Force (PAF)/Pakistan Army in the case of the certain Indian response. Did Pakistan have the 'reserves' for an 'all-out war' with India? Such knee-jerk reactions from the Pakistani side do not bode well for stability in the subcontinent, particularly when it has been demonstrated that an intelligence-led 'non-military preemptive action' targeting terrorist infrastructure in Pakistan is well within the capability of the IAF to execute in the future also. Some serious thinking is indicated here.

The US had decided not to grant any extension to the waivers it had granted to five countries—including India—in November 2018 for continuing to buy oil from Iran. This was seen as a direct attack on Iran's economy; Iran, therefore, claimed that if it were not allowed to sell its oil, it would close down the Strait of Hormuz to other exporters of oil (from the Gulf region) as well. Iran termed the US decision to end sanction waivers on Iranian oil imports as "illegal".

As a result, the West Asian region was on the brink of a point of no return, with Iran firmly defending its sovereignty, particularly in the crucial Strait of Hormuz through which 20 percent of the world's seaborne oil, one-third of the world's liquefied natural gas, and one-third of the world's shipborne trade passes. On an average, 18-20 million barrels of oil (most of it crude) passes through the Strait of Hormuz daily. On June 20, 2019, in response to the shooting down by Iran's Islamic Revolution Guards Corps (IRGC) Aerospace Force of an American drone—an RQ-4A Global Hawk High Altitude Long Endurance (HALE) Unmanned Aircraft System (UAS) that Iran insists had violated its sovereign air space—US fighter aircraft were airborne for a mission to strike Iranian targets. It is now believed that the mission was asked to stand down barely ten minutes before arriving over

the target area after President Trump realised that the strike by US aircraft could lead to 150 plus civilian deaths; not a fair exchange for the loss of just one (very expensive) Unmanned Air Vehicle (UAV), according to the US president. President Trump has, instead, imposed additional sanctions on Iran in an effort to create greater financial strain on Iran's already fragile economy.

The 60-day deadline set by Iran's president for the other signatories of the nuclear deal to facilitate export of oil by Iran—and thereby revive its economy—is set to expire on July 7, 2019. Iran has also stated that it would breach the limits laid down in the Joint Comprehensive Plan of Action (JCPOA) for enrichment of uranium (a maximum of 300 kg) by June 27, 2019, besides increasing uranium enrichment levels (beyond the 3.67 percent laid down limit), in violation of the agreement, "based on the country's needs", unless the other signatories to the nuclear deal find a way to end the sanctions that have been imposed on Iran by the US. The E3 (France, UK and Germany, that are the other signatories to the JCPOA, besides Russia and the US) find that their options would get severely limited if Iran violates the conditions laid down in the nuclear deal. At this moment, they feel that they are being arm-twisted to seek a way around the sanctions. Of course, if Iran does violate the limits laid down, it risks going back under the provisions of Chapter VII of the UN Charter—something it was able to avoid diplomatically in 2015. To all intents and purposes it appears to be little more than 'shadow boxing' that is going on in the region. Who blinks first will soon be evident. The US president, of course, considers this as nuclear blackmail (of the E3) and has made it clear that he would never permit Iran to develop nuclear weapons.

Why is the US carrying out its actions in the Persian Gulf, in the first instance? The US maintains that the drone was on a surveillance mission following the series of attacks on oil tankers in the Gulf region in recent months; the US believes that the 'limpet mines' used for some of the attacks bear a strong resemblance to the ones used by Iran. Iran, of course, denies the charge. The US is committed to protecting the free flow of tankers through the vital Strait of Hormuz despite Iran's threats to close it down. Acting as the world's policeman is not a new role for the US. However, columnists

have increasingly begun questioning this role being played by the US; they would rather have China, which is the world's largest importer of energy from the Gulf region—and also the one that carries out most trade with the countries in the Gulf—pay for the protection of its merchant vessels. They feel that China, with its claimed Blue Water navy, ought to share this burden—something that the US is presently paying for from its own resources of men and material. In effect, China's tankers and commercial shipping are being protected by the US, while China is enjoying 'free lunches'.

From all accounts, it appears that the end game being played in the Persian Gulf is aimed at a regime change in Iran. The region remains a powder keg that could explode any time; it only needs a spark to set it off.

As this goes to the press, the US Secretary of State, Mike Pompeo, is in Delhi. Among other items on the agenda during his meetings with the prime minister, external affairs minister and national security adviser, the issue of sanctions waiver for the \$5.2 billion deal for purchase of the S-400 missile defence system from Russia would be discussed.

Happy reading

A handwritten signature in black ink, appearing to be 'James', with a small flourish at the end.

# INF TREATY: THE FUTURE AND ITS IMPLICATIONS

**KANWAL SIBAL**

The Intermediate Nuclear Forces (INF) Treaty was a significant milestone in disarmament negotiations between the US and Soviet Union. These negotiations oscillated between an unrelenting power struggle between the two Cold War combatants and the realisation that the nuclear competition needed to be controlled, both to avoid a nuclear catastrophe and to reduce the costs of production and maintenance of a vast arsenal of nuclear weapons that went beyond any reasonable security needs.

The nuclear arms race between the US and USSR had gone out of hand. The Soviet Union/Russia and the US had produced 97 percent of the 125,000 nuclear warheads ever built. Of these, the US has historically built about 66,500 warheads, or 53 percent of the global total, and the Soviet Union/Russia some 55,000 nuclear warheads.

It is useful to have this perspective of an arms race gone mad in order to understand the whole disarmament exercise, of which the INF Treaty was a part. The clue to why the INF Treaty has been disowned by the US and subsequently by Russia lies in the ups and downs of past disarmament negotiations and US-Russia ties.

The INF Treaty was preceded by other disarmament steps. The Strategic Arms Limitation Talks (SALT) was one such. SALT comprised two rounds of bilateral conferences and associated treaties between the US and Soviet

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Sh **Kanwal Sibal** is former Foreign Secretary, Government of India.



**START-1 expired in 2009 and was replaced by the New START in 2010, which entered into force in 2011, leading to further reductions in American and Russian strategic nuclear weapons.**

Union. SALT-1, concluded in 1972, led to the Anti-Ballistic Missile (ABM) Treaty. SALT-2, agreed to 1979, envisaged a reduction in strategic forces of all categories of delivery vehicles to 2,250 on both sides. The US, however, did not ratify the treaty because of the Soviet intervention in Afghanistan. The Soviet Union also did not ratify it, and, consequently, the treaty expired on December 31, 1985.

This was followed by the Strategic Arms Reduction Treaties (STARTs)—START-1 in 1991 which came into force in 1994, and START-2 in 1993, but which was not ratified by the US. Both these treaties involved limits on multiple-warhead capacities and restrictions on the number of nuclear weapons each side could hold. START-1 permitted only 6,000 nuclear warheads atop 1,600 Intercontinental Ballistic Missiles (ICBMs) and bombers. This treaty removed 80 percent of all existing strategic weapons.

START-1 expired in 2009 and was replaced by the New START in 2010, which entered into force in 2011, leading to further reductions in American and Russian strategic nuclear weapons. This treaty limited the deployed strategic nuclear warheads to 1,550 and also limited the number of deployed ICBM launchers, Submarine-Launched Ballistic Missiles (SLBMs) launchers and heavy nuclear bombers to 700. It allowed for satellite and remote monitoring, as well as 18 on-site annual inspections for verification, just as previous disarmament treaties had provided for very stringent inspection regimes so that adherence to the treaties could be verified by both sides. The New START did not, however, limit the thousands of operationally inactive stockpiled nuclear warheads in the Russian and American inventories.

The INF Treaty should be looked at in this large context. The salient points to note are that all these disarmament negotiations between the US and Soviet Union/Russia have been difficult, though progress in reducing strategic weapons has been achieved. The inspection mechanisms agreed to by both sides have been very stringent and intrusive.

All the treaties negotiated between the US and Soviet Union/Russia have not lasted. The US repudiated the 1972 ABM Treaty in 2001, with the then US president arguing that the treaty had been negotiated in a “vastly different world” and that it hindered the US government’s capacity to protect the American people “from future terrorist or rogue state missile attacks” by developing effective defences. Russia called the move a mistake, with China, not a party to the treaty, opposing it.

The pressure for negotiating the INF Treaty came when the Soviet Union began replacing its older intermediate-range SS-4 and SS-5 missiles with a new intermediate-range missile, the SS-20, bringing about what was perceived by the West as a qualitative and quantitative change in the European security situation. The SS-20 was considered mobile, accurate, and capable of being concealed and rapidly redeployed. It carried three independently targetable warheads, as against the single warheads carried by its predecessors. The SS-20’s 5,000 km range meant that it could cover targets in Western Europe, North Africa, the Middle East, and, from bases in the Eastern Soviet Union, most of Asia, Southeast Asia, and Alaska.

The deployment of the SS-20 alarmed Europe as it could strike most of Europe from deep within Russia. America had short-range missiles in Europe, but these could not reach Soviet territory. It had long-range ones at home and aboard submarines, but nothing in this middle category. The scenario that the US/Europe faced was that if the Soviets attacked Europe with the SS-20, America would be forced to use its US-based strategic weapons. America’s European allies were not convinced that America would do so to defend Europe and expose itself to a potential Soviet strategic strike on US territory. To assuage these concerns and fill the gap in deterrence in Europe, America deployed the Pershing II ballistic missiles and new ground-launched cruise

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missiles in Europe that could reach Moscow in 10 minutes. Anti-nuclear protests erupted across Europe as the new American missiles were deployed. The INF Treaty was negotiated to address this Euro-missile crisis in Europe.

In 1979, the North Atlantic Treaty Organisation (NATO) adopted a “dual track” strategy to counter Soviet SS-20 deployments, one calling for arms control negotiations to reduce INF forces substantially, and the second calling for the deployment in Western Europe, beginning in December 1983, of 464 single-warhead US Ground-Launched Cruise Missiles (GLCMs) and 108 Pershing II ballistic missiles.

The SS-20 and Pershing II could supposedly deliver warheads to their targets with unprecedented accuracy. They, thus, had the capability to destroy reinforced command bunkers and missile silos deep within enemy territory. Such missiles, it was argued, were not defensive in nature but were actually destabilising “first-strike” weapons that directly threatened both the military command structure of NATO and prime targets within the Soviet heartland. This created the political incentive for both sides to curtail such weapons through arms control negotiations.

In 1981, formal negotiations began, with the US announcing the so-called “zero-zero offer” that was to eliminate American Pershing IIs and GLCMs if the Soviet Union would dismantle all of its SS-20s, SS-4s, and SS-5s.

During the first two years of negotiations, which ended with a Soviet walkout in November 1983, the US continued to emphasise its preference for the “zero option” without excluding an interim agreement on a limited number of INF systems on both sides. During 1984, the US continued deployments in Germany, Italy, and the UK, while preparing for deployments in Belgium.

In 1985, the Americans and Soviets agreed to separate but parallel negotiations on the INF, strategic arms (START), and defence and space issues as part of the Nuclear and Space Talks (NST), which was a new forum. Formal talks resumed in all three areas. In the course of the talks, the Soviet Union outlined an interim INF agreement that would permit some US GLCMs in Europe, but which would also permit SS-20 warheads equal to the sum of all warheads on U.S., British, and French systems combined.

The Soviets also offered to freeze INF systems in Asia—contingent on U.S. acceptance of their proposals and provided the Asian strategic situation did not change.

In November 1985, President Reagan and General Secretary Gorbachev issued a joint statement calling for an “interim accord on intermediate-range nuclear forces.” Both sides presented their proposals during the course of 1986. Finally, after a series of high-level discussions, Reagan and Gorbachev announced in Reykjavik, Iceland, in October 1986, that the two sides had agreed to equal global ceilings of systems capable of carrying 100 INF missile warheads, none of which would be deployed in Europe. The Soviet Union also proposed a freeze on shorter-range missile deployments and agreed in principle to intrusive on-site verification.

In July 1987, Gorbachev agreed to a “double global zero” treaty to eliminate intermediate-range and shorter-range missiles. In August 1987, Chancellor Kohl announced that Germany would dismantle its 72 Pershing IA missiles and not replace them with more modern weapons if the US and Soviet Union scrapped all of their INF missiles, as foreseen in the emerging treaty. This was a unilateral declaration by the Federal Republic of Germany (FRG) and is not part of the INF Treaty, which is a bilateral US-Soviet agreement.

On December 8, 1987, the INF Treaty was signed by Reagan and Gorbachev at a summit meeting in Washington. At the time of its signature, the treaty’s verification regime was the most detailed and stringent in the history of nuclear arms control, designed both to eliminate all declared INF systems entirely within three years of the treaty’s entry into force and to ensure compliance with the total ban on the possession and use of these missiles.

For the three-year elimination period and for ten years thereafter, the INF Treaty established various types of on-site inspections, including baseline inspections; close out inspections of facilities and missile operation bases; short-notice (quota) inspections of declared and formerly declared facilities, and elimination inspections to confirm elimination of INF systems in accordance with the agreed procedures. In addition, the United States also received the right to monitor, on a continuous basis, for up to 13 years, the

access (or portals) to any Soviet facility manufacturing a Ground-Launched Ballistic Missile (GLBM), not covered under the INF Treaty, which has a stage outwardly similar to a stage of a GLBM limited by the treaty. The Soviets received a similar right to monitor the U.S. facility that previously produced the Pershing rocket motor.

In May 1991, the US eliminated its last ground-launched cruise missile and ground-launched ballistic missile covered under the INF Treaty. The last declared Soviet SS-20 was also eliminated in May 1991. A total of 2,692 missiles was eliminated after the treaty's entry-into-force.

Following the December 1991 dissolution of the Soviet Union, the US sought to multilateralise the INF Treaty with 12 former Soviet republics which the US saw as INF Treaty successors. Of the 12 successor states, six—Belarus, Kazakstan, Russia, Turkmenistan, Ukraine, and Uzbekistan—have inspectable INF facilities on their territories. Of these six, four—Belarus, Kazakstan, Russia, and Ukraine—are active participants in the process of implementing the treaty.

The INF Treaty was certainly ground-breaking in so far as the US-Russia arms race and European security were concerned. All missile systems that had a range of between 500 and 5,500 km were banned, including their flight-testing, development and deployment. The treaty also required destruction of 430 US missiles and 979 Soviet missiles which were in storage or otherwise not deployed. The Pershing IAs, under joint US-German control, were not formally covered by the INF Treaty but were also to be eliminated under a US-Germany agreement.

The treaty was also a first in its stringent verification measures to ensure that every weapon in the class was destroyed along with all INF-related training missiles, rocket stages, launch canisters and launchers, and that such missiles were not produced or flight-tested. Although only five countries were active states-parties to the treaty, several European countries have destroyed INF Treaty-range missiles since the end of the Cold War. Germany, Hungary, Poland, and the Czech Republic destroyed them in the 1990s, and Slovakia in October 2000 after extensive US prodding. In May 31, 2002, the last possessor of intermediate-range missiles in Eastern Europe, Bulgaria, completed their

destruction. France no longer possesses land-based nuclear missiles as they were all scrapped in 1999. All French Army units equipped with short-range missiles were disbanded, their missiles scrapped and their fissile nuclear material recycled.

Following the INF Treaty's entry into force in 1988, inspectors from each side began a set of extraordinarily intrusive on-site inspections. These inspections continued for over a decade and ended in 2001.

Alongwith these on-site inspections, the use of surveillance satellites for data collection has continued. The INF Treaty established the Special Verification Commission (SVC) to act as an implementing body for the treaty and resolve questions of compliance. The states-parties could convene the SVC at any time. Despite these stringent and intrusive inspection mechanisms agreed to, it is surprising that both the US and Russia accuse each other of violating the treaty. This would suggest that both sides want to withdraw from the treaty principally for geo-strategic reasons that have intervened in recent years.

The INF Treaty could be seen as Gorbachev's efforts to reduce tensions with the US and move towards phased nuclear disarmament consistent with the internal changes in the Soviet Union in favour of more openness and reform that led eventually to the demise of the Soviet Union and the end of the Cold War. With subsequent post Cold War developments that have seen the inexorable eastwards expansion of NATO and the European Union (EU) and a sharp deterioration over time of US-Russia relations, it is not surprising that the INF Treaty has steadily run into trouble.

The INF Treaty has been in a slow demise. Since the mid-2000s, Russia has raised the possibility of withdrawing from the INF Treaty for more than one reason. Russia has been suggesting that the proposed US deployment of strategic anti-ballistic missile systems in Europe might trigger a Russian withdrawal, no doubt, to be able to deploy missiles targeting any future US anti-missile sites. It has also argued that the treaty unfairly prevents it from possessing weapons that its neighbours such as China are developing and fielding. Still, the US and Russia issued a statement at the United Nations General Assembly (UNGA) in October 2007 reaffirming their support for the

**Through 2016, US officials began expressing concerns that Russia was producing more missiles than needed solely for flight testing and was on the verge of deploying a banned missile. In February 2017, US officials declared anonymously that Russia had deployed an operational unit of the non-compliant cruise missile.**

treaty and calling on all other states to join them in renouncing the missiles banned by the treaty.

US-Russia relations have, however, been steadily deteriorating over the years. Not surprisingly, reports began to emerge in 2013 and 2014 that the United States had concerns about Russia's compliance with the INF Treaty. In July 2014, the US State Department claimed that Russia was producing and testing an illegal ground-launched cruise missile, which Russia refuted. Through 2016, US officials began expressing concerns that Russia was producing more missiles than

needed solely for flight testing and was on the verge of deploying a banned missile. In February 2017, US officials declared anonymously that Russia had deployed an operational unit of the non-compliant cruise missile now known as the SSC-8. In March 2017, Gen Paul Selva, the vice-chairman of the U.S. Joint Chiefs of Staff, confirmed press reports that Russia had deployed a ground-launched cruise missile that "violates the spirit and intent" of the INF Treaty.

The State Department's 2017 annual assessment of Russian compliance listed details on the steps Washington took in 2016 to resolve the dispute, including convening a session of the SVC, and providing Moscow with further information on the violation. The report says the missile in dispute is distinct from two other Russian missile systems, the R-500/SSC-7 Iskander GLCM and the RS-26 ballistic missile. The R-500 has a range below the 500 km INF Treaty cut off, and Russia identifies the RS-26 as an intercontinental ballistic missile falling under the New START. The report also appeared to suggest that the launcher for the allegedly non-compliant missile was different from the launcher for the Iskander.

Russia denied that it was breaching the agreement and has raised its own concerns about American compliance. Russia's charge was that the US was placing a missile defence launch system in Europe that can also be used to fire cruise missiles, using targets for missile defence tests with similar characteristics to INF Treaty-prohibited intermediate-range missiles, and making armed drones that are equivalent to ground-launched cruise missiles.

The US Congress has, for the past several years, urged for a more assertive military and economic response to Russia's INF Treaty violation. The fiscal year 2018 National Defence Authorisation Act (NDAA) authorised funds for the Defence Department to develop a conventional, road-mobile, ground-launched cruise missile that, if tested, would violate the treaty. The fiscal year 2019 NDAA states that by January 2019, the president would submit to Congress a determination on whether Russia is "in material breach" of its INF Treaty obligations and whether the "prohibitions set forth in Article VI of the INF Treaty remain binding on the United States." The Act expresses the sense of Congress that in the light of Russia's violation of the treaty, the United States is "legally entitled to suspend the operation of the INF Treaty in whole or in part" as long as Russia is in material breach.

Eventually, President Trump announced on October 20, 2018, that he would "terminate" the INF Treaty in response to the long-running dispute over Russian non-compliance and concerns about China's unconstrained arsenal of INF Treaty-range missiles.

According to the Americans, after repeatedly denying the existence of the 9M729 cruise missile, Russia has since acknowledged its existence but continues to deny that it has been tested or is within the INF Treaty range.

On November 30, 2018, the US Director of National Intelligence, Daniel Coats, provided more details on Russia's treaty violation, stating that Russia

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cheated by conducting legally allowable tests of the 9M729, such as testing the missile at over 500 km from a fixed launcher (allowed if the missile is to be deployed by air or sea), as well as testing the same missile from a mobile launcher at a range under 500 km. He noted that “by putting the two types of tests together” Russia was able to develop an intermediate-range missile that could be launched from a “ground-mobile platform,” in violation of the treaty. These seem to be rather technical arguments that can be understood for their import by qualified arms control negotiators and not non-specialists.

On December 4, 2018, Secretary of State Mike Pompeo announced that the United States had found Russia in “material breach” of the treaty and would suspend its treaty obligations in 60 days, as provided by the treaty, if Russia did not return to compliance in that time. Though NATO allies in their December 4 statement expressed for the first time the conclusion that Russia had violated the INF Treaty, the statement notably did not comment on Pompeo’s ultimatum. Understandably, the Europeans know that the cost of the US-Russia rivalry over the INF Treaty will be principally borne by Europe. Europe-Russia relations will deteriorate further, delaying any prospect of normalisation of ties.

President Putin’s December 5 response was that Russia would respond “accordingly” to the US’ withdrawal from the treaty, with the Chief of Staff of the Russian military Gen Gerasimov noting that U.S. missile sites on allied territory could become “targets of subsequent military exchanges.” On December 14, a Russian Foreign Ministry official was reported as saying that Russia was ready to discuss mutual inspections with the US in order to salvage the treaty. The US and Russia met two more times after this, but with no new result.

On February 1, 2019, President Trump and Secretary of State Pompeo announced separately that beginning February 2, the US would suspend its obligations under the INF Treaty and also formally announced its intention to withdraw from the treaty in six months. Shortly thereafter, President Putin also announced that Russia would be officially suspending its treaty obligations as well.

Why has the INF Treaty collapsed? One reason is the US' accusations of Russia's non-compliance with the treaty. America and its NATO allies have accused Russia of flight-testing, and then deploying, an INF-range cruise missile designated as the 9M729. Another is China. In the 2000s, Russia toyed with the idea of leaving the deal as other states, including a rising China, whose relationship with Russia was not as good as it is today, was developing a large number of non-nuclear intermediate-range missiles. As ties between Russia and China have become strategically close, the expression of these concerns has become muted. It has now become America's turn to feel concerned that China has been accumulating land-based missiles untrammelled by the INF Treaty, while America had to put its own missiles aboard ships, submarines and aircraft. That seems to have convinced Mr Trump to walk away from the treaty.

America's decision to withdraw would have several consequences. American experts speculate that Russia might quickly build up intermediate-range missiles aimed at Europe. These could include not only the 9M729, but also the RS-26 "Rubezh", an ICBM that has been tested at ranges skirting the upper limit of the INF. America, in turn, would seek to rapidly build a matching capability, though officials admit that research was at an early stage and that a working missile was years away. The US military has not developed any land-based missiles within the prohibited ranges for decades and has only just started funding a new ground-launched cruise missile to match the 9M729. Russia, on the other hand, could rapidly expand deployment when released from the constraints of the treaty. Russia, according to American experts, could also modify the RS-26 Rubezh, an experimental system that has been tested just above the INF Treaty's 5,500 km limit, as an Intermediate-Range Ballistic Missile (IRBM) so as to increase its INF deployments and, in the process, exclude it from the New START Treaty that governs longer-range systems.

Deploying US missiles in Europe may not be easy, as European leaders and public opinion would resist, and another Euro-missile crisis may erupt, especially as relations between the US under Trump and key EU countries are tense for various reasons, including Trump bullying them on defence budgets, repudiating

the climate change agreement and the Iran nuclear deal, and European anger at the extra-territorial application of US domestic laws to European companies. Putin had already threatened last October that those hosting American missiles in Europe “would expose their territory to the threat of a possible retaliatory strike”. If America were to make a bilateral deal with allies like Poland over NATO’s head, the repercussions on the alliance could be severe.

The reaction of America’s Asian allies to US deployments in the Pacific may not be easy to manage either. Japan has reacted negatively to America’s withdrawal from the treaty and South Korea, which is trying to improve ties with China, may not want to host the missiles either. We have seen the diplomatic fall-out of America’s stationing of its Terminal High Altitude Area Defence (THAAD) system in South Korea. America can put missiles on Guam, although it is argued that ground-based missiles stationed on a small island would be vulnerable.

All such moves could well undermine the 2010 New START Treaty as questions on the linkage between intermediate and strategic systems that were settled by the elimination of ground-based, intermediate-range missiles would be reopened.

Trump’s National Security Adviser, John Bolton, we know, is opposed to arms control treaties. Before he assumed office, he had advocated US withdrawal from the INF Treaty. It was on his watch that the US withdrew from the ABM Treaty. He might also wish to pull the US out of the New START agreement.

The China factor in the demise of the INF Treaty is important. China has had 30 years to build its own missiles, without constraints. The Chinese Navy is becoming the world’s largest, changing the balance of naval power in the Eastern Pacific.

The Indo-Pacific Command Chief Adm Philip Davidson has described China as a “peer competitor” and one “capable of controlling the South China Sea in all scenarios short of war with the United States.” With US aircraft carriers no longer being able to operate within the first island chain as before, the era of American naval dominance in East Asia is thought to be ending.

China's maritime power has been multiplied by shore-based, anti-ship missile systems such as the new generation of medium range, anti-ship missiles, the DF21-D and the DF26-D. The DF26-D, called "the Guam Killer," by the Chinese media, was first seen in a parade in 2015. According to the People's Liberation Army (PLA) Rocket Force it has recently been deployed in mobile trucks for quick launch in China's remote, northwest plateau desert region. Such capabilities have opened up a new era of naval strategy in which hard to locate, land-based, anti-ship missiles could become dominant over considerable distances at sea.

This could be particularly true against surface ships which cannot effectively fend off swarming missile attacks. These missiles are also capable of striking all U.S. and allied bases in the region, including Japan and Korea, raising concerns over Chinese preemptive, conventional attacks against such installations in any crisis.

The INF Treaty has prohibited the US for over three decades from developing comparable land-based, medium-range missiles. Both the US and Russia have had to rely on ships and aircraft for the launch of such systems.

At the time that the INF Treaty was ratified, it made sense to do so. The Soviet Union and the United States were in a nuclear standoff in Europe. With only a few minutes of reaction time for either side to assess whether or not it was under a nuclear or conventional missile attack, nuclear-capable intermediate range missiles in Europe were a source of huge concern. The treaty was a positive move to reduce tensions, and encourage broader disarmament initiatives, including the START and New START.

The treaty's prohibition on intermediate land-based missiles was made global in order to also remove the threat of a Russian missile attack against Japan in the Pacific. China, not then the military power that it is today, was not a factor in the INF Treaty-making process. Today, the US and its Pacific allies face Chinese mid-range missile capability in the air, on sea and on land.

Even on the sea and in the air, America's intermediate-range missiles have less reach today than China's DF26-D with its 4,200 km range. America's Tomahawk missile has a range of only of 2,400 km. To launch the Tomahawks, the US Navy would have to move its surface ships within

**China's security community apparently fears that the US may quickly develop and then massively deploy medium- and intermediate-range land-based missiles around the region. Even if the US were to arm such missiles with non-nuclear warheads, this could challenge Beijing's military capabilities and significantly shift the current balance near China's coast.**

range of China's ground-based DF26-D. US nuclear carriers too would have to approach China's coast and be well within the range of China's ground-to-ship missiles to be able to launch attack aircraft with the necessary air-to-ground missile reach.

The air force's latest generation of air-to-surface missiles, the Joint Air-to-Surface Standoff Missile (JASSM) and JASSM-ER, also have ranges that are less than those of the DF26-D. America's stealth bombers, the B-1 and B-2, carrying such missiles, could presumably threaten China's land missile forces, but they would face various challenges too.

Furthermore, land-based medium range launchers have significant advantages over their sea and air variants, according to experts. Missiles fired from land are less expensive to deploy and easier to conceal and defend compared to launching missiles from costlier surface ships or from manned aircraft taking off from nuclear carriers or air bases. For the US, the ability to deploy medium range land missiles in Japan, South Korea, Australia and the Philippines could have a major impact on Chinese military calculations, exposing China's naval and military bases to new risks.

China's security community apparently fears that the US may quickly develop and then massively deploy medium- and intermediate-range land-based missiles around the region. Even if the US were to arm such missiles with non-nuclear warheads, this could challenge Beijing's military capabilities and significantly shift the current balance near China's coast. Chinese military strategists also believe that US missiles would pose an unacceptable counter-force threat to the survivability of China's own small nuclear arsenal, requiring China to boost its own nuclear capabilities.

In the view of US strategic experts, abandoning the INF Treaty frees the US to develop and deploy other cutting-edge ground-based medium- and intermediate-range weapon systems such as missiles with trajectory shaping vehicles that are cheaper and less complicated to build than hypersonic weapons. It is highly likely that China would try to counter the new U.S. capabilities by expanding its own investments in similar technologies and other counter-measures. A broader arms competition that spills over into additional technological domains other than traditional ballistic and cruise missiles would seem unavoidable.

Beijing believes that in the case of the INF Treaty, both Russia and the United States have been prepared for a way out since long. Any effort to include China in a multilateralised arms control treaty will, therefore, be strongly resisted.

The developing scenario has major implications for building a regional security architecture in Asia. Negotiations in the East Asia Summit on such a security architecture will become more complicated. The Association of Southeast Asian Nations (ASEAN) will be faced with the problem of steering a middle course between the US and China, of having to take a position on a new arms race between the US and China, which it would wish to avoid. Russia's deepening strategic ties with China will put it in the awkward situation of politically opposing US intermediate missile deployments in the Indo-Pacific while justifying its own deployments of such missiles in Europe and addressing European concerns on this count. It is also no secret that Russia is concerned about the gap in its deterrence vis-à-vis China in the absence of IRBMs in its panoply. Russia would want China to be included in an INF Treaty but would find it politically difficult to openly press China on the issue without damaging the strategic understanding between the two countries in the face of America's adversarial policies towards both.

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For China, as some argue, the era of relying on the US-Russia bilateral arms control agreements is at its end. Previous arms control arrangements had put constraints on the US and Russia, while allowing China to build up its own arsenals without any limits. As China becomes increasingly powerful militarily, it will come under pressure to pursue cooperative arms control, especially to manage the challenge of US deployments of medium range conventional missiles to counter the Chinese missile build-up.

It could be argued that the 1987 INF Treaty no longer applies to the geo-strategic conditions that exist today. A new variant of the treaty that includes China would seem unlikely at present, even if, in the thinking of some American strategic experts, the elimination of the 1987 INF Treaty constraints may give the US and its Pacific allies the opportunity to greatly complicate the Chinese military calculus by fielding a new US force of land-based ballistic and cruise missiles with conventional warheads. This could, it is argued, as during the Reagan era, create a dynamic that leads to substantive negotiations with the Chinese, leading to reduction of their inventory of conventional missiles in exchange for halting any deployment of new US conventional land-based missiles.

The argument that the potential deployment of American ground-based conventional missiles in the Pacific region will “raise tensions” with China is rejected by some on the ground that the Chinese have already “raised tensions” throughout the Western Pacific with the deployment of the DF-21D ostensibly capable of striking US aircraft carriers and the DF-26 reaching as far as Guam. Adm Harry Harris, the former head of the Pacific Command has observed that the US has no ground-based capability that can threaten China because of, among other things, America’s rigid adherence to the INF Treaty.

In a testimony submitted to Congress last year, Harris had observed that the Chinese Rocket Forces had more than 2,000 ballistic and cruise missiles, most of which would violate the INF Treaty if China were a signatory. The United States deployment of its own land-based conventional missiles in the Pacific would give it significant leverage to check Chinese hegemonic efforts in the region, including the militarisation of the South China Sea. One

consequence, in the view of US experts, would be to reverse the waning of confidence of America's Asian allies in its extended deterrent and further deter North Korea in the absence of an agreement to eliminate its nuclear arsenal.

As National Security Adviser John Bolton seems to have quipped recently, it is perfectly understandable that the Chinese would want the United States to stay within the framework of the INF Treaty: "If I were Chinese, I would say the same thing. Why not have the Americans bound, and the Chinese not bound?"

India has to be very watchful of these developments. India, of course, has been traditionally a great proponent of nuclear disarmament. However, all the Cold War arms control agreements between the US and the Soviet Union and later initiatives such as the Comprehensive Nuclear Test Ban Treaty (CTBT) and Fissile Material Cut-off (FMCT) Treaty were, in India's views, not veritable disarmament measures, but various ways of maintaining the nuclear hegemony of the nuclear weapon states at the cost of the security of the non-nuclear states. India did not benefit in any way from such arms control agreements. If the INF Treaty is multilateralised in a new form, with China included, pressure on India, and others as well, to join the negotiations would inevitably grow. The issue for India could become a serious one as our Agni missiles are in the INF Treaty range. We have not developed long-range missiles of the ICBM category. Given the scenario that could well develop over time, India has to begin testing and deploying ICBMs, besides developing air and sea launched IRBM/cruise missile capability at an accelerated pace. We should have time for this as a multilateralised INF Treaty is not for tomorrow, given the repercussions of such a treaty on China's missile capability which is crucial for its defence against US power in the Western Pacific and its determination to prevent Taiwan from becoming independent.



# THE SPACE RACE IN THE POST-SPUTNIK ERA

MARTAND JHA

## INTRODUCTION

The launch of the Sputnik 1 was a watershed moment in the history of mankind. It opened an entirely new avenue for various stakeholders, which included scientists, researchers, engineers, private companies, military establishments and, most importantly, governments. The event of the Sputnik's launch was so huge that it became the primary reason for the establishment of the National Aeronautics and Space Administration (NASA ). "On October 4, 1957, the Soviet Union launched the earth's first artificial satellite, Sputnik-1. The successful launch came as a shock to experts and citizens in the United States, who had hoped that the United States would accomplish this scientific advancement first", said the Office of the Historian, State Department, USA.

The primary document on the Administrative History of NASA,<sup>1</sup> 1958-63, reveals, under the heading, "SPUTNIK-The Principal Reason for NASA's establishment": "It (the Sputnik's launch) confirmed Russia's claim of August 1957 that it had an intercontinental ballistic missile capability, and, thus, Soviet rocket technology was a much more immediate threat to US national

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1. "Background for Establishment of NASA", Chapter 1 <https://history.nasa.gov/SP-4101.pdf> , February, 1966. Accessed on April 4, 2019.

**The event of the Sputnik's launch fundamentally changed the way people and nations perceived the world. The world got to know about Russia's competence in the field of science and technology in general and specifically in the field of rocket technology.**

security than had generally been thought. The prestige which Russia gained from its spectacular Sputnik success helped magnify its worldwide image. The fact that Russia was first in space tarnished the world image of the United States as a technological leader.”

The Sputnik 1 was not only a landmark in the technological domain but a historical landmark of modern history as well. The event of the Sputnik's launch fundamentally changed the way people and nations perceived the world. The world got to know about Russia's competence in the field of science and technology in general and specifically in the field of rocket technology. Questions were raised about the competence of the USA in these fields. It seemed that through the Sputnik 1, the Soviets had managed to mark supremacy over the USA in the field of science and technology in general. Russia gained worldwide prestige which helped it magnify its image as a superpower.<sup>2</sup> It also proved the Soviets claims of having intercontinental ballistic missile capability through which they posed an immediate threat to the national security of the United States.

#### **US SPACE ACTIVITY IN 1957**

It is interesting to look at what the United States was doing in the field of outer space when the Sputnik 1 was launched. Around that time, the US did not have an integrated national space programme. NASA attributed this to be one of the primary reasons behind the US not being the first country to orbit an artificial earth satellite. The evolutionary development of an unintegrated space activity in the United States began. Before the launch of the Sputnik-1, the United States, like any other great power at that time, was interested deeply in the military missile programme. The genesis

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2. A superpower is a state that possesses both economic and military might which is vastly superior to other states in the international system.

of space programmes across the world provided military edge to countries against their adversaries. Outer space technologies were actually developed to serve military interests and not civilian purposes.<sup>3</sup>

At this point, it becomes critical to understand the difference between a 'missile' and a 'rocket'. While the outer structure of both missiles and rockets looks similar, what differentiates them is what is inside these structures. While missiles have weapons put inside them, rockets carry satellites to outer space. While the former is used for military purposes only, the latter is mostly used for civilian purposes. This explains that the Sputnik 1 was the first ever satellite to be launched into outer space with the help of an R-7 rocket.<sup>4</sup>

By 1957, most of rocket related activities of the United States were centred around the urgent development of Intercontinental Ballistic Missiles (ICBMs) and Intermediate Range Ballistic Missile (IRBMs). As per NASA's own admission, "These activities were being carried out by the three military services and their respective industrial contractors. The Air Force was developing the Atlas and Titan ICBMs and the Thor IRBM, the Army, the Jupiter IRBM, and the Navy the Polaris IRBM. Big money did not start flowing into missile programs until 1955. By November of that year, the Atlas, Thor and Jupiter programs shared the highest national priority". At the time when the Sputnik-1 was launched by the Soviets, the US had made two unsuccessful test flights of the Atlas, four unsuccessful test flights out of five of the Thor and two unsuccessful test flights out of four of the Jupiter (NASA, 1966). These were the times before NASA came into existence.

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3. E. S. Waldrop, "Weaponization of Outer Space: US Policy", *High Frontier Journal*, 1(3), 2005, pp. 34-45.

4. "R-7 Missile and Launch Vehicle", <https://www.britannica.com/technology/R-7>. Accessed on April 20, 2019.

## THE ORIGINS OF NASA

NASA came into existence with “an Act to provide for research into the problems of flight within and outside the Earth’s atmosphere, and for other purposes. With this simple preamble, the Congress and the president of the United States created the National Aeronautics and Space Administration (NASA) on October 1, 1958. NASA’s birth was directly related to the pressures of national defense”.<sup>5</sup> There was immense pressure on the US leadership at that time to bridge the gap in outer space technology which was widened with the Sputnik’s launch in October 1957 by the Soviets. Outer space in the decade of the 1950s emerged both as an area of ‘interest’ as well as ‘contest’ between the two superpowers.

As per NASA’s own admission, the Sputnik 1 launch had a “Pearl Harbour” effect on the American public opinion regarding the capabilities of the United States. It seemed that the Soviet Union had taken a giant leap in the outer space field in particular and as a superpower state in general. So, when the Space Act, 1958, came into being, the objectives outlined in Section 102 of the Act defined the purpose behind the birth of NASA. The objectives were as follows.

- Expanding human knowledge about the phenomenon of atmosphere and space.
- Improving the usefulness, performance, speed, safety, and efficiency of aeronautical and space vehicles.
- Developing and operationalizing the vehicles capable of carrying instruments, equipment, supplies, and living organisms through space.
- Establishing long-range studies of the potential benefits to be gained from, the opportunities for, and the problems involved in, the utilization of aeronautical and space activities for peaceful and scientific purposes.
- Preserving the role of the United States as a leader in aeronautical and space science and technology and in the application thereof to the conduct of peaceful activities within and outside the atmosphere.

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5. “A Brief History of NASA”, <https://history.nasa.gov/factsheet.htm>. Accessed on April 21, 2019.

- The making available to agencies directly concerned with national defense of discoveries that have military value or significance, and the furnishing by such agencies, to the civilian agency established to direct and control nonmilitary aeronautical and space activities, of information as to discoveries which have value or significance to that agency.
- Cooperation by the United States with other nations and groups of nations in work done pursuant to this Act and in the peaceful application of the results thereof.
- The most effective utilization of the scientific and engineering resources of the United States, with close cooperation among all interested agencies of the United States in order to avoid unnecessary duplication of effort, facilities and equipment.

