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# **SINO-INDIAN SECURITY DILEMMA IN THE INDIAN OCEAN: REVISITING THE STRING OF PEARLS STRATEGY**

**SIDRA TARIQ\***

## **Introduction**

Supremacy over maritime Asia has become the primary bone of contention between China and India, particularly in the Indian Ocean Region (IOR) and the South China Sea (SCS). Several analysts are of the opinion that the ongoing Sino-Indian competition presents a classic case of a security dilemma that could lead to rivalry and arms race in the region.

Security dilemma is the outcome of states' mutual suspicion of each other's intentions. China's increased focus on the IOR is rooted in the security of its Sea Lines of Communication (SLOCs). The ongoing modernization of Chinese forces, greater power projection in the Indian Ocean, and economic and political linkages with the IOR states are perceived in the Indian security community as steps aimed at curbing India's dominance in the IOR. In line with this thinking, many in India are of the view that the String of Pearls is part of China's military strategy to choke India's political, commercial, and energy interests in the region. It refers to China's efforts to expand its naval presence throughout the IOR by investing in military and intelligence facilities in friendly states in the region.

Being a resident and dominant power, India has long perceived the Indian Ocean as 'India's Ocean'. China's growing influence in the IOR has now become a serious concern for New Delhi. During the last decade, India has

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sought to modernize and strengthen its defence forces, especially the navy, to project power and safeguard its strategic interests in and beyond the IOR.

This paper examines the Sino-Indian security dilemma in the Indian Ocean and revisits the String of Pearls debate. The first section discusses the theoretical concept of security dilemma. The second part explores the Indian and Chinese strategic positions and highlights their strengths and vulnerabilities in the IOR. The third covers the debate regarding the String of Pearls strategy and finds that China is not in a position to sustain a so-called policy of Indian 'encirclement' in the Indian Ocean because of its strategic, technical, and logistical shortcomings. The study concludes that Sino-Indian security dilemma does exist in the Indian Ocean but it can be reduced by minimizing provocation on either side.

### **Security dilemma: a theoretical interpretation**

The classic definition of security dilemma was first given by German scholar John H. Herz in 1951.<sup>1</sup> Herz describes the security dilemma<sup>2</sup> as a structural notion in which "the self-help attempts of states to look after their security needs tend, regardless of intention, to lead to rising insecurity for others as each interprets its own measures as defensive and measures of others as potentially threatening."<sup>3</sup> Major events like the First and the Second World Wars and the origins and the end of the Cold War have been seen through the lens of security dilemma. By deploying the same concept, policies are being prescribed for recent challenges of international politics like arms race management, planning lasting peace for ethnic and religious conflicts, and avoiding a likely clash between the existing and emerging world powers in their pursuit for dominance.<sup>4</sup>

Security dilemma is linked with other theories and doctrines of international security. There are differences among structural realists over the concept of security dilemma though. For defensive realists like Kenneth Waltz, the concept of security dilemma is the theoretical linchpin. Waltz argues that the anarchic nature of the state system is at the heart of security dilemma. In the absence of a 'common government', each state is in charge of its own security and survival. States are suspicious of other states' intentions and as a result always try to maximize their own security, which leads to security dilemma.<sup>5</sup> Defensive realists further argue that in the face of a common threat, security dilemma often paves the way for states to switch from brief alliances to genuine cooperation. On the other hand, offensive realists, such as John Mearsheimer argue that security dilemma makes war inevitable and rational.<sup>6</sup>

Constructivists assert that alleviating security dilemma is one of the channels through which reshaping identity can re-establish anarchy.<sup>7</sup> Constructivists like Alexander Wendt focus on the subjective element, contending that security dilemmas occur due to "intersubjective understandings where states assume the worst about each other's intentions."<sup>8</sup>

As explained above, security dilemma occurs due to states' mutual suspicion of each other. Robert Jervis identifies two key variables for analyzing the security dilemma: the offence-defence balance; and the knack to differentiate

between offensive and defensive postures. Using these two variables, he creates the following four possible strategic conditions under which a security dilemma will arise in differing degrees:

“[F]irst, when offensive and defensive behaviour are not distinguishable but offence has a strategic advantage, then the environment is ‘doubly dangerous’ and the security dilemma is very intense. Status quo states will behave in an aggressive manner and the possibility of an arms race will arise; second, where offensive and defensive behaviour are not distinguishable but defence has a strategic advantage, then the security dilemma will be intense. In this situation, a state might be able to increase its security without being a threat to other states and without endangering the security of other states; third, where offensive and defensive behaviour are distinguishable but offence has a strategic advantage, then the security dilemma is not intense. Although the environment is relative safe, offensive behaviour has an advantage that might result in aggression at some future time; and fourth, where offensive and defensive behaviour are distinguishable and defence has a strategic advantage, the environment is ‘doubly safe’ and the security dilemma has little or no intensity.”<sup>9</sup>

In this context, security dilemma does exist between India and China, and a strategic rivalry between them is imminent. Their mutual suspicion is a product of historical experiences, unsettled border disputes, and China’s close ties with Pakistan. Hence both the countries are in the process of military build-up and power projection in the region.

A number of authors have noted that tension between India and China presents a case of classic security dilemma.<sup>10</sup> Competition in the IOR is just part of the whole picture. As C. Raja Mohan points out, the Sino-Indian rivalry has ‘spilled over’ into the maritime domain from being a traditionally continental competition.<sup>11</sup> The concept of security dilemma has gradually gained currency in political and academic debates. For instance, regarding maritime issues, Indian and Chinese political leaders talk of a Hormuz Dilemma or a Malacca Dilemma ‘to describe the vulnerability of their SLOCs across the Indian Ocean. The String of Pearls narrative also mirrors these perceptions.<sup>12</sup>

The phrase is widely employed by its advocates to describe China’s mounting presence in the IOR, especially in the form of funding several ports on the coasts of Pakistan, Sri Lanka, Bangladesh, and Myanmar. There is an apprehension among the Indian as well as some Western security circles regarding these ports, economic corridors, and railway links, and the geopolitical implications of China’s growing imprint in the region.

There has been much speculation and debate surrounding the legitimacy, extent, and potential intent behind the concept. However, as this paper will explain, the idea has been exaggerated.<sup>13</sup> It is important to first take into account the Chinese and Indian strategic positions and their strengths and vulnerabilities in the Indian Ocean in light of the concept of security dilemma.

## Understanding China's security dilemma in the IOR

In recent years, China has initiated an active naval strategy geared towards trade, bases, ships, and advancement of naval capabilities. China's rise in the IOR, and South and East China Seas has become a topical issue across the board. Energy security is the area of primary concern for China in the Indian Ocean. According to US Energy Information Administration (EIA), China became world's largest net importer of petroleum and other liquids in 2013.<sup>14</sup> Therefore, the security of the SLOCs stretching from China's coastlines to the Indian Ocean holds exceptional strategic significance for Beijing (See Map 1).

### Map 1

#### Choke points in the Indian Ocean



**Source:** <<https://www.flickr.com/photos/mrdevlar/4922429758>>.

Around 42 per cent of China's oil imports pass through the Strait of Hormuz. The Strait of Malacca, the leading trade route between Indian and Pacific Oceans, serves like an energy life-line for China, through which 82 per cent of its oil imports are transited.<sup>15</sup> It makes them vulnerable to interception by potentially adversarial countries, especially India—a purported Malacca Dilemma. New Delhi's hold over Andaman and Nicobar Islands gives it straight entry and potential choke point of the northern approaches to the Malacca Strait. India's establishment of INS Baaz, a naval base in the southern part of the Andaman and Nicobar Islands in 2012, is a case in point.<sup>16</sup> Moreover, China's expanding trade and investment ventures in the IOR will result in higher strategic stakes in the region.<sup>17</sup> Beijing's concerns are further



aggravated considering India's enlarged focus on Indo-Pacific as enunciated in its latest maritime strategy and its growing presence in the SCS.

In order to address its Malacca Dilemma, China is trying to do the following:

Diversify its energy transport routes through, for instance, Pakistan and Myanmar and building new oil and gas pipelines in Russia and Central Asia;<sup>18</sup> and

Adopt a pragmatic expansion in the IOR.

China has been known for its 'soft diplomacy' in the IOR. However, owing to altering dynamics in the region, a new fillip is being witnessed in Beijing's maritime diplomacy, primarily with the regions bordering vital SLOCs. This is where the String of Pearls shibboleth comes in. Although China is modernizing its naval forces, its outreach in IOR remains limited.