The “Sputnik crisis”,<sup>6</sup> as it was often called by US space historians and the then administrators involved in US space activities, paved the way for the National Advisory Committee for Aeronautics (NACA) to be completely absorbed by NASA. This included its 8,000 staff members, its entire annual budget of \$100 million, its three major research laboratories and two smaller test facilities. NACA came into existence much earlier in 1915, during the time of World War I. The intent behind the creation of such a body was to make an advisory committee that would coordinate research activities. However, it soon turned into a leading research organisation in aeronautics.

NACA<sup>7</sup> ceased to exist as a body once NASA came into being. Though the legal transition from NACA to NASA took place rapidly, the actual transition at the ground level took a long time. Between the Sputnik’s launch and the birth of NASA was approximately a gap of one whole year. The period from October 1957-October to 1958 was a very critical one in the US’ space history. During this time, the developments vis-à-vis space related activities fell into two categories. Firstly, reexamining the condition of the existing

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6. “The Sputnik Crisis and America’s Response”, <https://stars.library.ucf.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1578&context=etd>. Accessed on April 25, 2019.

7. “Before NASA, There was NACA”, [https://www.nasa.gov/multimedia/imagegallery/image\\_feature\\_277.html](https://www.nasa.gov/multimedia/imagegallery/image_feature_277.html), March 24, 2008. Accessed on April 25, 2019.

**In the space race post-Sputnik, getting ahead became a matter of national prestige and honour for both superpowers. It was more so for the US because in the early part of the space race, the US was lagging behind the Soviets. There was great public pressure from the American public for the US to bridge the technological gap between itself and the Soviets.**

space capabilities of the US to make sure that the progress (with respect to space related activities) was on the right track. Secondly, debating about the nature, scope and organisation of the United States' long range space programme.

Those were the years of the Eisenhower Administration. He was responsible for bringing James R. Killian to the president's scientific advisory committee. Killian was the president of the renowned Massachusetts Institute of Technology when he joined as the special assistant to the president for science and technology. This position was specially created for him. His appointment was a significant addition to the White House as he was assigned by President Eisenhower to come up with a definite plan<sup>8</sup> regarding the organisation of America's space efforts in response to the Soviets. The idea was now to align the future space activities with the national objectives. The two were seen in tandem with one another.

The US Congress was very proactive in drafting the new space legislation. This showed how eager the political class was in getting the US ahead in the outer space domain. This proactiveness of the political class echoed the general sentiment among the American public. Right from the end of World War II, there was intense competition between the US and USSR in every field. The space race just intensified this ongoing competition and turned it into rivalry. America's progress in outer space activities post Sputnik should not just be seen as a story of great technological advancement. That would be an injustice to the many other stakeholders in the process who either wanted, or contributed in enabling, the US to take such great strides in space.

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8. "US Civilian Space Policy Priorities: Reflections 50 years after Sputnik", <https://fas.org/sgp/crs/space/RL34263.pdf>, February 2, 2009. Accessed on April 26, 2019.

This was because in the space race post-Sputnik, getting ahead became a matter of national prestige and honour for both superpowers. It was more so for the US because in the early part of the space race, the US was lagging behind the Soviets. There was great public pressure from the American public for the US to bridge the technological gap between itself and the Soviets who were advancing really fast under the leadership of Sergei Korolev,<sup>9</sup> the founder of the Soviet space programme. It was in this context that NASA came into being.

**The United States responded with the Explorer 1 which was its first artificial satellite. It was launched on January 31, 1958. This marked the formal entry of the US into the space race.**

#### **THE BIRTH OF NASA: EARLY YEARS OF THE US SPACE PROGRAMME**

The early years of NASA were also about giving serious thought to the possibility of human survival in space, apart from gearing up to the Soviet challenge. These years provided a solid ground to the foundation of an organisation which has become the best space research organisation on the planet. Under the leadership of pioneers like Wernher von Braun, the engineers and scientists in NASA were eager to make their mark in outer space.

The 'Sputnik crisis' proved to be a catalyst for the US to speed up its proposed space missions. This was because after the Sputnik 1, the Soviets followed with the Sputnik 2 in the same year. Laika, the dog, became the first living being to enter space under this Soviet mission. Despite the death of this 'space dog', the mission was considered to be successful and the pressure on the US to deliver successfully increased.

The United States responded with the Explorer 1 which was its first artificial satellite. It was launched on January 31, 1958. This marked the formal entry of the US into the space race, although the competition started

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9. "Sergei Korolev: Father of Soviet Union's Success in Space", [https://www.esa.int/About\\_Us/Welcome\\_to\\_ESA/ESA\\_history/50\\_years\\_of\\_humans\\_in\\_space/Sergei\\_Korolev\\_Father\\_of\\_the\\_Soviet\\_Union\\_s\\_success\\_in\\_space](https://www.esa.int/About_Us/Welcome_to_ESA/ESA_history/50_years_of_humans_in_space/Sergei_Korolev_Father_of_the_Soviet_Union_s_success_in_space). Accessed on April 28 2019.

before the International Geo-Physical Year (IGY) itself. The IGY was a period of nearly 18 months, from July 1957 to December 1958, when around 67 countries of the world participated in a series of coordinated observations of various geo-physical phenomena. Both the US and USSR wanted to be the first to place the first artificial satellite into the earth's orbit. Ultimately, the Soviets beat the US in the early part of the space race when they launched the Sputnik 1, although both superpowers did put satellites within the IGY, as intended earlier.

The IGY<sup>10</sup> coincided with the start of the Cold War space race between the two superpowers. Hence, it is one of the important landmarks in the timeline of the early phase of the "Space Age". Around this time, when the US launched the Explorer 1 (the first US satellite), it showed concrete results. The satellite showed the presence of radiation zones that encircled the earth. These radiation zones were later known as the Van Allen Radiation belt. This showed the usefulness of artificial satellites in discovering new things about our planet as well as the universe at large. After the success of the Explorer 1, the US launched two more satellites. One was the Vanguard 1, which was the world's first solar powered satellite; the other was Project Score, which was the world's first communications satellite.

The year 1958 was a successful one for NASA in terms of three successful launches. The US was fast bridging the gap between its success in outer space and the Soviets who were still the pioneers of the arena and were leading the space race. The next year, 1959, was even more special for NASA because it conducted four satellite launches. The year started with the launch of the Vanguard-2, which was the first weather satellite. It was designed to give information about the density of the atmosphere and cloud cover distribution. Next in line were satellites like the Discoverer 1, Discoverer 4 and Explorer 6 which were successfully launched one after the other.

The Soviets responded by launching the 'Luna 1'. This was the first spacecraft to reach the moon, though it missed reaching the intended target, which was landing on the moon. However, it was the first spacecraft

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10. "The International Geophysical Year", <http://www.nas.edu/history/igy/>. Accessed on April 30, 2019.



to leave the geo-centric orbit<sup>11</sup> and enter the helio-centric orbit. The Cold War was intensifying with the space race, as by the end of the decade of the 1950s, both superpowers had successfully shown their ambitions as well as capabilities to become 'space powers'. In this study, the Sputnik 1 has found mention many times due to its significance in the space race. It would be relevant to see the conditions under which the Sputnik 1 was launched by the Soviets.

### **EARLY YEARS OF SOVIET SPACE PROGRAMME AND SPUTNIK-1**

The Soviet space programme is a highly classified one. It started primarily for military purposes and specifically to counter the United States after World War II. The Soviet missile and space programmes were interconnected with one another. After the US showed the world its capabilities by dropping atom bombs on Hiroshima and Nagasaki towards the end of World War II, and also captured the Nazi V-2 rockets<sup>12</sup> along with the team of missile engineers, including Wernher von Braun, the Soviets started to design their own missile programme.

Under the leadership of Sergei Korolev, who was heading the Soviet space programme, the country tasted success for its pioneering accomplishments in space flight. This started with the launch of the first ICBM (the R-7). The Soviet space programme was also interlinked with their 'five-year plans'. This ensured the constant supply of finances needed for the expansion of the space programme. Unlike NASA, the Soviets did not have a centralised space agency. The space programme had a 'dual character'. On the one hand, things like Soviet space capabilities in the arena of telecommunications and meteorology were publicised, but the other part of the programme which dealt with spying, radar calibration, covert communication, navigation, geodesy and satellite interception were masqueraded as a part of a continuing programme of scientific research.

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11. "What is Geo-centric Orbit?", <https://www.worldatlas.com/articles/what-is-geocentric-orbit.html>. Accessed on May 1, 2019.

12. Richard Hollingham, "V2: The Nazi Rocket that Launched the Space Age", <http://www.bbc.com/future/story/20140905-the-nazis-space-age-rocket>, September 8, 2014. Accessed on May 2, 2019.

**The Soviets never publicised their space missions until they were sure of the mission's success. The idea was to spread a message in the world that the USSR was a leader in science and technology. Publicising failed missions would have dented their image.**

Referring to this duality of the Soviet space programme, the Central Intelligence Agency (CIA) observed, "The Soviet space program might be described as something with a dual personality, a Jekyll and Hyde so to speak. That is, it consists of two parts, one of which is highly visible and acceptable to the world public, while the other moves in a sort of shadow land and is cloaked in high secrecy" (CIA website). This high secrecy was part of the political culture of the Soviet Union. The Soviets never publicised their space missions until they were sure of the mission's success.

The idea was to spread a message in the world that the USSR was a leader in science and technology. Publicising failed missions would have dented their image. Great powers in general are very image conscious. The USSR was no different; it wanted to portray a strong image to the outside world that its space missions were always successful. This was unlike the US, where both its 'successes' and 'failures' were widely publicised by the media.

Before the launch of the Sputnik 1, Soviet scientists were preparing in the early half of the 1950s to prepare the foundations of their space programme. A lot of experiments were conducted to assess the possibilities of manned space flights in the years to come. For that, they tested many dogs, first, as dummies in the sub-orbital flights, from the year 1951. 'Laika, the dog' that was sent in the orbital flight via the Sputnik 2 was not the first dog to be sent. Before that, there were many 'Soviet space dogs' that were sent to an altitude of around 100 km in the sky to test the adaptability of living creatures in outer space. All this was being done as a part of the preparation to achieve the success that the Soviet Union ultimately achieved in the next decade.

Sergei Korolev was clear right from the start that manned space flights were the future of space technology. He was not only an engineer and a scientist but a great administrator as well as organiser. This is apparent from the fact that a change in the higher leadership did not affect the smooth

progress of the Soviet Space programme to a large extent. When Joseph Stalin died in 1953, Khrushchev took over as the Soviet premier. Korolev got immense support from Khrushchev and his ideas were backed by the Politburo.

Referring to his experience with Korolev, Andrei Sakharov in his memoirs wrote,

*Not too long after Stalin's death, Korolyov came to the Politburo meeting to report on his work. I don't want to exaggerate, but I'd say we gawked at what he showed us as if we were a bunch of sheep seeing a new gate for the first time. When he showed us one of his rockets, we thought it looked like nothing but a huge cigar-shaped tube, and we didn't believe it could fly. Korolyov took us on a tour of the launching pad and tried to explain to us how the rocket worked. We were like peasants in a marketplace. We walked around and around the rocket, touching it, tapping it to see if it was sturdy enough—we did everything but lick it to see how it tasted.*

Speaking of the new ICBM proposal, Khrushchev had unending praise for Korolev:

*We had absolute confidence in Comrade Korolyov. We believed him when he told us that his rocket would not fly, but that it would travel 7,000 kilometers. When he expounded or defended ideas, you could see passion burning in his eyes. His reports were always models of clarity. He had unlimited energy and determination, and he was a brilliant organizer.<sup>13</sup>*

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13. Asif Siddiqui, "Challenge to Apollo: The Soviet Union and the Space Race, 1945-1974", [https://ia800501.us.archive.org/5/items/nasa\\_techdoc\\_20000088626/20000088626.pdf](https://ia800501.us.archive.org/5/items/nasa_techdoc_20000088626/20000088626.pdf). Accessed on May 4, 2019.

**The early successes of the Soviet space programme had a lot to do with Korolev's dedication and hard work. He never shied away from experimenting and risk-taking, even if it involved failures. The failures allowed him and his team to learn a lot about the nuances of rocketry. Secondly, being in a closed political culture, the public scrutiny of these failures was next to non-existent.**

The early successes of the Soviet space programme had a lot to do with Korolev's dedication and hard work. He never shied away from experimenting and risk-taking, even if it involved failures. The failures allowed him and his team to learn a lot about the nuances of rocketry. Secondly, being in a closed political culture, the public scrutiny of these failures was next to non-existent. This further allowed Korolev and his team to stay focussed on their aim. The goal was to launch a satellite before the United States did.

The United States, until then seemed to have an upper hand in the Cold War. One thing which is noteworthy is that the space race was only a part of the Cold War rivalry between the two superpowers. Until the early 1950s, both nations were already involved in a 'weapons race', 'nuclear arms race' 'technological race', etc.; the 'space race' was yet to start. In all these earlier races, the US seemed to have an edge over the Soviet Union. The US was the first country to declare itself a nuclear power, it also detonated the first thermo-nuclear bomb in 1952. The Soviets were watching the American progress closely and they took it as a challenge to do something of greater significance and become the first country to do so. Till Stalin's death, the US was always ahead in creating benchmarks in the field of science and technology, and becoming the pioneer in many fields.

Much of this could be attributed to the fact that the US didn't lose much in either of the two World Wars that were fought. On the other hand, the Soviet Union had incurred huge losses of life, money, property and the human potential at large. The Soviet Union as a state was so huge that it had the ability to absorb much of the traumas of war. But it wouldn't be wrong to say that the Soviets didn't have the luxury like the US to invest heavily and freely early in scientific progress during and post World War II. But the Soviet Union didn't lag far behind the US for long. It worked quietly and discreetly so that the outside world didn't know about its 'real potential' and 'progress'. This was a well thought out tactic on the part of the USSR to keep America guessing about its potential.

It was true that even when lagging behind in the 'race for superiority', the Soviets were still the second best internationally. But, being second-best had its own ramifications. When all this was happening, great changes were

occurring globally. The 'international order' was changing, decolonisation was happening, anti-imperialism and third-worldism was on the rise and the newly independent countries were coming into the league of 'nation states'. All these newly independent countries were looking at the Cold War rivalry with great interest. They wanted to be allied with the more powerful superpower. The superpowers, in turn, wanted more allies with them to increase their own power. Therefore, it was the 'self-interest' of both the US and the Soviets to show the world which was the most dominant power in the international system.

The Soviets saw an opportunity when the US announced its Project Vanguard<sup>14</sup> under which it intended to place "small earth circling satellites" in the International Geo-physical Year (IGY). The Soviets wanted to surprise the world by launching the first ever satellite which they ultimately did when the Sputnik 1 was launched. Before that, Khrushchev decided to combine all missile industry supervision units under a single government entity called the Military Industrial Commission (VPK). This body was given the charge to manage the Soviet military industrial complex.

The idea was to coordinate the efforts of the missile programme in a smoother way and create an entity that superseded ministerial jurisdiction. In the years to come, VPK as an entity flourished during the Cold War. The launch of the Sputnik 1 was a result of the well-coordinated efforts of the Soviet space programme. By the end of the decade of the 1950s, the race started for manned space flights. The prestige that the Soviet Union gained through its success in launching satellites made a huge dent in the perception about the capabilities of the United States. The decade of the 1960s had much to offer as it saw the pinnacle of the Cold War space race which turned into space rivalry.

### **SPACE RACE IN THE 1960s**

When the decade of the 1960s started, the world had already seen many 'firsts' from both the US and USSR in the early stages of the space race.

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14. "Vanguard Project", <https://www.nrl.navy.mil/accomplishments/rockets/vanguard-project/>. Accessed on May 10, 2019.

**On April 12, 1961, Yuri Gagarin, who was a Soviet pilot, became the first human being to travel to space. This was an even bigger event than the Sputnik's launch four years earlier, in 1957. The Vostok 1 was the spacecraft which Gagarin boarded for his 108 minute flight. The safe return of Gagarin back to earth made him a worldwide figure and a Soviet hero.**

These included the first satellite (1957), first dog in orbit (1957), first US satellite (1958), first solar powered satellite (1958), first communications satellite (1958), first weather satellite (1959), first satellite in Polar orbit (1959), first photograph of earth from orbit (1959), etc.

The world had already seen an entirely new sector open up. Scientists and engineers found 'new interest' in outer space as it was being projected as the future of mankind. The media played a big role in advertising and publicising about the space race. Every small and big news regarding satellite launches was covered widely in the press. Reports, opinions, editorials, etc. were written and widely read by the public. By the start of the 1960s, people all over the world got fascinated by the idea of space travel. Everyone wanted to explore the universe. While other countries were just fascinated about space travel, both the superpowers were actually working hard to send a man into space. Little did one know that soon mankind would take a giant leap into outer space.

The 1960s solidified the foundations of the outer space sector which were laid down in the 1950s. This decade saw many landmark events of modern history and outer space. The international politics of space intensified in those years.

### **YURI GAGARIN: FIRST MAN IN SPACE**

On April 12, 1961, Yuri Gagarin, who was a Soviet pilot, became the first human being to travel to space. This was an even bigger event than the Sputnik's launch four years earlier, in 1957. The Vostok 1 was the spacecraft which Gagarin boarded for his 108 minute flight. The safe return of Gagarin back to earth made him a worldwide figure and a Soviet hero. The word

'safe return' is used because the landing of the Vostok 1 was complicated and Gagarin had to eject himself, using a parachute, to land near the river Volga. The story of Gagarin got publicised to mythical proportions. The Soviet propagandists used Gagarin's feat to showcase the victory of 'Communism' over 'Capitalism'.

If one looks at the Soviet satellite launches and later space missions, one can discern an emerging pattern. The USSR was always suspicious about the capabilities of the US and whenever they got to know about a deadline of a US satellite launch or space mission, the Soviets started to work really hard to beat that deadline. This happened at the time of the launch of the Sputnik 1 when Korolev, in anticipation of the US launching the first-ever satellite, pre-poned the launch of the Sputnik. The same happened with Gagarin's space travel, as the US Administration had planned to send the first man into space by 1961. The Soviets were not wrong in their estimation as the US did send its first astronaut into space on May 5, 1961, when Alan Shepherd became the second man after Yuri Gagarin to travel into space.

The time gap in the space travel of Gagarin and Shepherd was just three weeks, which is a very small difference. However, because of the magnitude of Yuri Gagarin's success story, Alan Shepherd's trip to space relatively lost a worldwide significance. This was despite the fact that he was the first American to travel into space. Although one noteworthy aspect of Alan Shepherd's mission was that it was the first ever pilot controlled space flight, in public memory, till today, Yuri Gagarin's feat is still remembered. The success story of the Soviet space programme relied on such landmarks and further publicising these success stories widely all over the world.

**If one has to pick an era which signifies the height of the space race, one can point towards 1957-69 being that period: 1957, being the year of the launch of the Sputnik 1 by the USSR, and 1969 being the year when the US sent Neil Armstrong to the moon.**

## CONCLUSION

The decade after the Sputnik 1's launch was the height of the space race. If one has to pick an era which signifies the height of the space race, one can point towards 1957-69 being that period: 1957, being the year of the launch of the Sputnik 1 by the USSR, and 1969 being the year when the US sent Neil Armstrong to the moon. It so happens that this period of 1957-69 almost coincides with the middle of the Cold War and the bipolarity after the World War II. Both superpowers invested in, developed and built their space programmes after the Sputnik 1. The decade post 1957 was one of great advancement in outer space, science, technology and engineering. The genius of Sergei Korolev and Wernher von Braun was seen and appreciated by the world in this decade. The 1960s, by any parameter, was the defining decade of the Cold War and the space race. It defined the discourse of the space rivalry between the US and USSR and also made space for cooperation between them in the future. It also generated huge interest among the masses worldwide about outer space travel and made astronauts into super heroes; a 'paradigm shift' had taken place in how space would be viewed in the future.



# MILITARY'S ROLE IN ENERGY SECURITY: A STRATEGIC REVIEW

**ASHEESH SHRIVASTAVA**

*One of the most important tasks is to broaden the energy supply ... Energy today determines international security and social as well as economic development in many respects. In reality, the well-being of millions of people is directly dependent on energy security.*

— President of Russia Vladimir Putin

Any disruption in supply and availability of energy could seriously affect the growth and security of a nation, the quality of life of its citizen, and impact the capabilities of most militaries. Traditionally, ensuring availability of the required quantities of energy resources at an affordable price has been the primary responsibility of the government and policy-makers. However, recent developments in international relations make it necessary that military commanders also be aware about its availability at all times. They should be able to appreciate the veracities surrounding the supply of the energy resource, including the reliability of the logistics networks that allow its delivery through imports.

The first instance, after World War II, when a military campaign between two warring nations caused a global energy crisis, was the period following the Yom Kippur War (Arab-Israel) of 1973. The Arab members of

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**Historically, energy experts, political leaders and economic strategists have always treated crude supplies as a freely tradable commodity, the availability of which was never central to planning during hostilities. Therefore, military commanders were never directly involved in the policy framing process surrounding the international trade for the import of crude or coal.**

the Organisation of Petroleum Exporting Countries (OPEC),<sup>1</sup> to show their solidarity with Egypt and Syria, imposed an embargo on the export of crude oil to the US that was supporting Israel. The restriction slowly extended to other countries like Netherlands, Portugal, South Africa, etc. for their actions in support of Israel. The oil rich OPEC nations not only banned export to select nations but also reduced the production of crude oil. The embargo, while affecting the automobile sector and power generation of the USA, also contributed to the spiralling rise in global oil prices, weakening the US dollar and giving rise to global inflation.

Post the Arab-Israel War, America took stock of its energy security and adopted many measures to strengthen its economic stability. These measures included the creation of strategic oil reserves,<sup>2</sup> exploration for new oil fields, improvements in drilling and refining technologies, introduction of new norms for fuel efficiency in the transportation sector and creation of the International Energy Agency (IEA). Later, during the Gulf Wars (1990-2004),<sup>3</sup> similar large-scale fluctuations in oil prices were seen again in the international market. Although, the US did not suffer economically, many of its crude importing allies suffered due to disruption in supplies. Historically, energy experts, political leaders and economic strategists have always treated crude supplies as a freely tradable commodity, the availability of which was never central

1. OPEC (Organisation of the Petroleum Exporting Countries) was created in 1960. Presently, it has 14 member countries.
2. The strategic petroleum reserves to hold emergency stock of over 727 million barrels of crude were started by the US in 1975 at Texas and Louisiana. <https://www.energy.gov/fe/services/petroleum-reserves/strategic-petroleum-reserve/spr-storage-sites>. Accessed on February 10, 2019.
3. Maclean's Economic Analysis, "Three Wars in Iraq and their Impact on Oil Prices", <https://www.macleans.ca/economy/economicanalysis/three-wars-in-iraq-and-their-impact-on-oil-prices/>. Accessed on February 12, 2019.

to planning during hostilities. Therefore, military commanders were never directly involved in the policy framing process surrounding the international trade for the import of crude or coal. Until Gulf War II, energy security was understood to be a diplomatic, political and economic issue, best dealt with by international trade analysts and business experts. However, the approach towards the military's involvement in energy security changed during the years 2004-05.

Every country needs to be resilient to resist, and flexible enough to quickly recover from, a major disruption in the availability of energy. Disruption in accessibility to energy could be caused due to natural calamities like floods, earthquakes, etc.; the failure of external supply lines; and military/cyber attacks on critical infrastructure. Resilience in energy is a nation's ability to withstand these disruptive shocks and recover smoothly at the earliest. This article discusses the role of the military in ensuring this resilience. The doctrinal approach to the energy efficient operations of the US and Chinese militaries is also discussed in the paper. While the US exerts its energy security policies through the North Atlantic Treaty Organisation (NATO), China uses its growing economic and military might to ensure energy resilience for itself. Other major economies like France, Germany and Japan have approached the problem by diversifying the energy basket, with more energy coming from renewable and nuclear sources. India is still in the process of defining its approach, with the draft National Energy Policy, prepared in 2017, yet to be finalised.

**Disruption in accessibility to energy could be caused due to natural calamities like floods, earthquakes, etc; the failure of external supply lines; and military/cyber attacks on critical infrastructure. Resilience in energy is a nation's ability to withstand these disruptive shocks and recover smoothly at the earliest.**

## **EVOLUTION OF THE CONCEPT**

Considering the importance of energy in the stability of a nation and the important role energy security plays in its overall health and prosperity,

NATO and its allies discussed energy security<sup>4</sup> when they met at Brussels on July 11-12, 2018. The core idea was to assure all the member nations that they should not become vulnerable to political or economic manipulation by external agencies due to their concerns about the availability of energy. NATO planned to enhance its outlook and strategic awareness about energy and political/technical developments that have security implications. Thereafter, it decided to develop its own competence in supporting and protecting critical energy infrastructure across member nations and work towards improving the energy efficiency of its own operations. The organisation also proposed to raise the strategic awareness of the military leadership of partner countries by sharing knowledge and intelligence inputs with the relevant international organisations such as the IEA and the European Union (EU).<sup>5</sup>

Early in 2008, NATO had, at the Bucharest Summit, for the first time, defined its role in the energy security of member nations and proposed (and defined) its role in resilience building and influencing international relationships.<sup>6</sup> The concerns were accepted by member nations and included in the post summit declaration. It said, *"Energy security is a vital element for any nation's resilience and is increasingly becoming more pronounced due to emerging security concerns. Energy efficiency is also an important aspect from the logistics and sustainability perspective in the theatres of operations."* Therefore, enhancing strategic awareness of the security implications of energy availability is important for military commanders. Subsequently, NATO started organising specific events such as workshops, table-top exercises, courses, briefings, etc. by domain experts during seminars/congregations. Since 2015, it formally started the "Energy Security Strategic Awareness Course"<sup>7</sup> for senior functionaries at the NATO training establishment at Oberammergau,

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4. NATO, "Brussels Summit Key Decisions", July 11-12, 2018, [https://www.nato.int/nato\\_static\\_fl2014/assets/pdf/pdf\\_2018\\_11/20181105\\_1811-factsheet-key-decisions-summit-en.pdf](https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2018_11/20181105_1811-factsheet-key-decisions-summit-en.pdf), July 12, 2018. Accessed on January 26, 2019.
  5. NATO, "NATO's Role in Energy Security", [https://www.nato.int/cps/en/natohq/topics\\_49208.htm](https://www.nato.int/cps/en/natohq/topics_49208.htm), September 14, 2018. Accessed on January 10, 2019.
  6. NATO, "Bucharest Summit Declaration", [https://www.nato.int/cps/en/natolive/official\\_texts\\_8443.htm](https://www.nato.int/cps/en/natolive/official_texts_8443.htm), April 03, 2008. Accessed on January 24, 2019.
  7. NATO School, Oberammergau, "Energy Security Strategic Awareness Course", <https://www.natoschool.nato.int/Academics/Resident-Courses/Course-Catalogue/Course-description?ID=134>. Accessed on February 10, 2019.

Germany. The aim of this course is to raise the awareness about current energy developments and associated vulnerabilities as part of the emerging challenges to security. It also aims to build a common understanding of the organisation's current energy security agenda and the need to improve bonhomie between international partners in the field of energy security.

While NATO is not an energy research institution, it understands that developments in the energy sector can affect the international security environment and may also have far-reaching security and political implications for many countries. A stable and reliable energy supply line, with options to diversify suppliers and energy sources, and an interconnected energy network is critical for global political stability. Therefore, NATO decided to closely follow all technical and political developments on the availability of energy and developments in new and alternate energy sources. It closely studied the changes in the global index price of crude over several years and analysed the variations, especially during the years of conflicts. The variation in the index price of crude, 60 days before and after the declaration of hostilities in the last three decades, is shown in Fig 1.<sup>8</sup> It can be inferred from the graph that world crude prices were slowly becoming insensitive to global military conflicts. While the price of crude almost doubled during the period of Gulf War I, it remained fairly stable during Gulf War II and, rather fell during the Islamic State in Syria and Iraq (ISIS) crackdown during 2014. This stability could be attributed to improved international coordination and deeper understanding of energy security by militaries. The changes in the price of crude over the last few years and its causes are discussed in the next section.

### **FLUCTUATION IN CRUDE OIL PRICES: STRATEGIC PARTNERSHIP**

Crude petroleum oil has been one of the main sources of energy for the last many years for most nations globally. The prices of Brent crude<sup>9</sup> have dictated the economy of many countries and have been centre-stage to defining international relationships. There have been very few instances

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8. n. 3.

9. Brent crude is the trading name of light, low sulphur crude oil extracted from the area around the North Sea, between the UK and Norway. It is used for benchmarking the quality and price of crude.

when the prices have ever relented suddenly. The price of crude, along with the percentage variation for the last 10 years is shown in Fig 2.<sup>10</sup> From the figure, it can be seen that during the years 2013-14 and 2014-15,

**Fig 1: Variation in Index Price of Crude**



Source: IEA, Paris

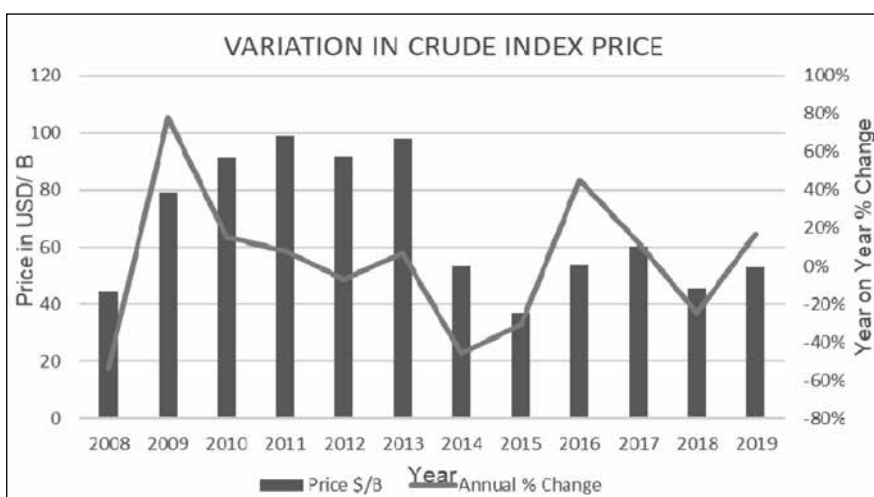
there was a steep fall in the price of Brent crude oil. The drop in price was the result of several factors like reduction in consumption/demand from China and Japan, increase in production of crude from the US and Canada, lack of consensus on price and quantity within OPEC, development of cost-efficient technologies of extracting shale gas, etc.

The fall in the price of crude had a cascading effect on the operational margins and profits of many crude oil producing and exporting nations, as the cost of production did not reduce commensurately with its selling

10. "Macrotrends LLC, Crude Oil Prices—70-Year Historical Chart", <https://www.macrotrends.net/1369/crude-oil-price-history-chart>, 2019. Accessed on February 12, 2019.

price. The economies of many oil exporting nations witnessed a sharp decline in revenues. While the developed oil exporting economies like that of the USA could absorb these losses by adopting innovative technologies and venturing into new markets, the economies of other oil exporting countries receded, with huge losses in spite of substantially increasing production. The threshold price of crude from these

**Fig 2: Variation in Index Price of Crude**



Source: [www.macrotrends.net](http://www.macrotrends.net)

nations remained higher and less competitive than that of their opponents across the Atlantic. The low crude price was a happy development for countries like India and China, but an economic disaster for many like Russia, Algeria, Angola, Ecuador, Nigeria and Venezuela, whose economies depend to a large extent on oil export.

The consequence of such a situation, obviously, had a security dimension. For many oil-producing countries, a drop in the oil price below a certain level threatened to disrupt their internal economic balance. The 'social contract' or welfare schemes run by these governments or political regimes ran into trouble. For nations that used 'petro-dollars' to 'buy off' their populations through generous subsidies, a continued global oil recession translated into political unrest, like those witnessed in South America and Central

Africa. This also led to realigning of alliances and cooperation amongst non-traditional partners like China and Iran. Similarly, Iran and Saudi Arabia had to virtually end their religious rivalry to combat domestic economic instability. Other nations affected by similar economic crises included Syria, Yemen and Jordan.

NATO's reading of the changing regional alliance was centred around the vehement support the oil exporting nations, affected by this economic reshuffle, were receiving from Russia and China. With oil and gas exports to Europe alone accounting for over half of Russia's revenue earning, Russia's annexation of Crimea—to enable it to ship cheap oil to Europe through the Black Sea—was also a worrying development during that period.

As per NATO's assessment, large fluctuations in crude oil prices directly affect strategic partnerships amongst nations, which was not a healthy signal for world peace. NATO's concerns about the fallout of the growing instability in supply and availability of oil could be summed up as follows:

- Energy security is vital for the economic and political stability of all nations.
- Ensuring continuous supply of crude oil from foreign sources requires enormous diplomatic, military and commercial acumen.
- The safety and security of the logistic supply line for the safe movement of crude or finished products (by sea or land) should be the responsibility of the countries' military leaderships.
- Sustainability of all military expeditions is dependent on the availability of energy/fuel in sufficient quantities, which requires dependable logistics.

### **NATO'S APPROACH TO ENERGY RESILIENCE**

The success of NATO's energy resilience efforts was realised globally during the 2014 mission against the ISIS, when, in spite of the conflict, the crude prices remained stable throughout the period; the price, in fact, reduced towards the end of the period. However, for this, the organisation had to work through layers of diplomacy and policy reviews before it could convince the political leadership to accept the role of the military in energy security decision-making. The steps taken by NATO over the years are discussed in this section.



NATO's 20th Summit was organised at Bucharest, Romania, from April 2-4, 2008. The agenda included discussions on energy security. A report on "NATO's Role in Energy Security" was circulated amongst the member nations.<sup>11</sup> The report identified the risks of disrupted flow of energy resources from various sources. It outlined options and recommended the directions for future activities. These objectives were reiterated at subsequent summits and accepted for greater deliberations. However, a clear and focussed role for the military as an enabler and protector of national energy security concerns was accepted by all the members after a long debate.

The next international summit of NATO was held at Lisbon, Portugal, between November 19-20, 2010. At this summit, the emerging trans-national challenges like terrorism, cyber and energy security were discussed. It was decided amongst the member nations to integrate energy security considerations into NATO's policies and activities. The official post-summit declaration, reproduced below, reflects the inter-relationship between energy security and military affairs as understood by the Western organisation.

*A stable and reliable energy supply, diversification of routes, suppliers and energy resources, and the interconnectivity of energy networks, remain of critical importance. The Alliance (read NATO) will continue to consult on the most immediate risks in the field of energy security in accordance with decisions at previous Summits and in line with our new Strategic Concept. We will further develop the capacity to contribute to energy security, concentrating on areas, agreed at Bucharest, where NATO can add value. In advancing our work, we will enhance consultations and cooperation with partners and other international actors, as agreed, and integrate, as appropriate, energy security considerations in NATO's policies and activities. We task the Council to prepare an interim report on the progress achieved in the area of energy security and approve the setting up of an Energy Security Section in the Emerging Security Challenges Division at NATO Headquarters.*

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11. Francesco Tamburini, "NATO's Role in Energy Security: Does NATO Meet the Needs of Member States", [http://www.academia.edu/12290344/NATOs\\_role\\_in\\_energy\\_security\\_does\\_NATO\\_meet\\_the\\_needs\\_of\\_Member\\_States](http://www.academia.edu/12290344/NATOs_role_in_energy_security_does_NATO_meet_the_needs_of_Member_States). Accessed on January 28, 2019.

**Most countries across the globe are dependent on each other for one or other form of energy or on imported technologies to harness their own resources. All forms of energy have to be routed through a complex web of a networked infrastructure.**

Thereafter, on July 10, 2012, the NATO Energy Security Centre of Excellence (ENSEC COE)<sup>12</sup> was set up at Vilnius, Lithuania. The centre was tasked to assist the strategic commands of NATO and other civil/military entities to provide comprehensive and timely expert advice on all aspects relating to energy security. ENSEC COE indoctrinated military policies across the world, and improved the understanding of the role of energy in the security conundrum of the respective countries. The centre's mission also included providing cost effective solutions to support

military requirements, energy efficiency in the operational field, and interaction with the academia and industry. In due course, military commanders started appreciating their role in ensuring that their political and administrative leadership is not rendered vulnerable to economic manipulation due to an energy crisis. The efforts of better coordination and planning of military, political and economic activities before the declaration of hostilities manifested themselves favourably during the years 2014-16. When "Operation Inherent Resolve" was launched against the ISIS in Iran and Syria, NATO ensured the transit of African crude into the global market. Realising this, the ISIS controlled oil fields increased their daily production,<sup>13</sup> thereby further driving down its price. The variation in prices mapped in Fig 1, acknowledges this assessment.

### **NATO'S ROLE AS PROTECTOR OF ENERGY INFRASTRUCTURE**

Most countries across the globe are dependent on each other for one or other form of energy or on imported technologies to harness their own resources. All forms of energy have to be routed through a complex web

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12. NATO Energy Security Centre of Excellence, "About", <https://www.enseccoe.org/en/about/6>. Accessed on February 12, 2019.

13. Sanjay K Pradhan, "ISIS and its Implications on Energy Security", *Journal of Energy & Management*, vol I, 2016, [http://www.pdpu.ac.in/downloads/5.%20isis\\_and\\_its\\_implication.pdf](http://www.pdpu.ac.in/downloads/5.%20isis_and_its_implication.pdf). Accessed on February 19, 2019.

of a networked infrastructure consisting of mines/wells, transportation system (including ships, ports, etc.), and processing industries (refineries, thermal power stations, etc.). These vital energy infrastructures extract, transport and convert raw energy source into usable resource. Energy infrastructures are one of the most vulnerable assets of a nation, as its economic stability and prosperity depend on them. Therefore, protecting these—especially those located close to areas of conflict—are vital for the country. Further, as few energy infrastructure networks, e.g. crude oil shipping routes, extend beyond borders, attacks on these by hostile militaries, terrorists or hackers can have repercussions across many nations. Therefore, it is important that military commanders should also devise methods<sup>14</sup> to improve their ability to protect critical energy infrastructure through training and military exercises.

Traditionally, protecting the domestic energy infrastructure was understood to be the primary responsibility of homeland security. The military leadership was only required to add value to the security envelope by enabling security from trans-border operators. However, the exchange of best practices amongst partner countries, many of which are important energy producers themselves or provide transit facilities for its movement, have clearly established the requirement to involve the military in a nation's energy security affairs. The involvement of armies and air forces in the physical security of critical energy infrastructure like refineries, nuclear installations, etc. are all examples of the military supporting the national authorities in enhancing their resilience against energy supply disruptions. Similarly, the direct involvement of the navy

**Energy infrastructures are one of the most vulnerable assets of a nation, as its economic stability and prosperity depend on them. Therefore, protecting these—especially those located close to areas of conflict—are vital for the country.**

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14. Dinos Kerigan-Kyrou, "Critical Energy Infrastructure: Operators, NATO and Facing the Future Challenges", JSTOR, vol 12, No 3, September 2013, <http://connections-qj.org/article/critical-energy-infrastructure-operators-nato-and-facing-future-challenges>. Accessed on January 24, 2019.