Modernization of the People's Liberation Army Navy (PLAN)

A modernization process in the PLAN with a focus on transforming it into a 'blue water navy' began in the mid-1990s. However, significant pace in operationalizing as well as modernizing the PLAN during the last decade demonstrates China's altering maritime strategy with shifting economic and strategic realities in the region. China's first military strategy white paper of 2015 provides new guidelines for the PLAN:

"In line with the strategic requirement of offshore waters defense and open seas protection, the PLA Navy (PLAN) will gradually shift its focus from "offshore waters defense" to the combination of "offshore waters defense" with "open seas protection," and build a combined, multi-functional and efficient marine combat force structure. The PLAN will enhance its capabilities for strategic deterrence and counterattack, maritime maneuvers, joint operations at sea, comprehensive defense and comprehensive support... The traditional mentality that land outweighs sea must be abandoned, and great importance has to be attached to managing the seas and oceans and protecting maritime rights and interests."<sup>19</sup>

China has been integrating a variety of Anti-Access/Area Denial (A2/AD) systems and capabilities. These comprise not only weapons such as "anti-ship ballistic and cruise missiles (ASBMs), but also political warfare methods, including legal, public opinion, and psychological warfare techniques."<sup>20</sup>

Under the process, the PLAN has endeavoured to improve both qualitatively and quantitatively. According to Pentagon's 2014 annual report to Congress about China's military and security developments, "China had 77 principal surface combatant ships, more than 60 submarines, 55 large and medium amphibious ships, and about 85 missile-equipped small combatants."<sup>21</sup>

China is expanding the geographic areas of operation for its submarines, and their length of deployment. It has also modified its manpower policies. The PLAN now holds exercises and deployments to enhance skills crucial for offshore defence. Such measures have amplified the PLAN's capacity to initiate anti-surface warfare (ASuW), naval air defence, and force

projection missions. Nonetheless, the PLAN's Achilles' heel is its anti-submarine warfare capability. The PLAN seems to be aware of this failing and has increased the number of anti-submarine warfare (ASW) helicopters to dispel this paucity.<sup>22</sup>

In its 2015 Annual Report to the US Congress, The US-China Economic and Security Review Commission observed: "Since it first sent a submarine to the Indian Ocean in late 2013, the PLA Navy has conducted at least three more Indian Ocean submarine patrols....The PLA Navy's increasing activities far from China's shores reflect China's growing capability and willingness to use its military to protect its overseas economic assets and expatriate population."<sup>23</sup> India is particularly concerned over China's deployment of attack submarines in the Indian Ocean.<sup>24</sup>

China has adopted an innovative and bold approach towards conducting operations against non-traditional security threats like piracy. On the one hand, it conducts multilateral operations in conjunction with the US and its NATO, EU, and coalition allies where it sits well with Chinese interests; on the other hand, it acts unilaterally, especially at its strategically vital choke points like the Horn of Africa.<sup>25</sup> Besides, the PLAN has maintained its anti-piracy presence in the Gulf of Aden since 2008.

Over the years, China has substantially minimized dependence of its armed forces on foreign countries. It has created a domestic defence industrial base by integrating Chinese arms manufacturers with civilian firms and establishing quality control. This is an area where India lags behind China. Today, China's naval potential substantially exceeds India's both in quantitative and qualitative terms.

While the PLAN's doctrine has clearly evolved, mounting apprehension in the Western and Indian security circles regarding its increased presence in the IOR is overstated for two reasons:

As has been observed in a 2015 report by the US Office of Naval Intelligence (ONI), for now and the years ahead, "Taiwan and the Near Seas (Yellow, East, and South China Seas) will remain the 'primary focus' of China."<sup>26</sup> "The relatively-modest 13 per cent post-2009 growth in the number of submarines, major surface combatants, amphibious ships, and missile patrol crafts; as well as the nature of ships produced suggests continued Near Seas focus."<sup>27</sup>

China's force projection capabilities are likely to remain limited in the IOR. Despite the PLAN's modernization in recent years, it still lacks sophisticated technical, logistical, and strategic expertise to project power in the IOR. For instance, the PLAN's sole aircraft carrier, Liaoning (commissioned in 2012), would become fully operational after a few years, and even then it would offer relatively limited combat capability.<sup>28</sup> Although the PLAN has recently started engaging in training and anti-piracy activities in distant seas, it largely lacks the experience in operating beyond coastal waters. China faces geographical constraints (long distances from Chinese ports and airbases) and lack of logistical backup and deployment facilities for the Chinese vessels through the Indian Ocean choke points.<sup>29</sup>

### **China's clout in the IOR**

Despite its limitations, China has sought an active economic and diplomatic policy in the IOR. Apart from its longstanding ties with Pakistan, China's history of involvement and influence in South Asia has remained confined in contrast to India. Over the past decade, however, China has instituted a significant economic presence throughout the region, fashioning strong ties with states like Bangladesh, Maldives, Nepal, and Sri Lanka through trade, diplomacy, aid, and investment.<sup>30</sup> Under the new 'One Belt One Road' vision, China has attempted to build alternative sea and land routes to increase its economic clout in neighbouring countries. It is developing alternative overland energy transport networks from southern and western China to the Indian Ocean through Pakistan and Myanmar.<sup>31</sup>

China's most recent economic commitment to Pakistan is \$46 billion worth China-Pakistan Economic Corridor (CPEC), with the port of Gwadar at its centre. The infrastructure development and assistance plan thus symbolizes an intensification of the long-lasting relationship. The China-Sri Lanka 'strategic cooperative partnership' in 2013 also demonstrated a new shift in the relationship. Since 2005, China's exports to Sri Lanka have "quadrupled to close to \$4 billion, coming closer to Indian levels."<sup>32</sup> China has invested extensively in Sri Lanka's infrastructure development as well. Negotiations on a Free Trade Agreement are also on track between the two countries.<sup>33</sup> China has intensified economic ties with Maldives and Mauritius, both having long-standing links with India. China is now a leading investor in Mauritius.<sup>34</sup>

Myanmar holds vital strategic value for China, potentially for keeping India off balance in the north-eastern part of the Indian Ocean. The existing Sino-Myanmar relationship is primarily economic; it certainly has a significant security component though. Under its 'national bridgehead strategy', China has made tangible progress in securing entry into the Indian Ocean through Myanmar. This approach focuses on promoting trade and transportation links between China and the Indian Ocean. The Yunnan-Yangon Irrawaddy road/rail/river corridor, and the recently completed oil and gas pipelines between the new port of Kyaukpyu (Myanmar) and Yunnan province in China are cases in point.<sup>35</sup>

Kyaukpyu Port holds particular significance for China because the link can minimize dependence on the Strait of Malacca. Nevertheless, to some analysts, these alternative routes would become irrelevant if Chinese tankers are intercepted in the Strait of Hormuz, the Arabian Sea, or the Suez Canal. Besides, the proposed oil pipelines would also become vulnerable.<sup>36</sup>

Southeast Asia exemplifies China's economic strength in the IOR. Beijing has adopted an intensive strategy of developing trade relations with member countries of the Association of Southeast Asian Nations (ASEAN). "A manufacturing hub and an important source of capital, China has the potential to buoy the ASEAN economies."<sup>37</sup> China's increasing economic and diplomatic drive in the region is being closely observed by India.

India's engagement with ASEAN has increased over the past two decades, chiefly under the 'Look East Policy'. The Modi government renamed

the policy 'Act East' to indicate an increased sense of commitment, connectivity, trade and infrastructure investment, and greater security cooperation with ASEAN.<sup>38</sup>

### **Understanding India's security dilemma in the IOR**

By virtue of its size, geographic location, and economic and military potential, India is the predominant power in the IOR. India's outlook of the IOR can be put as a sense of 'crisis and destiny'. Regarding the sense of crisis, most Indian politicians and strategists believe that Indian Ocean and India's national security are intertwined. As for destiny, India's exclusive geographic setting has fomented India's aspiration to look at and control the Ocean as India's Ocean.<sup>39</sup> Although envisaged as a maritime power by its early leaders, India's foreign policy and defence outlook remained land-centric for many years. This was primarily because throughout history, land-based threats dominated India's major external security concerns. Nevertheless, during the last two decades, mounting reliance on foreign energy sources to stimulate its economic growth has impressed upon successive Indian governments to push for an enlarged focus on the Indian Ocean.<sup>40</sup>

With its gradual ascension as a resident power, India has tried to legitimize its presence in the IOR. During the last decade, statements given by prominent Indian leaders on various occasions strongly emphasize India's dominant role in the region. For instance, in 2009, former prime minister Dr. Manmohan Singh stressed, "there can thus be no doubt that the Indian Navy must be the most important maritime power in this region."<sup>41</sup> In 2010, former foreign secretary Nirupama Rao said, "India and the Indian Ocean are inseparable."<sup>42</sup> Ex-defence minister A.K. Antony stated on the occasion of the 2012 Naval Chiefs Conference, "India's strategic location in the Indian Ocean and the professional capability of our Navy bestows upon us a natural ability to play a leading role in ensuring peace and stability in the Indian Ocean Region."<sup>43</sup>

Indian expectations are underscored by geopolitical considerations in which one persistent contextual feature in its maritime discourse is to accentuate the territorial benefits enjoyed by India in the IOR. These concerns and expectations were made public in a series of publications by the Indian Navy including Maritime Military Strategy for India 1989–2014 (1998), Indian Maritime Doctrine (2004), Navy's Maritime Capability Perspective Plan (2005), India's Maritime Military Strategy (2007),<sup>44</sup> and India's Maritime Doctrine (2009).<sup>45</sup>

India's Maritime Military Strategy 2007 can be termed as the leading directive among the aforementioned documents as it provided "an insight and rationale for the resurgence of India's maritime military power."<sup>46</sup> It pivoted around the idea of 'power projection' as a feature of India's naval diplomacy. In a reference primarily to China, it called for a crucial need to wean the littoral states of its immediate neighbourhood away from the increasingly omnipresent influence of states hostile to Indian interests.<sup>47</sup> However, despite all its merits,

the strategy lacked a concrete plan of action for achieving its goals in the competitive maritime sphere.<sup>48</sup>

### **India's evolving maritime doctrine**

With rapidly changing security dynamics in the IOR, India's maritime strategy has evolved over the years. Marking a decisive break from New Delhi's decades-old foreign policy, the current Indian Prime Minister Narendra Modi has placed maritime issues on India's priority agenda. He has embarked upon an active maritime diplomacy by fostering stronger diplomatic, economic, and security links with the IOR littoral. These measures are aimed at strengthening the Indian economy, protecting India's exclusive economic zones (EEZs), instituting the country as a harbinger of regional growth, and ebbing China's growing appeal and expanding India's influence in the region simultaneously without relying exclusively on geographic advantage.

Indian Prime Minister's March 2015 visit to the Seychelles, Mauritius, and Sri Lanka displayed an active foreign policy intent that the Indian Ocean littoral is at the "top of [New Delhi's] policy priorities."<sup>49</sup> During the visit, Prime Minister Modi laid out the following five-fold framework for India's maritime engagement with the Indian Ocean littoral:<sup>50</sup>

First, New Delhi will put greater emphasis on showing a resolve to do whatever may be necessary to secure India's mainland and island territories and defend its maritime interests.<sup>51</sup>

Second, India will continue to strengthen security cooperation with regional partners like Seychelles, Mauritius, Sri Lanka, and Maldives. Prime Minister Modi's recent offer to Seychelles and Mauritius of a broad range of military and civilian assistance suggests an increasing Indian footprint in the region. In Seychelles, Modi announced gifting another Dornier aircraft to the island nation. Four agreements were subsequently signed. These included "agreements on cooperation in hydrography, renewable energy, infrastructure development, and the sale of navigation and electronic navigational charts." The agreement to develop infrastructure on Assumption Island holds much significance as it provides an opportunity to New Delhi for positioning its strategic assets in the south-western Indian Ocean. Modi also launched a Coastal Surveillance Radar Project there.<sup>52</sup> In Mauritius, Modi attended the commissioning of the Indian-made offshore patrol vessel Barracuda, illustrating his dedication to maritime capacity-building in small island republics. He also proposed assistance in developing the Agalega Islands to develop infrastructure for connectivity.<sup>53</sup> Modi's trip to Sri Lanka, the first in 28 years by an Indian PM, was seen by many as an attempt to offset Beijing's growing influence in Colombo. The two countries signed four bilateral agreements during the visit.<sup>54</sup>

Third, Prime Minister Modi will strive to constitute multilateral cooperative maritime security in the Indian Ocean with India at the core. After Maldives and Sri Lanka, India plans to incorporate more strategically important littoral states to join its trilateral security initiative. According to C. Raja Mohan, India's access to strategic facilities in Seychelles and Mauritius marks a major

departure from its traditional opposition to foreign military bases. They point towards the likelihood of an extended Indian strategic influence in the littoral.<sup>55</sup>

Fourth, the Modi Government will work towards sustainable economic development in the IOR spearheaded by India. Modi announced a joint working group to expand cooperation on the 'blue economy' wherein by understanding the ecology and resources, littoral states would be able to harness the ocean in a sustainable manner.<sup>56</sup>

Fifth, Prime Minister Modi will carry out an Indian Ocean policy, which will include engaging with major powers in the IOR.<sup>57</sup> Its reflection was seen in January 2015 when India and the US announced renewal of their defence framework agreement and signed a broader framework for expanding cooperation in the Indian Ocean and Asia-Pacific.<sup>58</sup>

### **Incorporating Modi's framework into India's maritime strategy of 2015**

India released its latest maritime strategy in October 2015 titled *Ensuring Secure Seas: Indian Maritime Security Strategy*,<sup>59</sup> which is a revised and updated version of the 2007 maritime strategy. Modi's five-fold framework and his increased focus on deepening relationships with ASEAN countries like Vietnam, Philippines, and Myanmar are in line with the current maritime strategy. The strategy reflects the key determinants of the altering security dynamics in the IOR and exhibits a fresh outlook on India's maritime security requirements. It refers to "three salient maritime developments that have inspired the revision. The evolution of a new global construct of Indo-Pacific, Rise of non-traditional security threats in Indian Ocean region such as the 26/11 terror attack in Mumbai and India's clearer recognition of maritime security, with increased engagement of the IOR littorals."<sup>60</sup>

Reviewing the change in India's maritime strategy, Baruah writes:

"The fact that there has been a shift in India's maritime strategy and policies was made clear through the navy's engagement under the Modi government. There was, however, no document per se spelling out this shift. The 2015 maritime strategy not only formalizes the intent of the Indian navy, it also takes a bold tone in narrating the same... Be it through the Joint Strategic Vision with the United States, Japan's inclusion into the MALABAR exercises, new bilateral exercises with Japan, Indonesia, and Australia, or re-engaging with the island nations of the IOR and South Pacific, there is a clear message that India is willing to play a larger role in the unfolding security architecture in the region."<sup>61</sup>

### **Modernization of Indian Navy**

During the last few years, Indian Navy, the world's fifth largest, has embarked upon a massive modernization programme, which seeks greater power projection in the IOR and SCS. Under the modernization process, the country's naval force aims to turn itself into a blue water navy. India's defence budgets

from 2012 to 2016 provide a great deal of information about the modernization process in the Indian Navy and Air Force.<sup>62</sup> The defence budget 2015-16 specifically demonstrates that the Modi government has endeavoured to kick-start the dilapidated domestic defence industry by raising the foreign investment limit to 49 per cent.<sup>63</sup>

An article in *Foreign Policy* observed that India was planning to invest almost \$45 billion on 103 new warships, including destroyers and nuclear submarines over the next 20 years. In contrast, China's outlay over the same period was expected to be around \$25 billion for 135 vessels.<sup>64</sup> Chietigi Bajpae, an expert on Indian military, notes that India has plans for the development of a 160-plus-ship navy, including three aircraft carrier battle groups by 2022. More than 40 warships and submarines are on order or under construction at the country's three major shipyards. The Indian government's approval of more than \$16 billion in February 2015 was a step in the same direction. The process includes new stealth destroyers, anti-submarine corvettes, and stealth frigates. These vessels will complement and in some cases replace the country's ageing destroyers.<sup>65</sup>

For upgrading its aircraft carriers, India procured the INS Vikramaditya from Russia in 2013 and formally inducted it in the navy in June 2014. India's first home-made carrier the INS Vikrant is under construction and is expected to be inducted by 2018-19. "Plans for the development of the larger INS Vishal as part of the indigenous aircraft carrier-II (IAC-II) project" are underway.<sup>66</sup>

India is boosting its expeditionary capabilities and security relationships throughout the IOR. Apart from the Indian Ocean island states, New Delhi has also invested in building relationships in and out of the Indian Ocean via its unilateral deployments through cooperation with 'choke point' nations around the straits of Hormuz, Malacca, and Bab-el-Mandeb, as well as the Cape of Good Hope.<sup>67</sup>

Around 63 per cent of India's total oil imports pass through the Strait of Hormuz. It has been actively involved in unilateral, bilateral, and multilateral exercises with other states in the Indian Ocean.<sup>68</sup> For instance, in February 2016, India conducted the fourth India-Myanmar Coordinated Patrol naval exercise in the Bay of Bengal region.<sup>69</sup> In order to augment naval surveillance outreach and maritime domain awareness (MDA) throughout the IOR, Indian Navy is engaged in establishing "operational turnaround bases, forward-operating bases, and naval air enclaves" therein.<sup>70</sup> The US policy of 'Pivot to Asia', Indo-US strategic partnership, and regular joint naval exercises are also meant to contain China's rise in the region.

To complement the growing fleet of vessels, the Indian Navy is also procuring MiG-29K multirole aircraft and Kamov-28 and 31 helicopters to deploy from its aircraft carriers. It has also built "nuclear-capable submarine-launched ballistic missiles (SLBM), land-attack cruise missiles, and a submarine-launched supersonic missile that modifies its BrahMos cruise missile."<sup>71</sup> In March 2016, the Indian navy, for the first time, deployed one of its advanced maritime reconnaissance aircraft (Boeing P-8I) to Seychelles for surveillance of the island nation's EEZs. This deployment reflected India's

profound maritime engagement in the IOR as well as a symbolic gesture of India being a credible security provider to the smaller states in the region.<sup>72</sup>

All these measures are meant to transform the Indian Navy into ‘a brand new multi-dimensional navy’ with ‘reach and sustainability’.<sup>73</sup> With India’s rise as a leading trade and resource-consuming power and China’s growing influence in the region, India stands resolute to guard its EEZs and expand its maritime influence beyond its littoral region.