**Assuring supplies and protecting critical infrastructure is important in the current security environment. Work on enhancing the resilience of the energy infrastructure, notably in hybrid war scenarios, requires the focussed attention of both diplomatic and military policy-makers.**

and coast guard in protecting important sea lanes, counter-piracy operations and physical security of off-shore drilling rigs, berthing/refuelling installations are examples of the direct contribution of militaries towards energy security.

According to the *American Defence Review* magazine,<sup>15</sup> over 51 terrorist attacks against energy infrastructure were reported in Algeria, 146 in Libya and 17 in Tunisia during 2013-14. This is noticeable when read in conjunction with the fact that the European Union imports over 13 percent of its natural gas from Algeria. The Northern

and Southeastern African nations, which form part of the global network for transit of oil and gas supply to several nations, are under constant attack from disruptive forces. The supply lines for oil and gas from the North African countries like Morocco, Algeria, Libya, Egypt and Sudan to the Mediterranean and Red Sea help deliver the valuable natural resources to the port cities for further shipment to European and Southeast Asian countries.<sup>16</sup> Any disruption to these trading lines can influence the availability of fuel across many nations.

Equally noteworthy has been the increase in the threat of piracy to large oil tankers carrying crude oil from the Gulf region through the Indian Ocean—a challenge which many navies were trying to address under Operation Ocean Shield<sup>17</sup> during 2009-16. The high-sea pirates were

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15. Diego Cardano, "Terrorist Threats to Energy Infrastructure in North Africa", *American Defence Review*, <https://www.africandefence.net/terrorist-threats-to-energy-infrastructure-in-north-africa/>. Accessed on February 18, 2019.

16. *Ibid.*

17. NATO-OTAN, Allied Maritime Command, Operation Ocean Shield, was a counter-piracy mission in the Gulf of Aden off the eastern coast of Africa. It mandated the navy to provide escorts to merchant vessels as part of a UN Security Council Resolution. Political guidance was provided by the North Atlantic Council. Participating navies included those from Denmark, Turkey, Norway, Spain, UK, USA, etc., <https://mc.nato.int/missions/operation-ocean-shield.aspx>. Accessed on February 12, 2019.

also disrupting the supply line of resources supporting the NATO forces in Afghanistan, making their availability unpredictable and disruptive. Fig 3<sup>18</sup> shows the reach of NATO's operations against pirates to protect the movement of ships in the world's busiest energy shipping lines, across the Arabian Sea. Therefore, the importance of enhancing efforts to optimise resource utilisation during military operations gained momentum.

In line with this thought process, and incidents of terrorist attacks on energy infrastructures, Central Asian experts discussed energy security issues on December 14-15, 2016, at Ashgabat, Turkmenistan. The conference was centred around the topic, "25 Years of Independence: Energy Security Issues in Central Asia and Beyond". Energy and military experts from Afghanistan, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan participated in the event which reflected on the security challenges and regional cooperation strategies, with particular reference to the energy sector. The deliberations concluded with the understanding that while oil and gas pipelines can be built as a means to promote peace and stability, regional cooperation is essential to guarantee the security and defence of critical energy infrastructure.

**Fig 3: NATO's Operation Ocean Shield**



Source: NATO

18. Ibid.

World leaders accept that disruption of energy supply can affect the security and resilience of societies. Assuring supplies and protecting critical infrastructure is important in the current security environment. Work on enhancing the resilience of the energy infrastructure, notably in hybrid war scenarios, requires the focussed attention of both diplomatic and military policy-makers. Therefore, it is professed that increase in awareness about energy risks, enhancement in competence to protect energy infrastructure and acceptance of energy efficiency norms for military operations is essential. By strengthening these virtues, a nation will be better prepared to respond to the energy security challenges.

### **ENHANCING ENERGY EFFICIENCY WITHIN THE MILITARY**

The importance of conserving energy supplies and improving energy efficiency in offshore military operations was a new dimension in military affairs, being appreciated by senior functionaries and policy-makers. On June 19, 2014, Afghan Taliban fighters attacked a convoy of NATO fuel trucks at the Pakistan-Afghan border. The suicide bomb explosion resulted in 37 fuel trucks being burned at Torkham, Nangarhar, Pakistan. The fuel convoy was part of the important supply line enroute to Afghanistan from Karachi port, in support of the International Security Assistance Force (ISAF). Such attacks had occurred in the past also but the frequency and magnitude of these attacks on the logistics networks have been increasing over the last few years in conflict zones like Pakistan, Afghanistan, etc.<sup>19</sup> Such attacks not only strangulate field operations but also have a demoralising effect on the forces.

In view of global developments in the field of energy conservation, NATO adapted the 'Green Defence Framework' in February 2014. It proposed to make military units and establishments more operationally effective through changes in their approach towards the use of energy, concurrently saving resources and improving environmental sustainability. Enhancing energy

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19. NATO Staff Report, "Energy Security: A Critical Concern for Allies and Partners", *NATO Review Magazine*, <https://www.nato.int/docu/review/2018/Also-in-2018/energy-security-a-critical-concern-for-allies-and-partners/EN/index.htm>, July 26, 2019. Accessed on February 18, 2019.

efficiency in military operations focusses on reducing the energy consumption by optimising transportation, minimising vehicular movement, improving lighting and heating requirements in military camps, etc. Reducing fuel consumption has, today, become an operational imperative; it not only saves revenue but also improves mobility and increases the endurance of operations. Like any other industry, enhancing energy efficiency within the armed forces has to be given priority to ensure energy security.

The importance of energy efficiency is now being appreciated by many militaries across the globe. Apart from fuel, the weight of batteries to power the wide range of electronic equipment used by the military also adds to the backpack load of a soldier. Considering these, the year 2015 was declared as the 'Smart Energy Year'. Researchers and industry professionals got together to devise methods and equipment for smart energy production, storage, distribution and consumption. Adoption of green fuel and solar lighting at remote stations are other areas being researched by NATO.

The key takeaway of NATO's approach to energy efficient military operations could be summed up as follows:

- Adopting the 'Green Defence Framework' to drive energy conservation in military establishments.
- Adopting green/alternate fuels and promoting the use of solar/wind power at forward bases.
- Optimising transportation and logistics efforts.
- Reducing the weight of batteries and backpacks.

**Reducing fuel consumption has, today, become an operational imperative; it not only saves revenue but also improves mobility and increases the endurance of operations. Like any other industry, enhancing energy efficiency within the armed forces has to be given priority to ensure energy security.**

## **CHINA'S APPROACH TO ENERGY SECURITY: AN INTRODUCTION**

The problems associated with China's increasing dependence on imported crude was understood earlier by its central committee and policy-makers.

They had prophesied that the country's dependency on imported energy would continue for ever if the necessary long-term investment in technology and strategic outreach were not initiated in a planned manner. Similarly, the IEA had also projected that by 2014, China would become the world's largest importer of crude,<sup>20</sup> and may continue to dominate the oil import market even beyond 2025. Presently, China's crude requirements are met by imports from many countries, including those from West Asia, Central Africa and Latin America.

While NATO's doctrinal approach to energy resilience recommended a multinational joint effort towards securing the supply lines and sources of energy, China's 2007 White Paper on Energy<sup>21</sup> stipulated that the country should involve itself actively in international energy trade and gainfully utilise foreign energy resources for its growth.<sup>22</sup> For long, Beijing's scheme has been to invest in foreign energy resources, based on a 'leapfrog' strategy. By the turn of the century, it had decided to invest with a new set of suppliers for natural resources like oil and crude, starting initially from the Southeast Asian region, particularly Indonesia, the largest oil producing nation in its neighbourhood. Way back in 2002, Chinese oil companies had already acquired stakes in oil and gas fields in that area.<sup>23</sup> However, after 2007, it aggressively started expanding globally and invested heavily in the African nations. The intensity and speed of ingress even overstepped the American dominance in harnessing the unexploited energy potential of the region.

Recently, China has also been using diplomatic tools to control the energy assets and oil supply lines from countries with which it shares economic interests. While energy security calculations and the activities of its national oil companies had always been central to its foreign policy, non-energy economic and political issues also influence Beijing's outreach plans. A case

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20. IEA, "Market Series Report, Oil 2018", *Net Crude Oil Imports, 2003-2025*, <https://www.iea.org/oil2008/#section-5-2>. Accessed on February 26, 2019.

21. China.org.cn, *White Paper on Energy*, <http://www.china.org.cn/english/environment/236955.htm>, December 26, 2007. Accessed on February 18, 2019.

22. Ibid.

23. In 2002, China's state-owned offshore oil company CNOOC, bought Indonesia's oil and gas stakes in the Spanish oil company Rspol YPF for \$585 million—a considerably large sum during those days.



in point is Iran, with which China has had a strong trading partnership. Lately, it started investing substantially in Tehran's hydrocarbon sector, and thereafter, showed reluctance in cooperating with international advisories on implementing sanctions on Iran, which were imposed due to the latter's nuclear weapons programme. Beijing has also found a new friend in Pakistan and has been supporting the latter due to the country's unique geographical location. Similarly, China has also been listed amongst the largest foreign investors in Sudan's oil sector, in spite of the government's alleged involvement in the genocide in Darfur.<sup>24</sup> Chinese companies are also dumping the African markets with cheap Fast-Moving-Consumer-Goods (FMCG), thus, ensuring high growth of its domestic industry. Bilateral trade between China and Africa in 2017-18 amounted to over US\$ 170 billion, of which China's export itself amounted to over US\$ 95 billion,<sup>25</sup> an increase of over 21 times from the 2002 volume.

### **CENTRALITY OF CRUDE TO CHINA'S DEVELOPMENT: MILITARY'S INVOLVEMENT**

On the military front, China has been building strong bilateral relations with some African leaders by selling them arms. For example, it sold weapons and helicopters to the Sudanese government that were used in Darfur to suppress the locals.<sup>26</sup> Similarly, in Algeria, which is the world's 18th largest producer of low sulphur oil and fourth largest producer in Africa of good quality crude, Beijing has been providing training to its military officers and supplying them modern arms and equipment. Concurrently, the Chinese petrochemical companies have also been making great inroads into the Algerian oil sector, including receiving the awards of exploration licences. This bonhomie of interdependence between China and the African nations has been growing

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24. Hilary Andersson, "China is Fuelling War in Darfur", BBC News, July 13, 2008, <http://news.bbc.co.uk/2/hi/africa/7503428.stm>. Accessed on February 19, 2019.

25. Ministry of Commerce, "People's Republic of China, on China-Africa Bilateral Trade Statistic in 2017", January 26, 2018, [http://english.mofcom.gov.cn/article/statistic/lanmubb/AsiaAfrica/201803/201803\\_02719613.shtml](http://english.mofcom.gov.cn/article/statistic/lanmubb/AsiaAfrica/201803/201803_02719613.shtml). Accessed on February 26, 2019.

26. "Report Accuses China and Russia of Arming Sudan", *New York Times*, <https://web.archive.org/web/20171012035352/https://query.nytimes.com/gst/abstract.html?res=9A06E7DC1731F93AA35756C0A9619C8B63&legacy=true>, May 9, 2007.

**Until 2002, most of the oil refineries in China were located on its eastern and southeastern coast, in close proximity to sea ports. This was to minimise inland transfer of crude oil supplies received from West Asia and Africa.**

stronger since the turn of the century and is not likely to weaken.

On the domestic front, Beijing's rapidly expanding industrial base requires large quantities of cheap crude petroleum—especially that from Africa—to support growth. Under these trading compulsions, Beijing's dependence on the maritime routes, especially those passing through the Indian Ocean, has become crucial. Therefore, China decided to extend its military presence in the Indian Ocean with the intention to ensure the safety of its energy security matrix.

Fig 4<sup>27</sup> illustrates the geographical limits of the traditional oil shipping lanes (routes) extending from the Chinese mainland to the Sudanese port in the Horn of Africa and Bagamoyo, Tanzania. In order to protect these routes, Beijing decided to increase its naval presence in the Indian Ocean Region (IOR). The map also marks the network of Chinese military and commercial facilities developed along the shipping routes. All the new ports, including those at Kenya, Djibouti, Pakistan, Maldives, Sri Lanka, Bangladesh, Myanmar, Thailand, Cambodia, etc. have been developed with capabilities for refuelling, berthing and handling cargo of large merchant ships, including those belonging to the People's Liberation Army Navy (PLAN). This chain of ports was later called the 'String of Pearls', a conceptual theory proposed by the US research firm<sup>28</sup> Allen & Hamilton, that felt that China intended to gain access to strategic ports and airfields, expand and modernise its military force, and foster stronger military relationships with trading partners. However, Beijing insisted that the project was entirely peaceful and only meant for

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27. Pragya Mishra, "Why is String of Pearls Strategy of China a Threat to India's Economy and Security", *Quora*, <https://www.quora.com/Why-is-String-of-Pearls-strategy-of-China-a-threat-to-Indias-economy-and-security>, August 13, 2017. Accessed on February 24, 2019.

28. In 2004, Juli A MacDonald came up with the "string of pearls" hypothesis, which professed the potential outcome of China's growing geo-political influence and reflected on its intentions in the IOR.

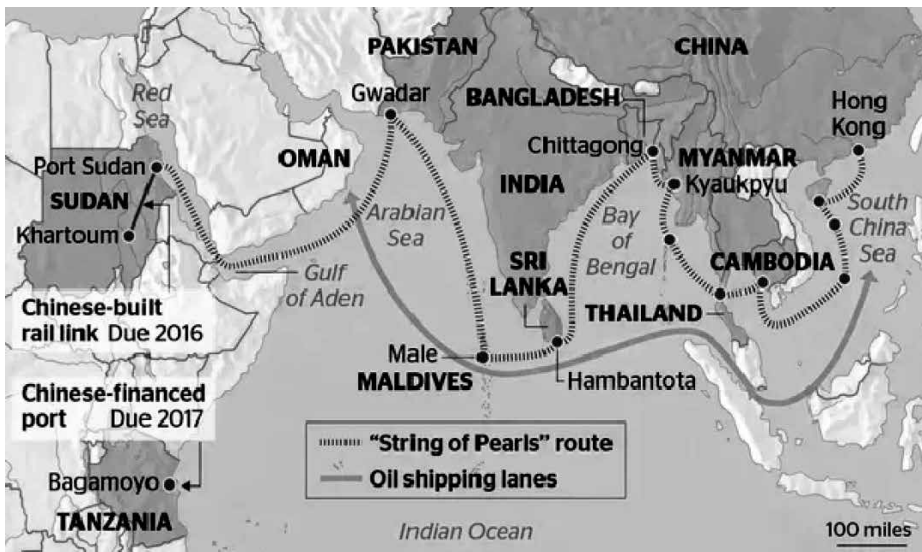
protecting regional commercial interests. A similar argument was put up for justifying the build-up for the China-Pakistan Economic Corridor (CPEC)<sup>29</sup> project with Pakistan over disputed territory.

**The ‘Belt and Road’ initiative in 2017, between Kyaukpyu, Myanmar and Kunming in China would also greatly reduce the travel time and transportation cost of crude into China.**

**INVESTMENT IN NEW TRADE ROUTES:  
WHY CPEC?**

A formal Memorandum of Understanding (MoU) between China and Pakistan on the CPEC was signed in July 2013; thereafter, the actual monographic study and finalisation of routes was completed in November 2015. According to the official the webpage of the CPEC, the project is mainly related to cooperation in transport, energy and industrial parks. However, an in-depth study of China’s domestic energy

**Fig 4: Shipping Routes from Africa and Southwest Asia to China**

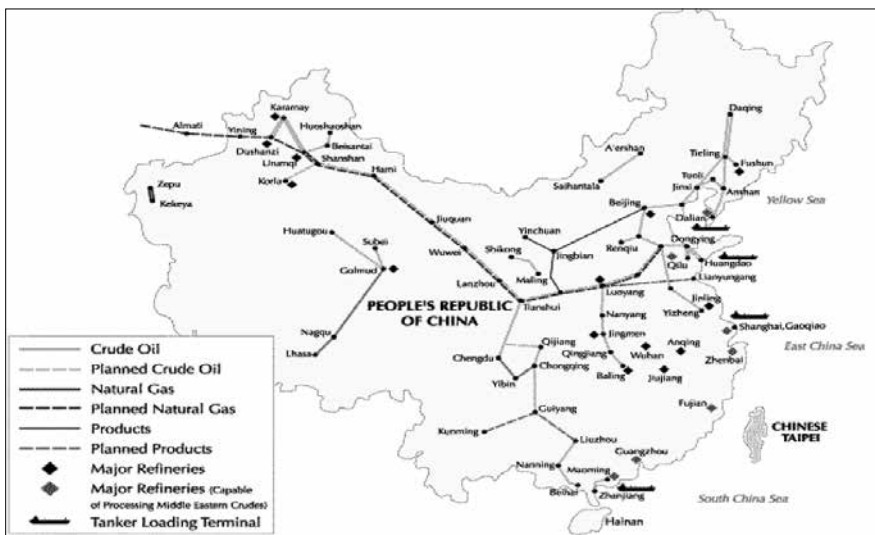


Source: Pragya Mishra, *Quora*

29. CPEC, “China Pakistan Economic Corridor”, <http://cpec.gov.pk/>. Accessed on February 21, 2019.

requirements and the regional imbalance within the country suggest different reasons. Until 2002,<sup>30</sup> most of the oil refineries in China were located on its eastern and southeastern coast, in close proximity to sea ports. This was to minimise inland transfer of crude oil supplies received from West Asia and Africa. Some refineries were also located on its northwest border with Kazakhstan for processing the Russian crude. Fig 5<sup>31</sup> shows the locations of the oil refineries and the network of pipelines for distributing gas and oil across the country. What is clear from the figure is that a regional imbalance existed in the distribution and availability of crude oil derivatives across some regions in China.

**Fig 5: Location of Major oil Refineries and Distribution of Pipelines**



Courtesy: IEA

To overcome this shortcoming, China was keen on investing in new trade routes for easing the import of crude oil and export of industrial produce. Therefore, new routes were planned through

30. Dale Allen Pfeiffer, FTW, "Sizing up the Competition: Is China the Endgame", [http://www.copvicia.com/free/ww3/092502\\_endgame.html](http://www.copvicia.com/free/ww3/092502_endgame.html), September 25, 2002. Accessed on February 19, 2019.

31. China's Oil, Gas and Product Pipelines, Map 3, IEA and Energy No 158, July 1999, p. 26. Accessed on February 19, 2019.

Pakistan (CPEC) and Myanmar. The link among Gwadar, Pakistan and Kashgar, China, is shown in Fig 6.<sup>32</sup> This route would provide crude oil for the new refineries in the underdeveloped regions of Xinjiang, Tibet, Yunnan, Sichuan, etc. This regional corridor would, in turn, also boost industrialisation and exports from China. Similarly, the new route proposed under the 'Belt and Road' initiative in 2017, between Kyaukpyu, Myanmar and Kunming<sup>33</sup> in China would also greatly reduce the travel time and transportation cost of crude into China. Further, large super tankers and container ships, carrying cargo to China, always had difficulty in meandering through the archipelagos of the South China Sea. With the commissioning of the new route through Myanmar, the ships would now safely manoeuvre through the deeper waters of the Bay of Bengal and deliver crude and other cargo at Kyaukpyu. These new routes would have distinct financial advantages as the distance between Port Sudan and Hong Kong is about 10,600 km and an oil tanker generally takes 18 days to cover this distance. However, the distance would reduce to 7,000 km and the travel time to 10 days in case the disembarkation port changes to Kyaukpyu, and only 3,500 km and 6 days in the case of Gwadar,<sup>34</sup> Pakistan. This would also afford considerable gains in strategic terms for China.

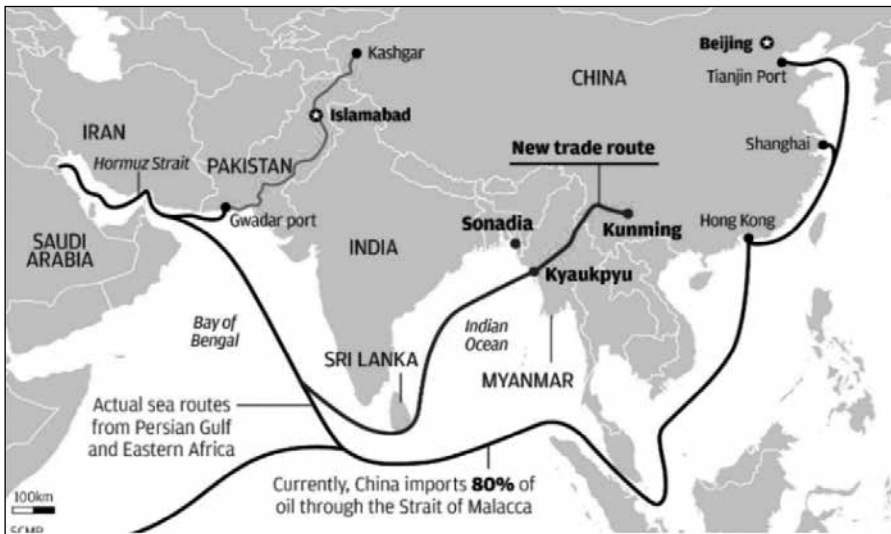
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32. Tanai Moulick, "Why is China Investing so much in CPEC", *Quora*, <https://www.quora.com/Why-is-China-investing-so-much-in-CPEC-China-Pakistan-economic-corridor>, November 16, 2016, Accessed on February 12, 2019.

33. "China's New Silk Road Plan: What's in it for Myanmar?", *Myanmar Frontier*, June 4, 2017, <https://frontiermyanmar.net/en/chinas-new-silk-road-plan-whats-in-it-for-myanmar>. Accessed on February 18, 2019.

34. Source: Searates, <https://www.searates.com/services/distances-time/>

Fig 6: Traditional Oil Trade Routes and New Routes



Source: Myanmar Frontier

In another recent development, the government owned China National Petroleum Corporation (CNPC)<sup>35</sup> conducted a round table for oil and gas cooperation in May 2017, on the sidelines of the Belt and Road Forum for International Cooperation, meeting at Beijing. Participants from many international energy agencies attended the meeting with the intention to discuss partnerships and common interests in the energy sector. The discussions revolved around the three cross-border oil and gas channels—the Central Asia-China, Russia-China and Myanmar-China pipelines. These would enable oil and gas import into China. The participants concluded by stating that for sustaining uninterrupted supplies, cooperation among, and the security of, geographic regions like Central Asia-Russia, the Middle East and Asia-Pacific are very important. These narratives, and the Chinese influence in drafting the declaration, highlight the

35. As of 2017, CNPC operated 49 oil and gas cooperation projects in 19 countries along the Belt and Road routes, involving more than 60 percent of the company's accumulative overseas investment and about 50 percent of the company's accumulative overseas equity production. CNPC, "Deepening International Oil & Gas Cooperation Under the Belt & Road Initiative", <http://www.cnpc.com.cn/en/2014enbvfg/201807/c5489a38771e4076a56e38d5d56d0a10/files/0b3e8c7b4fba47db9e6aa6a99a851d7e.pdf>. Accessed on February 27, 2019.

use of military power and soft political skills by China in ensuring the stability and economics of its crude supplies for the domestic market.

### **SIMPLIFYING CONTEXTUAL REFERENCES FOR INDIA**

Analysing the approach of two of the world's top oil importing nations it is clear that both view uninterrupted supply of energy as essential to their economic growth and strategic outreach. Like any other country, India's energy security is primarily about ensuring continuous availability of commercially exploitable energy at a competitive price. Like China, India's rapid growth has created an ever-increasing demand for energy, positioning it as the 4th largest importer of crude after the USA, China and Japan. However, ensuring its uninterrupted availability requires several initiatives at the diplomatic, political, economic and technical levels. New Delhi should not disagree with NATO's assessment or China's approach to energy security discussed earlier in this article.

However, India's approach to energy security, especially import of crude and coal, and promotion of the use of renewable sources of energy, has been marked by inconsistency. The policy debate on energy security in India started on August 12, 2004, with the constitution of an expert committee by the then Planning Commission. The committee was tasked to prepare an integrated energy policy linked with sustainable developmental goals that would cover all sources of energy and address all aspects, including energy security, accessibility, availability, affordability and pricing, efficiency and environmental impact. The 'Integrated Energy Policy' document was submitted to the government on August 9, 2006. The policy, for the first time, defined energy security for the country and proposed policy options for ensuring the same. It discussed measures to improve the domestic generation of electricity, harness renewable resources and improve efficiency of energy devices. As regards recommendation on the methods for ensuring supply side assurance from external disruptions, it proposed construction of three underground strategic oil reserves for storing 5 million metric tonnes of crude. The reserves would meet about 90 days of the country's requirement, benchmarked on the 2003 consumption pattern.

**India is presently the 6th largest economy of the world and due to its rapid economic expansion, is poised to become a \$5 trillion economy by 2022 and also the world's fastest growing energy market. During this period, crude import accounted for 80 percent and coal about 30 percent of the country's annual consumption.**

Thereafter, in 2013, the Planning Commission again undertook an exercise to examine the energy security scenario of the country. The vision document was called "India Energy Security Scenarios: 2047" (IESS-2047), and was released on February 28, 2014. Soon, the rechristened NITI Aayog released the second edition of the same document in September 2015.<sup>36</sup> This policy document outlined the bold ambitions of the government towards harnessing clean and green energy towards sustaining the accelerated growth rate of 7-8 percent annually, but made no mention

of methods for securing the existing supply lines of imported crude.

A new National Energy Policy (NEP)<sup>37</sup> drafted by NITI Aayog followed, using the IESS 2047 as the underpinning intellectual platform. The policy was last put up for comments/ suggestions on June 6, 2017. The draft policy did not discuss the long-term methods or lay out a clear roadmap for ensuring the reliability of energy supplies from external sources/agencies. Notwithstanding this, in 2018,<sup>38</sup> a status review of India's energy requirement was carried out by the Aayog. It stated that the nation is presently the 6th largest economy of the world and due to its rapid economic expansion, is poised to become a \$5 trillion economy by 2022 and also the world's fastest growing energy market. It also mentioned that, during this period, crude import accounted for 80 percent and coal about 30 percent of the country's annual consumption. Therefore, sustaining growth without a watertight energy security plan could always make the Indian growth story susceptible to external pressures.

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36. NITI Aayog, IESS 2047, <http://www.niti.gov.in/content/niti%E2%80%99s-energy-sector-planning-tool-iess-2047>. Accessed on February 26, 2019.

37. Draft National Energy Policy, NITI Aayog, GoI, [http://niti.gov.in/writereaddata/files/new\\_initiatives/NEP-ID\\_27.06.2017.pdf](http://niti.gov.in/writereaddata/files/new_initiatives/NEP-ID_27.06.2017.pdf). Accessed on February 19, 2019.

38. Amitabh Kant, NITI Aayog, "Challenging Conventions to Build a New India", February 17, 2019, <http://niti.gov.in/niti-blogs>. Accessed on March 10, 2019.



Given India's growing energy demands, limited domestic fossil fuel resources and excessive reliance on imports, it is strongly opined that the government may consider to rework the national doctrine on energy security and propose long-term strategies for securing the import supply lines. Although the proposed policy acknowledges that the nation's Gross Domestic Product (GDP) is directly proportional to the availability of cheap and reliable energy, a tangible roadmap for increasing power generation using domestic resources should also be included. In today's geo-political environment, sustainable development and growth is possible, if the energy security matrix is approached using political, economic and military tools. A balanced mix of NATO's military approach and China's commercial policies towards energy security is advocated.

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Before concluding the analysis of India's approach to energy security, it is important to understand how crude purchase decisions are taken in India.

### **CRUDE IMPORT DECISIONS IN INDIA**

In India, until 1998, the entire procurement process for imported crude was negotiated by the Indian Oil Corporation (IOC), a government owned oil Public Sector Undertaking (PSU), Thereafter, private refineries were permitted to procure crude. Other oil PSUs were permitted to independently purchase crude based on their refineries' requirement only from 2002. The crude import and sourcing decisions for petroleum crude were primarily taken by the oil refining companies. This policy was also applicable to private oil refiners like Reliance Industries Ltd and Essar Oil Ltd.<sup>39</sup> Presently, all oil companies import

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39. Standing Committee on Petroleum & Natural Gas (2012-13), 15th Lok Sabha, "Long-term Purchase Policy and Strategic Storage of Crude Oil", [http://164.100.47.193/lssccommittee/Petroleum%20&%20Natural%20Gas/15\\_Petroleum\\_And\\_Natural\\_Gas\\_18.pdf](http://164.100.47.193/lssccommittee/Petroleum%20&%20Natural%20Gas/15_Petroleum_And_Natural_Gas_18.pdf). Accessed on February 26, 2019.

their crude either by entering into long-term contracts with the suppliers (oil exporting nations) or undertake spot purchases to meet demand fluctuation or to hedge costs. About 80 percent of the crude is imported under long-term contracts inked at the beginning of the financial year at fixed prices, and spot purchases account for the remaining 20 percent of the demand. All purchase decisions on cost and quantities are approved between the oil companies and oil exporting organisations through an Empowered Standing Committee (ESC) comprising representatives from Oil Marketing Companies (OMCs) and the Ministry of Petroleum. Each oil company has a separate ESC.<sup>40</sup> Most of the imported crude shipped to India follows the 'Free On Board' (FOB) model in which the purchaser pays for the shipping cost and takes responsibility for the security of the goods from the point it leaves the seller's premises.

This arrangement of provisioning one of the most important energy resources for India was a matter of concern for our policy-makers. Any political turmoil or unrest in oil sensitive regions of the world may cause disruptions in supplies to India. Therefore, the 15th Parliamentary Standing Committee recommended that the government should keep a close watch on the geo-political situation along the marine routes used by oil tankers supplying crude oil to the country and keep alternative plans ready, in case such a need arises, so that the country does not suffer from a supply crunch.<sup>41</sup> However, the committee was dissolved on May 18, 2014, along with the completion of the term of the 15th Lok Sabha, and no major direction on securing oil supply lines could be delivered by the committee.

The new Parliamentary Standing Committee, formed in 2014, did not deliberate further on these geo-political, commercial and security issues concerning crude supplies, in spite of the fact that the need for securing the area encompassing the supply chains of petroleum products is still acknowledged by many other growing economies. Concrete directions or actions on sanitising India's approach to energy security, especially in view of the fact that these resource and supply routes (of crude) are common between India and China, need to be addressed on priority.

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40. Ibid.

41. Ibid., Para 10.

## THE WAY FORWARD

While globally, actions supporting the energy networks and protecting critical energy infrastructure are slowly moving from being political/diplomatic matters to becoming military affairs, India's energy decisions are dominated by commercial considerations. Simultaneously, most militaries are increasingly becoming aware about their role in sharing and understanding intelligence data on energy alliances, technical developments and political considerations on energy export. NATO and its members have realised and overcome this responsive gap by policy interventions and doctrinal changes in the previous decade. Similarly, Beijing, has always involved the People's Liberation Army (PLA) in its energy security concerns, through cooperative commercial ventures and securing oil and gas assets in more than 30 countries abroad, including those in Africa, Central Asia-Russia, America, the Middle East and Asia-Pacific. Taking a cue from these examples, India should also strongly acknowledge that energy resilience is central to robust economic development. The new approach to energy security decisions should involve policy-makers, economists, diplomats, energy experts and military commanders as equal partners. Enhancing the military's outreach in protecting international supply lines and assets should be our top priority in the fast-changing regional political affiliations. Therefore, inputs to the draft National Energy Policy should also be taken from the Service Headquarters and reworked with military inputs, as the security of critical energy infrastructure—including supply lines and Indian energy assets on foreign soil—should be the joint responsibility of the power companies and military forces.<sup>42</sup>

Taking a hint from NATO's and China's approach to energy, India's politico-commercial and military relationships with the energy exporting countries should become part of our broader security prognosis. As recommended by the 15th Lok Sabha's Standing Committee, the issue of securing oil supplies should form part of a wider geo-political concern. On many occasions, we have seen that international relationships and trade

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42. Annual Report 2015-16, Ministry of Defence, Govt of India, <https://mod.gov.in/sites/default/files/Annual2016.pdf>. Accessed on February 16, 2019.

obligations have been influenced by energy supply choices. Therefore, oil purchase decisions under an unfavourable political situation should be regularly deliberated, not only at the level of the oil companies (or Ministry of Petroleum and Natural Gas) but at the level of the National Security Advisory Board (NSAB),<sup>43</sup> which functions as policy adviser to the National Security Council. This may ensure greater energy resilience and improved stability in the purchase price for India.

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43. The NSAB deals with internal and external security, foreign affairs, defence, science and technology and economic affairs and normally meets at least once in a month.

# IMPRESSIONS OF HISTORY ON JAPAN-CHINA RELATIONS

ANUSHREE DUTTA

Contemporary geo-politics in Asia has been determined since the 1980s by China's steady rise, which has constantly challenged the primacy of Japan and other powers in East Asia today. Present day China is seen to be challenging the existing territorial status quo in East Asia on multiple fronts, especially with regard to Japan. Analysts have increasingly commented that China has been flexing its military muscle and intimidating its neighbours into accepting its expanded claims. The impact of the Chinese military modernisation is seen more aggressively in the East China Sea and South China Sea which challenges Japan's interest in the region (especially in the East China Sea). Additionally, the US has been an important partner of Japan since the end of World War II, but the changing US strategy towards Asia has been a matter of concern for Japan.

Under the Trump Administration, a decline of US dominance in the region has been witnessed. The global balance of power has witnessed the interplay of new forces such as the rise of China, an emerging India, a proactive Japan, a belligerent North Korea, the threat of terror and the growing importance of the Indian Ocean—all contributing towards shaping the emerging security and economic environments.<sup>1</sup> However, the primary factor for Japan is the 'China challenge' which is being witnessed in China's

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1. The Squad of the "QUAD" in Indo-Pacific: <http://www.claws.in/1837/the-squad-of-the-%E2%80%9Cquad%E2%80%9D-in-indo-pacific-amrita-jash.html>, December 10, 2017.

**Presently, one of the biggest sources of tension between Japan and China concerns the Senkaku Islands. The Chinese sovereignty claim on the Senkaku Islands has blossomed into a full-fledged territorial dispute with the maritime forces of both countries mobilised in defence. Given such tension with China, Japan is rebalancing its defence budget.**

growing assertiveness and muscle-flexing behaviour in the South China Sea, East China Sea, and the ambitious Belt and Road Initiative (BRI).

Japan is said to be growing increasingly nationalistic and militarised in recent times. In order to manage the associated external risks and internal counter-pressures, Japan's policy-makers have sought to safeguard its national security based on its own capabilities. Presently, one of the biggest sources of tension between Japan and China concerns the Senkaku Islands.

The Chinese sovereignty claim on the Senkaku Islands has blossomed into a full-fledged territorial dispute with the maritime forces of both countries mobilised in defence. Given such tension with China, Japan is rebalancing its defence budget that would be useful in military preparedness to deter the most likely security problem the country faces. The time has, therefore, come for Japan to take a much more prominent role in East Asian security issues. Japan's remilitarisation will have a major shift in the geo-political balance in East Asia that could have significant political repercussions for Japan. There is no denying the fact that Japan's past military aggression continues to shape public opinion in many of its neighbouring countries.

Economic relations in particular have been, and will be, a key factor in determining the future scope of Sino-Japanese relations. It is anticipated that the Exchange Promotion Executive Committee, for instance, will promote greater economic ties between the two countries and improve the business performance of Japanese corporations already operating in China, thus, indicating that the economic relationship between the two countries could further improve. While political tensions between Japan and China are a source of fragility for the bilateral relationship, the current movements on the

economic front are by no means the result of political factors.<sup>2</sup>

China has a deep sense of history, which flows from its powerful civilisation which flourished till the West challenged its 'pride'. China considered itself to be the centre of the world—the Middle Kingdom—which represented a civilisational state with no definite boundaries and exercised influence over the peripheral states that accepted its superior culture and accorded to it the place of the head in the family of nations. This worldview, however, received its first shock

post the advent of Western colonialism and the Opium War of 1842, when the West—with superior military forces, entrepreneurial capabilities and missionary zeal—began to establish its supremacy over China.<sup>3</sup> China got another reality check on its Sino-centric world view during the Sino-Japanese War of 1894-95, in which a small country like Japan defeated China and took over Taiwan. In fact, Chinese animosity towards Japan can be directly traced to this defeat. Reunification of Taiwan, thus, became firmly embedded in the Chinese nationalist agenda as it would enable China to once again acquire the great power status it had enjoyed. Japan-China tensions, therefore, simmer on, with the risk that a crisis over Taiwan or some other issue will plunge the East Asian giants into a cold war.<sup>4</sup>

Rooted in this historical controversy are China's avowed aspirations of acquiring the leadership role in international politics and recreating the Sino-centric world order, an order in which it would emerge as a superior power vis-à-vis Japan and the US. In the context of China-Japan relations, the issue of 'history' (between China and Japan) involves three major factors: history

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2. "Getting Down to Business on Japan-China Relations", <http://www.eastasiaforum.org/2017/08/21/getting-down-to-business-on-japan-china-relations/>, August 21, 2017.

3. "History and Power Shift Fuel Sino-Japanese Rift", [https://idsa.in/idsastrategiccomments/HistoryandPowerShiftFuelSinoJapaneseRift\\_ABhattacharya\\_230805](https://idsa.in/idsastrategiccomments/HistoryandPowerShiftFuelSinoJapaneseRift_ABhattacharya_230805)

4. Denny Roy, "The Sources and Limits of Sino-Japanese Tensions", *Survival*, 47:2, 191-214, DOI: 10.1080/00396330500156495

textbooks, apology by Koizumi, and Prime Minister Shinzo Abe's visits to the Yasukuni Shrine.<sup>5</sup> Thus, the Sino-Japanese friction over history has become inextricably linked with the ongoing repositioning of the two countries in the changing global matrix of power. The key to understanding the deterioration in Japan-China relations, thus, lies in the complex entwining of the issues of history and power shifts, which have fanned the flames of suspicion and enmity. The aim of this paper is to analyse the impressions of history on China and Japan relations.

### **HISTORICAL MEMORIES IN CHINESE PSYCHE**

China's vicious memories about Japan include Manchukuo as the puppet state of Japan, the Nanjing Massacre, comfort women issue and war reparations; all these, and others, contribute to the present 'trust deficit'. China's antagonistic sentiments against Japan are largely witnessed in terms of the revision of history textbooks, Japanese high-level visits to the Yasukuni Shrine and the Diaoyu/Senkaku Islands dispute, reflecting the 'conditioned reflex' of the Chinese to the Japanese actions.<sup>6</sup> For instance, in September 2012, thousands of Chinese in Beijing marched to the Japanese Embassy to protest against the decision by the Japanese government to buy the islands—known as Diaoyu in Chinese and Senkaku in Japanese—from their private Japanese owners. The emotional crowd chanted anti-Japanese slogans and ransacked Japanese businesses, smashed Japanese cars and pelted stones at the buildings of the embassy compound. The protest soon spread nation-wide, making it the first such large scale anti-Japanese demonstration after the Tiananmen incident of 1989 and the 2005 anti-Japanese protests over the Japanese history textbook revision.<sup>7</sup> The emotional response of the Chinese during this incident conveyed that the Chinese people bridge the current events with historical grievances. Thus, any Japanese action only serves to remind them about the war-time, and the invasion memories, which made their country suffer many years ago, are rekindled. China has reacted strongly—a “knee-jerk response”, as Allen

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5. Ibid.