## The String of Pearls strategy

The term String of Pearls has been derived from Booz-Allen’s 2005 report titled ‘Energy Futures in Asia’, and is widely taken as an analytical trope by some analysts to describe China’s purported plan to institute military facilities and intelligence stations all over littoral South Asia. Beijing has established closer diplomatic relations with many Indian Ocean nations during the last decade. Besides multi-million dollar aid, trade, and defence pacts in capitals across the region, China has financed commercial ports in Bangladesh (Chittagong), Myanmar (Sittwe and Kyaukpyu), Pakistan (Gwadar), and Sri Lanka (Hambantota and Colombo). Advocates of this narrative feel that owing to the PLAN’s large-scale naval modernization programme, the apparently trade-oriented ports will one day be upgraded into permanent naval bases. It is believed that in case of a conflict, such ‘encirclement’ through bases might enable Beijing to threaten India’s security, put global sea lanes at risk, and challenge US regional maritime superiority.<sup>74</sup>

Map 2



**Source:** <<http://csis.org/publication/issues-insights-vol-14-no-7-revisiting-chinas-string-pearls-strategy>>.

### Gwadar Port

The most talked about of the ‘Pearls’ is the warm water deep-sea port of Gwadar in Pakistan. The recently concluded CPEC project is a blend of



roads, railway lines, and pipelines that will connect Beijing's concerned projects at Gwadar Port—600 km off the southern tip of the Strait of Hormuz—with Kashgar in China's Xinjiang province. The project would establish an alternative energy supply route for China to reach the Middle East as well as Africa and Europe, thus minimizing Beijing's strategic reliance on the Strait of Malacca. China plans to transform Gwadar into a free-trade zone at the completion of CPEC.<sup>75</sup>

To offset Chinese presence at Gwadar, India is investing in Chabahar Port in Iran, which is located about 72 km west of Gwadar Port. The port holds strategic significance for India as it provides it with a sea-land entry into Afghanistan and Central Asian countries, circumventing Pakistan. The recent lifting of sanctions on Iran will also change the regional dynamics. Investment in the port will yield immediate strategic gains for India. Apart from providing access to Iran's and Central Asia's oil and gas reserves, Chabahar Port will help India meet its maximum trade potential with Central Asian countries, where regional players like China and Russia have already established strong economic linkages.<sup>76</sup>

In May 2015, New Delhi and Tehran signed a memorandum of understanding worth \$195 million to secure India's contribution in construction and development of the Chabahar Port. In February 2016, India approved a \$150 million project to develop the port.<sup>77</sup>

The port project has its limitations though. Afghanistan lacks skilled labour and necessary infrastructure required for connectivity and exploitation of resources. Its strategic road corridors, including the Ring Road connecting Afghanistan with Chabahar and funded by India, have yet to be completed.<sup>78</sup> If these irritants are ironed out, the port could provide India an alternate trade route to the Persian Gulf, increasing China's strategic dilemma.

### **Kyaukpyu Port**

China's investment in ports in Myanmar has garnered much speculation during the last few years. It has made huge investments in Kyaukpyu Port in Rakhine State on the Bay of Bengal, and is involved in joint oil and gas pipeline ventures with the Myanmar government. The first gas pipeline connects Kyaukpyu to Kunming (China) and was completed in 2013. China would bypass the Malacca Strait through the pipeline and tap directly into Myanmar's offshore gas fields. The second project is an oil pipeline starting from Maday Island in Kyaukpyu and transiting to China's Kunming city in Yunnan province. This oil pipeline would serve as a conduit for Beijing's oil imports from West Asia and Africa.<sup>79</sup>

China has remained one of the chief partners of Myanmar in the renovation and expansion of several ports on the Bay of Bengal. One of them is the Sittwe Seaport project, which India perceived as part of the 'Strings'.<sup>80</sup> In 2008, however, such claims were rendered groundless when India, under its 'Look East Policy' (now 'Act East' Policy), formalized a deal to use Sittwe Port (titled Kaladan Multi-Modal Transit Transport Project) as a link to India's

northeast. The plan is expected to improve India's economic linkages with Myanmar and the rest of Southeast Asia.<sup>81</sup>

Myanmar's Great Coco Island was also seen as China's primary signals intelligence facility meant to monitor India's naval base at Port Blair in the Andaman Islands and to keep tabs on commercial traffic through the Malacca Strait. In 2005, such claims were debunked when on-site inspections by the Indian Navy, on the invitation of the Myanmar government, proved that no Chinese facility or base on the islands or anywhere in Myanmar existed. The same holds good to-date.<sup>82</sup>

During the last five years, investment climate in Myanmar soured for China when former president Thein Sein shifted his focus on Western and other Asian investments. India, under its 'Act East' policy, is all set to increase its outreach in Myanmar. The changed political structure in Myanmar, post-2015 election, would play a pivotal role in shaping the future trajectory of India-Myanmar and Sino-Myanmar relations.

### **Hambantota Port**

China's increased focus on infrastructure and development projects in Sri Lanka such as Hambantota and Colombo ports, as well as regular docking of Beijing's submarines at Colombo Port for 're-fuelling and refreshment' are unnerving India.<sup>83</sup> Moreover, China is the only country to which Sri Lanka has granted the right to use its EEZ. The Hambantota Port project is funded by China since 2008 with the "aim to construct a harbor, two cargo terminals, a repair yard, and an oil tank farm/bunkering system."<sup>84</sup> Once completed, the port will be the largest in South Asia.

The proximity of the port to Indian sea lanes is perceived in New Delhi as a measure by China to 'encircle' India. The fact of the matter is that Sri Lanka had earlier offered the project to India. New Delhi declined Colombo's offer as it was already developing trans-shipment trade ports at Vizhinjam, Cochin, and Tuticorin in Kerala and Tamil Nadu, which would have the capacity to compete with Sri Lankan ports.<sup>85</sup> India enjoys considerable economic and political clout in Sri Lanka which presumably will grow in the coming years.

### **Chittagong Port**

In Bangladesh, China has invested in the modernization of the deep-sea port of Chittagong in the Bay of Bengal. Under the plan, the port will be connected with China's south-western region of Yunnan through rail and road networks.<sup>86</sup>

Beijing's growing military and economic ties with Dhaka have ruffled India's feathers. Indian trepidation regarding the Chittagong Port seems uncalled for though. During Prime Minister Modi's visit to Bangladesh in June 2015, an agreement, inter alia, between the two countries was signed that granted Indian cargo vessels use of China-financed Chittagong and Mongla ports.<sup>87</sup> Sagar Island, near the India-Bangladesh border, is now India's focus for a deep sea port, with an easy access to the Bay of Bengal. India is instituting 'missile batteries and radar surveillance' on the island.<sup>88</sup> It has expressed interest in

developing Payra deep sea port, which is on the south-western corner of Bangladesh, close to Chittagong and much closer to the Indian coastline.<sup>89</sup>

### **Analyzing the potential of the String of Pearls strategy**

The exponents of the String of Pearls theory often refer to maritime strategist Alfred Thayer Mahan's argument that China, after erecting a blue-water navy, will set up forward bases with strong geographical positions to project power and protect China's economic and national interests.<sup>90</sup> The reality, nonetheless, is that Mahanian idea of naval bases has been misunderstood. Analysts are sceptical of the idea that China would seek naval bases in the IOR for the following reasons:

First, the positioning of purported 'Pearls' holds value as far as China's energy and trade interests are concerned. However, they are unsuitable for use as naval bases primarily due to their proximity to India, which possesses a variety of aircraft like modern Su-30s and Mirage 2000s covering all of the String of Pearls sites.<sup>91</sup> As Daniel Kostecka, a China analyst with the US Navy observes:

"Converting these facilities into naval bases would require billions of dollars' worth of military equipment and infrastructure in order to ensure their viability in wartime. Even then, the exposed position of these facilities makes their wartime utility dubious against an enemy equipped with long-range precision strike capability."<sup>92</sup>

Second, a fortified naval presence through the deployment of forces and resources would be the basic prerequisite to transform the 'Pearls' into naval facilities. As has been discussed earlier, despite recent advancements, the PLAN is still deficient in sophisticated strategic, technical, and logistical expertise.<sup>93</sup> China's naval force structure would have to be much more superior and larger than it is now to address the PLAN's projected Indian Ocean drive.

Third, an idea of a purported Chinese String of Pearls cannot materialize instantly. These are long-term ventures, providing ample time to any adversary to prepare and respond.<sup>94</sup> A 2015 report titled *Not An Idea We Have to Shun: Chinese Overseas Basing Requirements for the Twenty First Century* by the US National Defence University viewed the so-called String of Pearls agenda of surreptitious access to Chinese-backed commercial ports as insufficient to support a forceful, "combat-oriented Chinese naval presence in the Indian Ocean." The distances between China's home ports and the PLAN ships stationed at the String of Pearls facilities would make it hard for China to defend its home waters and engage in major combat operations in the IOR simultaneously.<sup>95</sup>

Fourth, almost all the 'Pearls' lack physical features necessary to utilize a facility for major combat operations. The authors of the 2015 NDU report examined the set of standards used by the US Department of Defence and Department of Transportation to distinguish military port facilities (see Table 1).<sup>96</sup>

Table 1

## DOD port requirements applied to the String of Pearls

Requirements	Gwadar		Hambantota		Chittagong		Coco Islands	
	2012	2035	2012	2035	2012	2035	2012	2035
Recommended infrastructure								
Three berthing spaces 1,000 linear feet each		X		X	X	X		
Minimum water depth of 35 feet	X	X	X	X				
30–45 acres of open storage	X	X		X	X	X		
Four rail offloading spurs of 1,000 feet of straight track each								
Four rail/truck end ramps					X	X		
Gatehouse/security	X	X	X	X	X	X		
Access to port-owned interchange yard to support switching two trains per day					X	X		
Suitable area to land/service helos (~5 acres)	X	X		X	X	X		
Two container handlers	X	X	X	X	X	X		
Adequate interior roadways to port facilities		X		X	X	X		
Office space with adequate utilities and communication service	X	X	X	X				
Processing area for 30 trucks		X			X	X		
Wash rack that meets USDA requirements								
<i>Terminal Access</i>								
Close proximity (<10 miles) to interstate highway system		X		X	X	X		
Access to at least one major commercial rail carrier		X		X	X	X		
Water channel access width of 500 feet and depth of 35 feet	X	X		X	X	X		
Access to commercial rail interchange yard (if port-owned facilities are inadequate)		X		X	X	X		

**Source:** <<http://ndupress.ndu.edu/Portals/68/Documents/stratperspective/china/ChinaPerspectives-7.pdf>>.

The analysis suggests that barring the Chittagong Port in Bangladesh, all the ‘Pearls’ do not fulfil the minimal standards projected by DOD to support major combat operations. Even if Gwadar and Hambantota achieve the DOD criteria in future, their proximity to India would make them highly vulnerable.<sup>97</sup>

Fifth, China has traditionally followed its approach of non-interference. Shunning this principle would tarnish China’s image of a power believing in ‘peaceful rise’. It would legitimize other countries’ interference in its internal affairs<sup>98</sup> and would threaten China’s global economic interests. Besides, in the presence of two strategic powers, the US and India, it is unlikely that China would become a dominant military force in the region.

### **‘Places not bases’ for China**

Several analysts<sup>99</sup> view a policy of ‘places not bases’ at friendly ports as a practical Chinese arrangement in the region. The ‘places’ would involve access to flexible logistics support arrangements (ports, airports, replenishment centres etc.) by one country to another on temporary basis. That would give the PLAN access to critical infrastructure in times of emergency. A non-combatant evacuation operation (NEO) during the Libyan crisis in 2011 exposed the logistical challenges faced by China during expeditionary activities. The ‘places’ would thus enable the PLAN to overcome the lack of overseas shore-based supply points that severely limits its capability to sustain forces far from its shores during NEOs or anti-piracy operations. Drawing on the US experience in Singapore and elsewhere, the PLAN has used the Port of Aden in Yemen, the Port of Salalah in Oman, the Port of Karachi in Pakistan, and the Port of Djibouti in Djibouti during its anti-piracy missions.<sup>100</sup> Recently, China and Djibouti have reached a consensus on building logistical facilities in the African state for Chinese military.<sup>101</sup> Such efforts reveal a few things about how China plans to address the PLAN’s logistical challenges:

“A hybrid logistics support network or ‘Dual Use Logistics Facility Model’ that mixes commercial and military facilities is entirely workable for such missions. This basing model also emphasizes commercial contracts to support a Chinese military facility, cooperative development and use of a partner military’s logistics support capabilities, and continued positive economic and political engagement with the host nation.”<sup>102</sup>

In short, there is little evidence to back the queer idea that China would pursue a String of Pearls strategy in the IOR. The narrative among the Indian and Western security circles reveals more about their insecurities than actual Chinese strategic intentions.

### **Conclusion**

Amongst all maritime issues, the most infuriating one for India is China’s non-acceptance of Indian supremacy in the IOR and its claim to great power status. Hence the relationship between them remains volatile, antagonistic, and tense. India’s immediate objective in the Indian Ocean is to counter China’s rise in the IOR, to secure and control India’s EEZs, and to protect its strategic and commercial interests. Many in New Delhi believe that India and China would continue to compete and even clash in the Indo-Pacific strategic and maritime spheres.<sup>103</sup> The putative String of Pearls theory also reflects India’s security dilemma vis-à-vis China.

Similarly, China’s increased efforts to project power in the IOR and its strengthening relations with vital littoral states in the region represent China’s security dilemma rooted in the desire to protect its SLOCs in the region.

Sino-Indian security dilemma has the potential to spread beyond the Indian Ocean to the Pacific. India has, therefore, started developing its

capabilities at and around the choke points, aligning itself with the US, projecting its presence near the Strait of Malacca, and increasing involvement in the SCS. It has been very supportive of ASEAN countries having territorial disputes with China like Vietnam and Philippines. India intends to establish a naval base in Vietnam too.<sup>104</sup>

Strategically, India has a natural advantage ('interior lines') in the Indian Ocean and China has corresponding disadvantage ('exterior lines').<sup>105</sup> Similarly, China can ill-afford to enforce easy blockade of the Strait of Hormuz because it will not be possible for it to get its oil sailed freely past India and through Malacca Strait. It would benefit China if it succeeds in minimizing provocation of India in the Indian Ocean and use its resources where it possesses strategic advantage. India, on the other hand, is beset with the challenge of how it will maintain its geographic advantage in the Indian Ocean without provoking China.<sup>106</sup>

It can be concluded in light of the categorization used by Robert Jervis in understanding the security dilemma that the strategic environment in the Indian Ocean is 'doubly dangerous' and there is ample scope for an intense security dilemma between India and China. Since protection of trade and SLOCs are the key maritime security concerns in the Indian Ocean, discrimination between offensive and defensive build-ups by India and China would be difficult. As a matter of fact, the behaviour of India and China depicts an intense security dilemma because each acts at the expense of the other.<sup>107</sup>

Some scholars are of the firm view that the basic strategic choice India will face in the Indian Ocean is whether to limit Chinese maritime presence or facilitate its role as a stakeholder in the Indian Ocean. While some have suggested that a practicable way out could be that India, as a resident power in the Indian Ocean, works with China and the US to hammer out ways and means to accommodate the legitimate interests of all stakeholders. To them, this will help reduce the risks of strategic rivalry in the Indian Ocean. China is reported to have already signalled its openness to discussion about a cooperative mechanism on sea lanes in the Indian Ocean. The January 2012 agreement between China, India, and Japan for coordinating naval anti-piracy efforts in the Gulf of Aden is indicative of their willingness to encourage maritime security cooperation.<sup>108</sup> However, symbolic gestures like cooperation in anti-piracy activities cannot be taken as mainstay of overcoming the security dilemma arising out of traditional threats posed by the Sino-Indian strategic interests in the Indian Ocean.

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# AWAMI LEAGUE'S POLITICS OF VENGEANCE

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Awami League, the ruling political party of Bangladesh, has vociferously adopted vengeful politics since it has come into power in 2009. Instead of focusing on development and betterment of people, it is seeking revenge from political opponents. Awami League established a domestic tribunal named the International Crimes Tribunal (ICT) on 25 March 2010. Its purported objective was to detain, prosecute, and punish persons responsible for committing genocide, crimes against humanity, war crimes, and other transgressions under international law. According to experts of international law, this tribunal does not meet the international standards for dispensing justice. They argue that its establishment is aimed at discrediting and maligning the political opponents.

Awami League won two consecutive elections in 2009 and 2014. The 2014 elections were 'scarred by violence'. According to Human Rights Watch, hundreds were killed in the elections of 2014, making them the bloodiest since independence.<sup>1</sup> The elections were boycotted by the second major political party of the country Bangladesh Nationalist Party (BNP) and its allies. Out of 300 seats in the parliament, 154 were uncontested, which made Awami League contestants 'victors' on 127 of the 154 uncontested seats.<sup>2</sup> The voter turnout was as low as 22 per cent.<sup>3</sup> Amidst violence, low voter turnout, and boycott, the leader of Awami League Sheikh Hasina was sworn in as the Prime Minister of Bangladesh. In her 2014 election manifesto she pledged to continue the so-called trials of war criminals.