6. “Researching Japanese War Crimes”, <https://www.archives.gov/files/iwg/japanese-war-crimes/introductory-essays.pdf>,

7. “Anti-Japan Protests in China”, <https://www.theatlantic.com/photo/2012/09/anti-japan-protests-in-china/100370/>, September 17, 2012.



S. Whiting once put it—to any perceived “revival” of Japanese imperialist ideology or symbols.<sup>8</sup>

China’s historical narrative is a collective memory of defeats, injustices and humiliations, rather than glorification of the Chinese people’s earlier achievements. China maintains the “Century of Humiliation” as the central theme in its quest to restore the country’s lost dignity and power. That is, for China, “victim” over “victor” has been imbibed in the historical conscience.<sup>9</sup> The Chinese victimhood narrative is based on two events: (1) the two Opium Wars (China’s defeat at the hands of the Western imperialist powers); (2) the two Sino-Japanese Wars (the Japanese invasion of China and its subsequent subjection to brutal atrocities).

In this context, it can be argued that China, in its pursuit to discover its “self” identity, considers the Western powers and Japan as “others”.<sup>10</sup> The “self” and “others” approach is derived from social theory, and has gained increasing interest within international relations theory. Social actors cannot know their identities *a priori*, and it is only through social interaction that a sense of the “self” is formed.<sup>11</sup> Let us examine Japan’s role as the “others”. For China, the historical memory of a “victim” has constructed the identity of a “victimized state” for itself, which plays a crucial role in determining China’s foreign policy towards Japan. In fact, Japan’s identity as the “others” in China’s perception, is the aftermath of China’s attempts to assert its “victimhood” and regain its social and moral legitimacy within an international environment.

Shih argues that in the wake of Japanese imperialism, Japan shared a similar culture with China, and, therefore, could not be opposed on cultural terms, like the Western powers. Japan presented more of a threat to China’s very existence, rather than a menace to the Chinese culture. Further, Shih argues, “China did not adjust its image of Japan by recategorizing Japan as a *waiguoren* [foreigner] state. Rather, it sees itself as an ‘un-Japanese’ state”.<sup>12</sup> Given this identity clash, it can be strongly argued that the present Chinese perception of Japan is strongly

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8. Shogu Suzuki, “The Importance of ‘Othering’ in China’s National Identity”, in “Sino-Japanese Relations as a Stage of Identity Conflicts,” *The Pacific Review*, 20.1, 2007, p. 26.

9. Maurice Halbwachs, *On Collective Memory* (Chicago: University of Chicago Press, 1992).

10. Ibid.

11. Ibid.

12. Ibid.

**The Chinese government does not just use history as a card against Japan, but largely as part of patriotic education for domestic consumption. Memories of the negative history are linked to factional politics, as the elites utilise the memories of Japan's imperialist aggression to "coalesce support and weaken opponents".**

shaped by memories which stem from past Japanese aggression. This can be said so, as the prime factor of the deep distrust, misunderstanding and dislike, is triggered by the historical memory creating cognitive biases in China's behaviour towards Japan in the present times.<sup>13</sup> This is the fundamental reason which helps to explain why the bilateral relations have always been fragile even after decades of normalisation.

Why these memories so dominate China's current relations with Japan can be argued by taking three views: primordialist view, instrumentalist view and constructive

view. Here, the instrumentalist view claims that the Chinese Communist Party (CCP) strategically and rationally uses the history of the Japanese imperialist aggression to gain political and economic concessions. Gilbert Rozman has used two points to validate this argument in two ways: first, history is used to take advantage of Japan's war guilt and draw out political concessions from Tokyo; second, it is utilised by the Chinese government to take a strong stance against Japan, thus, presenting itself as a patriotic force and enhancing its claim to legitimacy.<sup>14</sup> For instance, China's anti-Japanese protest in the post-1982 textbook controversy is argued on the grounds that the Chinese government found the textbook controversy to be a convenient lever to bring the Japanese government to heel, in which it was largely successful.<sup>15</sup> The Chinese government does not just use history as a card against Japan, but largely as part of patriotic education for domestic consumption. Memories of the negative history are linked to factional politics, as the elites utilise the memories of Japan's imperialist aggression to "coalesce support and weaken opponents". For instance, the historical sites

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13. Caroline Rose, *Sino-Japanese Relations: Facing the Past, Looking to the Future?* (London and New York: Routledge, 2005), p. 7.

14. "China's Changing Images of Japan, 1989-2001: The Struggle to Balance Partnership and Rivalry".

15. Chalmers Johnson, "The Patterns of Japanese Relations with China, 1952-1982", *Pacific Affairs*. 59.3, 1986, pp. 402-423.

of Japanese aggression were utilised by the Chinese Communist Party leaders in their “patriotic education campaign” which aimed at strengthening the regime’s claims to power.<sup>16</sup> Therefore, in China, it is common wisdom that patriotism—often in the form of anti-Japanese nationalism—is intrinsically linked to the government’s legitimacy in China.<sup>17</sup>

### JAPAN: DATSU-A RON AND THE FLYING GEESE MODEL

#### *Datsu-A Ron*

Japan’s behaviour in the 1860s can be seen in the “Datsu-A Ron” concept which was composed by author and educator Fukuzawa Yukichi during the Meiji period. This was an editorial published in the Japanese newspaper *Jiji Shimpō* on March 16, 1885. “Datsu” means ‘to exit’, ‘to get out’, or, ‘to depart’. “A”, is the abbreviated term for “Asia” in the Japanese language. Finally, “Ron” means theory, or hypothesis. Datsu-A Ron, thus, means “the theory of getting out of Asia” or “the theory of departing from Asia.”

Japan was enamoured by the West’s technological advancement and in order to make itself a civilised nation—as compared to the others—it had no choice but to willingly throw itself into the wave of scientific revolution and accept not only its benefits but also its demerits. This was seen as an essential condition that is needed for Japan to survive in the modern civilised society (Japan was a closed door country, living in ‘self-isolation’ till the arrival of the Black Ships of Commodore Perry of the US in 1853).

Then, with this aim successfully achieved, it was believed, Japan would be able to proclaim its right to “assist” the vitalisation of a newer and stronger

**Japan was enamoured by the West’s technological advancement and in order to make itself a civilised nation—as compared to the others—it had no choice but to willingly throw itself into the wave of scientific revolution and accept not only its benefits but also its demerits.**

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16. Phi Deans, “Contending Nationalisms and the Diayutai/Senkaku Dispute.” *Security Dialogue*, 31.3, 2000, pp. 119-31.

17. Amrita Jash, “The Optics of China-Japan Relations from the Politics of Historical Memories”, *Synergy: The Journal of Contemporary Asian Studies*, vol. 1, no. 2, Jan 2016.

Asia.<sup>18</sup> Datsu-A Ron, over time, became the classic slogan depicting Japan's war-time sins during the last half of the 20th century and the ultimate symbol of Japanese betrayal of other Asian countries.<sup>19</sup>

In similar terms to what Datsu-A Ron was for Japan during the Meiji Restoration of 1868, the leaders grew increasingly nationalist when observing the East Asian countries, including Japan's giant neighbour China, colonised by the Western countries. To avoid China's and other Asian countries' fate, and in order to be able to compete on equal terms with the Western countries, the Japanese political elite recognised the necessity to overcome what is described as the socio-economic and cultural backwardness of an Asian country.<sup>20</sup> Japan considered two of its very close people (the Koreans and the Chinese) much closer in terms of Asiatic politics, religion and traditions.<sup>21</sup>

The term *toko*, meaning the eastern seas, was often used by the Japanese scholars during that time. The Chinese use this word to denote the island kingdoms of Japan and Ryukyu to the east of China.<sup>22</sup> Basically, *toko* was used by the Japanese to give them a personal as well as a collective identification against Asia. This is shown in Table 1.

**Table 1**

<b>Asia</b>	<b>Toko</b>
Bad culture	Long history
Bad government	Old, high civilisation
Bad economy	Exquisite cultural elements, including written language
Bad race	Personal identity
	Regional affinity

Source: *Leaving Asia? The Meaning of Datsu-A and Japan's Modern History*.

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18. A Translation of Datsu-A Ron: Decoding A Prewar Japanese Nationalistic Theory: Dwight Tat Wai Kwok, p. 7.

19. Pekka Korhonen, "*Leaving Asia?: The Meaning of Datsu-A and Japan's Modern History*", *The Asia Pacific Journal*, Vol. .

20. Fumitaka Furuoka, "*Japan and the 'Flying Geese' Pattern of East Asian Integration*", *Journal of Contemporary Eastern Asia*, Vol. 4, No. 1 (October 2005).

21. Ibid.

22. Ibid.

*The Flying Geese Model*

Introduced by the Japanese economist, Kaname Akamatsu (1935), the Flying Geese model can be used to analyse how Japan used this model to integrate the East Asian countries. The Flying Geese model is divided into two gaggles: the first started during the Meiji Restoration (1868) till 1945; the second, post 1945 to the end of the East Asian Miracle in the late 1990s. By taking the first gaggle of Flying Geese, it is easy to decipher Japan's "imperialist" nature in history which is a bitter memory in China. It was introduced during the Meiji Restoration (1868) when Japan was modernising its economy and its military power under the slogan *fukoku kyohei*. In order to catch up with the West, Japan began subjugating its East Asian neighbours through the use of military force. Two important characteristics described by Fumitaka Furuoka in *Japan and the Flying Geese Pattern of East Asian Integration* about the first gaggle of Flying Geese are as follows: (1) it was found forcible through the use of military force; (2) Japan aggressively promoted its open ideals and imposed these on the Asian countries.

The formation of the first gaggle of Flying Geese was started by expanding territory. In the first attempt at Asian regional integration, Japan (the first-tier goose) suppressed the people of Taiwan, Korea and Manchuria (second-tier geese) and forced them to accept Japan's leadership as well as Japan's own ideals, values and socio-cultural norms.<sup>23</sup> No doubt, Japan's policy from 1895 to 1945 was ruthless in nature. The first gaggle of Flying Geese came into being when Japan surrendered to the Allied powers in 1945. As Pempel observes, "The only significant collective challenge to Western leadership in Asia, and the only real bid for Asian integration, came from Japan's unsuccessful military attempt during the 1930s to form the 'Greater East Asia Co-Prosperity Sphere.'"<sup>24</sup> During this time, the Meiji leaders wanted to compete with the West on equal terms and wanted to remove the stigma of Asia being a socio-economic and culturally backward region. In order to achieve this target, the slogan "Datsu-A Ron" was adopted.

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23. Ibid.

24. Ibid.

## IMPORTANT EVENTS SHAPING HISTORY

### *Meiji-Qing*

During this period, both China and Japan were severely exposed to the newly expansionist Western presence. But in the case of China, Japan acted as the foreign antagonist, more dangerous than any Western power, in the Qing's final half-century. Japan's reaction to the Western expansion was more rapid and decisive than China's. China's "century of humiliation" starts with the Qing's humiliation during the two Opium Wars and the Anglo-French occupation of Beijing, which was well known to Japan. The realistic appraisal for this unprecedented threat to national autonomy was a major factor leading to one of the world's most profound revolutionary events: the overthrow of the centuries-old Tokugawa Shogunate and the restoration of direct imperial rule—an event known as the Meiji Restoration of 1868.<sup>25</sup>

When the main forces of the Tokugawa surrendered to the combined "royalist" forces in January 1868, it signalled the end of the Tokugawa era and the beginning of the Meiji Restoration. During the Meiji Restoration era, Japan was "reinventing" itself with two objectives: the first was strengthening Japan to keep it independent; and the second was ridding the nation of the humiliation, represented by the hated unequal treaties.<sup>26</sup> The Meiji Restoration marked Japan's road to modernisation. The 16-year-old Emperor Mutsuhito selected the era name Meiji for his reign.

Meiji Japan adopted two basic national policies: *fukoku* (enrich the country) and *kyohei* (strengthen the military). In order to achieve these goals, Japan had to move southwards, along the Pacific islands, and westwards to Korea and China.<sup>27</sup> Three years after the Meiji Restoration, the Qing and the Japanese signed a treaty in September 1871. This treaty was China's western treaty, concluded on the basis of equality and reciprocity, in which the Qing, for the

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25. The Flying Geese model is a multi-tier hierarchical model to described how industrialisation spreads from the developed countries to the developing countries. William T. Rowe, *China's Last Empire: The Great Qing* (Cambridge, MA: Harvard University Press), p. 224.

26. Louis G.Perez, *The History of Japan* (Santa Barbara, CA: Greenwood Publishing Group, 1998), p. 84.

27. James C.Hsiung, ed., *China and Japan at Odds: Deciphering the Perpetual Conflict* (New York: Palgrave Macmillan, 2007), p. 24.

first time, acknowledged Japan's status as a sovereign nation and agreed to a formal exchange of ambassadors.<sup>28</sup> Both the Qing and Meiji pledged not to interfere in each other's "states and territories" and to come to each other's aid in the case of any third party's involvement.

But Japan began to assert claims over two states and territories long claimed by the Qing as its tributaries, Liuqiu and Korea, as well as one that was part of the Qing Empire itself—the island of Taiwan. The real festering sore in the Qing-Meiji relations was Korea which resulted in the first Sino-Japanese War.

#### *First Sino-Japanese War (1894-95)*

Japan had been obsessed with the "Hermit Kingdom" for nearly 2,000 years. The Korean peninsula was a very important strategic concern for both China and Japan. Japan views the peninsula as the springboard for a possible invasion by China. Keeping in mind the words of the Chancellor of Germany, Otto von Bismarck that "Korea is a dagger pointing at the heart of Japan",<sup>29</sup> it was feared (by Japan) that some other power might use this natural path. China, on the other hand, sees the Korean peninsula as a critical buffer against Japanese expansion in Manchuria. Korea was part of China's "Tributary Empire" (the Treaty of Tientsin which was signed between China and Japan in the 1880s, ensured that the Korean problems would not lead to an accidental war).

However, in late 1893, a domestic rebellion (the Tonghak rebellion) broke out in Korea (like the Taiping rebellion in China). King Kojong of Korea, backed by his Queen Min, invited the Qing military to suppress the movement; by early June, the Chinese forces had arrived. The Japanese Diet had earlier decided that should the Qing send in troops, Japan would respond with troops of its own. In late June, the two forces confronted one another on the Korean soil. The Japanese forces brutally suppressed the Tonghak rebellion, and in July, occupied the Korean court. On August 1, Japan declared war on the Qing. At the outset, most nations expected a short war, with China as the victor. But the Japanese won virtually every battle and skirmish. The Chinese suffered hundreds of thousands

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28. Ibid.

29. Ibid.

**The Sino-Japanese War was a major watershed in the Chinese imperial history—far more than the Opium Wars of 1839-42. The war showed the world for the first time how weak the Qing dyansty—which had been aggressively flexing its muscles around its peripheries for several decades—really was.**

of casualties, and the bloody fighting was marked by gruesome atrocities on both sides. The war ended when China sought peace with Japan, which was achieved with the Treaty of Shimonoseki, signed on April 17, 1895.

With the Treaty of Shimonoseki, China was forced to cede Taiwan to Japan, a huge indemnity to pay for Japan's war costs; Korea renounced its Chinese tributary status and was declared independent; and Japan was given a leasehold over the Liaoning peninsula, the gateway to Manchuria and adjacent to Korea.<sup>30</sup>

However, the Japanese celebration of victory was short-lived: the so-called Triple Intervention (by Russia, Germany and France), on April 23, announced that it would not allow China to be "dismembered." For Japan, Korea had been the cause of the war with China, over Liaoning with Russia in 1904, and, unfortunately, with China again in 1931.

Overall, the Sino-Japanese War was a major watershed in the Chinese imperial history—far more than the Opium Wars of 1839-42. The war showed the world for the first time how weak the Qing dyansty—which had been aggressively flexing its muscles around its peripheries for several decades—really was. S.C.M. Paine has observed, "Ever since the war, the focus of the Chinese foreign policy has been to undo its results, whereas the focus of the Japanese foreign policy has been to confirm them." The war was a shock to the Qing subjects themselves, for most of whom defeat at the hands of Japanese had been inconceivable.<sup>31</sup>

Even among Japanese scholars, opinion is divided on how to interpret Japan's involvement in Korea and the process that led to the Sino-Japanese War of 1894-95. The commonly accepted theory is that in the time leading up to the war, there were but two paths available to Japan—becoming an

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30. Ibid.

31. Ibid.



imperial power or becoming a colony itself—and that, as a result, it was left with no choice but to pursue imperialism. This view also holds that imperialism was a consistent goal throughout Japan’s invasion of Korea and the war with China.<sup>32</sup> In China, many historians regard all Japanese incursions since the Meiji era to be in contravention of international law and cast the words and actions of Mutsu Munemitsu in a critical light. Another key point is the issue of when Japan envisioned going to war with the Qing and began preparing for such a war in earnest. In Japan,

this question is debated by taking into account various factors, such as the respective developments in the army and navy and their relationships with the Diet. With respect to the Sino-Japanese War of 1894–95, most Chinese historians focus on Yamagata Aritomo, arguing that Japan was preparing to go to war from a relatively early date and was pursuing a course of military expansion. As demonstrated by Yamada Akira, Japan placed emphasis on the establishment of a military force under the emperor and the adoption of divisions by the army in 1888. But the focus should rather have been on the fact that the course of military expansion was put into motion only from 1891 in accordance with the path set forth in Prime Minister Yamagata’s “spheres of sovereignty and interest” speech at the first session of the Imperial Diet in 1890. The increased militarisation was viewed as being problematic by the Diet, but the Ōtsu Incident, the arrival of a Russian fleet in Nagasaki, and other events that occurred that year provided justification for increasing Japan’s sea power, and an imperial edict for the building of warships, issued on February 10, 1893, lent further impetus to the naval expansion. In addition,

**A distinctive feature of the clashes that broke out between Japan and China starting in July 1937 was that until the start of the Pacific War in 1941, both sides avoided declaring war on each other even though the fighting turned into all-out belligerency. The main reason was that a declaration of war was liable to cause them to become subject to the provisions of the US Neutrality Acts, with effects similar to economic sanctions.**

32. Japan-China Joint History Research Report: [https://www.mofa.go.jp/region/asia-paci/china/pdfs/jcjhrr\\_mch\\_en1.pdf](https://www.mofa.go.jp/region/asia-paci/china/pdfs/jcjhrr_mch_en1.pdf)

in 1893, Yamagata issued a recommendation on military preparedness. This added momentum to the position that Japan's military should be expanded as long as financial resources allowed it, thus, accelerating the course of Japan's military expansion.<sup>33</sup>

### *World War II: Second Sino-Japanese War*

A distinctive feature of the clashes that broke out between Japan and China starting in July 1937 was that until the start of the Pacific War in 1941, both sides avoided declaring war on each other even though the fighting turned into all-out belligerency. The main reason was that a declaration of war was liable to cause them to become subject to the provisions of the US Neutrality Acts, with effects similar to economic sanctions. In Japan, furthermore, the judgment was that elevating the situation to the status of "war" would hinder its early resolution. Prolongation of the Japan-China conflict also needed to be avoided for the sake of readiness for the confrontation with the Soviet Union and with Britain and the United States—the countries originally envisaged as enemies. Japan, thus, initially called this war the "North China Incident" and officially termed it the "China Incident", starting in September 1937, when the hostilities expanded.<sup>34</sup>

At the time of the official beginning of the second Sino-Japanese War in 1937, there were intermittent clashes and engagements between the Japanese and various Chinese forces. These engagements were collectively described by the Japanese government as "incidents" to downplay the conflict. This was primarily to prevent the United States deeming the conflict an actual war, and, thus, placing an embargo upon Japan as per the Neutrality Acts. The incidents collectively put pressure on China to sign various agreements, to Japan's benefit. These included the demilitarisation of Shanghai, the He-Umezumi Agreement, and the Chin-Doihara Agreement. The period was turbulent for the Chinese Nationalists, mired in a civil war with the Chinese Communists; they maintained an uneasy truce with the remnant warlords, who nominally aligned with Generalissimo Chiang Kai-shek, following the Northern Expedition. This period also saw the Chinese Nationalists

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33. Ibid.

34. Ibid.

modernising the National Revolutionary Army through the assistance of the Soviet, and later the German, advisers.

In July 1937 the conflict escalated after a significant skirmish with Chinese forces at the Marco Polo bridge. This marked the beginning of the second Sino-Japanese War. The Chinese Nationalist forces retaliated by attacking Shanghai. The Battle of Shanghai lasted for several months, concluding with a Chinese defeat on November 26, 1937.

Following this battle, Japanese advances continued to the south and west. A contentious aspect of these Japanese campaigns comprises the war crimes committed against the Chinese people. The most infamous example was the Rape of Nanking, when Japanese forces subjected the population to looting, mass rape, massacres, and other crimes. Other, less publicised atrocities were committed during the Japanese advances and it is estimated that millions of Chinese civilians were killed. Various attempts to quantify the crimes committed have proved contentious, and, at times, divisive.

The war from 1938 onwards was marked by the Chinese use of guerilla tactics to stall advances, and retreat to the interior where necessary. This eventually limited the Japanese advances because of supply-line limitations—the Japanese were unable to adequately control areas outside of cities, roads and railways. Clearly, Japan was all but defeated by the summer of 1945, yet its government continued to stubbornly insist that Japan could win with “one great decisive battle.” Following the attack on Pearl Harbour and the entry of the US into the war, fighting in the Pacific, Southeast and Southwest Asia, significantly weakened the Japanese. After the atomic bombings of Hiroshima and Nagasaki and the Soviet invasion of Japanese-occupied Manchuria, Japan surrendered.

The Republic of China (ROC) administered Taiwan after Japan’s unconditional surrender in 1945, following a decision by the Allied powers at the Cairo Conference in 1943. The ROC moved its central government to Taiwan in December 1949, following the victory of the People’s Republic of China (PRC) in the Chinese civil war. Later, no formal transfer of the territorial sovereignty of Taiwan to the PRC was made in the post-war San Francisco Peace Treaty, and these arrangements were confirmed in the Treaty of Taipei concluded by the ROC and Japan in 1952. At the time, the Taiwanese

**Beginning with the unconditional surrender on August 15, 1945, Japan entered a period of political, economic, social, and even psychological revolution. The very fundamentals of Japanese society and culture were called into question as the nation paid for its “crimes against humanity”.**

authorities [the Chinese Nationalist Party, or Kuomintang (KMT)] were recognised by Japan, not Communist China (the PRC). As such, the KMT did not accept the Japanese reparations only in the name of the ROC government. Later, the PRC also refused reparations in the 1970s.

*Post World War II Japan*

Post-war Japan was under American occupation. China itself was not in any condition to share the glory of occupying Japan, primarily because it was in the throes of a nasty civil war. The war had

caused many million Japanese deaths. The political repression and war-time hardships made the 15 years a difficult and wrenching period; in many ways, the next seven years would be equally trying for Japan.<sup>35</sup>

Beginning with the unconditional surrender on August 15, 1945, Japan entered a period of political, economic, social, and even psychological revolution. The very fundamentals of Japanese society and culture were called into question as the nation paid for its “crimes against humanity”. Under the American occupation, the Supreme Commander of Allied Powers (SCAP) Gen Douglas MacArthur believed in reforming Japan. He sought a legacy of a democratised country. The necessary steps taken by him for democratisation were demobilisation, demilitarisation, decentralisation, and demythification.<sup>36</sup>

As the United States went ahead to revive Japan, the result was that Japan could get away from the responsibilities for the war atrocities, and the major victims of Japanese imperialism remained uncompensated. Japan’s industrial capability was systematically revived by Washington during the Korean War. Meanwhile, during the war, Washington quickly arranged the San Francisco Peace Treaty. By 1952, Japan’s own post-war government was in full operation:

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35. Marus B Jansen, *The Making of Modern Japan* (Cambridge: Harvard University Press, 2002).

36. *Ibid.*

Japan's Self Defence Police Force was set up in no time, a mutual Security Treaty was signed with Washington, and, in short, all the legal work was completed. By 1955, the two major pre-war political parties were merged, to be called the Liberal Democratic Party, which has dominated Japanese politics almost all the way into the 21st century.

*The Cold War Years: Normalisation of Sino-Japan Relations*

Sino-Japanese relations remained strained throughout the Cold War. Even the establishment of official relations in 1971 did not truly normalise them in the political sense. Following the US lead, Japan preserved diplomatic ties with Taiwan; China, consequently, conducted diplomacy only with "friendly" Japanese firms and politicians that considered the PRC the legitimate China. Chinese propaganda constantly assailed Japan for "reviving militarism" whenever its military budget rose and its support of US military power was manifest. In fact, in reality, China's leaders were surely content to have Japan remain under the US security umbrella rather than its own. Thus, the two countries were locked in the mindset and behaviour pattern of the Cold War.<sup>37</sup>

In the spring of 1971, President Nixon made a historic visit to Beijing. Japan's Prime Minister Tanaka Kakuei took Nixon's China visit as a sign of allowing Japan to reopen its China relationship. From that time on, Japanese exports poured into China. In this environment, in 1978, the Japanese right-wing leaders first relocated the tablets of 14 executed Class A war criminals to the national Heroes Hall of Fame at Yasukuni as war heroes. They then fabricated a new version of the history of the war by omitting the atrocities committed by the Japanese aggression and making the war appear as a lofty drive to liberate Asians from Western imperialism. Besides justifying the aggressions, every move was blamed on the victims. The Chinese blamed,

**Sino-Japanese relations remained strained throughout the Cold War. Even the establishment of official relations in 1971 did not truly normalise them in the political sense. Following the US lead, Japan preserved diplomatic ties with Taiwan.**

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37. Ibid.

and demanded compensation from, the Japanese government on the “comfort women” issue that happened during the Nanjing Massacre. Apart from China, Korea, Philippines and Malaysia also asked for an apology and compensation on the “comfort women” issue from Japan.<sup>38</sup>

The perverted version of the history of war became a fundamental issue between China and Japan. Against this backdrop, in November 1998, an agreement was reached between Tokyo and Beijing, known as the “Sino-Japanese Joint Declaration in Building a Peaceful and Friendly East Asia.” One of the main projects that emerged as a result of this agreement was to organise a joint committee of both sides that would prepare a version of East Asia’s history acceptable to all. The result was published in 2005, but this has not resolved the problems between the parties involved.

To summarise, history is a complex science, and assembling data, reading original sources and creating plausible narratives regarding the past can help in mitigating and resolving international conflicts such as China-Japan relations. In the overall assessment, China and Japan are entangled with heavy historical memories. On many occasions, Japan has officially apologised for past crimes, but history has become China’s chronic illness which has shaped its attitude towards Japan.

Japan’s historical narrative is more like a game of “hide and seek”, by glorifying the victorious events of Nippon-koku and veiling the crimes committed. For instance, the government has taken steps to remove major parts of its history from textbooks. To justify this, it can be argued that Japan wants to protect the present and future generations.

To answer the question of how long history will continue to be a fundamental factor of divergence between China and Japan, one needs a crystal ball. China’s sense of historical impressions is much stronger than Japan’s. It must be noted that the economic partnership between China and Japan is one of the largest in the world, with the bilateral trade ranking the third largest in the world. However, the trade partnership has failed to stabilise the relations between China and Japan.

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38. Ibid.

# NUCLEAR WEAPONS AND INTERNATIONAL LAW

SREOSHI SINHA

## INTRODUCTION

World War II, that lasted from 1939 to 1945, had sowed the seeds of scientific advancement along with technological weapons. With the dramatic use of nuclear weapons—that led to the surrender of Japan—the world ventured into the nuclear age. During the Cold War, nuclear weapons assumed a significant role in the international arena in shaping the conduct of states and their activities with respect to each other. Soon, the possession of these weapons became a matter of pride for many countries' military arsenals and also an expression of their sovereignty, until they realised that their subsequent proliferation—and possible accidental/indiscriminate use—could result in the destruction of the entire globe, thereby raising the ultimate question of human existence. Today, though the nuclear shadow cast during the Cold War has faded, the danger remains. The fear of nuclear proliferation is still very prominent and the new danger of nuclear technology coming under the control of non-state actors still causes great fear among the international community.

Keeping these points in view, this study takes into account the legal developments that have taken place in the various fields under international law that is applicable to the “use or threat of use of nuclear

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**Without an extraordinary administrative or implementing entity, international law is, to a great extent, a wilful undertaking, wherein the intensity of enforcement only exists when the parties agree to abide by the agreements.** weapons”, and it would also strive to understand whether these weapons conflict directly with the principles of an international legal order or not. And if yes, then what are the existing legal gaps within the international legal regime in relation to nuclear disarmament and total elimination of these deadly weapons? The study would also suggest changes necessary for a more just world order.

## INTERNATIONAL LAW: ITS HISTORY AND EVOLUTION

### *Definition and Scope*

International law, unlike other areas of law, “does not have a definite governing body, but instead constitutes such set of standards, traditions and understandings which oversee the effect, and manage the legitimate associations amongst various countries, their administrations, organizations and associations, to incorporate their rights and duties in such dealings”.<sup>1</sup> This diverse body of law includes worldwide traditions; agreements, accords, treaties and international contracts (for example, the UN Charter); tribunals; protocols; memorandums; legal precedents of the International Court of Justice (ICJ, otherwise known as the World Court), etc. Without an extraordinary administrative or implementing entity, international law is, to a great extent, a wilful undertaking, wherein the intensity of enforcement only exists when the parties agree to abide by the agreements.<sup>2</sup>

In other words, when sovereign states enter into binding and enforceable agreements, it is called international law. Nations come together to make regulating rules that they think might help their citizens. International law promotes justice, peace, common interests and trade.

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1. Jan Klabbbers, *International Law* (Cambridge University Press, 2013).

2. *Ibid.*



International law is not the same as a state-driven legal structure as it is essentially applicable to nations instead of individual citizens. National law ends up being international law when treaties allow national jurisdiction to supranational councils, for example, the European Court of Human Rights or the International Criminal Court. Treaties like the Geneva Conventions may require national law to comply with the respective parts. International law is also mostly consent-based governance because if a state disagrees with any particular international legal mechanism, it might choose to not abide by that international mechanism. This is an issue of state sovereignty.<sup>3</sup>

**International law is also mostly consent-based governance because if a state disagrees with any particular international legal mechanism, it might choose to not abide by that international mechanism. This is an issue of state sovereignty.**

### *History and Evolution*

Though the modern discourse of international law began during the 19th century, its origin goes back to at least the 16th century. The basic components of international law, such as the treaties, go back to the ancient or pre-historic era. Traces of the nascent form of international law can be found in ancient Eurasia, portrayed by intense networks of tiny independent states sharing a common religious and value system. Other places where international law can trace its inception are Mesopotamia, Northern India during the Vedic period (1600 BCE), and Classical Greece. It is in these places that we find earlier examples of treaties which were basically agreements between the rulers of the city-states.

These states were mostly a blend of political fragmentation and social solidarity requiring a development of fair and standard practices that would help the inter-state relations to have a firm establishment. These fair practices soon became visible in the areas of diplomatic relations, treaty-making, and the conduct of war, and extended across deeper cultural lines as well.

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3. David J. Bederman, *International Law in Antiquity* (Cambridge University Press, 2001).

International trade also played an important role in the evolution of the code of conduct between states that were involved in trading, which invariably necessitated elaborate interactions between merchants. A guarantee of safety and protection for these merchants was, therefore, felt necessary. Hence, economic self-interest also hastened the process of the evolution of international law. With the increasing complexities and involvement in international trade, international customs and practices became a sheer necessity. The Hanseatic League of more than 150 entities was a good example of this. Apart from this, the Italian city-states created discretionary standards, as they started sending envoys to foreign capitals. Settlements between governments turned into a helpful apparatus to ensure trade. The dread of the Thirty Years' War, in the meantime, led to the evolution of the principles of battle that would secure civilian populations.<sup>4</sup>

**Hugo Grotius:** Hugo Grotius, remembered as the “**Father of International Law**”, was its first proponent. His work *De Jure Belli Ac Pacis Libri Tres*,<sup>5</sup> is viewed as the starting premise of modern international law. He defined his own thoughts on the law of nations that he saw as an arrangement of shared lawful restraints, in view of the conviction that the law radiated both from human reason or common law, and from custom. His work *De Jure Belli Ac Pacis Libri Tres* gave a rational angle to international humanitarian law.

Apart from that, the treaties of Westphalia in 1648 were the pioneering sources for the establishment of the idea of **state sovereignty** which had, in turn, laid the major foundation for international order. However, earlier, in the 16th century, the first attempt to develop autonomous theories of international law occurred in Spain by the early theorists who were the Roman Catholic theologians—Francisco de Vitoria and Francisco Suárez.

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4. H. S. Bhatia, *Society, Law and Administration in Ancient India* (Deep & Deep Publishing, 2001).

5. H Bull, B Kingsbury, and Adam Roberts, *Hugo Grotius and International Law* (New York: Oxford Scholarship Online, 1992).

Suárez distinguished between *jus inter gentes*<sup>6</sup> and *jus intra gentes* which he derived from *jus gentium* (the rights of peoples) that refers to modern international law.

Towards the end of the 18th century, there was a move towards positivism in international law wherein the sole reason for international law to maintain peace was challenged by the emerging political strain between the European great powers (France, Prussia, Great Britain, Russia and Austria). This tension was reflected in works such as Emer de Vattel's *Du Droit des Gens* (1758).<sup>7</sup>

By the end of the 18th century, Immanuel Kant believed that though international law could legitimise war, it would not serve the purpose of peace anymore and, subsequently, contented in *Perpetual Peace (Zum Ewigen Frieden, 1795)* and *Metaphysics of Morals (Metaphysik der Sitten, 1797)* for the creation of a new kind of international law.<sup>8</sup>

Soon after World War 1 and the Thirty Years War, the world needed an international agreement that would curb invasions and establish peace across the globe. There was also a requirement for an international court that could peacefully settle disputes between nations without allowing them to escalate into war. Hence, the **League of Nations** and the **International Court of Justice (ICJ)** were created. The ongoing international crises, however, gave an impression that nations were not ready to commit to the idea of international authorities having a say in their sovereignty. For example, the ongoing hostilities in Germany, Italy and Japan were still uncontrollable by international law, and it took World War II to end them.

Soon after World War II, there was a strong demand for not again going through the horrors of the two World Wars, so the League of Nations was reformed into a new treaty organisation now known as the **United Nations Organisation**.

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6. "*Jus inter gentes*, is the body of treaties, U.N. conventions, and other international agreements. Originally a Roman law concept, it later became a major part of public international law. The other major part is *jus gentium*, the Law of Nations (municipal law)".

7. Emer de Vattel, *The Law of Nations: Or, Principles of the Law of Nature* (T. & J.W. Johnson, 1797).

8. Immanuel Kant, *Perpetual Peace: A Philosophical Sketch* (1795).

Therefore, international law is about the conduct of war, on the one hand, and about the conduct of civilians in the areas of trade, shipping, air travel, on the other. These rules and obligations are mostly followed by nations to make the lives of their citizens easier.

In the context of nuclear weapons, it can be said that though the nuclear shadow cast during the Cold War diminished, the danger remained. With the improvement of newer technology, the fear of nuclear proliferation escalated. This called for a new nuclear strategy that could provide stability in such a situation. But the debate over nuclear weapons and their legality had always existed, and to put a successful end to this debate, assessing the present status of nuclear weapons under international law has become a necessity.

## **TREATMENT OF NUCLEAR WEAPONS UNDER THE INTERNATIONAL LEGAL REGIME**

### *International Criminal Law*

Since the end of World War II—which saw the use of nuclear weapons for the first time—it has often been suggested that a legal mechanism that can distinctively criminalise the use of nuclear weapons should be adopted so that it can strengthen the already existing norms restricting the use of nuclear weapons. This suggestion was being repeatedly made in the international community, keeping in mind the fact that whosoever had the plan of detonating a nuclear weapon against any state, would be more reluctant to do so, fearing that it might be personally liable for that decision. Additionally, such attention on the use of nuclear weapons could reinforce the humanitarian perspective of the nuclear weapons debate and the derogation associated with nuclear weapons evolving from such a process would also make the possession of nuclear weapons less desirable; this would be an impetus towards the ultimate goal of complete nuclear disarmament. Hence, it was suggested by the advocates of nuclear disarmament that criminalisation of the use of nuclear weapons was possible only by amending the **Statutes of the International Criminal Court (ICC)**

or by incorporating the use of nuclear weapons under the definition of War Crimes in the Rome Statute.<sup>9</sup>

Whether or not to include Weapons of Mass Destruction (WMDs) within the purview of illegal weapons under the Rome Statute was frequently discussed since the inception of the ICC negotiations. In 1998, during the concluding rounds of negotiations of the Rome Statute, it was stated by the ICJ in 1996 that “though the use of chemical and biological weapons was already prohibited under international law, use of nuclear weapons still remains contrary to the rules of international law”. This was opposed by many states and Non-Governmental Organisations (NGOs) and, as a result, the idea of inclusion of WMDs under the Rome Statute failed massively. At that point, the ICC started functioning in 2002 and the primary Review Conference of the Statute was held in Kampala, Uganda, in 2010. During the arrangements for the Review Conference, the nuclear weapons issue reemerged, and at the eighth session of the assembly of states parties, in November 2009, Mexico presented a proposition for a revision to the statute by forbidding the utilisation or danger to utilise nuclear weapons and including it under the meaning of war crimes under Article 8 of the Statutes. However, Mexico’s proposition could receive just minimal support since the start and Mexico, in the long run, pulled back the draft goals as it appeared certain that agreement would not be arrived at.<sup>10</sup>

International Criminal Law (ICL) is a body of international rules designed both to proscribe certain categories of conduct (war crimes, crimes against humanity, genocide, torture, aggression, international terrorism) and to make those persons or states engaged in such crimes criminally liable. To do this, the ICL draws on customary and conventional international humanitarian law, human rights law and other domestic laws, thus, making it a **‘hybrid branch of law’**. For any crime to be considered an international crime, there must be a culpable act or *actus reus*, along with the frame of mind to commit such act,

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9. Gro Nystuen, Stuart Casey Maslen, and Annie Golden Bersagel, *Nuclear Weapons Under International Law* (Cambridge: Cambridge University Press, 2014).

10. International Criminal Court.

**For any crime to be considered an international crime, there must be a culpable act or *actus reus*, along with the frame of mind to commit such act, better known as *mens rea*. And for a crime to be judged a crime against humanity, the *actus reus* and *mens rea* must occur as part of a widespread and systematic attack on the civilian population, whether in time of conflict or during peace-time.**

better known as *mens rea*.<sup>11</sup> And for a crime to be judged a crime against humanity, the *actus reus* and *mens rea* must occur as part of a widespread and systematic attack on the civilian population, whether in time of conflict or during peace-time.