Instead of moving towards the future, Awami League has decided to take refuge in the past. If vendetta was the norm of international relations, Finland would have started seeking revenge from Russia after its independence. Finland got independence from the Soviet Union after a civil war in 1918.<sup>4</sup> It was a short but brutal conflict of three months, causing around 38,000

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casualties.<sup>5</sup> Since then, Finland has not tried to implicate the Soviet Union (now Russia) in any confrontation. In fact, even during the Cold War, Finland based its policies on 'active neutrality'.<sup>6</sup> Consequently, Finland holds number one position in the rankings as per the world prosperity index, the human capital index, and the world education index.<sup>7</sup> Revenge generates negativity; it is negativity that has engulfed Bangladesh. Consequently, until today, 31.5 per cent of Bangladesh's population lives below the poverty line.<sup>8</sup> A recent study by Human Rights Watch indicated that almost 43,000 people die each year in Bangladesh by drinking arsenic-laced water.<sup>9</sup>

Europe, which is now an epitome of peace, has embraced the idea of forgetting the past and cooperating with each other for mutual good. Germany and France had a brutal fight, the battle of Verdun in 1916 (21 February-18 December). It is the longest, deadliest, and the most devastating fight of the First World War. Some 300,000 were killed in it.<sup>10</sup> The forest, where the battle was fought, is a no-go area in France, as it is still toxic even after a century.<sup>11</sup> Despite this fierce fight, Germany and France are peacefully coexisting and helping each other in ensuring better future for their citizens. France was the largest trading partner of Germany from 1961 to 2014.<sup>12</sup> There is wisdom in forgetting a dreadful past, if a nation wishes to grow and prosper.

This paper focuses on the politics of vendetta propelled by Awami League. It is divided into three sections. The first explains the historical facts surrounding the 1971 conflict. The second section describes Awami League's political vendetta, which is being sought through the ICT, while the third demonstrates how Awami League is silencing voices of dissent. The three sections are followed by a conclusion.

## **Historical synopsis**

It has been 44 years since East Pakistan seceded from Pakistan and became Bangladesh. It was a difficult and painful birth with India playing the role of a midwife. Bangladesh got independence to change the plight of Bengalis, but what is happening there is contrary to what was envisaged. One might wonder why Awami League has opened this Pandora's Box after so long, even though the founding father of Bangladesh Sheikh Mujibur Rahman himself tried to bury the hatchet.

On 16 May 1973, Sheikh Mujibur Rahman gave general amnesty to collaborators of West Pakistani military personnel.<sup>13</sup> He visited Pakistan in February 1974 for the Organization of Islamic Cooperation (OIC)<sup>14</sup> Summit and gave a forward-looking message to Pakistan. On the occasion, Pakistan officially recognized Bangladesh as an independent country. Zulfikar Ali Bhutto, the then prime minister of Pakistan, in his speech said, "The country was dismembered, the unity was sundered and a yawning gap was opened between you and us. In a sense it may be too late to cry on what has happened already, but it is never too late to repent, to say tauba, from the depths of our hearts. As I said earlier, the people of Pakistan respect your decision. They and the government of Pakistan recognize and respect the sovereignty and independence of Bangladesh. More than that, we wish you rapid progress and prosperity. We

extend to you all our goodwill, and we are prepared to cooperate with you to the extent that you desire.”<sup>15</sup> It was a heartfelt demonstration of repentance. Later, in order to normalize relations between Bangladesh, India, and Pakistan, a tripartite agreement was signed on 10 April 1974.

### **Pakistan’s recognition of Bangladesh and the tripartite agreement of 1974**

In 1973, the Awami League government identified 195 people as war criminals. Those suspects were all Pakistani army officers. Amazingly, no Jamaat-e-Islami leader or any of its supporters was on the war criminal list of 1971. The 195 Pakistani soldiers who were accused of war crimes, however, were given amnesty and repatriated to Pakistan following a tripartite treaty between Bangladesh, India, and Pakistan, known as the Bangladesh-India-Pakistan Agreement of 1974.<sup>16</sup>

Regarding the 195 war crimes accused, the treaty stated:

“In the light of the foregoing and, in particular, having regard to the appeal of the Prime Minister of Pakistan to the people of Bangladesh to forgive and forget the mistakes of the past, the Foreign Minister of Bangladesh stated that the Government of Bangladesh had decided not to proceed with the trials as an act of clemency. It was agreed that the 195 prisoners of war may be repatriated to Pakistan along with the other prisoners of war now in the process of repatriation under the Delhi Agreement.”<sup>17</sup>

The current political turn taken by Awami League is quite contrary to what the nation’s founding father Sheikh Mujibur Rahman intended. After secession, Sheikh Mujibur Rahman had also called for the trial of 195 Pakistan Army officials. Pakistan’s stance, however, was that those who were captured were defending their own country against India. Later, the matter was resolved through the tripartite agreement. Moreover, it was clearly expressed by Pakistan government that any excesses that were committed during the war were regrettable and condemnable.<sup>18</sup> The current stance of Awami League implies that it may also consider the nation’s founding father a traitor, for ‘forgiving’ the wrong doers.

In a 1992 speech to the parliament, Sheikh Hasina (then opposition leader) declared that amnesty to West Pakistani military personnel, given by Sheikh Mujibur Rahman, was only enacted to ensure the repatriation of 250,000 East Pakistanis who were being held at that time in West Pakistan.<sup>19</sup> One might argue that it is very easy to associate something to a person who is not there to defend it. In late 2015, Awami League had also announced to hold mock trials of the 195 Pakistani military officials accused of war crimes.<sup>20</sup>

Sheikh Hasina has revitalised the ‘vendetta politics’, mainly implicating leaders of the opposition and specifically Jamaat-e-Islami leaders who were not identified as ‘collaborators’ in 1971. The US embassy in Dhaka expressed its concern over the behaviour of Awami League towards opposition parties in a cable leaked by WikiLeaks. An official of the US embassy said,



“There is little doubt that the hardliner elements within the ruling party (Awami League) believe that the time is right to crush Jamaat and other Islamic parties.”<sup>21</sup> It seems that Awami League wishes to eliminate opposition by playing politics over painful memories of the nation.

### **Awami League's 'questionable' political turn**

Awami League has targeted various members of the opposition, Jamaat and BNP, by charging them with mass killings in the military operation of March-December 1971. Capital and other forms of punishment have been given to them by the controversial ICT in Dhaka. The controversy deepened, on indigenous and international level when former assistant secretary general of Jamaat Abdul Quader Mollah, who was earlier awarded lifetime imprisonment by the tribunal, was sentenced to death by the Bangladesh Supreme Court through a recently amended law and was executed. According to Human Rights Watch, the turning of life imprisonment to death sentence was a ‘retroactive application of amended legislation’ which was a violation of international law.<sup>22</sup> He was 65 years old on execution.

David Bergman links the proceedings of the tribunal with political interests of Awami League. He wrote, “Since the Awami League came to power again in 2009, it has tried to use the emotions surrounding the 1971 war to justify a move toward authoritarian one-party rule. In its version of history, only the Awami League is the party of liberation, and therefore of government, and opposition parties are branded as ‘pro-Pakistan,’ and therefore dangerous and disloyal.”<sup>23</sup> It is also interesting to note that after the creation of Bangladesh, Sheikh Mujibur Rahman banned all other political parties and established a one party system, in which only Awami League could rule.

Majority of Bangladesh's population is fed up with the continuous political rancour between Awami League, Jamaat, and BNP, as it is the common citizen who is suffering as a result of the unabated strikes carried out by warring political parties. Large-scale corruption, nepotism, and bad governance in the state have further augmented a sense of pessimism among the masses regarding the future of Bangladesh. Amidst this pessimism, the leadership of Bangladesh has decided to dwell on negativity by clinging to the bitter past.

### **Living in the past: setting up of the International Crimes Tribunal by Awami League**

The ICT is a domestic judicial mechanism set up by Awami League in 2009 under the principles and guidelines enumerated in the International Crimes Tribunal Act (ICTA) of 1973.<sup>24</sup> It is termed as ‘international’ because it is supposed to deal with the internationally recognized crimes such as war crimes (including customs and laws of war such as improper treatment of civilians and prisoners of war) and crimes against humanity (murder, enslavement or deportation of civilians, or persecution on political, racial or ethnic basis).

Geoffrey Robertson (the first President of the UN war crimes court in Sierra Leone), is of the view that to use the 1973 Act for the proceedings of the ICT ‘is a mistake’, as this law is outdated and does not comply with the modern

human rights standards.<sup>25</sup> The 1973 Act was drafted on the pattern of Nuremberg trials. The Nuremberg trials present the first model for trying the accused for war crimes. It was set up by the Allies (victors of the Second World War) to try Nazi war criminals. On the one hand, these trials are regarded as the first step towards the enforcement of international law; on the other, various analysts consider them examples of victor's justice. Harlon Stone, chief justice of the US at the time of Nuremberg trials described them as 'sanctimonious fraud' and a 'high grade lynching party'. A former associate of the chief justice William O Douglas described the Allies as preservers of 'power' over principle.<sup>26</sup>

Nonetheless, the Nuremberg trials provided a precedent for trials of the Japanese war criminals in Tokyo (1946-48), and the establishment of a crimes tribunal to try the accused for war crimes committed in former Yugoslavia (1993) and Rwanda (1994). It is argued, however, that the victor of any conflict gets the benefit of such trials as it is always determined by the victor as to who is guilty and who is not. Those who defended East Pakistan as part of Pakistan are being tried for treason in Bangladesh. If East Pakistan had remained a part of Pakistan, those who fought against the state (of Pakistan) would have been charged with treason.

Apart from this debate, the proceedings of the trial are also marred by incompetence and injustice. John Cammegh, a prominent British lawyer wrote, "Over the last 20 years, international criminal justice has developed rapidly, and most people see this as a change for the better. But a trial now starting in Bangladesh risks making a mockery of that principle. Indeed, it serves as a terrible warning of the way in which the ideals of universal justice and accountability can be abused. Facing ill-defined charges of crimes against humanity, which carry death penalty, are five elderly men who lead the country's Islamist party, Jamaat-e-Islami. (A sixth defendant is a central figure in BNP, an erstwhile political ally of Jamaat.)"<sup>27</sup>

Every judgment until now has dedicated considerable attention to the role of Jamaat in the conflict. An accused's association with Jamaat, even if only indirectly, has often been the key basis for his conviction.<sup>28</sup> For example, in the case of Professor Ghulam Azam, the accused's affiliation and membership of Jamaat was the only reason for his conviction. The evidence for his conviction was taken from non-attributable newspaper articles.<sup>29</sup> Twenty-six people have been convicted so far by the ICT. All belong to the opposition: Jamaat and BNP.

### **Opposition under siege**

The 90-year-old Ghulam Azam was Jamaat's leader until 2000. He died appealing against his conviction. He was an alleged collaborator in the 1971 war because he was against separation of East Pakistan from Pakistan.<sup>30</sup> It needs to be borne in mind, however, that Mujibur Rahman also proposed a confederation between East and West Pakistan in February 1971. However, this proposal was rejected by the imprudent military elite of Pakistan.<sup>31</sup>

Another renowned leader of Jamaat Delwar Hossain Sayeedi was found guilty in February 2013 on charges including murder, torture, and rape. The 72-

year-old former member of parliament had his death sentence overturned on appeal and is now serving life in jail.<sup>32</sup> One of the witnesses of Sayeedi named Mustafa Howalder was killed by a machete at his home, as no protection was provided to him by the police.<sup>33</sup> Motiur Rahman Nizami, another Jamaat leader of its Islami Chatra Sangha wing was convicted at the age of 71 for killing a man in 1971. Although the defence managed to produce evidence of the birth of a daughter in 1976 of the man he had allegedly killed in 1971, the court ignored this record and relied on hearsay documents provided by the prosecution.<sup>34</sup>

Ali Ahsan Mohammad Mujahid, former secretary-general of the Jamaat and an influential figure within the party, was executed in November 2015. He had served as social welfare minister in the BNP-led government from 2001 to 2006. His defence requested to represent 1,500 witnesses to the court, but the court allowed only three. He was hanged for instigating his subordinates to commit abuses, despite the fact that none of the subordinates was identified.<sup>35</sup> Syed Mohammad Qaisar, former BNP member of the parliament, was indicted for crimes against humanity in 2014 while in London.

Former minister Salahuddin Quader Chowdhury was the senior-most leader from BNP to be sentenced for crimes against humanity. The tribunal found him guilty on nine out of 23 charges including genocide, arson, and persecuting people on religious and political grounds. He was executed in November 2015. In Chowdhury's case, the court refused to accept any of his alibi<sup>36</sup> witnesses. The court allowed to call 41 witnesses of the prosecution, and only four of the defence.<sup>37</sup> Chowdhury complained at the time of his conviction that the verdict had come "from the [law] ministry," saying that it had been available on the internet before it was formally announced in the court.<sup>38</sup>

The trials of both Ali Ahsan Mohammad Mujahid and Salahuddin Quader were referred to as 'miscarriage of justice' by Amnesty International.<sup>39</sup> Former US ambassador for war crimes Stephen Rapp also expressed his concern over the fairness of trials of Muhammad Mujahid and Salahuddin Quader. He said, "Throughout my engagement, my first interest has been to achieve justice for the victims and survivors through trials and appeals that would establish the undisputable truth and hold the major surviving perpetrators to account. For such a process to stand the test of time, I urged that the judicial proceedings of the International Crimes Tribunal respect the highest legal standards. It saddens me to say that I do not believe that was done in the cases of Salahuddin Quader Chowdhury and Ahsan Mohammad Mujahid. Under the provisions of international law that Bangladesh has bound itself to uphold, the imposition of sentences of death in these cases is not justified."<sup>40</sup> Does it mean, that these two men are 'murdered' by the state, as they were not given a fair chance to defend themselves against the charges levelled against them?

Another senior member of Jamaat Mir Qasim Ali was convicted and sentenced to death by the ICT in November 2014. The process of his trial was widely criticised by Human Rights Watch. The Supreme Court upheld his conviction despite criticism by the Chief Justice on performance of the prosecution. Chief Justice Surendra Kumar Sinha said, "What prevented the investigation agency to produce sufficient witnesses to prove the charges? ...

The prosecution and the Investigation Agency need to produce sufficient evidence to support a conviction... We feel really ashamed when we read the prosecution evidence.”<sup>41</sup>

It is astonishing that the defence was allowed to represent only three witnesses. Lawyers were threatened with five million Takka fine when they asked the judges to review their order limiting the witnesses.<sup>42</sup> Government minister Qamrul Islam even demanded ‘removal’ of the Chief Justice for criticizing the trial process.<sup>43</sup>

Muhammad Kamaruzzaman, former assistant secretary-general of Jamaat, was found guilty in May 2013 of masterminding what the prosecution described as ‘one of the bloodiest single episodes in the independence war’.<sup>44</sup> He was hanged in April 2015. According to Human Rights Watch, the court “arbitrarily limited the ability of the defence to submit evidence, including witness and documents.”<sup>45</sup> The UN also said that his trial did not meet ‘fair international standards’.<sup>46</sup>

The international community strictly opposes the death penalty. Asia director of Human Rights Watch Brad Adams said, “Human Rights Watch opposes the death penalty in all circumstances as an irreversible, degrading, and cruel punishment. It is particularly problematic when proceedings do not meet fair trial standards and where the right to appeal against a death sentence by an independent court is not allowed... Delivering justice requires adhering to the highest standards, particularly when a life is at stake. The death penalty is irreversible and cruel, and Bangladesh needs to get rid of it once and for all.”<sup>47</sup> Bangladesh government’s insistence on the death sentence is prohibiting it from getting foreign funds for the trials. It seems that Bangladesh does not want any foreign observation on its dubious methods of dispensing victor’s justice.

Ali Ahmed Mujahid was 64 when he was hanged to death. Not only is the death sentence itself objectionable, but also the hanging of the elderly. The factor of time is also important while dispensing justice. In utter insistence on trying the alleged war criminals after 46 years of the conflict, many trials are being conducted in absentia in Bangladesh.

### **Trials in absentia**

AKM Yusuf, the former naib ameer (vice president) of Jamaat who died in February 2014, is still facing 13 war crimes charges. The prosecution requested the tribunal to proceed with Yusuf’s case despite his death.<sup>48</sup> Prosecutor Syed Haider Ali said, “The matter cannot be ended with his death.” He appealed to the court to deliver a judgment or at least dispose of the case with some observations, terming it ‘a demand of the nation’.<sup>49</sup>

When the tribunal asked the prosecutor to give instances of the continuation of trial from home and abroad even after the death of the accused, he cited the case of Slobodan Milosevic, the former president of Yugoslavia who died during his ongoing trial at the International Criminal Tribunal for the former Yugoslavia (ICTY). Although the ICTY put an end to Milosevic’s trial after his death in 2006, the International Court of Justice (ICJ) announced the order [formal end to his trial] ‘ineffective’. The prosecutor insisted that the case

was not a usual one as the gravity of Yusuf's offence was severe. As per the domestic law of Bangladesh, however, an accused gets discharged after his or her death.<sup>50</sup>

British-Bangladeshi Muslim community leaders Chowdhury Mueen-Uddin and Ashrafuzzaman Khan were also being tried in absentia by a special tribunal in Bangladesh. They were found guilty on 11 charges relating to abduction and killing of 18 independence supporters.<sup>51</sup> It seems that the ICT is constituted to convict whosoever is accused of crimes against humanity by the state.

### **The ICT: constituted to convict**

There are various procedural difficulties and issues of fairness related to the working of the ICT. As Awami League has become the ruling party without facing any competition, it has the power to legislate whatever it wishes. The contentious amendment in articles 47 and 47-A of the constitution removed vital protections previously accorded to the defendants under ICTA.<sup>52</sup> Various amendments that curtail the rights of the war crimes accused are inconsistent with the values embodied in the constitution, therefore, they are unconstitutional.<sup>53</sup>

Other than this flaw, there are various other fairness issues related to the working of the ICT. For instance, the treatment of alibi represented by the defence at the ICT needs to be true to the extent of 'absolute certainty'.<sup>54</sup> It implies that the burden of proof remains on the defendant rather than the prosecution. The ICT used judicial notice to 'accept' some widely believed notions, which were presumed as facts in Bangladesh. For instance, it took judicial notice for the following:

1. The auxiliary groups to the Pakistan army provided moral support, substantially contributed to, and physically participated in the commission of atrocities;<sup>55</sup>
2. Thousands of incidents took place throughout the country as part of the organized and planned attack. Target was the pro-liberation Bengali civilian population, Hindu community's pro-liberation political group, freedom fighters, and intellectuals;<sup>56</sup>
3. The war of liberation constituted an 'attack' and it was systematic;<sup>57</sup>
4. Pakistani occupation army organized militias like *Razakar* and *Al Badr* for the purpose of operational support in implementing its atrocious activities in furtherance of policy and organized plan;<sup>58</sup>
5. Genocide occurred in Bangladesh;<sup>59</sup>
6. There was a policy and plan to commit genocide.<sup>60</sup>

According to Geoffrey Robertson, "Genocide must be proved, not assumed." He further says, "The difference between a newspaper and a court is that the court requires to be satisfied to a certain standard that an event happened and should not act until it is."<sup>61</sup> Neglecting the requirements of criminal law,

the ICT decides on the basis of widely accepted notions. There has never been any legal mechanism of proving whatever is 'said' and 'believed' regarding the 1971 war in Bangladesh. Sadly, people are being hanged in Bangladesh on the basis of 'assumed' notions.