*Use of Nuclear Weapons as an Act of Genocide*

The term genocide, also known as the crime of crimes, was first coined in 1944 by Raphael Lemkin in his book *Axis Rule in Occupied Europe*.<sup>12</sup> In 1946, genocide was proclaimed as a crime under international law by UN General Assembly Resolution 96(1). There was a formal prohibition of this crime in the form of the 1948 Genocide

Convention. This prohibition was recognised as a general principle of law in 1951 and attained the status of a norm of *jus cogens*.<sup>13</sup>

Coming to the case of nuclear weapons, in its 1996 Nuclear Weapons Advisory Opinion, the ICJ remarked that the 1948 Genocide Convention is a “relevant rule of customary international law which the court must apply.” The court mentioned the definition of ‘crime’ under Article 2 of the Genocide Convention which has attained the status of customary law. The Article said:<sup>14</sup>

Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

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- 11. The intention or knowledge of wrongdoing that constitutes part of a crime, as opposed to the action or conduct of the accused.
  - 12. United Nations.
  - 13. *Jus cogens* (from Latin: compelling law; from English: peremptory norm) refers to certain fundamental, overriding principles of international law.
  - 14. The 1948 Genocide Convention.

- Killing members of the group;
- Causing serious bodily or mental harm to members of the group;
- Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- Imposing measures intended to prevent births within the group;
- Forcibly transferring children of the group to another group.”<sup>15</sup>

**Crimes against humanity are those crimes that shock humanity and are said to occur under the Rome Statute, when “certain acts are undertaken as part of a widespread or systematic attack against a civilian population where the perpetrator has the knowledge of the attack.”**

In the context of *actus reus*<sup>16</sup> of the crime of genocide, the main consequences of a nuclear attack are widespread death and injury, as per the acts prescribed under points (a) and (b) in the Article, but the radioactive fallout provoked by a nuclear strike can be covered under point (c). The elements of crimes of the Rome Statute of the ICC interpret the term ‘conditions of life’ to include such deprivation of resources that are required to live a healthy life. Hence, the ICC elements for crime in each of the points (a) and (c) state that the conduct must have manifested against a group and resulted in destruction. The second part of this requirement covers situations where a nuclear or biological weapon is used without the pattern of similar conduct.

### ***Use of Nuclear Weapons as a Crime Against Humanity***

According to Cryer et al., many acts which do not constitute genocide will constitute crimes against humanity.<sup>17</sup> In its 1991 resolution, the UN General Assembly ‘reaffirmed’ in an introductory statement that “the use of nuclear

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15. Nystuen, et al., n. 9.

16. An action or conduct which is a constituent element of a crime, disproportionate to the mental state of the accused.

17. Robert Cryer, *An Introduction to International Criminal Law and Procedure* (Cambridge: Cambridge University Press, 2010).

weapons...would be a crime against humanity."<sup>18</sup> As per Antonio Cassese, crimes against humanity are those crimes that shock humanity and are said to occur under the Rome Statute, when "certain acts are undertaken as part of a widespread or systematic attack against a civilian population where the perpetrator has the knowledge of the attack."<sup>19</sup> To be recognised as a crime against humanity under international criminal law, certain elements are to be considered:

- There must be one or more attacks.
- The acts of the perpetrators must be part of the attack.
- The attacks must be widespread and systematic and directed against any civilian population.
- The perpetrators must know that the acts constitute part of a pattern of widespread or systematic crimes directed against a civilian population.

According to the ICC, the term 'widespread' has been defined as all-encompassing or the "large scale nature of an attack" which is massive, frequent and carried out collectively, with considerable seriousness and directed against a multiplicity of victims. Hence, with relevance to an isolated use of a nuclear weapon against a civilian population, the ICC asserted, "Accordingly, a widespread attack may be the *'cumulative effect of a series of inhumane acts or the singular effect of an inhumane act of extraordinary magnitude.'*"<sup>20</sup>

### ***Use of Nuclear Weapons as a War Crime***

A war crime is generally defined as a serious violation of international humanitarian law. For any crime to be qualified as a war crime, there must be an armed conflict in progress [International Armed Conflicts and Non-International Armed Conflict (IAC and NIAC)], the relevant conduct of

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18. UN General Assembly Resolution 46/37D, adopted on December 6, 1991, by 122 votes to 16 with 22 abstentions, eighth preambular paragraph.

19. Such acts include murder, extermination, enslavement, forcible transfer of population, imprisonment, torture, rape, sexual slavery, enforced sterilisation, sexual violence, persecution, enforced disappearance, apartheid, and other inhuman acts. The Rome Statute of the ICC, Rome, July 17, 1998, in force July 1, 2002, 2187 UNTS 90, Art 7 (1) (a-k) (hereafter, Rome Statute).

20. International Criminal Court.



indiscriminate violence, and it must have a connection with the ongoing conflict. Apparently, there are several possible uses of a nuclear weapon that constitute a war crime, because the nature of this weapon itself is necessarily indiscriminate, causing superfluous injury and unwanted suffering. Apart from this, a nuclear weapon can be termed as a war crime because it is also directed against the civilian population, thereby violating the rule of distinction. Hence, during an ongoing armed conflict, if a state uses overwhelming force against another state by employing nuclear weapons, then it is actually constrained under *jus in bello* and, thus, commits a war crime, even if the latter state is unwilling to respond.

#### *International Environmental Law*

Nuclear weapons are possibly the most ruinous weapons ever. The results of such a massive explosion will not just obliterate humanity but also have an immense impact on nature. The inconceivable effect of the use of nuclear weapons on humankind was first perceived by the ICJ in its 1996 Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons.<sup>21</sup> The ICJ rendered nuclear weapons as potentially catastrophic as their destructive power cannot be contained in either space or time. These weapons, as the ICJ quoted, have the potential to destroy all civilisation and the entire eco-system of the planet, since the radiation released by their explosion is destructive enough to affect health, agriculture, natural resources and demography over very wide areas. The use of nuclear weapons would also be a serious danger to future generations, as it might damage the environment, food and marine eco-system, causing genetic defects in future generations. As indicated by the court, though international law does not particularly preclude the use of nuclear weapons in relation to the protection of the environment, it emphasises that important environmental factors should be taken into account while assessing what is necessary and proportionate in the pursuit of legitimate military objectives. Therefore, it is certain that widespread and long-lasting damage to the environment resulting from the

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21. ICJ Advisory Opinion on the Threat and Use of Nuclear Weapons 1996.

**The protection of the environment under the law of armed conflict is specifically regulated under four treaties. These are the 1976 Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques – better known as the Environmental Modification (ENMOD) Convention; the 1977 Additional Protocol 1 to the 1949 Geneva Conventions; Protocol III to the 1980 Convention on Certain Conventional Weapons; and the 1998 Rome Statute of the International Criminal Court (ICC).**

use of nuclear weapons is a favourable argument in condemning the use of nuclear weapons.

To view the environmental consequences of the use of nuclear weapons, the following rules of public international law in this area should be considered.

*Protection of Environment under Treaty Law*

The protection of the environment under the law of armed conflict is specifically regulated under four treaties.<sup>22</sup> These are the 1976 Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques—better known as the Environmental Modification (ENMOD) Convention; the 1977 Additional Protocol 1 to the 1949 Geneva Conventions; Protocol III

to the 1980 Convention on Certain Conventional Weapons; and the 1998 Rome Statute of the International Criminal Court (ICC).

- ENMOD: This convention is not very relevant in this context because its Article 1 prohibits the use of environmental modification techniques as such, irrespective of any use of nuclear weapons.
- The 1980 Convention on Certain Conventional Weapons or the Incendiary Weapons Protocol is also not very relevant for the discussion, as it does not include nuclear weapons within its scope of incendiary weapons.
- The ICC Statute leads to individual criminal responsibility rather than state responsibility and is, therefore, not relevant here.

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22. ICRC.

- The 1977 Additional Protocol 1 to the 1949 Geneva Conventions: The Additional Protocol 1 to the 1949 Geneva Conventions was negotiated in Geneva between 1974 and 1977 to develop and reaffirm International Humanitarian Law (IHL), Amongst the 102 Articles of the protocol, two provisions specifically govern environmental protection during international armed conflict. These are Article 35(3) and Article 55. According to Article 35(3):<sup>23</sup>

It is prohibited to employ methods or means of warfare which are intended or may be expected, to cause widespread, long-term and severe damage to the natural environment.

**In the last few decades, escalating concerns for the protection of the environment have materialised. This concern for protection should be the interest of not only the nuclear weapon states but all mankind in general, as the environment is the only practical sphere where creation resides, be it the perpetrating states or the victims.**

Article 55 (**protection of the natural environment**) states:<sup>24</sup>

1. Care shall be taken in warfare to protect the natural environment against widespread, long-term and severe damage. This protection includes a prohibition of the use of methods or means of warfare which are intended or may be expected to cause such damage to the natural environment and thereby to prejudice the health or survival of the population.  
Attacks against the natural environment by way of reprisals are prohibited.

Both provisions aim to protect the natural environment during an armed conflict in different ways. While Article 35(3) intends to protect the intrinsic value of the environment by laying down a basic rule on the means and methods of warfare, Article 55 aims to protect the environment

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23 Additional Protocols to the Geneva Conventions of August 12, 1949.

24. Ibid.

as a civilian object due to its significance in the health and survival of the population. To answer the question of whether both these Articles specifically apply to the use of nuclear weapons or not, it can be noted that since the text of the protocol is of a general character and does not refer to any specific weapon, it might as well be assumed that it applies to any kind of weapon as such. Further, state parties to the protocol are divided on whether this protocol applies to nuclear weapons or not. While some states opine that Article 35(3) applies to all weapons, including nuclear weapons, others hold that these new rules do not apply to the use of nuclear weapons.<sup>25</sup> To end this confusion, the court elaborated on the question of the applicability of Additional Protocol 1 of 1977 to nuclear weapons. It observed:

The fact that certain types of weapons were not specifically dealt with by the 1974-1977 Conference does not permit the drawing of any legal conclusions relating to the substantive issues which the use of such weapons would raise.<sup>26</sup>

*Protection of Environment During Armed Conflict Under Customary International Law*

Apart from Article 35(3) and Article 55, there are three other rules of customary international law that too protect the environment. These are Rules 43, 44 and 45 of the International Committee of the Red Cross' (ICRC's) 2005 Customary International Humanitarian Law Study (CIHL Study)<sup>27</sup>

**Rule 43:** "The general principles on the conduct of hostilities apply to the natural environment:

- "No part of the natural environment may be attacked, unless it is a military objective.
- "Destruction of any part of the natural environment is prohibited, unless required by imperative military necessity.

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25. Ibid.

26. Nuclear Weapons Advisory Opinion, para 84.

27. ICRC.

- “Launching an attack against a military objective which may be expected to cause incidental damage to the environment which would be excessive in relation to the concrete and direct military advantage anticipated is prohibited (IAC and NIAC).”

**Rule 44:** “Methods and means of warfare must be employed with due regard to the protection and preservation of the natural environment. In the conduct of military operations, all feasible precautions must be taken to avoid, and, in any event, to minimize, incidental damage to the environment. Lack of scientific certainty as to the effects on the environment of certain military operations does not absolve a party to the conflict from taking such precautions (IAC/arguably NIAC).”

**Rule 45:** “The use of methods or means of warfare that are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment is prohibited. Destruction of the natural environment may not be used as a weapon (IAC/arguably NIAC)”.

Hence, both the Articles of the 1977 Additional Protocol 1 forbid the use of methods and means of warfare that might cause widespread, long-term and unaccountable damage to the environment. Both rules should be considered by those nuclear weapon states that have become party to the 1977 Additional Protocol 1, including France and the UK. Keeping in mind the destructive effects of nuclear weapons, it can be said that the use of a nuclear weapon during an armed conflict will cause widespread, long-term and severe damage to the environment and will, hence, be contrary to the provisions stated under Article 35(3) and Article 55. Apart from that, Rules 43 and 44 of the ICRC’s 2005 Customary International Humanitarian Law Study should also be considered by all nuclear states during an armed conflict. Since both rules provide partial protection to the environment, any intention of use of nuclear weapons must be assessed against these customary rules. Hence, the rules of law of armed conflict on protecting the environment during an ongoing armed conflict provide important restrictions for a nuclear weapon state on employing nuclear weapons. In the last few decades, escalating concerns for the protection of the environment have materialised.

This concern for protection should be the interest of not only the nuclear weapon states but all mankind in general, as the environment is the only practical sphere where creation resides, be it the perpetrating states or the victims. So, keeping in mind the importance of the environment as a living space that influences the quality of life and health of all species in this world, living or unborn, all people across the globe should unite in eradicating this devastating menace.

## INTERNATIONAL DISARMAMENT LAW AND NUCLEAR WEAPONS

### *Nuclear Weapons Free Zones*

The most important legal disarmament obligations applicable on nuclear weapons are those that establish Nuclear Weapons Free Zones (NWFZs). These zones that cover large geographical areas and a number of states, often represent an underestimated legal and political dynamics with regards to disarmament as well as non-proliferation. In this context, it can be stated that Article VII of the 1968 nuclear Non-Proliferation Treaty (NPT) has supported the establishment of NWFZs as a regional component of the non-proliferation regime. According to the UN General Assembly, an NWFZ is an agreement which a group of states has freely established by a treaty or convention that bans the use, development, or deployment of nuclear weapons in a given area, that has mechanisms of verification and control to enforce its obligations, and that is recognised as such by the UN General Assembly (UNGA).<sup>28</sup> Hence, the most essential elements of an NWFZ are: the complete absence of nuclear weapons; and, secondly, the presence of an international verification and control machinery.<sup>29</sup> Till now, five treaties, establishing NWFZs have been concluded:<sup>30</sup>

- The 1967 Treaty of Tlatelolco for prohibition in Latin America and the Caribbean.
- The 1985 Treaty of Rarotonga on the South Pacific NWFZ.

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28. UNGA Resolution 3472 (XXX)B, UN Doc. A/RES/3472 (XXX) B, December 11, 19745.

29. Ibid.

30. Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean

- The 1995 Bangkok Treaty on the Asian NWFZ.
- The 1996 Pelindaba Treaty on the African NWFZ.
- The 2006 Semipalatinsk Treaty on an NWFZ in Central Asia.

All these five treaties have entered into force. Mongolia has also unilaterally declared itself a nuclear-weapon free state,<sup>31</sup> and Antarctica is a WMD free state as a result of the 1959 Washington Treaty that demilitarised the continent and moved it towards peaceful processes. Together, these zones cover the entire southern hemisphere, with an unstable region in the northern hemisphere. As a powerful mechanism of disarmament in an unstable region, a probable WMD free zone in West Asia would serve a vital purpose if ever it was adopted.

#### *NPT*

The other most relevant legal instrument that specifically deals with nuclear weapons is the NPT. However, it can be said that though the NPT has served the very important purpose of nuclear non-proliferation in the non-nuclear weapon states since its inception in 1968, it was not efficient enough in regard to nuclear disarmament by the nuclear weapon states, in spite of the fact that the disarmament obligations with the NPT were not mere political aspirations but, rather, legally binding, to which the nuclear weapon states were not compliant. Further, the NPT doesn't contain any rule that would totally prohibit or eliminate the use of nuclear weapons.

#### *Armed Non-State Actors and the Use of Nuclear Weapons, i.e. Nuclear Terrorism and International Law and International Humanitarian Law*

On the other hand, coming to the subject of non-state actors and nuclear terrorism, it can be safely stated that there exists an extensive and detailed framework that can prevent and outlaw, to a considerable extent, nuclear material from falling into the hands of non-state actors, thus, preventing nuclear terrorism.

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31. Nystuen, et al., n. 9.

In this context, the treaty regime that addresses nuclear terrorism includes Security Council (UNSC) Resolution 1540 and other related UNSC Resolutions—a series of treaties that address the threat from nuclear terrorism. The most comprehensive treaty is the 2005 International Convention for the Suppression of Acts of Nuclear Terrorism, also known as the Nuclear Terrorism Convention. The convention entered into force on July 7, 2007, in accordance with its Article 25 (1), and as of September 2018, the convention has 115 signatories and 114 state parties, including the nuclear powers: China, France, India, Russia, the United Kingdom, and the United States. Most recently, Benin ratified the convention on November 2, 2017.<sup>32</sup>

Today, as we know it, IHL also directly applies to non-state armed actors by Article 3, common to the four Geneva Conventions of August 12, 1949, and by the two protocols to the conventions and other customary and conventional rules governing the conduct of hostilities.

Protocol 1 makes the law concerning international conflicts applicable to conflicts fought for self-determination against alien occupation and against colonialist and racist regimes.

This protocol came as a product of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts that ended on June 10, 1977. The protocol is remarkable in the sense that it has brought under the ambit of the jurisdiction of the Law of Armed Conflict, the irregular forces like the non-state actors. Along with it, Protocol 2, also additional to the Geneva Conventions, is concerned with the protection of victims during a non-international armed conflict.

Another approach of IHL to nuclear terrorism also states that customary IHL binds armed actors who are party to an armed conflict, since common Article 3 is asserted as a customary international law and, hence, applies to any entity involved in a conflict. Furthermore, the doctrine of legislative jurisdiction also states that the rules of IHL legally bind private individuals, including armed groups, by implementing such rules into national legislation.

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32 UN Nuclear Terrorism Convention.



Lastly, it can also be considered that when non-state armed groups exercise effective power and operate within the territory of a state, they are bound by the obligations of the state; but, at the same time, it can also be argued that contrary to the 1977 Additional Protocol II to the Geneva Conventions, there is no need of state control for its applicability since every non-state group doesn't always seek to replace the state.<sup>33</sup>

Hence, in the context of non-state actors' access to nuclear material, it can be asserted that although IHL cannot provide direct answers to most questions raised by terrorism simply because the applicability of IHL over anything outside armed conflict is still debatable, the vast expanse of the prevalent treaties and UNSC Resolutions forms a broad framework that can prohibit non-state actors' access to nuclear material. But, nevertheless, along with the existing legal mechanisms, an efficient government policy, political will and international cooperation might help to get rid of this extremely fearful menace.

### **INTERNATIONAL HUMAN RIGHTS LAW AND INTERNATIONAL HUMANITARIAN LAW**

International Human Rights Law (IHRL) came into being with the adoption of the Universal Declaration of Human Rights (UDHR) by the UN General Assembly on December 10, 1948.<sup>34</sup> It is generally believed to be the foundation of modern IHRL, which is a body of international law promoting human rights across borders at the social, regional and domestic levels. This branch of law is made up of treaties, international agreements between sovereign states, customary laws and non-binding mechanisms such as declarations.

There is an innate relationship between IHL and IHRL. This is often debated by scholars and practitioners of international law, where the pluralist scholars believe that IHRL is distinct from IHL, while the constitutionalists believe that IHL is a fragment of IHRL. However, the ones believing in the separation between the two sets of laws advocate that IHL is that part of human rights law that is applicable during an armed conflict.

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33. Protocols to 1949 Geneva Convention.

34. UDHR.

**What is considered an arbitrary deprivation of life during an ongoing conflict is determined by the application of *lex specialis*, which is the law applicable in armed conflict—better known as IHL.**

Hence, though the possible use of nuclear weapons is mostly discussed under IHL and disarmament and arms control law, it can be stated without doubt that IHRL is also very relevant here, since a possible threat or use of a nuclear weapon not only condemns the right to life—which is the most fundamental of all human rights—but also undermines the right of mankind to live with dignity. Most states across the world have included international human rights standards in their Constitutions

and national legislations. The texts of all human rights treaties require states to ensure that violations do not take place, and that they include positive preventive measures. Human rights violations are scrutinised by the UN General Assembly, Human Rights Council and Security Council as well as by other regional bodies. Therefore, it is necessary to analyse the possible effects of nuclear weapons on the environment and population in the light of IHRL.

#### *Applicability of IHRL to Nuclear Weapons*

It is now an undisputed fact that<sup>35</sup> both IHRL and IHL apply during an armed conflict in terms of treaties, agreements and UN resolutions that go along with this issue. Though few states opine that only IHL applies in armed conflict, their approach, in many conditions, was inconsistent when they openly supported resolutions insisting that other countries respect human rights during an ongoing conflict. Hence, the relationship between IHL and IHRL becomes clear from what the ICJ states in its 1996 Nuclear Advisory Opinion, where it emphasises the fact that since the International Covenant on Civil and Political Rights (ICCPR) does not cease even in times of war, the right not to be arbitrarily deprived of one's life also applies during hostilities. But what is considered an arbitrary deprivation of life during an ongoing conflict is determined by the

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35. ICRC.

application of *lex specialis*, which is the law applicable in armed conflict—better known as IHL. Thus, whether a particular loss of life can be considered an arbitrary deprivation of life or not can be decided with reference to IHL, and not directly from the provisions under IHRL. Hence, the ICJ stated that when there are situations of matters exclusively falling under either of the above-mentioned branches of law, then the court takes into consideration both the branches of the law to arrive at a proper conclusion. Hence, it can be safely stated that IHRL applies at any given time and has the scope to intervene in any possible threat or use of nuclear weapons.

**Since the right to life is a fundamental charter law that is also enshrined in the very preamble to the UN Charter, the Human Rights Committee has raised a concern on whether or not a possible use of nuclear weapons is at all compatible with the right to life and peaceful living.**

#### *Violations of Human Rights by a Possible Use of Nuclear Weapons*

As Louise Doswald-Beck has observed, “[t]he enormous destructive effect of a nuclear detonation, as well as the long-term radioactive effects, is likely to result in the finding of a violation of some or all” of a range of human rights.<sup>36</sup> In this regard, she cites, *inter alia*, the rights to life, to humane treatment, to a healthy environment and to the highest attainable standard of health.<sup>37</sup>

#### *The Right to Life*

The right to life which is often described as “a fundamental human right; a right without which all other rights would be devoid of meaning”, should be respected under human rights treaties, as the ICJ had also observed in 1996. This right, as recognised by the ICCPR, is both a treaty and a customary norm, and, at its core, may even amount to a preemptory norm of international law.

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36. Stuart Casey Maslen, “The Use of Nuclear Weapons and Human Rights” in Stuart Casey Maslen ed., *The Human Cost of Nuclear Weapons* (ICRC, 2016), pp. 663-680.

37. *Ibid.*

While the main opinion of the ICJ comprised considering IHL as a means to interpret the right to life, Judge Weeramantry, in his dissenting opinion, decided to address the issue of the right to life within the ambit of human rights law instead of looking at the details of what constitutes a deprivation of life during an armed conflict. He remarked, “*When a weapon has the ability to kill billions of lives as per the WHO, the value of human life is reduced to a level of worthlessness that totally belies human dignity as understood in any culture*”.<sup>38</sup> Hence, such an act by a state is in complete contradiction with its recognition of the basic human rights and dignity on which world peace dwells, and the respect for which is assumed by the UN.

Since the right to life is a fundamental charter law that is also enshrined in the very preamble to the UN Charter, the Human Rights Committee has raised a concern on whether or not a possible use of nuclear weapons is at all compatible with the right to life and peaceful living. In this context, General Comment 6 of Article VI of the ICCPR states that it is the supreme duty of states to prevent conflicts, acts of genocide and other acts of mass violence that cause arbitrary loss of life. Their effort to prevent the danger of war and to strengthen international peace and security would constitute the most important condition and guarantee for safeguarding the right to life.<sup>39</sup>

The right to life also has significant procedural elements associated with it. The European Court of Human Rights (ECtHR) has held that this right includes a duty on the state to investigate alleged violations of the right to life: The obligation to protect the right to life under Article 2, read in conjunction with the state’s general duty under Article 1 of the European Convention on Human Rights to “secure to everyone within their jurisdiction, the rights and freedoms defined in [the] Convention”, requires by implication that there should be some form of effective official investigation when individuals have been killed as a result of the use of force by, *inter alia*, agents of the state, and all states have the fundamental duty to take appropriate steps to protect the right to life and to investigate arbitrary or unlawful killings and punish offenders. The governments of states under this law are required

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38. ICJ, “Advisory Opinion on the Legality of the Use or Threat of Nuclear Weapons”, 1996.

39. ICCPR.

to enact laws that criminalise unlawful killings and that the laws must be supported by a law enforcement machinery for the prevention, investigation and punishment of breaches of the criminal law.

The right to life is mentioned in the ICJ 1996 Nuclear Weapons Advisory Opinion, wherein it has observed that the protection of the ICCPR does not cease in times of war, except by operation of Article 4 of the covenant whereby certain provisions may be derogated from in a time of national emergency. But respect for the right to life is not, however, such a provision. Accordingly, therefore, the court has accepted that, in principle, human rights law also forms part of the *jus in bello*, the law applicable in armed conflict. Thus, all the provisions of the ICCPR will potentially apply during armed conflict, subject to the possibility of derogation from full observance of some in a time of grave national emergency. In a recent development, on this exclusive right, the UN Human Rights Council (UNHRC) adopted the new General Comment No. 36 (2018) on Article 6 of the ICCPR, on the right to life, on October 30, 2018, that stated that the threat or use of nuclear weapons is “incompatible with respect for the right to life” and may amount to a crime under international law.<sup>40</sup> Paragraph 3 of this General Comment emphasises that the right to life, as mentioned in Article 6 of the ICCPR, is an entitlement of individuals “to be free from acts and omissions that are intended, or may be expected, to cause their unnatural or premature death, as well as to enjoy a life with dignity”.<sup>41</sup>

#### *The Right to Humane Treatment*

Apart from the right to life, a possible nuclear explosion might also adversely impact the right to freedom from cruel, inhumane or degrading treatment, as set out in the 1966 ICCPR, the 1984 Convention against Torture, and the three main human rights treaties. Though the scope of this right is not similar to that of the prohibition against the use of means or methods of warfare of a nature likely to cause superfluous injury or unnecessary

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40. Alyn Ware, “UN Human Rights Committee Concludes that the Threat or Use of Nuclear Weapons Violates the Right to Life”, November 23, 2018.

41. *Ibid.*

suffering granted by the customary and conventional IHL, it certainly implies a major violation of human rights.

According to Doswald-Beck,<sup>42</sup> the radiation that emanates from a nuclear explosion is extremely adverse because, apart from causing innumerable deaths, it also damages the human immune system and prolongs human suffering. The detonation might also make people blind just from looking at the initial flash and often renders unending suffering to people who are not killed immediately. Severe burns can result from a nuclear explosion which might go beyond third-degree burns—in which all the layers of the skin are destroyed—to fourth-degree burns, in which the injury extends into both muscle and bone. Both can be fatal. Burns place a huge burden on medical resources, often requiring specialist treatment. These are all inevitable and, therefore, entirely predictable consequences of the use of a nuclear weapon. In most instances, such use will amount to a violation of the right to humane treatment.

*The Right to a Healthy Environment*

As discussed in an earlier section of this article, a nuclear explosion may have a devastating impact on the natural environment and its species, apart from causing direct harm to the civilian population. Besides the ICJ's mention in its 1996 Nuclear Advisory Opinion, about the potential of nuclear weapons to destroy the entire eco-system, there are two other regional human rights treaties that set out the right to a healthy environment directly. Moreover, the right to the highest attainable standard of health is specified in many human rights treaties, including the International Covenant on Social, Economic and Cultural Rights (ICESCR). But to what extent, and which provisions might apply in the case of the use of nuclear weapons (as opposed, for instance, to their testing) is still unclear. However, this treaty specifies that state parties must refrain from using or testing nuclear weapons, if such testing

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42. US Department of Health and Human Services, Radiation Emergency Medical Management, "Nuclear Detonation: Weapons, Improvised Nuclear Devices: Categories of Medical Effects", available at: [www.remm.nlm.gov/nuclearexplosion](http://www.remm.nlm.gov/nuclearexplosion).

results in the release of harmful gases and substances that are dangerous to human health.<sup>43</sup> The disruption of health services will be worse in the case of a nuclear fallout in comparison to attacks by conventional weapons, and provision of medical health will be difficult. In an ICRC report, it was pointed out that the scale of destruction and injuries, as well as the need for decontamination, will quickly overwhelm the available emergency response capacities. Again, there is also the very real problem of the exposure of assistance providers to radiation that will prevent or limit the aid they could give. Hence, there is no way in which a possible threat or use of nuclear weapons is at all compatible with basic human rights in the international or regional arena.

#### *Human Rights Law Rules on the Use of Force*

The human rights law's regulation of the use of force encompasses two core rules. First, any force used must be only the minimum necessary (the principle of necessity). Second, force used must be proportionate to the threat (the principle of proportionality).<sup>44</sup>

These rules are cumulative, and violation of either means that human rights (in particular, the right to life and/or the right to freedom from inhumane treatment) have been violated. Their application must, however, be "realistic", indeed, human rights jurisprudence has shown that a "margin of appreciation" may be allowed to a state in exceptional circumstances, such as when it is confronting a terrorist attack, and must effectively balance protection and security. Nonetheless, the rules are specific and clear both in their normative content and in their practical application. They are not mere aspirations.

### **OBSTACLES IN APPLICATION OF HUMAN RIGHTS LAW TO THE CONDUCT OF HOSTILITIES**

There are potentially two significant obstacles to the application of human rights law to the conduct of hostilities that must be addressed before the

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43. ICESCR.

44. Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Christof Heyns, UN Doc. A/HRC/26/ 36, April 1, 2014.

**While drawing an inference from the 1996 Advisory Opinion of the ICJ on the legality of use or threat of use of nuclear weapons, it can be stated, after a careful analysis of this Advisory Opinion, that the rules of proportionality and necessity apply equally to all uses of force, irrespective of the type of weapon, though no particular restrictions are imposed on nuclear weapons as such.**

substantive content of the law is assessed: the first is the geographical limitations on the jurisdiction of human rights law; and, the second is the material scope of its application.

*Geographical Limitations on the Jurisdiction of Human Rights Law*

The main issue in applying human rights law to the use of weapons, including nuclear weapons, in armed conflict situations is the idea that physical geography limits the jurisdictional reach of that law. The US has been a major proponent of this idea, stating with respect to the International Covenant on Civil and Political Rights (ICCPR) in particular, that the duty accepted by each

state party “to respect and to ensure to all individuals within its territory and subject to its jurisdiction, the rights recognized” (Ritchie, 2012) means that only persons on its territory may formally enjoy the protection of human rights. The Human Rights Committee has explicitly rejected this position, both generally and with regard to the United States specifically (Fourth Periodic Report of the United States of America, 2014).<sup>45</sup>

*Scope of Application of Human Rights Law*

The ICJ observed in its 1996 Nuclear Weapons Advisory Opinion that some have contended that a leading human rights treaty, the 1966 International Covenant on Civil and Political Rights, “was directed to the protection of human rights in peacetime, but that questions relating to unlawful loss of life in hostilities were governed by the law applicable in armed conflict”

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45. Fourth Periodic Report of the United States of America, 2014.



(Casey, 2014). The court observed that the protection of the International Covenant on Civil and Political Rights does not cease in times of war, except by operation of Article 4 of the covenant whereby certain provisions may be derogated from in a time of national emergency. Respect for the right to life is not, however, such a provision. In principle, the right not arbitrarily to be deprived of one's life applies also in hostilities. Accordingly, therefore, the court accepted that, in principle, human rights law forms part of the *jus in bello*, the law applicable in armed conflict. Thus, all the provisions of the ICCPR will potentially apply during armed conflict, subject to the possibility of derogation from full observance of some in a time of grave national emergency.<sup>46</sup>

**While attempting to gauge the status of nuclear weapons under the provisions of the law, it was found that very heavy restrictions have been imposed on the use of nuclear weapons by the international legal regime, though there is no absolute and specific rule that directly condemns such use.**

#### INTERNATIONAL HUMANITARIAN LAW AND NUCLEAR WEAPONS

While drawing an inference from the 1996 Advisory Opinion of the ICJ on the legality of use or threat of use of nuclear weapons, it can be stated, after a careful analysis of this Advisory Opinion, that the rules of proportionality and necessity apply equally to all uses of force, irrespective of the type of weapon, though no particular restrictions are imposed on nuclear weapons as such. This assumption might also apply to the debate on the threat or use of force by nuclear weapons by the same legal framework as the general threats of the use of force in general. At the same time, it is also relevant to state that the rules of IHL governing how to conduct hostilities when an armed conflict takes place are applicable and highly relevant for the potential use of nuclear weapons in an armed conflict. This is mostly true in particular for the rules on distinction, proportionality and precautions in

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46. ICJ, "Advisory Opinion on Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory", 2004.

attacks as well as the prohibition on means of warfare of a nature causing superfluous injury and unnecessary suffering. Even in the cases of Tactical Nuclear Weapons (TNWs) (which are of smaller yield), the impact is known to be actually strategic. In this regard, the late Air Cmde Jasjit Singh had once stated,

Any nuclear weapon of any quality, mode of delivery or yield, used against any type of target, will result in a strategic impact to which the logical response would be the use of nuclear weapons, more often than not on an overwhelming scale.<sup>47</sup>

Therefore, even if TNWs are used against a purely military target in a conflict in the future, the effect would be strategic and, hence, it would surpass the limitations set by the principles of necessity and proportionality under IHL. However, the deterrence theory rests on the threat of the ability to cause unacceptable damage, which may be beyond the principles of necessity and proportionality of IHL, but which is presumed to keep the use of nuclear weapons at bay. The difference in perspectives between deterrence realists and IHL idealists remains to this day.

## CONCLUSION

Nuclear weapons form an important area of security issues in the post-Cold War era and are still relevant in any discussion on global security policy and international law. Though there is an argument that supports the claim that possession of nuclear weapons assures that they are solely for the purpose of self-defence and that they will never be used, there can be no denial of the fact that the production, maintenance and stockpiling of nuclear weapons are still prevalent in most parts of the world. Hence, to save humanity and the environment from the clutches of this global menace, legal regulations remain an utmost necessity because a possible potential attack might result

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47. Brig Gurmeet Kanwal, "Tactical Nuclear Weapons: Lessons For India and Pakistan", <https://www.vifindia.org/article/2013/june/04/tactical-nuclear-weapons-lessons-for-india-and-pakistan.>, June 4, 2013. Accessed in December 2018.

in massive devastation and unending suffering for all the species of the world.

Keeping this in mind, this article has tried to analyse the prevailing regime of international law, in order to understand as to what extent nuclear weapons are restricted, or not, under the relevant legal regimes. It is found, after a thorough analysis, that there is a vast set of prevalent laws that might, even if not directly, apply to nuclear weapons. While attempting to gauge the status of nuclear weapons under the provisions of the law, it was found that very heavy restrictions have been imposed on the use of nuclear weapons by the international legal regime, though there is no absolute and specific rule that directly condemns such use. Apart from that, there are also relevant regulatory rules regarding the production, maintenance and stockpiling of nuclear weapons. These rules have also, to a large extent, prevented nuclear proliferation.

But in spite of the presence of such extensive legal mechanisms to prevent a possible nuclear explosion, it must be remembered that the success of these international mechanisms to move a step ahead towards nuclear disarmament not only depends on the ratification and implementation of the treaties and conventions but also on the efficacy of the major states of the world in complying with the provisions of such legal mechanisms. Therefore, it is essential for all the states to unite for this common cause. To materialise this commitment, all the states need to work towards replacing the inefficient political systems that operate within each of their territories. A new form of world politics needs to be introduced. Preventing nuclear use and complete eradication of WMDs must, thus, be seen as one part of an even larger strategy, one that is geared to the prevention of all forms of international violence. The international community should not only focus its attention to eliminate nuclear terror but should also work towards the larger aim of elimination of international violence. Only this step by the international community can probably help in eliminating the fear of an atomic catastrophe, thus, retaining the survival of mankind. It should be understood that amidst the play of global power politics, the capabilities of states to prevent either nuclear terror or an incident of nuclear terrorism

will be futile unless and until the world leaders put in enormous efforts to restrain their lure of superiority and primacy, and, instead, focus their entire attention on the emergence of a new sense of global obligation. For this to materialise, a universal nuclear regime is needed with an inclusive understanding wherein all states, all humans will be seen as one essential body and one whole community. This idea of oneness should not be based on the fanciful and mythical theories of universal brotherhood but rather on the idea that no matter how much individual states hate each other, they should be tied together to pursue the quest of survival. This state of peace—not Utopia, of course—can be achieved only if policy-makers and world leaders do away with their individual interests and private values and merge them with the interests of the nation. This shall hopefully offer a solution for the world to face such a massive menace together in the years to come.

# EURASIA IN THE NEW GEO-POLITICAL ORDER

POONAM MANN

## INTRODUCTION

Ever since the disintegration of the USSR in 1991, the term 'Eurasia' has been extensively used by different scholars to define the combined landmass of 'Europe' and 'Asia', covering around 40 percent of the earth's surface, sheltering almost 70 percent of the global population (4.9 billion people) and producing 60-65 percent of the world's Gross Domestic Product (GDP).<sup>1</sup> It has been described as a continent, a region, a concept or a notion, and so on and so forth. However one defines it, one of the basic features of Eurasia is that it certainly holds a major part of the global demographic, geographical and economic potential, along with richness of natural resources, thus, offering enormous appeal to various global and regional players. Consequently, in the past few years, an unprecedented interest of various players has been witnessed in Eurasia. The belief is that multiple advantages could be gained by engaging with this somewhat open-ended global space. Further, a number of developments from 1990 onwards at the international level have thrust the concept of Eurasia firmly into centrestage.

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1. Gil Seong Kang, and Yongkul Won, "Eurasian Economic Integration and Regional Connectivity", [https://www.researchgate.net/publication/311707061\\_Eurasian\\_Economic\\_Integration\\_and\\_Regional\\_Connectivity](https://www.researchgate.net/publication/311707061_Eurasian_Economic_Integration_and_Regional_Connectivity), accessed on 18 February, 2019. Also see, Samir Saran, "The Revenge of History: Eurasia Rises", June 8, 2018, <https://www.orfonline.org/expert-speak/41456-the-revenge-of-history-eurasia-rises/>. Accessed on February 20, 2019.

**One of the basic features of Eurasia is that it certainly holds a major part of the global demographic, geographical and economic potential, along with richness of natural resources, thus, offering enormous appeal to various global and regional players.**

The dissolution of the Soviet Union brought about the demise of the Cold War (bipolar world) and changed the global geo-political dynamics. The United States' unrivalled supremacy in world politics remained unquestionable throughout the 1990s, but with the growing political, economic and military influence of emerging actors like China, Japan and European Union, etc. in the second half of the 2000s, fundamental questions were raised about the sustainability of the unipolar structure of world politics.<sup>2</sup>

Also, dramatic political, social and economic developments in many of the Asian, African and post-Soviet countries in the 21st century provided a totally new context for the reevaluation of these regions, and the patterns of their interaction with other parts of the world. Hence, in place of the old geo-political parameters that have dominated much of the 20th century, the necessity to revise the political spaces of the globe has been realised.<sup>3</sup> As a result, the geographical mass of Eurasia has become a vast, open playfield. Against this background, the present paper will try to evaluate the significance of Eurasia in the contemporary times. For that, it is important to understand the different contextualisations of Eurasia and analyse the factors that make it so significant.

## **WHAT IS EURASIA?**

As mentioned above, the term Eurasia has been used in various contexts by various scholars/authors but there is a lack of consensus among them regarding its meaning and ramifications. However, broadly speaking, this terminology is considered to be closely associated with the erstwhile Soviet

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2. Emre Ersen, "Rise of New Centres of Power in Eurasia: Implications for Turkish Foreign Policy", *Journal of Eurasian Studies*, no. 5, 2014, pp. 1845-186, <http://www.sciencedirect.com/science/article/pii/S1879366514000049>. Accessed on February 19, 2019.
  3. Mark Bassin, "Re-imagining World Spaces: The New Relevance of Eurasia", <https://humanitiesfutures.org/papers/re-imagining-world-spaces-new-relevance-eurasia/>. Accessed on February 19, 2019.

Union, and in the present times, the post-Soviet republics.<sup>4</sup> When the Soviet Union ceased to exist in 1991, the former Soviet republics were naturally described as the 'post-Soviet' republics because of their (i) common historical past; (ii) common perceptions and behavioural pattern on different issues; (iii) deep ideological, social and economic linkages, etc., but over a period of time, the usage of this term became less reasonable. The term 'post-Soviet' does imply 'what remains of the Soviet decades' but expresses difficulty in comprehending how each of the post-Soviet republics will approach the changes that it may have to face in the future. Therefore, in parallel, some other terms have emerged and Eurasia is one of them. Of course, a change of term cannot encompass all the ongoing processes but it does appeal to the belief that the "Soviet" element does not make much sense in capturing today's progressions.<sup>5</sup> Hence, Eurasia is now being used as a synonym to the post-Soviet space. It is being widely used by academicians in order to give a broader perspective to the ongoing changes in the region. Therefore, here the term Eurasia has reemerged as just a designation of a particular region, with no ideological connotations attached to it. Significantly, the word 'reemergence' symbolises that its roots are much older and it is not just terminology but a political-ideological and philosophical notion.<sup>6</sup> Various perspectives and theories have been articulated by historians, philosophers,

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4. Marlene Laruelle, "The Notion of Eurasia: A Spatial, Historical, and Political Construct", in Edward C Holland and Matthew Derrick, eds, *Questioning Post-Soviet* (Washington: Wilson Centre), 2016, p. 127, Also see, Evgeny Vinokurov and Alexander Libman, "Eurasia and Eurasian Integration: Beyond the Post-Soviet Borders", *MPRA Paper No. 49182*, 2012, <http://mpra.ub.uni-muenchen.de/49182/>. Accessed on February 17, 2019.

5. Ibid.

6. Mathew Schmidt, "Is Putin Pursuing a Policy of Eurasianism?", [http://demokratizatsiya.pub/archives/13\\_1\\_Y35592282447U832.pdf](http://demokratizatsiya.pub/archives/13_1_Y35592282447U832.pdf). Accessed on February 17, 2019.

geographers and leaders to describe this notion in order to pursue their respective goals. Moreover, there is also a rich legacy of Eurasianism by classical and neo-classical writers to sustain the Eurasianist perspective.

### EURASIA IN A GEOGRAPHICAL CONTEXT

In the 19th century, the term Eurasia was defined in a geographical context. The natural scientists, especially geologists like Eduard Suess, defined it as a single continental landmass comprising both Europe and Asia, which until that time had been treated as two separate continents. Therefore, the term then also moved from geology to cultural and racial contexts to refer to children of ethnically mixed couples.<sup>7</sup> Further, for them, since Russia is located in the centre of this landmass, it gets the natural right and power to play a dominating role there to protect, promote and preserve its unique Eurasian identity.<sup>8</sup> The founding fathers of Eurasianism further explained that Russia is Eurasia in the sense that its geographical and cultural features are similar to those of the whole of Eurasia. They argued that the peripheries of Eurasia should get assimilated with the centre and, thus, the naturalness of Russia's imperial structure gets justified. Eurasianists also aimed at the unification of Eurasia by shared spatial features—a dialectic between forest and steppe, geographical symmetry and geometrical rationality and by similar anthropological, linguistic, and cultural criteria. They wanted that all the Eurasian people should share the same destiny and should, therefore, live under the same state structure.<sup>9</sup>

Besides the geographical context, the term Eurasia also referred to the cultural identity of the inhabitants of the Eurasian geography. The main cultural constituents of the Eurasians were orthodox Christianity, Buddhism and

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7. Laruelle, n. 4, p. 129.

8. Golam Mostafa, "The Concept of 'Eurasia': Kazakhstan's Eurasian Policy and its Implications", *Journal of Eurasian Studies*, no. 4, 2013, p. 161.

9. Laruelle, n.4; also see, Marlene Laruelle, "Eurasia, Eurasianism, Eurasian Union- Terminological Gaps and Overlaps", *PONARS Eurasian Policy Memo No. 366*, July 2015, [www.ponarseurasia.org/memo/eurasia-eurasianism-eurasian-union-terminological-gaps-and-overlaps](http://www.ponarseurasia.org/memo/eurasia-eurasianism-eurasian-union-terminological-gaps-and-overlaps), accessed on March 11, 2019; Li Xin, Hu Yuanhong, "Eurasian Partnership: A New Balance of Power?", January 3, 2018, <https://doc-research.org/2018/01/eurasian-partnership-new-balance-power/>. Accessed on March 11, 2019.



Islam—all combined together into the ‘symphonic personality of Eurasia’.<sup>10</sup> They have evolved over the years in their own unique ways. Moreover, the role of the Kievan state, Mongol conquest, Europe-Russia relations in the 18th century, influence of Slavophile and pan-Slavic movements, Russian revolution, impact of massive emigration of non-Communist supports in 1917, Russian expansion towards the Far East in early 1920, etc.; all these factors helped in strengthening the spirit of Eurasianism. In fact, Eurasia was perceived as the only plausible frontier of common identity and as “the third way”,<sup>11</sup> i.e. neither Socialist nor Communist.<sup>12</sup> The Russians, because of the above-mentioned influences/factors, were apprehensive about the potential threats emerging from the regional identities, i.e. pan-Islamism, pan-Turkism, pan-Asianism, etc. Therefore, they promoted an all-Eurasian identity to unite the people of Russia and its periphery in a single unit.<sup>13</sup> From the classical Eurasianist’s point of view, the following aspects were derived to define Eurasianism:

- An idea of a cultural dialogue between Europe and Asia.
- The definition of a great ethnic entirety.
- An ideological or political movement of the 1920s.
- An idea of regional integration.<sup>14</sup>
- A justification for the existence and role of Russia as an empire.

However, the classical thinking remained somewhat ambiguous, because a definite explanation as to how to emphasise Russia’s position in Eurasia—whether it represents a potential political and cultural hub between Europe and Asia or not—never emerged.<sup>15</sup>

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10. Madhavan K Palat, “Eurasianism as an Ideology for Russia’s Future”, *Economic and Political Weekly*, vol. 28, no. 51, December 18, 1993, p. 2799.

11. *Ibid.*

12. Didier Claudet, et al., *When Empire Meets Nationalism; Power and Politics in the US and Russia* (Farnham: Ashgate, 2009), pp. 44-45 as quoted from Aryanta Nugraha, “Neo-Eurasianism in Russian Foreign Policy: Echoes from the Past or Compromise with the Future?”, [https://www.researchgate.net/publication/324449324\\_Neo-Eurasianism\\_Russian\\_Foreign\\_Policy\\_Echoes\\_from\\_thr\\_Past\\_or\\_Compromise\\_with\\_the\\_future](https://www.researchgate.net/publication/324449324_Neo-Eurasianism_Russian_Foreign_Policy_Echoes_from_thr_Past_or_Compromise_with_the_future). Accessed on March 17, 2019.

13. Mostafa, n. 8.

14. *Ibid.*

15. Nugraha, n. 12.

Following the collapse of the Soviet Union, classical Eurasianism was replaced by neo-Eurasianism which is considered to be more elaborative. Neo-Eurasianism, though it belongs to the Russian school of thought, was neither an adaptation of classical Eurasianism nor a continuation of the same to the post-Soviet phase.<sup>16</sup> It, however, constitutes a new trend in the Russian nationalist thinking, except for the assumption that Russia-Eurasia is a distinct cultural entity which is different from both Asia as well as Europe.<sup>17</sup> The term neo-Eurasianism was introduced by Aleksandr Dugin in the 1990s and is deeply rooted in the cultural and political philosophy of the European New Right.<sup>18</sup> He challenges the 'Atlanticists New World Order' theory which, according to him, is based on the idea of Westernisation (combination of American and European cultures) and not on universalism. Hence, it dilutes cultural and national diversity, which are the core values for the Eurasian order. According to Dugin, it is only under the Russian led 'New Eurasian Order' that the interests of various Eurasian nations and their cultural traditions can be secured.<sup>19</sup> Besides, another scholar, Andrei Tsygankov,<sup>20</sup> classified the neo-Eurasianist trends in Russia into four categories while maintaining the diversity of Eurasia and emphasising the fact that they view Russia as the heartland and the state responsible for organising the post-Soviet disorder. For him, these four categories are of Expansionists, Civilisationists, Stabilisers, and Geo-economists, with their own views and perceptions. The Westernisers believe that Russia is largely a European

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16. Andreas Umland, "Why Aleksandr Dugin's "New Eurasianism" Is not Eurasianist", *New Eastern Europe*, June 8, 2018, <https://neweasterneurope.eu/2018/06/08/aleksandr-dugins-neo-eurasianism-not-eurasianist/>. Accessed on February 15, 2019.
  17. John Mosbey, "Alexander Dugin's "Neo-Eurasianism and Sacred Geography—Part One", March 1, 2018, [http://www.academia.edu/36053932/Neo-Eurasianism\\_Alexander\\_Dugins\\_Adaptation\\_Part\\_1.docx](http://www.academia.edu/36053932/Neo-Eurasianism_Alexander_Dugins_Adaptation_Part_1.docx). Accessed on February 15, 2019.
  18. Alexander Dugin, "The Geopolitics of the European New Right" in *The Fourth Political Theory*, <http://www.4pt.su/en/content/geopolitics-european-new-right>. Accessed on February 15, 2019.
  19. Anton Shekhovtsov, " Aleksandr Dugin's Neo-Eurasianism: The New Right à la Russe", *Religion Compass*, vol.3 , no.4 , 2009, p.697 , <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1749-8171.2009.00158.x>. Accessed on March 20, 2019.
  20. A.P. Tsygankov, "Mastering Space in Eurasia: Russia's Geopolitical Thinking after the Soviet Break-up", *Communist and Post-Communist Studies*, vol. 36, 2003,p.106, [https://is.muni.cz/do/fss/57816/40125114/Tsygankov\\_A.\\_Mastering\\_Space\\_Euroasia\\_Comm.Studies\\_36\\_2003.pdf](https://is.muni.cz/do/fss/57816/40125114/Tsygankov_A._Mastering_Space_Euroasia_Comm.Studies_36_2003.pdf), Accessed on March 20, 2019.

country because it has more common elements of history, religion and culture with the West/Europe than Asia, therefore, it must associate itself with the Western world and its institutions. Geo-economists emphasised that Russia is a Eurasianist power because of its location at the 'intersection' of various economic, as well as cultural, influences in the region. This strategic location will help it to develop a coherent strategy of trans-regional development and establish political order and peace in the region. The stabilisers believe in the philosophy that Russia's role in the region since the disintegration of the USSR is that of stabilising Eurasia. For them, the key word for the Russian security mission in Eurasia is 'stabilisation' rather than viewing it as a traditional territorial empire or self-sufficient civilisation. Expansionists and civilisationists belong to the conservative (politically) factions of Eurasianist thinking. They perceive Russia as a culturally anti-Western state and a constantly expanding territorial empire. For them, constant accumulation of power by way of territorial expansion is the only appropriate way to resist the Atlanticist influences. In this endeavour, they even want to pit Europe against the United States to build a larger geo-political axis of allies such as Germany, Iran, Japan, etc.<sup>21</sup> Thus, for neo-Eurasianists, the role and position of Russia is 'central' in the Eurasian space and they emphasise that Eurasia is a better alternative to both 'Atlanticism' and 'globalism'. The visibility of the concept of neo-Eurasianism is quite apparent in the current Russian foreign policy under President Putin also. The launching of the Eurasian Union [presently called the Eurasian Economic Union (EAEU)] project in 2011, was seen as the victory of Eurasianist ideology.<sup>22</sup> EAEU, a Eurasian integration project led by Russia, with Kazakhstan, Belarus, Armenia and Kyrgyzstan as the other member states, is aimed at providing a common legal framework for the energy markets and free movement of labour and to further develop the integration process among the Commonwealth of Independent States (CIS)<sup>23</sup> and beyond. President Putin's policies towards the South

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21. Ibid.

22. Laruelle, n. 4.

23. Gulaikhan Kubayeva, "Economic Impact of the Eurasian Economic Union on Central Asia", *Central Asia Security Policy Brief*, February 2015, OSCE Academy in Bishkek, [http://osce-academy.net/upload/file/policy\\_brief\\_20.pdf](http://osce-academy.net/upload/file/policy_brief_20.pdf). Accessed on July 25, 2017.

**The British geographer, Sir Halford Mackinder, was the first one to coin the term Eurasia in the geo-political context. He conceptualised Eurasia in traditional geo-political thinking through his concepts of the “geo-political pivot of history” and “heartland” and placed it at the centre of world affairs.**

Caucasian countries, his vision of Greater Eurasia, etc. have been seen as the policy of Eurasianism in action. His vision is reflected in his statements like, “...Greater Eurasia is not an abstract geo-political arrangement but, without exaggeration, a truly civilization-wide project looking towards the future”.<sup>24</sup> Greater Eurasia, according to him, is not only the amalgamation of post-Soviet republics, but integration with other formats, like the Belt and Road Initiative (BRI), Shanghai Cooperation Organisation (SCO), Association of Southeast Asian Nations (ASEAN), etc., hence, establishing ties with new states and economies.<sup>25</sup> Further, Putin has proposed that

the Greater Eurasia initiative is open for Europe too and expects that Europe will eventually join.<sup>26</sup> Thus, the impact of neo-Eurasianism is visible in the Russian foreign policy under President Putin, which is showing integrationist inclinations wherein he is trying to fix all the political trends.

## EURASIA IN GEO-POLITICAL CONTEXT

The British geographer, Sir Halford Mackinder, was the first one to coin the term Eurasia in the geo-political context. He conceptualised Eurasia in traditional geo-political thinking through his concepts of the “geo-political pivot of history” and “heartland” and placed it at the centre of world affairs.<sup>27</sup> He argued that the “heartland”, which roughly corresponds

24. “Putin’s Speech at Beijing Forum: The Future Belongs to Greater Eurasia”, 15 May, 2017, <https://www.sott.net/article/351078-Putins-speech-at-bejing-forum-the-future-belongs-to-gretaer-eurasia>. Accessed on February 18, 2019.

25. Ibid.

26. Li Xin and Hu Yuanhong, “Eurasian Partnership: A new Balance of Power”, January 3, 2018, <https://doc-research.org/2018/01/eurasian-partnership=new-balance-power/>. Accessed on February 12, 2019.

27. HJ Mackinder, “The Geographical Pivot of History (1904)”, *The Geographical Journal*, vol.170, no. 4, December 2004, [http://www.iwp.edu/docLib/20131016\\_MackinderTheGeographicalJournal.pdf](http://www.iwp.edu/docLib/20131016_MackinderTheGeographicalJournal.pdf), accessed on August 1, 2018. Also see, Ersen, n. 2.

to the erstwhile Soviet Union, was a natural fortress and the place from where, due to its geographical location, the greatest political power could be projected.<sup>28</sup> He further explained that this heartland is surrounded by an inner crescent made up of Germany, Austria, Turkey, India and China. Also, there was the outer crescent made up of Britain, South Africa, Australia, the United States, Canada and Japan. His often used quote, "He who controls East Europe commands the heartland; He who controls the heartland commands the world island; He who controls the world island, commands the world"<sup>29</sup> is considered to be the core concept for

scholars of geo-politics. Due to such interpretations, the term Eurasia has often been accompanied by discussions of the 'great game', 'new great game' or 'the grand chessboard'. Probably, the Heartland Theory has been the main inspiration for Zbigniew Brzezinski, as he presents it as the basic theme of his famous book *The Grand Chessboard*, in which he has analysed Eurasia as the geo-political battlefield, where the world's great powers fought for political and economic influence.<sup>30</sup> In his words, "Eurasia is thus the chessboard on which the struggle for global primacy continues to be played, and that struggle involves geostrategy—the strategic management of geopolitical interests. A power that dominates

**Central Asian region serves as an important crossroads between Europe and Asia because of its geo-strategic location in the heart of Eurasia. In fact, goods and services have flowed across the region since ancient times connecting Europe, China and West Asia, thus, establishing many trade hubs. In modern times, the region has once again become the site of the geo-political and geo-economic interest.**

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28. Christopher J. Fettweis, "Revisiting Mackinder and Angell: The Obsolescence of Great Power Geopolitics", *Comparative Strategy*, no. 22, 2003, pp. 109-129, [https://www.iwp.edu/docLib/20131022\\_Fettweis2003RevisitingMackinderandAngell.pdf](https://www.iwp.edu/docLib/20131022_Fettweis2003RevisitingMackinderandAngell.pdf). Accessed on February 27, 2019.

29. Christopher J. Fettweis, "Sir Halford Mackinder, Geopolitics, and Policymaking in the 21st Century", *Parameters*, vol. xxx, no. 2, Summer 2000, p. 58, Jacqueline Lopour, "Geopolitics at the World's Pivot: Exploring Central Asia's Security Challenges", *CIGI Papers no. 80*, November 2015, p. 2.

30. Ersen, n. 2.

Eurasia would control two of the world's three most advanced and economically productive regions".<sup>31</sup> True to his prediction, the Central Asian region serves as an important crossroads between Europe and Asia because of its geo-strategic location in the heart of Eurasia. In fact, goods and services have flowed across the region since ancient times connecting Europe, China and West Asia, thus, establishing many trade hubs. In modern times, the region has once again become the site of the geo-political and geo-economic interest of various external powers. These landlocked republics have borders with Iran and Afghanistan to the south, China to the east and Russia to the northwest. This strategic location and their energy resources make them increasingly important in the geo-strategic great game. Traditionally, Central Asia has been an arena of the great game where Russia and Great Britain vied for dominance. In modern times, the great game is being played out by multiple global powers such as Russia, China, Japan and the US. Regional powers such as Turkey, Iran, Pakistan, Afghanistan all play a crucial role in this great game because of their substantial security and economic interests in the region.

Among the new actors that have entered the region with their own specific objectives and strategies, the People's Republic of China (PRC) occupies a prominent position. China has not only bypassed Russia as the region's leading trade-partner, but also three of the Central Asian Republics (CARs) (Kazakhstan, Turkmenistan and Uzbekistan) are now connected to China with oil or natural gas pipelines and, for the first time in decades, have access to a sizeable export alternative to the Russian market and transit system. Besides extensively building oil and gas pipelines and developing a network of transportation links, China has also expanded its diplomatic and cultural presence in the region over the last 25 years. Alexander Cooley in his book *Great Games, Local Rules: The New Great Power Contest in Central Asia*, calls China a "winner on

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31. Zbigniew Brzezinski, *The Grand Chessboard-American Primacy and its Geostrategic Imperatives* (Basic Books, 1997), pp. xiv-33.

points” in the new Central Asian Great Game.<sup>32</sup> He argues, “Not only has China tailored its engagement to each of the CARs but has also sought to convince them that it seeks ‘win-win solutions’, a ‘harmonious region of peace and prosperity’, and non-interference in their domestic affairs, while it has tirelessly sought to reassure Russia that it harbours no regional hegemonic ambitions and continues to recognize Moscow’s claim to be the region’s privileged power.”<sup>33</sup> Similarly, Artyom Lukin in one of his write-ups, has gone to the extent of describing China “as the new contender for control over Mackinder’s Heartland”.<sup>34</sup>

### EURASIA IN HISTORICAL CONTEXT

Throughout history, people have moved from one place to another for the exchange of goods, skills and ideas, and during ancient times, Eurasia was interweaved with communication routes and corridors of trade that over the years got linked up to form the Silk Road. Thus, the Silk Road indicates the routes for the exchange of silk and other goods and transfer of information among people across the world, dating back to prehistoric times.<sup>35</sup> It can be described as the pre-historic phase of globalisation; also known as archaic globalisation, linking different cultures and belief systems.<sup>36</sup> It should be considered here that during those times, these ancient roads did not have any name, and well-defined boundaries among countries also did not exist, therefore, Silk Road is a relatively new term. It was coined by a German geologist, Baron Ferdinand von Richthofen, in 1877. He named the trade and communication network as Die Seidenstrasse (the Silk Road).<sup>37</sup> Further, the following points need due consideration while analysing the Silk Road:

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32. Alexander Cooley, *Great Games, Local Rules: The New Great Power Contest in Central Asia* (New York: Oxford University Press, 2012).

33. *Ibid.*, p. 74.

34. Artyom Lukin, “Mackinder Revisited: Will China Establish Eurasian Empire 3.0?”, *The Diplomat*, [http://thediplomat.com/2015/02/Mackinder\\_revisited\\_will\\_china\\_establish\\_eurasian\\_empire\\_3\\_0/](http://thediplomat.com/2015/02/Mackinder_revisited_will_china_establish_eurasian_empire_3_0/). Accessed on November 23, 2016.

35. “About the Silk Road”, <https://en.unesco.org/silkroad/about-silk-road>. Accessed on March 6, 2019.

36. Mousumi Ghosh, “Silk Road: A Glance at Archaic Globalization”, <https://iwp.uiowa.edu/silkroutes/city/kolkata/text/silk-road-glance-archaic-globalisation>. Accessed on March 12, 2019.

37. n. 35.

- It is not a single road with a definite starting and ending point traversing the whole of Eurasia, but a set of different shorter routes that have fluctuated over time.<sup>38</sup>
- People often stopped on parts of the route, and only a few of them travelled its entire length.<sup>39</sup>
- Since the road was not an actual road but a stretch of shifting, unmarked paths across massive expanses of deserts and mountains, people also took different routes at different times. It is, thus, often referred to as the Silk Roads (plural), to express this multiplicity of routes.<sup>40</sup>

The Silk Road network is generally thought of as connecting Eastern and Southern Asia with the Mediterranean world, stretching from Chang'an (now Xi'an) in China across the Taklamakan desert, over the Pamirs, through the grasslands of Central Asia, into Persia and to the Mediterranean, with branches in the northern Eurasian steppes and India.<sup>41</sup> Almost 8,000 km long (which is debatable), the road crossed some of the most difficult terrain but linked up some of the greatest civilisations, like India, China, Rome and Persia.<sup>42</sup> The cyclic occurrences of competing nomads of different origins conquered the vast Eurasian steppes, established Khanates, then perished in a perpetual cycle. This happened till the end of the 19th century, when Russia took control of the whole region.<sup>43</sup> Nevertheless, with the changing times and with the advent of new routes and discoveries, new developments in the modes of transportation and new technologies, the old silk routes lost their significance. However, after the disintegration of the Soviet Union and

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38. Sally K Church, "The Eurasian Silk Road: Its Historical Roots and Chinese Imagination", *The Cambridge Journal of Eurasian Studies*, February 2018, [https://www.researchgate.net/publication/323130605\\_The\\_Eurasian\\_Silk\\_Road\\_Its\\_historical\\_roots\\_and\\_the\\_Chinese\\_imagination](https://www.researchgate.net/publication/323130605_The_Eurasian_Silk_Road_Its_historical_roots_and_the_Chinese_imagination). Accessed on February 15, 2019.

39. *Ibid.*

40. *Ibid.*

41. Ghosh, n. 36.

42. *Ibid.*

43. "Analysis of Post-Soviet Central Asia's Oil & Gas Pipeline Issues", December 25, 2013, <http://www.geopolitics.ru/en/article/analysis-post-soviet-central-asias-oil-gas-pipeline-issues>. Accessed on February 18, 2019.



with the emergence of new countries, many states initiated different plans to revive the Silk Road in order to closely engage with the Eurasian region. Japan's Silk Road diplomacy of 1996, the US-proposed Silk Road strategy of 1999, South Korea's similar strategies throughout 2009-13, etc. are some examples.<sup>44</sup> But it is China's Belt and Road Initiative (BRI) which has garnered the most attention and is seen as China's attempts to revive the Silk Road. China, through various infrastructural projects, has been successful in linking its economy with the markets of the Central Asian region. Furthermore, the project involves linking more than 60 countries in the economic belt, hence, redefining China's networks in Asia, Africa and Europe. This can further become an important factor in restoring the previous historical, political, economic and cultural role of Eurasia.<sup>45</sup> The term Silk Road in modern times represents trans-Eurasian interactions and more and more inter-connectedness, thus, providing an economic flavour to the concept of Eurasia. The CARs are also building more linkages through trans-regional projects and moving towards Asian sub-regions. Such linkages, further, provide opportunities for creating more diplomatic partnerships as well. By strengthening such partnerships, the goal of preserving the Silk Road heritage can be achieved.

### **EURASIA IN THE NEW GLOBAL ORDER**

The above discussion on different contextualisations of Eurasia clearly reveals the significance of the region. This will grow further because the major geo-political trend in the present times is the economic integration of Europe with Asia through the Eurasian landmass. In fact, the term "connectivity" has become the catchword in this supercontinent. It is not only China's BRI or the Russian-led EAEU that is making headlines; rather, various other intra-regional projects are also making a mark. For instance,

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44. Timur Dadabaev, "Silk Road as Foreign Policy Discourse: The Construction of Chinese, Japanese and Korean Engagement Strategies in Central Asia", *Journal of Eurasian Studies*, vol. 9, 2018.

45. For details, see Viktor Eszterhai, "The Geopolitical Significance of One Belt, One Road from a Historical Perspective", November 28, 2017, <http://www.geopolitika.hu/en/2017/11/28/the-geopolitical-significance-of-one-belt-one-road-from-a-historical-perspective-2/>. Accessed on March 12, 2019.

**Rising intra-Eurasian trade flows, and changes in the economic geography of value and supply chains are decisively advancing the reconnection of the Eurasian space. The region and sub-regions which were considered as peripheral, are now becoming central bridging spaces because of the trade relations and linkages.**

existing transportation routes connecting Asia with Europe can be examined in three groups.<sup>46</sup>

- First, the Northern Route, which includes routes running across the territories of China, Kazakhstan and Russia and connecting with the European Union (EU).
- Second, the Middle Corridor that connects China to Europe through Kazakhstan, the Caspian Sea, Southern Caucasus, and Turkey.
- Third, the Southern Route, which runs from China through Kazakhstan and Iran.

Besides, the opening of the Baku-Tbilisi-Kars railway is an important development in the connectivity endeavours of Azerbaijan, Turkey and Georgia. Moreover, the Central Asian countries, along with Turkey and other West Asian countries are investing in the upgradation of their railways that includes new lines as well as new trans-national routes.<sup>47</sup> The opening of the Lapis-Lazuli Corridor is another important development which will help Afghanistan to reach out to the Central Asian, West Asian, South Caucasus and European markets. These are some of the examples which could help not only in the economic development of the region, but also lay the foundation for cooperation, peace, stability, and security of the countries involved. It would also indicate shifts in the global economy and Eurasia's reconnection. Rising intra-Eurasian trade flows, and changes in the economic geography of value and supply chains are decisively advancing the reconnection of the Eurasian

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46. ALTI Altay, "Turkey as a Eurasian Transport Hub: Prospects for Inter-Regional Partnership", <http://sam.gov.tr/wp-content/uploads/2018/10/sf-117-134.pdf>. Accessed on February 12, 2019.

47. "Turkey isn't the only regional power spending big on upgrading its railways. Throughout the Middle East and Central Asia, activity is heating up, with the investment thermometer reading as high as \$500 bn region-wide", November 9, 2018, <https://eurasiarail.eu/Articles/a-500bn-rail-spending-sprees-hits-eurasia>. Accessed on February 15, 2019.

space. The region and sub-regions which were considered as peripheral, are now becoming central bridging spaces because of the trade relations and linkages.<sup>48</sup> However, the caution here is that the region represents an area where any political change could lead to a change in the acceptance of the very concept of the BRI by that nation. For example, the CARs do have overlapping and mutually exclusive interests that could be crucial for the peace and security of the region.<sup>49</sup>

Further, the current international affairs are undergoing unprecedented changes, which have been brought about by the relative weakening of the

US dominance and rise of the non-Western powers represented by China and Russia. This state can be described as a new Cold War. In such a scenario, some scholars argue that Eurasia can emerge as the second pole against the West led by the US. The emergence of the Eurasian pole (i.e. Greater Eurasia) will make the new Cold War more complex and multi-level.<sup>50</sup> Further, Eurasia with its many emerging economies and vast energy resources is emerging as one of the most dynamic regions of the world. It also advocates a multipolar and pluralist world order through the instruments of regional and multilateral organisations like the Shanghai Cooperation Organisation and Eurasian Development Bank, Brazil, Russia, India, China and South

**Eurasia with its many emerging economies and vast energy resources is emerging as one of the most dynamic regions of the world. It also advocates a multipolar and pluralist world order through the instruments of regional and multilateral organisations like the Shanghai Cooperation Organisation and Eurasian Development Bank, Brazil, Russia, India, China and South Africa (BRICS) and New Development Bank to name a few.**

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48. Jacopo Maria Pepe, "Eurasia's Reconnection: Implications for Europe and Germany", December 15, 2017, <https://doc-research.org/2017/12/eurasias-reconnection-implications-europe-germany/>. Accessed on March 23, 2019.

49. "Eurasia on the Edge and its Global Meaning: The What, Why and How of the Eurasian Security", <http://trendsinstitution.org/Eurasia-on-the-edge-and-its-global-meaning-the-what-why-and-how-of-eurasian-security/>. Accessed on February 11, 2019.

50. Sergey Karaganov, "The New Cold War and the Emerging Greater Eurasia", *Journal of Eurasian Studies*, vol. 9, no. 2, July, 2018, pp. 85-87.

Africa (BRICS) and New Development Bank to name a few. From the *Critical Theory*,<sup>51</sup> it can be seen that international and inter-regional organisations play a crucial role in constituting historical blocs. Therefore, the analysis of this regional dynamism in Eurasia and its potential to become a new historical bloc deserves a close analysis.<sup>52</sup> In any such analysis, it would be interesting to bring out the competitive element within the regional organisations.

Another important component that demands attention is how the smaller powers of the Eurasian region see their relationship with the major powers. Specifically, the Caucasian countries, that see themselves as more European than Eurasian, are of particular significance, as the Caucasus is one of the most turbulent parts of the Eurasian region. Moreover, Eurasia, which is seen as an inter-connected economic, political and strategic concept in the context of globalisation, needs to be evaluated on the basis of how the weight and role of key components of this vast region are changing. Seemingly, the dynamic centre of the region is tilting towards the east and the conflict zone is moving to the south.<sup>53</sup>

Therefore, Eurasia—the vast landmass between Asia and Europe—needs to be understood along the conceptual building blocks of the concept of globalisation, the multilateral world order and the geo-political concept of the “core-periphery relations”.

Further, Eurasia is a land of movement, of interaction and connection, an exceptional corridor, the place where horses and chariots first came into use, a land that has been instrumental in bringing about a change in the world economic structure, accelerating changes in the world order and compelling both, the decision-makers and researchers, to reconsider the role that geography and geographic space play in international relations. Therefore, the region demands a closer and in-depth analysis.

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51. Marces Farias Ferreira, “Introducing Critical Theory in International Relations”, <https://www.e-ir.info/2018/02/18/introducing-critical-theory-in-international-relations/>. Accessed on June 4, 2019.

52. Hatice Hande ORHON ÖZDAĞ, “The Position of Eurasia in the Current World Order: An Emerging Historical Bloc”, <http://dergipark.gov.tr/download/article-file/347586>. Accessed on March 1, 2019.

53. Dmitri Trenin, “Revising the Concept Eurasia”, January 29, 2013, [https://www.rbth.com/opinion/2013/01/29/revising\\_the\\_concept\\_eurasia\\_22305.html](https://www.rbth.com/opinion/2013/01/29/revising_the_concept_eurasia_22305.html). Accessed on February 13, 2019.

### **CAN INDIA BE A PLAYER IN EURASIA?**

India is very well aware of the concept of Eurasia. The Eurasian division of the Indian Ministry of External Affairs deals with the significant part of this region. Perceiving Eurasia largely as the post-Soviet space, India has close cultural and historical linkages with the countries of the Eurasian region. However, the competitive and conflicting environment in and around the region makes India's task somewhat challenging. Therefore, India's approach towards the region needs to be viewed in the context of the current geo-political and geo-economic shifts at the regional and global levels, on the one hand, and India's bilateral/regional/multilateral engagement in the region, on the other. China's growing presence in the region and its Belt and Road Initiative (BRI), the Russia-China equation (competition or cooperation), Russia's policy of 'pivot towards Asia', rising US-China confrontation, politics of sanctions and counter-sanctions, US-Russia confrontation, Russia-Pakistan equation, deteriorating security situation in Afghanistan, emerging uncertainties after the reimposition of sanctions on Iran by the Trump Administration, its global impact, changing equations among the countries of the region, etc. are important factors to be taken into account. These factors pose challenges as well as create opportunities for India to be a player in the region.

For example, India's dependence on Iran or the 'centrality' of the role of Iran is critical for India's connectivity with Eurasia. Iran is the pivotal link for the International North South Transport Corridor (INSTC) project that connects India not only with Russia in the shortest possible time but also brings the Central Asian Republics and East European countries closer to India, thereby enhancing India's trade opportunities with them. Similarly, Chabahar port, which has already been operationalised, could also become a major link to move freight among India, Iran, Afghanistan, Central Asian Republics (Uzbekistan, Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan), Armenia, Azerbaijan, Russia, and East European countries.<sup>54</sup>

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54. For details, see Dipanjan Roy Choudhary, "Chabahar Port Critical to Delhi's Eurasia Strategy & Connectivity Initiatives in Indo-Pacific Region", *The Economic Times*, December 26, 2018, <https://economictimes.indiatimes.com/news/defence/chabahar-critical-to-delhis-eurasia-strategy-connectivity-initiatives-in-indo-pacific-region/articleshow/67262754.cms>. Accessed on February 11, 2019.

However, the recent US sanctions on Iran have put India in a very tight spot and made the situation very challenging for India. A significant amount of India's interests lie in Iran as well as in the United States; India, therefore, needs to adopt a very fine balance in its approach to deal with both countries.

Secondly, the Eurasian security architecture and the commercial routes are still defined by the China-Russia partnership. Both perceive the US and the Western presence on the opposite sides of the Eurasian landmass as a threat, i.e. the US' and its allies' presence in East Asia for China, and the North Atlantic Treaty Organisation (NATO) for Russia. To strengthen their influence, China is going ahead with its ambitious BRI project, and Russia, with its Eurasian Economic Union (EAEU) and the Greater Eurasian Corridor. Seemingly, both are vying for the same space with their own different projects, but for the pursuance of their goals, they have developed a cooperative framework instead of competition. In May 2015, during Chinese President Xi Jinping's visit to Russia the two countries signed a "joint declaration on cooperation in coordinating the development of the Eurasian Economic Union project and the Silk Road Economic Belt and also pledged to strengthen regional economic integration and safeguard peace and stability on the Eurasian landmass".<sup>55</sup> So far, India's participation in any Eurasian connectivity project has been determined by its bilateral equations. This is evident in India's active interest in joining Russia's EAEU and contrastingly, its candid apprehension about China's BRI. Subsequently, the Chinese-Russian cooperation in the Eurasian region has led to another test of India's diplomatic abilities to manoeuvre within tight boundaries and obtain favourable results.

Therefore, to conclude, there are multiple roadblocks in India's aspirations in Eurasia, however, through projects like Chabahar and INSTC, India is trying to make its own space within this highly coveted region. In this endeavour, India must make its efforts more alluring by increasing its investments and including similar-minded countries.

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55. "China, Russia Agree to Integrate Belt Initiative with EAEU Construction", [http://www.china.org.cn/world/Off\\_the\\_Wire/2015-05/09/content\\_35527698.htm](http://www.china.org.cn/world/Off_the_Wire/2015-05/09/content_35527698.htm). Accessed on May 14, 2019.

# INDIA-VIETNAM STRATEGIC PARTNERSHIP: ENGAGING WITH THE EMERGING REALITIES

TEMJENMEREN AO

## INTRODUCTION

The India-Vietnam strategic partnership is based on the long historical and cultural linkages which date back to over 2,000 years. This bilateral relationship has no record of any painful past between the two nations. Rather, their suffering at the hands of external imperialist powers has led to a stronger partnership which would help shape the geo-political realignment being witnessed today. It is important to note that despite differences in their political ideologies and their systems of government, this relationship presents a unique case of being based on the commonality of principles between the two nations. Their shared history from ancient to modern times, along with mutual respect for each other, has ensured that the relationship remains organic in character. This is quite evident while studying the bilateral relations, starting in the post-independence era.

Even though their official diplomatic relations were established only on January 7, 1972, India supported Vietnam's anti-colonial movement for its independence. During the Cold War period, India supported Hanoi's "Four Points" for resolving the Vietnam conflict, while coming out strongly against

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**As India and Vietnam geographically lie at the heart of the emerging Indo-Pacific construct, both would play a major role in this strategic space which is becoming a core theatre for competition for power and influence amongst the major powers.**

the emergence of the Southeast Asia Treaty Organisation (SEATO), which India considered as being directed against Vietnam. India also supported Vietnam during the Kampuchea crisis in the late 1970s. Further, the 'Open Door' reforms launched by Vietnam in 1986 and the 'Look East' policy announced by India in 1994, transformed both nations' foreign policies and provided opportunities to further strengthen their bilateral relations. These events, along with the evolution of India's external engagement, have helped shape Vietnam's perception of India as a reliable strategic partner which can help Hanoi in its regional strategic interests. The evolution of the bilateral partnership, based on India's and Vietnam's shared and sustained cooperation, has enabled the establishment of the strategic partnership in 2007, which was elevated to a Comprehensive Strategic Partnership (CSP) in September 2016, during the visit of India's prime minister to Vietnam. The establishment of the CSP indicates the prevailing level of mutual trust as well as the necessity for maintaining peace, stability, growth, and prosperity in the region.

Further, the India-Vietnam partnership would be crucial in the context of the emerging security challenges of the 21st century. For instance, both nations have underlined the importance of maintaining peace and stability, and peaceful resolution of disputes in accordance with international law, including the 1982 United Nations Convention on the Law of the Sea (UNCLOS). On the South China Sea issue, both nations have underscored the need to fully and effectively implement the Declaration on the Conduct (DOC) of Parties in the East Vietnam Sea and the establishment of a Code of Conduct (COC) in the South China Sea. As India and Vietnam geographically lie at the heart of the emerging Indo-Pacific construct, both would play a major role in this strategic space which



is becoming a core theatre for competition for power and influence amongst the major powers. Through the further deepening of their bilateral strategic ties, based on their shared interests and principles, this partnership would play an important and constructive role towards a stable, inclusive, and prosperous region.

#### **A BRIEF BACKGROUND ON MODERN INDIA-VIETNAM RELATIONS**

In the 20th century, Jawaharlal Nehru and Ho Chi Minh laid a strong foundation for the future bilateral ties that also included expanding the scope of the partnership. India supported Vietnam's anti-colonial struggle for independence and then the reunification of the nation. Throughout the Vietnam War, India retained a deep emotional attachment to the Viet Minh led by Ho Chi Minh, whom Nehru had described as a part of Asian history. Nehru, in 1954, became the first foreign leader to visit the newly-independent North Vietnam. Despite certain setbacks to the relations in the 1960s—on account of the 1962 Sino-Indian tension and the Indo-Pak War of 1965—India's support for a one-Vietnam policy, as stated by Indian Foreign Minister Swaran Singh in the Lok Sabha on April 26, 1972, helped the bilateral ties acquire a firm new footing.<sup>1</sup>

During the Cold War, both nations often found themselves on the same side through their activities in the Non-Aligned Movement (NAM), the Afro-Asian People's Solidarity Organisation, and so on. This proactive participation through various multilateral architectures showed the commonality of principles upheld by the two nations and this pushed both governments to further deepen their partnership.

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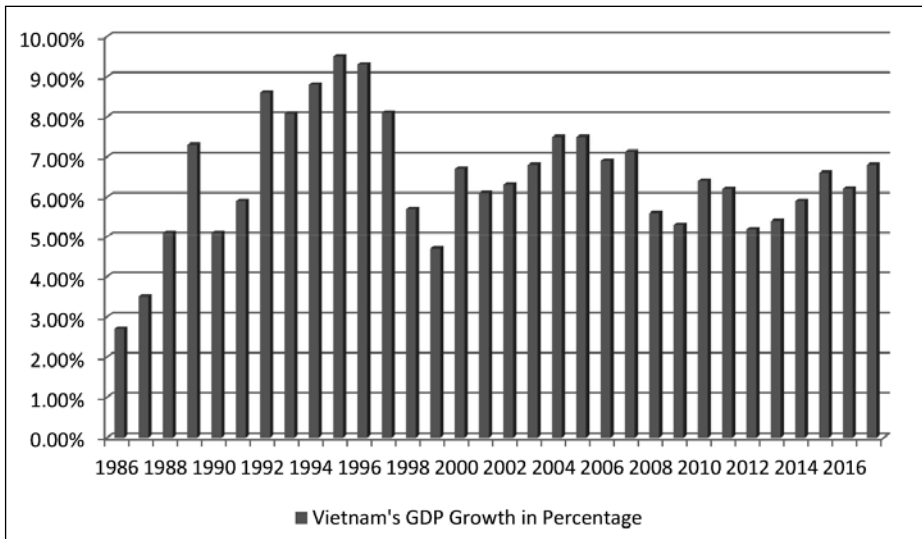
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1. Suranjan Das, Tridib Chakraborti, and Subhadeep Bhattacharya, *Indo-Vietnam Relations in the Emerging Global Order* (New Delhi: KW Publishers Pvt Ltd, 2018), pp. 9-16.

Since the establishment of diplomatic relations in 1972, India and North Vietnam decided to upgrade their missions to the embassy level; this paved the way for closer contacts. The unification of North and South Vietnam in January 1976 into the Socialist Republic of Vietnam, led to a positive growth in the bilateral political, economic, and strategic cooperation. During the Kampuchean crisis, India supported Vietnam's Cambodian policy against China's backing of the Khmer Rouge regime.<sup>2</sup>

The 1980s was a period which witnessed increasing importance being placed on Southeast Asia in India's foreign policy discourse. During this period, Southeast Asia was emerging as a major economic powerhouse with which India sought to deepen its economic relations. It was during this period that Vietnam (in 1986) also launched its economic reform programme, termed the Doi Moi<sup>3</sup> initiative. The launch of this economic initiative, as indicated in Fig 1, helped propel Vietnam's economy. From a growth of 2.7 percent in 1986, Vietnam's economic reform helped push the Gross Domestic Product (GDP) to an average of 6 percent growth that continues till today, and despite a slight decline during the Asian financial crisis in 1998, the growth has remained stable. This sustained and high economic growth witnessed in Vietnam has enabled its poverty level to fall from 75 percent three decades ago to roughly 9.8 percent in 2018.<sup>4</sup>

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2. G Jayachandra Reddy, "Ho Chi Minh: An Architect of India-Vietnam Freindship", in G Jayachandra Reddy, ed., *Vision of Ho Chi Minh: India-Vietnam Relations* (Tirupati: UGC Centre for Southeast Asian & Pacific Studies, 2017), pp. 10-11.
  3. Also known as the rejuvenation strategy, it led to the liberalisation of both the agricultural and non-agricultural sectors in order to develop market institutions and expand the role of the private sector. International integration was a key facet of the reform era.
  4. Das, et al., n. 1, pp. 25-28.

**Fig. 1: Vietnam's GDP Growth, 1986-2017 (in %)<sup>5</sup>**

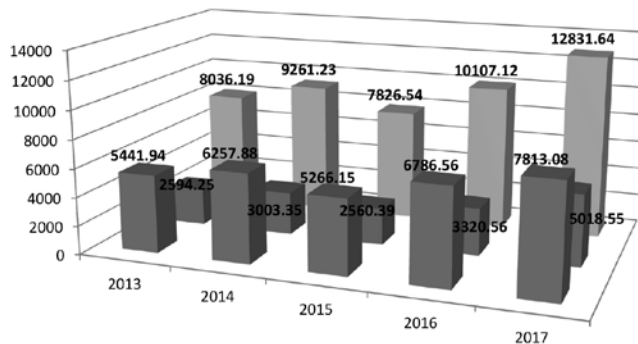
In the post-Cold War era, the fragility of the Indian economy at that time made India reexamine its policies with its eastern neighbours. The 'Look East' policy was first enunciated by former Prime Minister P V Narasimha Rao during a lecture delivered by him on September 8, 1994, in Singapore titled, "India and the Asia-Pacific: Forging a New Relationship". The 'Look East' policy was intended to build India's relations with its eastern neighbours, starting with the nations in Southeast Asia that were presumed to be of great significance to India's economic and strategic interests. This policy had a strong undertone towards establishing, economically, a strong partnership with the fast and robust economies of Southeast Asia.

In terms of India-Vietnam economic relations, the launch of Vietnam's economic reforms programme in 1986, along with the liberalisation and economic reforms undertaken in India in the early 1990s, provided the perfect window towards strengthening the bilateral economic ties. In the years between 1992 and 2008, Indo-Vietnamese bilateral trade registered an average 20 percent rise

5. "Vietnam GDP Growth (annual %)", World Bank, <https://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG?end=2017&locations=VN&start=1985&view=chart>. Accessed on April 26, 2019.

per annum, increasing from US\$ 100 million in 1996 to US\$ 200 million at the end of 2000. The Association of Southeast Asian Nations (ASEAN)-India Free Trade Agreement (FTA) signed in August 2009, and implemented on January 1, 2010, brought about further restructuring in the pattern of the bilateral trade. The signing of the ASEAN-India FTA brought in a more diversified India-Vietnam export-import basket that included rubber, computer hardware, electronic goods, equipment for hydropower projects, cold rolling steel, hydraulic power equipment, and so on.<sup>6</sup> The total volume of India-Vietnam bilateral trade was valued at close to US\$ 13 billion at the end of 2017, as indicated in Fig. 2. India's total trade with Vietnam has increased at a Compound Annual Growth Rate (CAGR) of 23.1 percent over the past decade, growing from \$ 1.4 billion in 2007 to \$ 10 billion in 2016. India is a net exporter to Vietnam and its share in Vietnam's total international trade accounted for 2.2 percent in the year 2016.<sup>7</sup> At the end of June 2018, India was in the tenth position in terms of Vietnam's global imports and constituted 2.95 percent of its global share. In terms of Vietnam's total global exports, India was in the 25th position, constituting 0.58 percent of its global share.<sup>8</sup>

**Fig 2: India-Vietnam Bilateral Trade, 2013-17 (in US\$ million)<sup>9</sup>**



6. Das, et al., n. 1, pp. 25-28.  
 7. "Strengthening ASEAN-India Partnership: Trends and Future Prospects", EXIM Bank, India, January 2018, <https://www.eximbankindia.in/Assets/Dynamic/PDF/Publication-Resources/ResearchPapers/88file.pdf>. Accessed on April 19, 2019.  
 8. "Vietnam Major Trade Partners", June 2018, [http://countries.bridgat.com/Vietnam\\_Trade\\_Partners.html](http://countries.bridgat.com/Vietnam_Trade_Partners.html). Accessed on April 19, 2019.  
 9. "Vietnam, Export-Import Data", Department of Commerce, Government of India, 2018, <http://commerce-app.gov.in/eidb/iecnet.asp>. Accessed on January 18, 2019.

In the post-Cold War period, both India and Vietnam have enhanced their regional participation, after Vietnam was accepted as an ASEAN member state in 1995. Both nations began collaborating closely at the various ASEAN-led security fora such as the ASEAN Regional Forum (ARF) to which India was admitted in 1997, while Vietnam also strongly supported India's membership into the East Asia Summit (EAS) which was established in 2005. It is also important to mention that Vietnam was one of the few countries that supported India's nuclear test in 1998 and is also committed to support India's entry as a permanent member of the United Nations Security Council (UNSC).

Therefore, it is important to note that the economic reforms launched by Vietnam in 1986 and the 'Look East' policy announced by India in 1994, provided opportunities to further strengthen the bilateral relations. In December 1999, during his visit to India, Vietnamese President Tran Duc Luong stated that cooperation with India was of strategic and long-term importance. Further, during his visit to Vietnam, in 2001, Prime Minister (PM) A B Vajpayee stated that the relations were strategic relations. This strong and positive rhetoric led to the signing of a Joint Statement on a Comprehensive Cooperation Framework for the 21st Century and a Joint Statement on the Official Establishment of a Strategic Partnership in 2007 during the visit of Vietnamese Prime Minister Nguyen Tan Dung to India. Vietnam became the second Asia-Pacific state after Japan—and the first Southeast Asian country—to officially establish strategic relations with India. This strategic partnership helped facilitate the diversification of bilateral cooperation in the fields of economics, politics, culture, education, security, defence, science and technology, etc.<sup>10</sup>

The continued and increasing cooperation through the strategic partnership led to India-Vietnam relations getting elevated into a Comprehensive Strategic Partnership (CSP) in September 2016 during the visit of PM Narendra Modi to Vietnam. The establishment of the CSP provides new areas for bilateral collaboration such as aerospace, biotechnology, chemical goods, automotive, renewable energy, and so on. The level of growth in the partnership between

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10. Tran Viet Phuong, "Milestones in Vietnam-India Strategic Partnership, 1972-2012", in Rajiv K Bhatia, Vijay Sakhuja, and Vikash Ranjan, eds, *India-Vietnam: Agenda for Strengthening Partnership* (New Delhi: Shipra Publications, 2013), pp. 15-16.

**Since the launch of the 'Look East' policy in 1994 and its upgradation to the 'Act East' policy in 2014, India has been engaging with Southeast Asia with a lot more vigour as the region falls in India's immediate strategic sphere.**

India and Vietnam indicates the prevailing level of mutual trust as well as the necessity, given the new security challenges of the 21st century. In the post-Cold War period, strategic constructivism between India and Vietnam began to emerge as a major area of cooperation. Under the ambit of the strategic partnership, defence and security cooperation—including bilateral strategic dialogues on all aspects of regional security, high-tech military training and exchanges of defence information<sup>11</sup>—continues to be multi-faceted in its scope and intensity.

#### **THE EMERGING GEO-STRATEGIC ENVIRONMENT SHAPING THE BILATERAL PARTNERSHIP**

Since the launch of the 'Look East' policy in 1994 and its upgradation to the 'Act East' policy in 2014, India has been engaging with Southeast Asia with a lot more vigour as the region falls in India's immediate strategic sphere. The physical distance between the Andaman Islands and Indonesia is a mere 195 km approximately. India also shares maritime borders with Myanmar and Thailand. Further, India shares a 1,643-km-long physical border with Myanmar. These maritime and physical borders that India shares with these three states link India geo-strategically to Southeast Asia. The changes following the end of the Cold War that witnessed the emergence of new centres of power, partnerships, and alliances, ensured that the old relations were reevaluated and reshaped. The new security environment in the post-Cold War and post 9/11 years did impact India's strategic thinking, wherein multipolarity in the region was considered best suited for maintaining the security, stability, and growth of the region. India's partnership with the ASEAN played a crucial role in forging its cooperation with the ASEAN member states. India was invited to become a sectoral partner of ASEAN in 1992 that helped promote trade, investment, and tourism relations. In 1995,

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11. Das, et al., n. 1, p. 49.

India was made a full dialogue partner that provided a broader agenda for cooperation, which also included the areas of security, and political cooperation.<sup>12</sup>

Vietnam has always been keen on India taking on a much larger security role in the region. In 1996, India became a member of the ARF with strong support from Vietnam. Through its membership in the ARF, India has been an active member, working with ASEAN in several areas, including search and rescue, sea piracy and disaster relief. The rising extremist violence in Southeast Asia—especially after 9/11—further heightened the issue of security and stability in the region. This set in motion the need for further expansion in the India-ASEAN security arrangements. India signed ASEAN’s Treaty of Amity and Cooperation (TAC) in October 2003. It also became a part of the ASEAN security dialogue initiatives such as the East Asia Summit established in 2005, with strong support from Vietnam, and the ASEAN Defence Ministerial Meeting Plus, established in 2010. Further, the establishment of the India-ASEAN strategic partnership in 2012 further enabled stronger cooperation in the area of security with ASEAN as well as with individual ASEAN states. At the ASEAN-India commemorative summit held in January 2018, there were deliberations to further expand the scope of India’s security partnership, with a focus on marine cooperation. Further, there was consensus on working collectively to combat the menace of terrorism as well as to counter radicalisation.<sup>13</sup>

It is important to note that India’s push towards strengthening its security ties with Southeast Asia was made possible as a consequence of the prevalence

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12. Ganganath Jha, *India and Southeast Asia: Introspection for Future Partnership* (Delhi: Anamika Publishers & Distributors Ltd, 2010), pp. 46-47.

13. “Transcript of Media Briefing on ASEAN-India Commemorative Summit, January 26, 2018”, Ministry of External Affairs, [http://mea.gov.in/media-briefings.htm?dtl%2F29399%2FTranscript\\_of\\_Media\\_Briefing\\_on\\_ASEANIndia\\_Commemorative\\_Summit\\_January\\_26\\_2018](http://mea.gov.in/media-briefings.htm?dtl%2F29399%2FTranscript_of_Media_Briefing_on_ASEANIndia_Commemorative_Summit_January_26_2018). Accessed on March 21, 2018.

of mutual trust as well as the commonality of interests between India and the member states of ASEAN. India, never an aggressor, and without any imperialistic record, was seen by nations in the region as a balancer and also a possible net security provider. In the post-Cold War period, the new security environment which led to India's growing engagement with ASEAN, also enabled India and Vietnam to strengthen their bilateral defence cooperation. It is fair to state that both nations began to deepen their strategic partnership, with defence emerging as a major area of cooperation. Further, Vietnam's defence policy lays out the 'Three No's'. These are No military alliances, No aligning with one country against another, and No foreign military bases on Vietnamese soil. Thus, both nations have commonality in terms of their military doctrines, which also helped in building this partnership.

The first Memorandum of Understanding (MoU) on defence was signed in 1994, with a formal defence protocol being signed in March 2000 wherein both nations agreed for joint military exercises, joint campaigns on anti-piracy in the South China Sea, and anti-insurgency training. In 2003, a Joint Declaration was signed which binds both nations to conduct periodic high-ranking visits, including for expansion of cooperation in the defence and security spheres. The signing of the MoU on defence cooperation by the two defence ministers in November 2009 has helped sustain closer interaction between the two nations through regular defence dialogues, training, exercises, navy and coast guard ship visits, along with capacity building.<sup>14</sup> Since the establishment of the strategic partnership and the CSP there has been progress in the bilateral defence cooperation, including exchange of high-level visits to Vietnam by the Indian national security adviser (April 2015) and minister of defence (June 2016 and June 2018), and the visits to India by the Vietnamese minister of national defence (May 2015 and December 2016). In July 2018, India and Vietnam also held their first security dialogue. Apart from regular visits of high-ranking military delegations, the two countries have built ties on the procurement of weaponry and military

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14. P V Rao, "India and Vietnam: Forging a Durable Strategic Partnership", in Vijay Sakhuja, ed., *India-Vietnam Strategic Partnership: Exploring Vistas for Expanded Cooperation* (New Delhi: Pentagon Press, 2011), pp. 152-153.



hardware, capacity building, collaboration in the area of warship building and repair. Further, both nations have signed an MoU on cyber security to enhance cooperation in the non-traditional security domain, along with enhancing cooperation in the areas of counter-terrorism, trans-national crimes, and disaster management and response.<sup>15</sup>

In terms of maritime cooperation, Indian ships have been regularly making friendly port calls to Vietnam. After then Indian Defence Minister, George Fernandes' official visit to Vietnam in March 2000, a number of Indian naval ships visited Vietnam and tested the future viability of strategic cooperation in the naval domain between the two countries. The Indian naval ship *INS-Rajput* undertook a goodwill visit to Ho Chi Minh city from September 28 to October 1, 2000. Since then, there have been regular visits by Indian naval as well as coast guard vessels to the ports in Ho Chi Minh and Da Nang cities of Vietnam. The evolving naval cooperation between India and Vietnam was further strengthened on account of India's announcement of its Maritime Doctrine in April 2004. In 2011, the Indian naval warships were granted permission to drop anchor at the Nha Trang port in Southern Vietnam. This Vietnamese gesture was of great significant due to the fact that the Indian Navy was the only foreign navy to have been granted such a privilege at a port, other than Halong Bay, near Hanoi. Further, in September 2011, both sides agreed that India would train Vietnamese personnel in submarine operations, mainly in intensive submarine and underwater warfare. With the expanding bilateral cooperation in the maritime sphere, both nations have also agreed to work closely to enhance cooperation in capacity building, technical assistance and information sharing for ensuring the security of the sea lanes, including combating piracy, preventing pollution and conducting search and rescue operations.<sup>16</sup>

In February 2016, for the very first time, a Vietnamese ship also participated in the International Fleet Review at Vishakhapatnam. The purpose of the

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15. "India-Vietnam Relations", Ministry of External Relations, September 2017, [https://www.mea.gov.in/Portal/ForeignRelation/Bilateral\\_Relations\\_Website\\_\\_Sept\\_17\\_.pdf](https://www.mea.gov.in/Portal/ForeignRelation/Bilateral_Relations_Website__Sept_17_.pdf). Accessed on April 18, 2019.

16. Tridib Chakraborti, "Rising India-Vietnam Ties in the Emerging Security Architecture of the Asia Pacific Region", in Bhatia, et al., eds, n. 10, pp. 114-118.

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cooperation between the two navies was for maintaining maritime order and safeguarding sea trade from threats such as piracy, terrorism, etc.<sup>17</sup> In 2018, three vessels from the Indian Navy arrived in the central Vietnamese city of Da Nang to commence their friendly visit from May 21-25. The three naval ships were led by Flag Officer Commanding the Eastern Fleet RAdm Dinesh Kumar Tripathi. The fleet, which docked at Tien sa port on May 21, included the frigate INS *Sahyadri*, fleet tanker INS *Shakti*, and anti-submarine stealth corvette INS *Kamorta*, along with 900 crew members. According to the Da Nang Department of Foreign Affairs, the visit was aimed at enhancing cooperation between the

two countries' naval forces, thus, contributing to the maintenance of security and stability in Southeast Asia and the world.<sup>18</sup>

During the visit of the former and late Vietnamese President Tran Dai Quang to New Delhi from March 2-4, 2018, the leader emphasised on the ongoing bilateral security cooperation which, according to him, would be crucial for maintaining peace, stability, growth, and prosperity in the entire region. In his meeting with PM Modi, he expressed his appreciation for India's contribution to the defence ties and support for Vietnam in United Nations peace-keeping operations. President Quang and PM Modi also underlined the importance of maintaining peace and stability, and peaceful solution of disputes, in accordance with international law, including the 1982 UNCLOS. They also underscored the need to fully and effectively implement the Declaration on the Conduct of Parties in the East Vietnam Sea

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17. Le Thi Hang Nga, "The East Sea Issue and its Impact on Vietnam-India Relations", in Reddy, ed., n. 2, p. 169.

18. Duy Khang, "Three Indian Naval Ships begin Friendly Visit to Da Nang", *Tuoi Tre News*, May 22, 2018, <https://tuoitrenews.vn/news/politics/20180522/three-indian-naval-ships-begin-friendly-visit-to-da-nang/45715.html>. Accessed on May 23, 2018.

and the establishment of a Code of Conduct for the maritime area.<sup>19</sup> In a reciprocal visit to Vietnam by India's President Ram Nath Kovind from November 18-20, 2018, both sides agreed to effectively implement the Joint Vision Statement on Vietnam-India Defence Cooperation for the period of 2015-20. They agreed to step up cooperation in human resources training, and promote collaboration between the army, air force, navy and coast guard of the two countries, as well as strengthen cooperation in other maritime domains, including anti-piracy, security of the sea lanes, exchange of white shipping, etc.<sup>20</sup>

**Vietnam's unease about China continues till today and this makes it push for strengthening its bilateral security partnership with nations such as India.**

#### **BUILDING THE BILATERAL STRATEGIC NARRATIVE: THE CHINA FACTOR**

The India-Vietnam strategic partnership needs to factor in the challenges from an increasingly assertive China in the region. Historically, Vietnam had an adverse relationship with China, having fought its last war with China in 1979. The Sino-Vietnamese relations have, since early 1990, matured into a normalised relationship, with China and Vietnam also establishing a comprehensive strategic partnership in March 2013. Over the years, Vietnam has built, through a series of agreements, close political, economic, military as well as cultural ties with China. Although Vietnam has been able to resolve most of its land border disputes with China, the mutual confidence between the two countries has not been fully restored.<sup>21</sup> Vietnam's unease about China continues till today and this makes it push for strengthening its bilateral security partnership with nations such as India. The line graph

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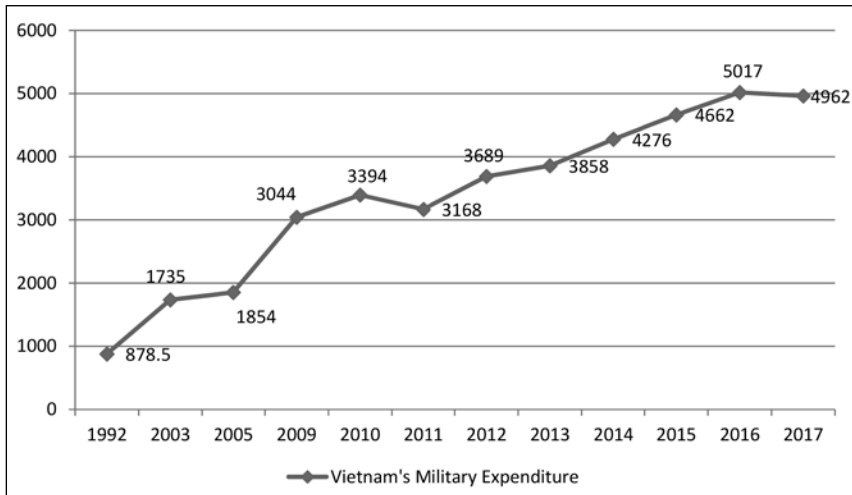
19. Duy Khang, "Vietnam, India Strive for \$15 bn Bilateral Trade Turnover by 2020", *Tuoi Tre News*, March 4, 2018, <https://tuoitrenews.vn/news/politics/20180304/vietnam-india-strive-for-15bn-bilateral-trade-turnover-by-2020/44351.html>. Accessed on March 5, 2018.

20. "India-Vietnam Joint Statement during State Visit of President to Vietnam", Ministry of External Relations, November 21, 2018, [https://www.mea.gov.in/bilateral-documents.htm?dtl/30615/IndiaVietnam\\_Joint\\_Statement\\_during\\_State\\_Visit\\_of\\_President\\_to\\_Vietnam](https://www.mea.gov.in/bilateral-documents.htm?dtl/30615/IndiaVietnam_Joint_Statement_during_State_Visit_of_President_to_Vietnam). Accessed on April 18, 2019.

21. Chakraborti, n. 16, pp. 104-105.

in Fig 3 indicates the military budget of Vietnam from 1992 to 2017. The trend as provided by the graph indicates a substantial increase in Vietnam's military budget.

**Fig. 3: Vietnam's Military Expenditure (in US\$ million)<sup>22</sup>**



Vietnam is increasing its military spending, especially on its navy, in tandem with its fast-growing economy and in response to the perceived threats, including from China. Over the last few years, China has increased its naval build-up in order to strengthen as well as protect its claims on the disputed South China Sea islands and reefs. This includes a massive construction of artificial islands in the Spratly Islands by increasing the area of landfills around them, with the intention of having military installations on them. According to James Hardy from *IHS Jane's Defence Weekly*, the Chinese infrastructure is explicitly military in nature; where it used to have a few small concrete platforms, it now has full islands with helipads, airstrips, harbours and facilities to support a large number of

22. "Military Expenditure by Country, in Constant (2016) US\$ million, SIPRI, [https://www.sipri.org/sites/default/files/1\\_Data%20for%20all%20countries%20from%201988%E2%80%932017%20in%20constant%20282016%29%20USD.pdf](https://www.sipri.org/sites/default/files/1_Data%20for%20all%20countries%20from%201988%E2%80%932017%20in%20constant%20282016%29%20USD.pdf). Accessed on November 27, 2018.

troops. Some US officials have also suggested that China could use the new infrastructure to help enforce an Air Defence Identification Zone (ADIZ) similar to the one it established in late 2013 over much of the East China Sea. In the near term, the infrastructure is likely to be used to enhance radar coverage of the area, support a small presence of military personnel and provide logistic support for ships patrolling the farther reaches of the South China Sea.<sup>23</sup>

Since the tension between Vietnam and China over the Paracel and Spratly Islands in the South China Sea has intensified, there has been a further surge in Vietnam's military expenditure. The major dispute between China and Vietnam in the South China Sea is over the Paracel and Spratly Islands. The contention over the Paracel Islands is a bilateral dispute between Vietnam and China, while the dispute over the Spratlys includes five Southeast Asian nations, Taiwan and China. China stakes its claim over these islands and reefs in the South China Sea as they lie inside its self-declared maritime boundary—the 'nine-dash line'—as depicted in Fig 4. Based on China's claim, the Paracel and Spratly Islands fall well within China's maritime boundary. This claim was, however, struck down by the Permanent Court of Arbitration in July 2016 as being baseless and the judgement did not grant any historical rights over these disputed reefs/islands to China; China, of course, rejected the judgement. The issue between Vietnam and China over the Paracel Islands has been intense, with military engagement between the naval forces of China and South Vietnam taking place in January 1974. While today, Vietnam has normalised its relations with Beijing, which is also its leading trading partner, Hanoi remains one of the most strident voices in Southeast Asia to speak out against China's unilateral actions in the South China Sea.<sup>24</sup>

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23. Jeremy Page and Julian E. Barnes, "China Expands Island Construction in Disputed South China Sea", *The Wall Street Journal*, February 18, 2016, <http://www.wsj.com/articles/china-expands-island-construction-in-disputed-south-china-sea-1424290852>. Accessed on December 9, 2016.

24. John Reed, "South China Sea: Fishing on the Frontline of Beijing's Ambitions", *Financial Times*, January 24, 2019, <https://www.ft.com/content/fead89da-1a4e-11e9-9e64-d150b3105d21>. Accessed on May 1, 2019.

Fig. 4: China's Maritime Boundary in the South China Sea Depicted through the 'Nine Dash Line'<sup>25</sup>



The issue over the South China Sea is one of the biggest challenges for Vietnam's foreign policy in terms of security and defence. This has led to Vietnam adopting a more pragmatic approach in its foreign policy based on multilateralisation and diversification. Through this, Vietnam not only promotes its relations with India, but is also strengthening its relations with other major countries in the region such as Japan, South Korea, Russia, as well as China. However, it is also important to note that by signing a Comprehensive Strategic Partnership (CSP) with India in 2016, Vietnam has made India the third country, besides Russia and China, with which it has entered into a CSP. It should be emphasised that though China may be an important factor in Vietnam's and India's strategic thinking, it is not the only factor that is shaping the India-Vietnam comprehensive strategic

25. Ibid.

partnership. While China's increasing assertiveness in the disputed South China Sea raises concerns, its increasing penetration into South Asia and the Indian Ocean region also concerns India. However, it must also be taken into account that the India-Vietnam partnership has been built on a strong foundation of trust and shared principles that seeks the maintenance of peace and stability in the region as well as in the larger Indo-Pacific region.<sup>26</sup>

**Fig. 5: India and Vietnam in the Indo-Pacific Region**

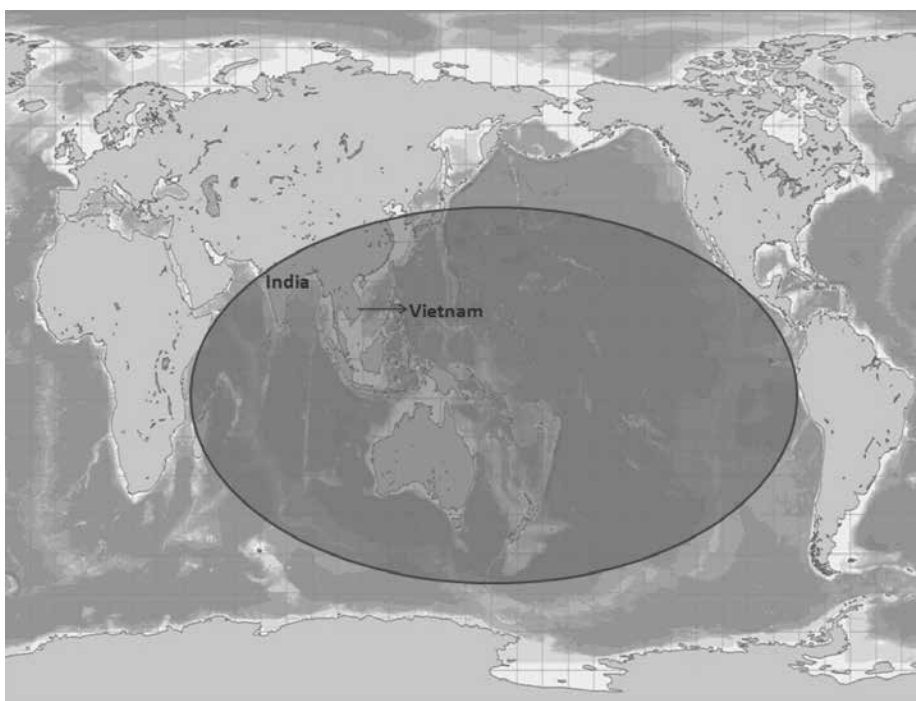


Fig 5 indicates the map of the Indo-Pacific region. As India and Vietnam geographically lie at the heart of the emerging Indo-Pacific construct, both would play a major role in this strategic space which is becoming a core theatre for competition, power and influence amongst the major powers. Through the further deepening of their bilateral strategic ties, based on their shared interests and principles, this partnership would play an important and

26. Le Thi Hang Nga, "The East Sea Issue and its Impact on Vietnam-India Relations", in Reddy, ed., n. 2, pp. 164-165.

**Since the 1976 reunification of North and South Vietnam at the end of the war, India and Vietnam have continued to draw closer, including on the Non-Aligned Movement's principles, and pursued new areas of cooperation. One of the major areas of cooperation between the two nations has been Science and Technology (S&T).**

constructive role towards a stable, inclusive, and prosperous region.

**BROADENING THE BILATERAL STRATEGIC PARTNERSHIP: SCIENCE AND TECHNOLOGY**

While India and Vietnam, since independence, have been successful in addressing the challenges of mass poverty and underdevelopment, there still remains much to be done, given that today the global economy has slowed down, with increasing pressure against multilateral trading regimes. In this emerging global uncertainty, cooperation between India and Vietnam in the field of science and

technology would help address the challenge of production inefficiency and the creation of new products geared towards the domestic as well as new markets. Through the establishment of the India-Vietnam comprehensive strategic partnership, new areas for bilateral collaboration in the aerospace, biotechnology, chemical goods, automotive, renewable energy, etc. domains have been provided.

Since the 1976 reunification of North and South Vietnam at the end of the war, India and Vietnam have continued to draw closer, including on the Non-Aligned Movement's principles, and pursued new areas of cooperation. One of the major areas of cooperation between the two nations has been Science and Technology (S&T). In 1978, an Agreement on Bilateral Cooperation in S&T was signed between the two countries. Over the course of the years that followed, there have been thirteen joint ventures. These include information technology, agriculture, animal husbandry, industry, remote sensing and environmental protection. After a decade of the renovation programme in Vietnam through its 'Doi Moi' initiative of 1986, and India in the 1990s emerging as a software superpower, an opportunity was provided for both



countries to develop cooperation in the fields of science, Information Technology (IT) and human resource development. On August 12, 1999, both countries concluded a formal Protocol on Cooperation on Information Technology, with a Centre for Development of Advance Computing (C-DAC) for research and development in high performance computing being set up at the Vietnam-India Advanced Resource Centre on Information and Communication Technology (ICT), in Hanoi. In May 2003, during the visit to India by the General Secretary of Vietnam's Communist Party, Nong Duc Manh, a joint declaration on a Comprehensive Cooperation Framework was signed between the two countries. On October 18, 2004, 'A Plan of Action for 2004-06' was worked out to speed up the implementation of the various agreements in the areas of economics, science and technology, information technology, health, education and human resource development assistance and culture. During the visit of Vietnam Prime Minister Nguyen Tan Dung to India from July 4-6, 2007, the signing of the joint declaration establishing a bilateral strategic partnership also enhanced cooperation in the fields of power, fisheries and aquaculture, agriculture, culture, education and training.<sup>27</sup>

On August 18, 2010, Vietnam's Ministry of S&T and India's Department of S&T extended full support for the joint research projects of the India-Vietnam programme of cooperation in S&T. This financial support was extended in the areas of biotechnology, bio-informatics, material science, oceanography, meteorology, medicine, pharmaceuticals, and non-conventional energy. In September 2016, India and Vietnam also signed an agreement for collaboration in the realm of exploration of outer space for peaceful purposes.<sup>28</sup>

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27. K. Raja Reddy, "India-Vietnam Relations: Enhanced Cooperation in IT, Science and Technology", in Bhatia, et al., eds, n. 10, pp. 168-169 and 172-173.

28. Das, et al., eds, n. 1, pp. 9, 34-35 and 40-42.

India and Vietnam can continue to enhance their cooperation in the field of science and technology which would be crucial towards addressing the emerging security challenges. It should be noted that areas of cooperation in high technology become complex at times. It has often been argued that despite the growth in India-Vietnam cooperation in terms of defence and science and technology, there have been no transfers of technology by India, as all high technologies are usually dualist in nature, with both civilian and military applications. Further, collaboration in terms of missile technologies becomes complex in case it involves a third party. For instance, in principle, India has agreed to sell the BrahMos missile to Vietnam and the negotiations are still going on. This process seems a little complex since the BrahMos missile is a product of the joint venture between India and Russia, with over 60 percent of its components being imported from Russia. India has offered the sale of the Akash missile which has an intercept range of 25 km and its sale would be easier because 96 percent of the system is indigenous.<sup>29</sup> Meanwhile, other fields such as biotechnology, agriculture, new materials, nanotechnology, and space technology—including research and design of satellites, remote sensing technology for disaster forecast, environmental protection, and so on—fit well under the ambit of the bilateral comprehensive strategic partnership and pose a lower degree of complication.<sup>30</sup> Therefore, while deepening their bilateral defence and other strategic cooperation, it is essential for both countries to understand each other's core interests as well as limitations in order to find meaningful substance in the bilateral partnership.

While building their partnership in the field of S&T, it is worth noting that this also provides huge opportunities for India. For instance, given that Vietnam is ranked 8th in the 50 most attractive countries for software outsourcing, and also being in the top ten leading locations for offshore services in the Asia-Pacific region, it provides a huge opportunity in the area of ICT for India. ICT businesses in Vietnam receive strong support from the government in the form of training, research and development, land

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29. Le Thi Hang Nga, "The East Sea Issue and its Impact on Vietnam-India Relations", in Reddy, ed., n.2, p. 170.

30. Pham Hoang Ha, "India's Potential in Science and Technology: Scope for Cooperation", in Bhatia, et al., n. 10, p. 182.

leasing, infrastructure development and tax incentives. Further, Vietnam's high demand market—along with the fact that 60 percent of its population is in the productive age of 17 to 60 years—makes investment by Indian IT companies a very profitable proposition.<sup>31</sup> The cooperation between India and Vietnam in the field of S&T and IT has grown to such a level that during the working session with the Vietnamese delegation led by Deputy Prime Minister Nguyen Thien Nhan on March 28, 2012, the then Minister of Science and Technology Vilasrao Deshmukh, observed that S&T has emerged as one of the strongest pillars of support for bilateral strategic cooperation.<sup>32</sup>

## CONCLUSION

The traditional relationship between India and Vietnam has helped in the building of a strategic partnership between the two nations. It needs to be mentioned that this relationship has grown and is sustained based on the historical ties between the two nations which have no record of any instance of imperialistic design or aggression being carried out by the two nations against each other. While it is true that Vietnam shared a strategic partnership with all of the five permanent (P-5) members of the United Nations Security Council (UNSC)—along with a comprehensive strategic partnership with two of the P-5 members, namely China and Russia—it needs to be remembered that unlike India, Vietnam has witnessed a painful past with four of the five UNSC permanent members. Further, the current level of the India-Vietnam partnership is possible on account of the shared ideals, along with emerging convergence in their strategic interests. India-Vietnam relations have moved closer not only on account of their history, shared principles, and interests, but also on account of the emerging global environment that requires multiple powers to band together. The matrix of this complex security necessity arising from the traditional as well as non-traditional security threats has also helped broaden the scope of the bilateral strategic partnership.

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31. Tran Quy Nam, "ICT Industry in Vietnam: Opportunities for Cooperation with India", Bhatia, et al., eds., n. 10, pp. 184-185 and 189-190.

32. K. Raja Reddy, "India-Vietnam Relations: Enhanced Cooperation in IT, Science and Technology", in Bhatia, et al., eds, n. 10, p. 174.

**India-Vietnam bilateral partnership has to look beyond the challenges from just China to include common challenges posed by economic, social, and other forms of traditional and non-traditional security threats. Collaboration in the area of science and technology would help address the broader issues of security that include the social, economic, environmental, and so on.**

Despite China remaining ever present in both nations' strategic thinking, it is important to understand that the relations between Vietnam and China, or between India and China would not be disrupted on account of certain issues of divergence. For instance, on the issue over the Paracel Islands in the South China Sea, Vietnam has maintained that it is a bilateral dispute and does not seek third party intervention. However, while continuing to remain the most vocal amongst the Southeast Asian nations against the growing Chinese assertiveness in the disputed South China Sea, Vietnam calls for the maintenance of an environment of peace, stability, cooperation, and development in the South

China Sea, while for India and China, there is a constant effort on the part of the top leaderships in New Delhi and Beijing respectively to engage in, and carry out, dialogues in order to reduce tensions. The Wuhan Summit, which was the first ever informal summit that India has had with any other country, was testimony to that.

Therefore, the India-Vietnam bilateral partnership has to look beyond the challenges from just China to include common challenges posed by economic, social, and other forms of traditional and non-traditional security threats. Collaboration in the area of science and technology would help address the broader issues of security that include the social, economic, environmental, and so on. While doing so, it is essential to not only partner for capacity but also capability building. Today, both India and Vietnam have come a long way and have acquired knowhow and capabilities that have enabled both nations to cooperate at a much higher and more sophisticated level, e.g. Vietnam's capability in developing naval warships as well as its emergence

as the fifth largest ship builder globally. Further, as India seeks to develop its ports as well as its inland waterway through the Sagarmala project, Vietnam would become a suitable partner. Therefore, the comprehensive strategic partnership provides a huge opportunity for both India and Vietnam to deepen as well as widen the scope of their cooperation. While there already is a strong basis for the India-Vietnam partnership rooted in their past and modern history, it is also necessary that both sides address each other's concerns while taking care of the various compulsions arising out of the emerging security challenges.

# THE UPRISING IN SYRIA: IS IT A SECTARIAN RISE OR SOMETHING ELSE?

INDRANI TALUKDAR

The Syrian civil war which started in 2011 at the provincial level for political freedom and economic modernisation has engulfed the whole country and has implications for the regional and global levels. The crisis became the battleground for state and non-state actors, including the Islamist groups, to test and hone their capabilities. The year 2019 marks the eighth year of the civil war in the country. An interesting observation during the Arab Spring has been that the protests which took place in most of the Arab countries in the region, including Syria, were pro-democracy and for economic reforms. However, these demonstrations or protests turned their course towards a sectarian conflict, revealing the fragility of the societies.

Factors such as the clashing interests of the former Cold War rivals—Russia and the US—along with Syrian President Bashar al-Assad’s ‘divide and rule’ policy<sup>1</sup> and the vested interests of regional players such as Saudi Arabia, Iran, Qatar and Turkey, etc. have complicated the civil war.

Outright, it seems to be a sectarian crisis that has been caused because of the Syrian regime’s actions, but is being sustained due to the regional players

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1. Jackson Diehl, “Lines in the Sand: Assad Plays the Sectarian Card”, *World Affairs*, vol. 175, no. 1, May/June, 2012, pp. 7-15.

**Syria is home to many sects and religions. Its ethno-religious composition could have helped it to become a model multi-cultural, multi-religious and multi-ethnic country based on secularism. In reality, this has not been the case.**

supporting the conflicting parties within Syria such as, Iran, a Shia country, supporting President Bashar al-Assad, and Saudi Arabia, along with Turkey and other Arab countries supporting the opposition group. However, restricting the Syrian crisis to merely a sectarian problem is being simplistic.

Syria is home to many sects and religions. Its ethno-religious composition could have helped it to become a model multi-cultural, multi-religious and multi-ethnic country based on secularism. In reality, this has not been the case as the country has a history of conflicts

amongst the ethnic groups such as the Sunnis and the Alawites (the sect to which the incumbent president belongs). The presence of bias in the sectarian roots within the government structure has been unavoidable. Paradoxically, a parallel development is also seen in the country. There are examples under Hafiz al-Assad and Bashar al-Assad of the appointment of Sunni Muslims from rural backgrounds<sup>2</sup> to high ranks in the government, including in the Syrian Army. Hence, attempting an understanding of Syria through only the lens of sectarianism is not only puzzling but also incomplete.

## **HISTORICAL BACKGROUND OF SECTARIANISM**

The Central Intelligence Agency (CIA) Factbook reports on the composition of diverse ethnic and religious groups in the Syrian society. It is composed of Muslims comprising 87 percent of the population (including Sunnis 74 per cent, Alawites, Ismailis and Shias 13 percent), Christians make up 10 percent (including the Orthodox, Uniate and Nestorian), Druze accounting for 3 percent and some Jews (in Damascus and Aleppo). With the current problems, it seems that diversity in Syria has also created political tension and rivalry.

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2. On July 18, 2012, after Defence Minister Dawoud Rajiha was assassinated in a bombing in Damascus and Fehd Jassem al-Frej was appointed by Bashar al-Assad as his successor. Al-Frej is a Sunni.

During the 20th century, Syria witnessed two parallel complications: on one side, the Syrians were fighting against the French occupiers, giving birth to nationalism, and, on the other, they were fighting against each other.

According to Philip Khoury, Arab nationalism took birth in the midst of the struggles against the French rule in Syria. The policies of the French officials in the country paralysed the socio-political and economic structures, leading to discontentment and anger amongst the citizens. The elite, consisting of the landowning class and the commercial

bourgeoisie, and intelligentsia, artisans, peasants and Bedouin tribes came together and fought against the officials.<sup>3</sup> These ideas of nationalism, social reform, etc. also provided the channels to the citizens of the country—the growing middle class of the cities, the teachers and students, and army officers (many of them of rural origin)—to end the social power of the old elites and retrieve their lands which were under the elites.<sup>4</sup> The French were successful in creating the intra-class conflict because of the problem which was embedded in the Syrian society, especially since time of the Ottoman Empire. Under the empire's rule, the officials displayed greater loyalty towards their own ethnicity rather than to the empire. For example, a man was a Sunni Muslim, a Druze, or a Maronite Christian first; his imperial affiliation came next, highlighting its secondary importance.<sup>5</sup> This was evident during the 1925 revolt.

The Sunnis, who were in power because of the support from the external powers, found it impossible to exclude the newly radicalised intelligentsia

**During the 20th century, Syria witnessed two parallel complications: on one side, the Syrians were fighting against the French occupiers, giving birth to nationalism, and, on the other, they were fighting against each other.**

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3. Philip S. Khoury, "Factionalism Among Syrian Nationalists During the French Mandate", *International Journal of Middle East Studies*, vol. 13, no. 4, November 1981, pp. 441-469.

4. Richard T. Antoun and Donald Quataert, *Syria: Society, Culture, and Polity* (SUNY Press, 1991), p. 26.

5. Joyce Laverty Miller, "The Syrian Revolt of 1925", *International Journal of Middle East Studies*, vol. 8, no. 4, October, 1977, pp. 545-563.



and members of the compact minorities—the Druze, Ismailis, and especially Alawites. These people who comprised the minority class, belonged to the peasant and lower middle classes, from the rural periphery and smaller towns. At the political level, these new forces gravitated towards modern political organisations—the Communists, Muslim Brotherhood, Syrian Social Nationalist Party, and Ba’ath Party—which had begun to make their presence felt in the years before independence.<sup>6</sup>

From 1942 till 1963, the Sunnis, urbanites and people from the well-to-do classes and conservative political parties, filled the senior and most powerful positions in Syria. On the other hand, members of religious minorities (and especially the heterodox Islamic ones), and people from the rural areas were under-represented. However, a change occurred in this structure, and after 1963, the Syrian political life came to be dominated mainly by people from the lower middle class and from progressive political parties; this seemed to be a national emancipation because of the role reversal.<sup>7</sup> At the same time, the army was also slowly and steadily making its presence felt. Though the Sunnis were fighting against the French, at the same time, they were not comfortable with the rise of the Alawites, who were increasing in numbers. In the *Troupe Speciale* battalion, three out of eight comprised the Alawites.<sup>8</sup>

Since the French occupation, the Syrian political system also came to be influenced by the competition and clashes between France and Britain, and later the USSR and the US. The Hashemite vision of an Arab union also complicated the Syrian system, laying the foundation for the rise of Hafiz al-Assad. The competition for power within Syria, pre-1963 and post-1963, highlighted a fragmented social order. In 1958, the contentious

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6. Philip S. Khoury, “Continuity and Change in Syrian Political Life: The Nineteenth and Twentieth Centuries”, *The American Historical Review*, vol. 96, no. 5, December 1991, p.1393. Amongst the minority groups, the Alawites, with the support of the French, started strengthening their stronghold in the country. This group, with the help of the rural Sunnis in the army, started weakening the urban Sunnis, helping thereby their way to gain power over the country.
  7. Nikolaos van Dam, “Sectarian and Regional Factionalism in the Syrian Political Elite”, *Middle East Journal*, vol. 32, no. 2 Spring, 1978, p. 203. <https://www.jstor.org/stable/pdf/4325740.pdf?refreqid=excelsior%3A085a27672d54875142cb569f02696617>. Accessed on January 28, 2019.
  8. Adham Saouli, “The Tragedy of Ba’athist State-Building” in Raymond Hinnebusch, Omar Imady, eds., *The Syrian Uprising: Domestic Origins and Early Trajectory* (Routledge, 2018), p. 28.

politics involving intra-regime and regime-opposition struggles of power led the country to the brink of a civil war.<sup>9</sup> And the 1963 coup ended Syria's democratic journey.<sup>10</sup>

The Arab Sunni President, Amin-al-Hafiz, tried to underplay the sectarian card, however, the emergence of the minority groups in the Ba'ath Party unknowingly strengthened the sectarianism within the system. In 1966, the National Command, formed by the Sunni leaders, was dissolved. With the defeat in the Six-Day War of 1967 and the 1973 Yom Kippur War with Israel, there was a clash within the Ba'ath Party between the then President Salah Jaddi and Hafiz al-Assad, the defence minister, that led to the ouster of the former and the consolidation of power by the latter. Though the fight between these two military officers was one for power rather than due to sectarianism,<sup>11</sup> the strengthening of the minority groups was visible.<sup>12</sup> Hafiz al-Assad, in 1970, led a final intra-party coup which is referred to as 'the corrective movement', helping him to consolidate his power.<sup>13</sup> It was seen as a preemptive strike against the Ba'ath Party's civilian wing, which was preparing to oust him from his post.<sup>14</sup>

Under Hafiz al-Assad, Sunni businessmen and rural Sunnis were also given preference in the economic and military domains. He appointed people based on their loyalty to him.<sup>15</sup> The Ba'athist Party justified its rule with this ideology of being Arab even if the regime leader belonged to a different religious sect. At the same time, the party was becoming strong, based on

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9. Ibid., p. 30.

10. Thomas Pierret, "The Syrian Baath Party and Sunni Islam: Conflicts and Connivance", *Middle East Brief*, no. 77, February 2014. <https://www.brandeis.edu/crown/publications/meb/MEB77.pdf>. Accessed on January 29, 2019.

11. Both Jaddi and Al-Assad were Alawites.

12. Sean Burns, *Revolts and the Military in the Arab Spring: Popular Uprisings and the Politics of Repression* (I.B. Tauris, 2018), p. 53.

13. Esther van Eijk, "Family Law in Syria: A Plurality of Laws, Norms, and Legal Practices", Leiden University, September 29, 2013, p.37. [https://openaccess.leidenuniv.nl/bitstream/handle/1887/21765/1\\_1.pdf?sequence=16](https://openaccess.leidenuniv.nl/bitstream/handle/1887/21765/1_1.pdf?sequence=16). Accessed on January 29, 2019.

14. Lars Hasvoll Bakke, *Facing Assad: American Diplomatic Relations with Syria, 1969-76* (University of Oslo, 2013), p. 32.

15. Joris Bos, "Sectarianism in the Lebanese and Syrian Civil War: A Study towards a Possible Sectarian Nature of the Syrian Conflict", Leiden University, S1739417, August 2016, p. 32. <https://openaccess.leidenuniv.nl/bitstream/handle/1887/47387/Masterthesis%20Joris%20Bos%20s1739417.pdf?sequence=1>. Accessed on January 30, 2019.

clannism and personal ties.<sup>16</sup> The reason behind balancing the Alawites was to protect Assad's power, making the composition of the political structure in Syria a complicated issue.

In Syria, though the regimes have tried to abolish the communal atmosphere, at the same time, they have protected their own ethnic/sectarian interests, while suppressing the other sects. The suppression of communal disharmony and attempt to bring the other minority sects into the main political stream, in a way, helped in building a national identity. Influenced by modernisation, secularisation and the education system, the country was moving towards a common national identity. Apart from this, the socio-economic gaps that were existing in the country were getting reduced, which also paved the way towards a positive direction. The emergence of the middle class that influenced the political system of the country was formed from the ranks of peasants, intelligentsia and workers who helped in forming new political elites in Syria based on Arabism, Syrianism, socialism and secularism. However, with time, divisions began to emerge within the conservative groups—the Muslims and Christians. In their eyes, the military-sectarian faction ruling Syria and carrying out a secular policy by excluding other communities did not go down well.<sup>17</sup> Even after Hafiz al-Assad's taking over, the power struggle continued. His own brother, Rifat Al-Assad, also tried to revolt against him, but was eventually crushed. The brother's dissent highlights the fact that the struggle was more for power than due to sectarianism, though it was played according to the situation. In fact, the events that took place in Syria, such as the Hama and Aleppo incidents as well as the suppression of Islamist parties, highlight this aspect of the power struggle.

Meanwhile, the emergence of an authoritarian regime under Hafiz al-Assad, also led to the rise of the Syrian Muslim Brotherhood. This Islamist party challenged the regime in the 1970s-1980s, which led to the uprisings

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16. Burns, n. 12, p. 55.

17. Moshe Ma'oz, "Attempts at Creating a Political Community in Modern Syria", *Middle East Journal*, vol. 26, no. 4. Autumn, 1972, pp. 400 and 403. <https://www.jstor.org/stable/pdf/4324985.pdf?refreqid=excelsior%3A87756b48f6267ed99591f14d407d98a9>. Accessed on February 1, 2019.

in Aleppo and Hama; these incidents were suppressed through massive repression.<sup>18</sup> From 1976-82, Syria witnessed massacres which were the most severe under Hafiz al-Assad's rule. During this phase, the power struggle between the Alawite-dominated security forces and their Sunni opponents continued. There were several assassination attempts on the president as well as other important leaders in the system.<sup>19</sup> Meanwhile, President Hafiz al-Assad also bore the impact of the Israeli invasion of Lebanon. The defeat of the Syrian Army and the fear that the Islamist parties, including the Muslim Brotherhood, would take advantage of this defeat, led the president to take measures of violent repression.<sup>20</sup>

The Hama rebellion led to the formal establishment of a broad-based opposition front, the National Alliance for the Liberation of Syria, in March 1982. The alliance was formed by the Muslim Brothers and Islamic Front with the dissident Ba'athists and various socialist and Nasserist groups. Its charter called for the regime's overthrow. It also called for a constitutional, multi-party democracy with the *Shari'a* (Islamic law) as the basis of legislation. However, there was backlash against the Muslim Brotherhood and the Islamists too after this rebellion. In fact, shortly after the Hama uprising, there was a rally to back the regime.<sup>21</sup> The rally highlighted that the problem in Syria was more one of power politics than sectarianism.

In Syria, the Alawites came to power by defeating the Sunnis, which highlights the sectarian divide; however, at the same time, the Alawites were able to gain ground because of the support of the rural Sunnis, who were

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18. Alastair Drysdale, "The Assad Regime and Its Troubles", *MERIP Reports*, No. 110, November-December., 1982). <https://www.merip.org/mer/mer110/asad-regime-its-troubles>. Accessed on February 1, 2019.

19. David Kenner, "When Assad Won", *Arab Uprisings: The Syrian Crisis*, POMEPS Briefings, February 27, 2012, p. 9. [https://pomeps.org/wp-content/uploads/2012/02/POMEPS\\_BriefBooklet9\\_Syria\\_Web.pdf](https://pomeps.org/wp-content/uploads/2012/02/POMEPS_BriefBooklet9_Syria_Web.pdf). Accessed on February 1, 2019.

20. Elie Chalala, "Syrian Policy in Lebanon, 1976-1984: Moderate Goals and Pragmatic Means," *Journal of Arab Affairs*, vol. 4, no. 1 Spring 1985, pp. 21-22. [http://homepage.smc.edu/chalala\\_elie/reading/Syrian\\_Policy\\_in\\_Lebanon\\_May\\_25\\_08.pdf](http://homepage.smc.edu/chalala_elie/reading/Syrian_Policy_in_Lebanon_May_25_08.pdf). Accessed on February 1, 2019.

21. Drysdale, n.18, and Yvette Talhamy, "The Muslim Brotherhood Reborn", *Middle East Forum*, March 1, 2012. <https://www.meforum.org/articles/2012/the-muslim-brotherhood-reborn>. Accessed on February 4, 2019.

**During the 1963 coup, the Ba'ath Party eliminated scores of Sunni officers and replaced them with the Alawites, Druze, and Ismailis, and retained Sunnis from the rural parts of the country, who were discontent with the urban Sunnis' exploitation.**

the mainstay of the government.<sup>22</sup> During the 1963 coup, the Ba'ath Party eliminated scores of Sunni officers and replaced them with the Alawites, Druze, and Ismailis, and retained Sunnis from the rural parts of the country,<sup>23</sup> who were discontent with the urban Sunnis' exploitation. For example, through the 1963 coup, an 'economically modest provincial counter-elite' consisting of Alawites, Ba'athists and rural Sunnis<sup>24</sup> started to dominate the military section, which was earlier under the Sunni elites. Hence, sectarianism in Syria can be viewed as a means to achieve the people's

ends as well as to usurp power.

With the Alawites in power, the composition within the political system was dominated by them. Over time, this imbalance created fissures within the system and in the country. The regime turned a deaf ear to the grievances of the citizens as well as the opposition's voice. It projected nation-building as the objective and any form of protest or discontentment by the people or any group was seen as an encouragement of sectarianism and also as acting for Syria's enemies—at both regional and global levels. The civilian aspect which had got suppressed after Hafiz al-Assad, gave way to a conventional and authoritarian regime.<sup>25</sup>

The regime under the former president (Assad senior) followed an independent and balanced inter-Arab policy,<sup>26</sup> by improving its

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22. Eyal Zisser, "Can Assad's Syria Survive Revolution?" *Middle East Quarterly*, Spring 2013, p. 66. <https://www.meforum.org/middle-east-quarterly/pdfs/3529.pdf>. Accessed on April 2, 2019.

23. Jawad Anwar Qureshi, "Thomas Pierret, Religion and State in Syria: The Sunni Ulama from Coup to Revolution", (Cambridge University Press, 2013), (Review), *Milestones: Commentary on the Islamic World*, May 9, 2018, p. 3. <https://static1.squarespace.com/static/588c2af8be659421ed624113/t/5af39f0a88251b2ecb38b353/1525915403551/syrian+ulama.pdf>. Accessed on April 4, 2019.

24. Leïla Vignal, "The Origins of the Syrian Insurrection: A Review of Souhail Belhadj's *La Syrie de Bashar al-Asad, Anatomie d'un régime autoritaire*, [Bashar Al-Asad's Syria: Anatomy of an Authoritarian Regime], Belin, 2013", January 26, 2015. <https://booksandideas.net/The-Origins-of-the-Syrian-Insurrection.html>. Accessed on April 5, 2019.

25. Ma'oz, n. 17, p. 404.

26. *Ibid.*, p. 404.

relationships with conservative countries like Saudi Arabia, Kuwait and Jordan while, at the same time, creating a united Syrian nation. He ruled the country with an iron fist that started creating disgruntlement amongst many, including his own tribe and sect. After Hafiz al-Assad's death, President Bashar al-Assad took over in 2000. The new president had to face various challenges including the following:

- Firstly, the collapse of the peace process and the eruption of the Al-Aqsa *intifada*; the repercussion was an end to the prospect of regaining the Golan Heights.
- Secondly, the demand from the Syrian citizens for reform of the economy and opening up of the political system (the Syrian people have been demanding these changes for a long time). However, the political system which existed or was evolved by the predecessors, made it difficult to bring about some real changes.<sup>27</sup>
- The third challenge was the rising pressure from Lebanon for the Syrian military forces to pull out of the country—a demand which in 2005, the Syrian Army had to comply with.

**The regime under the former president (Assad senior) followed an independent and balanced inter-Arab policy, by improving its relationships with conservative countries like Saudi Arabia, Kuwait and Jordan while, at the same time, creating a united Syrian nation.**

The Assad regime circulated *infitah* (openness) in politics and *islah* (reform) of the economy as the mottos for the country and the upliftment of the people.<sup>28</sup> The Syrian economy that the senior Assad left behind was beset with the typical problems of command economies: inefficiency, corruption, and redundant employment. The Syrian people were willing

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27. Najib Ghabbian, "The New Assad: Dynamics of Continuity and Change in Syria", *Middle East Journal*, vol. 55, no. 4 Autumn, 2001, pp.624-625. <https://www.jstor.org/stable/pdf/4329687.pdf?refreqid=excelsior%3A7263aa6fb71e1b862bc2f59806008b00>. Accessed on February 4, 2019.

28. *Ibid.*, p. 634.

to support any leader who was ready to tackle these issues. The young Bashar al-Assad had projected himself, before taking over the reins of presidency from his father, as a person fighting corruption.<sup>29</sup> This gave hope to the people who supported him. Syria, under the regime of the senior Assad, had opened up to liberalisation but it fell short on the deliveries as promised to the people. Under Bashar al-Assad, new economic institutions were established, however, these establishments were controlled. These institutions were given freedom to the extent that they did not pose a threat to the president.<sup>30</sup> These were cosmetic changes to appease both sides.

The Syrian economy under Bashar al-Assad moved from socialism to a social market economy. It experienced radical changes such as the launching of private banks and the establishment of a legal framework aimed at stimulating foreign direct investment. However, the benefits of this liberalisation, along with the oil boom of 2003, were limited to the elite as well as to the businessmen and the religious leaders—the *ulema*.<sup>31</sup>

On the political front, the country is ruled by a one-party system. It is a democratic, popular, socialist and sovereign state. Syria is run by two parallel but unequal power structures—the official one, which is the face of the government, and the clandestine one which is the real power behind running the government. The official system is represented by the Cabinet, Parliament, the ruling Ba'ath Party, and several small parties that are allowed to exist. However, the real decisions are made by the elites comprising the chiefs of the army and various security forces, created to preserve the regime. In the initial period of Bashar al-Assad's rule, there were demands for reform in the political structure and economy,

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29. Radwan Ziadeh, "Countries at the Crossroads 2011: Syria", *Freedom House*, p. 2. [https://freedomhouse.org/sites/default/files/inline\\_images/SYRIAFinal.pdf](https://freedomhouse.org/sites/default/files/inline_images/SYRIAFinal.pdf). Accessed on February 1, 2019.

30. Ivan Briscoe, Floor Janssen and Rosan Smits, "Stability and Economic Recovery after Assad: Key Steps for Syria's Post-Conflict Transition", Conflict Research Unit, Clingendael Institute, November 2012, p. 9. [https://www.clingendael.org/sites/default/files/pdfs/20121100\\_syria\\_stability\\_recovery\\_cru.pdf](https://www.clingendael.org/sites/default/files/pdfs/20121100_syria_stability_recovery_cru.pdf). Accessed on February 11, 2019.

31. Thomas Pierret, "The Syrian Baath Party and Sunni Islam: Conflicts and Connivance", *Middle East Brief*, no. 77, February 2014, p. 5. <https://www.brandeis.edu/crown/publications/meb/MEB77.pdf>

specifically from the Muslim Brotherhood and the Syrian intelligentsia, to which the Syrian president agreed,<sup>32</sup> ushering in a Damascus Spring, which was later restricted. There were manifestos and pacts respectively by these two groups which were tabled for the regime, demanding democracy and economic reforms.<sup>33</sup> The intelligentsia was silenced but the Islamist groups such as the Muslim Brotherhood could not be silenced.

All the above three challenges were intertwined with each other—political, security and economic. Economic and political reforms for the common people decentralised power and made the elites accountable. If the president made economic reforms and brought political changes, then he not only risked losing his legitimacy from the support of the elites in power but also stood to lose the support of the army which was interested in retaining its power on Lebanon. President Bashar al-Assad managed to survive without addressing these issues. However, he could not stop the current of the Arab Spring from flowing into the country, which resulted in the protests that took place.

Another factor that also contributed to the challenge in the country was the management of natural disasters. This problem might not seem to have directly affected the president's rule but somewhere it showed the incompetence and ignorance of President Assad and his team. Natural disasters struck Syria in the form of dust storms and periodic droughts from 2001 till 2010 and from 2006 to 2011 respectively. The Syrian scientists had warned the president about the problem of water scarcity<sup>34</sup> that the citizens would face, leading to a fragile condition within the country. The country

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32. Banks were privatised, the internet was introduced, and foreign investment was made easier. The introduction to the internet world back then laid the foundation for the 2011 protests as the Syrian people were in touch with the outside world. Max de Haldevang, "The Enigma of Assad: How a Painfully Shy Eye Doctor Turned into a Murderous Tyrant", *Quartz*, April 21, 2017. <https://qz.com/959806/the-enigmatic-story-of-how-syrias-bashar-al-assad-turned-from-a-painfully-shy-eye-doctor-into-a-murderous-tyrant/>

33. Ghadbian, n. 27, p. 634.

34. "Syria Climate Study Warned Assad of Drought Dangers in 2010", *Climate Home News*, September 19, 2015. <http://www.climatechangenews.com/2015/09/18/syria-climate-study-warned-assad-of-drought-dangers-in-2010/>. Accessed on February 5, 2019.



faced multi-year and multi-season agricultural failure due to the droughts.<sup>35</sup> But the Syrian officials did not take the matter seriously.<sup>36</sup> Though there is no evidence of the Islamic State of Iraq and Syria (ISIS) taking advantage of the situation in Syria, there are reports of this group using water as a weapon of war against the government in Iraq.<sup>37</sup>

In addition to all the internal issues that the country faced, there was also the challenge that the external powers were posing to Syria—from the neighbourhood as well as from the US. Due to the strategies of the global and regional powers, the middle powers in the region started to face problems such as Iraq being attacked by the US. The US Administration's 'axis of evil' in 2002 that included Syria, Cuba, and Libya was not received well by President Assad. Syria faced sanctions by the US for the presence of the country's troops on the borders of Lebanon as well as its support to the terrorist groups in Iraq. The sanctions made it difficult for the country's already depreciated economy. The then US President George W. Bush's rhetoric of "democracy promotion" and "regime change"<sup>38</sup> created insecurity within the Syrian presidency. The fate of the Iraqi and Libyan presidents may have also influenced President Assad to tighten his grip over the country.

By 2006, there were problems such as in the conduct of free elections, establishment of opposition parties, grant of Syrian citizenship to the ethnic Kurds and the widening disparity the country was facing. Along with these issues, the large groups of terrorists who were fighting in Iraq and were helped by President Assad, had settled in Syria, which became the

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35. Peter H. Gleick, "Water, Drought, Climate Change, and Conflict in Syria", *AMS*, July 1, 2014. <https://journals.ametsoc.org/doi/10.1175/WCAS-D-13-00059.1>. Accessed on February 5, 2019.

36. Phil Sands, "Syria's Water Shortage Causes Alarm", *The National*, October 6, 2010. <https://www.thenational.ae/uae/syria-s-water-shortage-causes-alarm-1.555043>. Accessed on February 5, 2019.

37. Ben Doherty, "Climate Change will Fuel Terrorism Recruitment, Report for German Foreign Office Says", *The Guardian*, April 19, 2017. <https://www.theguardian.com/environment/2017/apr/20/climate-change-will-fuel-terrorism-recruitment-adelphi-report-says>. Accessed on February 5, 2019.

38. De Haldevang, n. 32.

pool of recruitment for the ISIS. Meanwhile, the Salafist ideology was being promoted by the group Ahrar al Sham since 2012. This group became a political and military force whose goal was to overthrow President Assad. The rise of this group's popularity made the situation more complicated. This group started to reach out to the Syrian people through social service and humanitarian aid,<sup>39</sup> creating more dissent towards the Syrian government, especially the president. The genesis of this group belongs to the prisoners who were released in 2011 by President Assad as a gesture to appease the masses when dissent in the form of protests had started.

The release of these prisoners was a cosmetic strategy in the name of political reforms to be undertaken within the country, which has backfired on the government. The activities of this group have made the government appeal to the UN to term it as a terrorist group. The US, Turkey and Qatar do not see it as a terrorist group and have not pressured the UN to designate it as one, while the Syrian government and Russia have.<sup>40</sup>

### **AMBIGUITY IN THE SOCIETY**

The Syrian society comes out as ambiguous in the ongoing malaise confronting Syria. This is, because, on the one hand, the people do not want to be categorised or recognised through their ethnic or religious identity (as they take pride in their harmonious coexistence), while, on the other, there is a sectarian divide. Interestingly, the regime uses both, the coexistence narrative and sectarian divide, to its advantage. In Syria, there are two narratives that highlight the ambiguity in the society—one has been the official version wherein the regime stresses that there is coexistence between the different sects. However, the country faces a threat because of the vested interests of 'foreign agents' who threaten to create disharmony in the country. The second narrative is that the problem of sectarianism does exist,

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39. Michael Jonsson, "Biding Its Time: The Strategic Resilience of Ahrar al-Sham", Asian and Middle Eastern Security Programme, Project number: A16104, December 2016, p.3. file:///C:/Users/Lenovo/Downloads/http\_\_\_webbrapp.ptn.foi.se\_pdf\_980e00a2-30de-44fa-adf9-b6be5790b2af.pdf. Accessed on February 10, 2019.

40. Ali El Yassir, "The Ahrar al Sham Movement: Syria's Local Salafists", Wilson Centre, August 23, 2016. <https://www.wilsoncenter.org/article/the-ahrar-al-sham-movement-syrias-local-salafists-0>. Accessed on February 10, 2019.

**During the initiation of the 2011 protests, two types of slogans were being used—one was based on sectarian division and the other was based on unity and nationalism wherein the demonstrators rejected any form of sectarianism.**

as it has for centuries, which the regime uses accordingly. During the initiation of the 2011 protests, two types of slogans were being used—one was based on the sectarian division (which the demonstrators believed was the regime's propaganda to colour the protestors negatively) and the other was based on unity and nationalism wherein the demonstrators rejected any form of sectarianism and intervention of foreign agents or Islamist movements like Salafism and Muslim Brotherhood.<sup>41</sup> This dichotomy created complexity within the country.

In Syria, the system of cross-confessionalism has been entrenched deeply. There is an overt, sophisticated display of religious tolerance even as the political structure is sectarianised.<sup>42</sup> It is because when the protests broke out in the 2011, it was not about the Sunnis against the Alawites, but for economic reforms and political freedom, with the objective being the development of the Syrian people. It was also a protest to make the government accountable for the woes the people were facing due to climate change which the regime was ignorant about. The civil uprising was against an inefficient government. With force applied on the citizens by the government, the radical groups, discontented opposition groups and Islamic groups who were sidelined within the country, took advantage of the situation. The regime's high-handedness led to the militarisation of the issue. The regime coloured the protests on the lines of sectarianism. In order to maintain its grip over power, the government also tried to garner support from countries like Russia that were uncomfortable with the rise of Salafist

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41. Friederike Stolleis, "Discourses on Sectarianism and 'Minorities' in Syria" in Friederike Stolleis, ed., *Playing the Sectarian Card: Identities and Affiliations of Local Communities in Syria* (Friedrich-Ebert-Stiftung, 2015), p. 8.

42. Emile Hokayem, "'Assad or We Burn the Country': Misreading Sectarianism and the Regime in Syria", *War on the Rocks*, August 24, 2016. <https://warontherocks.com/2016/08/assad-or-we-burn-the-country-misreading-sectarianism-and-the-regime-in-syria/>. Accessed on February 9, 2019.

Islam. For example, Russia sees President Bashar al-Assad as a bulwark against this ideology and the terrorist groups that uphold this ideology. Moscow has been fighting the battle for containing Islamist insurgency, including against the Islamic State (IS) that had declared that it would create a Caliphate in the neighbourhood of Russia.

President Assad took advantage of this insecurity of Russia. He knew that it would be difficult for him to have the US' support as America was already at the crossroads with the Syrian government over the latter's role in Iraq and Lebanon. It was also difficult to win the support of other Arab powers such as Saudi Arabia, Qatar, Turkey<sup>43</sup> and Egypt. Hence, only Russia, from the context of a major power, and Iran, from the regional perspective, were available to the Syrian regime to protect itself from the threats it faced from the various dissent groups that were supported by the people. The conflict which started out as a struggle for political and economic reforms, brought out the ethnic and religious fault lines to the surface.

## CONCLUSION

The uprising in Syria started not as a sectarian revolt but the protest of the Syrian people against a corrupt regime that was not able to keep any promises made by it. The suppression of the protesters by the regime created an opening for other groups such as the radical Islamist groups, terrorist groups belonging to the Salafi sect, the intelligentsia, etc. to get involved in the demonstrations. The proxy war which Saudi Arabia and Iran have

**The uprising in Syria started not as a sectarian revolt but the protest of the Syrian people against a corrupt regime that was not able to keep any promises made by it. The suppression of the protesters by the regime created an opening for other groups such as the radical Islamist groups, terrorist groups belonging to the Salafi sect, the intelligentsia, etc. to get involved in the demonstrations.**

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43. Russia has managed to bring Ankara to its camp, however, the fragility of the relation remains because of the Kurdish issue.

always been carrying out in the region only helped the conflicting parties garner support from these two regional adversaries. The civil war, along with the involvement of the regional players, also helped in the involvement of the former Cold War rivals.

The divide and rule policy of the regime led to the unending murky civil war wherein the fate of the Syrian people—especially the refugees—remains questionable. The regime which is unbending over the demand of the opposition for the removal of President Bashar al-Assad, makes it difficult for the resolution of the civil war.

It could be said that Syria, a country which was already reeling under many problems—political, economic and social—got further messed up into more complications of sectarianism, dictatorial rule, based on ‘divide and rule’, by the playing of the sects against each other, under the influence of the region’s sectarian objectives, thus, becoming the home ground for the terrorist groups fleeing or coming from Iraq or bordering Iraq. The terrorist groups such as the ISIS had captured large swathes of ground in Iraq and Syria.<sup>44</sup> This group later formed the Islamist State of Iraq and the Levant (ISIL) which wanted to merge with the Al-Nusra group and create a ‘Caliphate’ from the Mosul city of Iraq, and expand. These groups, along with other foreign fighters from the Central Asian countries, European countries, etc., infiltrated into Syria. Initially, the IS wanted to join the Al-Qaeda group in Syria, however, that did not take place. The disunity amongst the various terrorist groups fighting within Syria has further complicated the situation. The Syrian authorities have been able to rescue the places under the terrorists’ control, including of the IS. The border around Albukamal city near the Syria-Iraq border, was closed by the Syrian authorities after the IS had taken over. The Syrian military took back the city from the IS in 2017, however, the border was still not open due to security concerns. But on February 2019, the Syrian government,

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44. Mohammed Ebraheem, “Iraq will Receive 250 Detained IS Militants from Syria Within Hours—Expert”, *Iraqi News*, March 5, 2019. <https://www.iraqinews.com/features/iraq-will-receive-250-detained-is-militants-from-syria-within-hours-expert/>. Accessed on April 5, 2019. The genesis of the IS goes back to 2003 when the US attacked Iraq

in consultation with the Iraqi government, was planning to open the border<sup>45</sup> though there is no update on it.

The power struggle between the regime and the opposition party seems unending, leaving the common people to suffer. The establishment of the Syrian National Congress, which the conflicting parties have supported, remains questionable. The fate of this Congress is also doubtful because of the various opposing thought processes in the country. It is debatable whether the country, minus President Bashar al-Assad, would want to have an Islamist flavoured government. Syria faces two examples of the government: one is government in Egypt and the other is the one in Turkey—an Islamist government. People in the rural areas may not mind being ruled by an Islamist government because of their earlier experience with governments. As long as the basic needs of the citizens are taken care of, the Syrian people would not focus on the ideology of the government or the party (at least for the time being). Meanwhile, in the urban areas, the elites might want to be ruled by a so-called secular party or government or by a military junta where the power remains concentrated in the hands of the elites. The dilemma that the country faces—of being ruled by a secularist or an Islamist or a military dictator—would make it difficult for the country to recoup itself. Apart from these issues, there is also the problem of minorities such as the Druze, Christians, Jews, Alawites and others who would not want to be ruled by conservative Islamists. Hence, the tussle for power will continue and in this contest for power, President Assad may be able to manoeuvre his way around in the country.

Meanwhile, the dynamics of the regional players and the former Cold War rivals cannot be ignored. The complexity of the Syrian crisis is also because of the matrix being woven by the regional and former Cold War rivals' ambitions. These powers claim that their interest in Syria is to find a solution which is based on the people's consent and want an end to the civil

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45. "Syria Preparing to Reopen Public Border-Crossing with Iraq: Report", *Iraqi News*, February 17, 2019. <https://www.almasdarnews.com/article/syria-preparing-to-reopen-public-border-crossing-with-iraq-report/>. Accessed on April 5, 2019.

war. They lend their support towards the ending of the civil war and the elimination of the various terrorist groups that had become strong during the civil war. However, these players' support conflicting parties – some support the Assad regime and some the Syrian rebels. This gives a picture of vested interests taking priority rather than a genuine concern to end the civil war for the sake of the Syrian people.

For example, Russia is supporting the Assad government because it fears the repercussion of terrorism flourishing in its own territory when the home grown terrorists return. It was reported that many of the terrorist groups from Russia's neighbourhood had joined the ISIS to fight against the Syrian government. Moscow also fears losing out on the various economic and energy contracts that it has with the country. The Syrian government has signed contracts with the Russian government for the exploitation of the energy reservoirs on the Syrian side of the Mediterranean Sea. Russia is also taking keen interest in the Syrian crisis because of the arms market and the military bases it has in Syria. Russia is a major supplier of arms and ammunition to the Syrian government. During the war, Syria also became a testing ground for the Russian military equipment that is required to be tested. To retain a foothold in West Asia, the military bases situated in Syria are important for Russia. Also, the refugee problem is a threat to the Kremlin. Russia already accommodates refugees from eastern Ukraine after the 2014 crisis. Intake of more refugees, along with the sanctions, will be dangerous for the country. Hence, there are multi-vectored interests that are behind Russia's support to the Assad regime. If there is a regime change in Syria, Russia will face uncertainties in the future. The new government, if supported by the US, might not want to extend the lease for the military bases or energy contracts with the Kremlin. If America lifts the sanctions from Syria and extends a hand of friendship to the new government, then the position of Moscow becomes weakened as an arms exporter. The position becomes further undermined with the coming together of the US, Qatar, Egypt, Jordan, Lebanon and Saudi Arabia.

On the other hand, if President Bashar al-Assad survives with the help of Russia and Iran, then these two powers would become strong in the future, which will further push the other regional powers to form a group against them. Turkey, for the time being, has come along with Russia and Iran to form the Astana peace process (which looks into the resolution of the crisis) as the guarantor state, but how far this would be successful remains to be seen. Though Ankara is a part of the Astana peace talks, it supports the Geneva process and believes that a solution lies therein. This highlights the dynamics of the regional and major powers against each other and its impact on the Syrian crisis as well as other regional conflicts. Nevertheless, all the stakeholders involved in the Syrian challenge need to understand that the continuation of the civil war and attempts to find a solution keeping only one's own vested interests uppermost will not lead to a solution but will further complicate the problem.

The cost of rebuilding and relocating the people is high. The return of the refugees is another matter of concern and complexity. The solution would need compromise from the conflicting parties and the non-involvement of both Russia<sup>46</sup> and the US.

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46. Moscow definitely wanted to fill the vacuum left by the US under the Obama Administration but with the new President Donald Trump and his renewed policies in West Asia, it looks like a complicated situation is in the making in the region. How far Russia is willing to compromise and let go of its interest would be interesting to observe in the future. The Kremlin is trying to strengthen its hold in the region by coming close to Saudi Arabia, Israel, Turkey and Egypt. At the same time, it is maintaining its relationship with Iran despite the divergences in their objectives. President Trump has announced the withdrawal of troops from the country, however, till far it will be successful and to what extent it will help the country will be clear in the coming times.





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