### **ICTA 1973: the Hangman's Charter<sup>62</sup>**

To understand the contentious working of the tribunal, it is important to grasp both the full extent of the powers conferred by ICTA on the tribunal and the prosecution, and the extent to which the rights of the accused are curtailed in proceedings that allow for the death penalty.<sup>63</sup> This is the first statutory attempt to create a war crimes tribunal after Nuremberg. According to John Cammegh, a barrister in London, even a minor examination of ICTA casts shadow on the fairness of trials of the tribunals.

Cammegh believes that Awami League government wishes to eliminate opposition figures for political gain through ICTA. In ICTA there is no right to have a lawyer present during a pre-trial prosecution.<sup>64</sup> For instance, when the first arrestee, Jamaat's leading cleric Delwar Hossain Sayeedi, was interviewed, his attending lawyer was forced to 'observe' the proceedings from an adjoining room. He could not understand anything as there was no window to hear what was being said.

Afterwards, excited investigators briefed the expectant press on the suspect's 'confession', duly sensationalized in the national press and on the internet the following day. The Act's impact on the trial process is equally disturbing. As with investigators, all judges on the tribunal panel are to be appointed by the government, proceedings may continue in a judge's absence, and there is no right to challenge judicial appointments. Judges have an autonomous right to question witnesses with no right for defence counsel to re-examine.<sup>65</sup>

The International Centre for Transitional Justice (ICTJ) has also raised some serious concerns over the death penalty, independence of the process, and limits on the rights of suspects and accused in the ICT.<sup>66</sup> Toby Cadman who is an international defence counsel at the ICT wrote that the real purpose of the tribunal "is to legitimize state-sponsored revenge without regard for the fundamental and universally recognized principle that those accused (dare I suggest it?) are innocent until proven guilty."<sup>67</sup>

Zakir Hafez, an international law professor in the School of International Service at American University, remarked that everyone in Bangladesh wanted to see the perpetrators prosecuted, but he could not see 'truth and independent justice' in the composition of the tribunal judges or its rules. Professor Hafez then summed up by saying, "If the Tribunal is not in accordance with international justice and the rule of law, it will not be a good legacy for Bangladesh."<sup>68</sup>

Nevertheless, other than the contentious proceedings of the ICT, the question arises whether Bangladesh can hold such trials? The conflict in 1971 was an intrastate conflict, which later became interstate with the intervention of India, since Bangladesh was not born then. Can this fact bar Bangladesh from

convening the trials of war criminals, as Bangladesh did not even exist at the time of conflict?

The precondition at Nuremberg was the actuality of an international armed conflict between at least two states when the crimes were committed. Barrister John Cammehg is of the view that if the ICT in Bangladesh intends to apply the Nuremberg precondition of an international armed conflict, still applicable in 1971, it would be unlawful according to “the nullum crimen sine lege [no crime without law] maxim enshrined within Article 15 of the International Covenant on Civil and Political Rights (ICCPR).”<sup>69</sup>

Cammehg believes that the ICT in Bangladesh is certainly not qualified to try crimes against humanity. He further adds that owing to the amended constitution's bar on interlocutory appeals, there is no higher court available to inform the authorities about this legal hitch.

“Instead, the tribunal is left with the indignity of entertaining charges on an indictment where nobody—not the prosecution, nor the defence, nor even the judges themselves have a clue about what must be proved for crimes against humanity conviction to stick. The tribunal's announcement that they may at a later stage in the proceedings choose to adopt developments on the definition of crimes against humanity from recent tribunals adds insult to injury: the suggestion doesn't just amount to a tacit admission that they are undecided about the law, it also suggests the judges are open to making up the law as they go along.”<sup>70</sup>

It is imperative to understand the non-seriousness of the government-backed ICT about legality, or even the appearance of a fair trial. Article 31 of the constitution states, “To enjoy the protection of the law, and to be treated in accordance with the law, is the inalienable right of every citizen.” Article 47(3), as amended, effectively removes that protection from those charged under ICTA. Thereby, the ICT suspects are rendered second-class citizens before the law. Just to emphasize the point, in proceedings brought against the amendment, a Supreme Court judge held that a reasonable distinction could properly be drawn between the rights accorded to “ordinary citizens and other citizens accused of war crimes.”<sup>71</sup> The ICT is also planning to try Jamaat as a criminal organization. Legislation has to be done, however, for trying the entire organization for crimes against humanity.<sup>72</sup>

### **Silencing voices of dissent**

Those who accuse the process as devoid of justice are also held accountable for their opinions. A local news agency Amar Desh and then The Economist published a leaked skype conversation between the Head Judge of the International Crimes Tribunal Justice Nizamul Huq and the prosecution, which revealed that the government was pressurizing the tribunal's chairman for deciding the case of Delwar Hossain Sayeedi on 16 December. In response, the Economist was summoned for contempt of court, and Amar Desh was ordered to “stop publishing and its editor was charged with sedition.”<sup>73</sup> A court in

Dhaka imposed ‘contempt of court charges’ on 49 civil society members for just criticizing the trial process.

In the case against the Daily Star (leading English-language newspaper in Bangladesh) editor Mahfuz Anam, it is alleged that he published stories against the Awami League government in the past without verifying them independently.<sup>74</sup> Anam is facing 79 cases against him in 53 districts of Bangladesh.<sup>75</sup> Brad Adams, Asia Director of Human Rights Watch, views sedition charges against the Daily Star editor as a “clear attempt to intimidate all media in the country.”<sup>76</sup> In October 2015, the government warned business enterprises that they would be ‘penalized’ if they would publish advertisements in the Protom Alo and the Daily Star.

These actions of Awami League demonstrate a forceful mechanism of silencing free speech in Bangladesh.<sup>77</sup> It seems as if the Awami League government wishes to have a ‘mute’ population. The most famous case put forth by the government on just expressing one’s thoughts is of David Bergman.

### **Case against David Bergman who dared to question**

David Bergman is the author of a popular blog about the ICT. He wrote on his blog, “The tribunal in its order does not provide or refer to any evidence or material on record to support the figure of 3 million fatalities, treating it as a historical fact. Although this number is treated as though it is an official government figure, there is as far as I can see little evidence, if any, to support it.”<sup>78</sup>

On the basis of this mere ‘observation’, Bergman was prosecuted by a Bangladeshi court. While not convicted for this ‘offence’, he has been convicted for his other blogs. Critics believe that Sheikh Hasina’s government has deliberately exaggerated the number of people killed as a way of refuting unease from abroad about the faulty trial process which lacks any international oversight. If the government’s official toll is taken as a fact, an average 11,000 people died every day in the nine-month conflict which saw the former territory of East Pakistan secede from the United Pakistan.<sup>79</sup>

Bergman, in a blog post on November 2011, questioned whether there was evidence that supported the official figure and mentioned other studies suggesting that the real figure could be much lower.

### **Discord over casualty figures**

Most independent estimates say that the actual toll would be hundreds of thousands. Sayyid A Karim, who wrote a biography of Sheikh Mujibur Rahman, *Sheikh Mujib: Triumph and Tragedy*, wrote that the prime minister’s (Sheikh Mujibur Rahman’s) office told him that the death toll of three million has been taken from Pravda, the Soviet newspaper.<sup>80</sup> According to an American writer Lawrence Lifscultz, a survey conducted in Bangladesh to investigate the death toll in 1971 ‘was abruptly shut down’.<sup>81</sup> Since then, there has never been a sincere attempt by the Bangladesh government to authenticate the death toll. Other attempts have been made though.



In the Hamoodur Rehman Commission report, produced by the government of Pakistan, the death toll from the military operation in the then East Pakistan is 26,000. The report also drew attention towards the atrocities committed by Awami League against the Bihari community of East Pakistan by citing a work done by Mr Qutubuddin Aziz. It stated, "According to various estimates mentioned by Mr Qutubuddin Aziz, between 100,000 and 500,000 persons were slaughtered during this period [East Pakistan crisis] by the Awami League militants."<sup>82</sup> In a study, a UK-based independent researcher Sharmila Bose wrote, "From the available evidence discussed in this study, it appears possible to estimate with reasonable confidence that at least 50,000-100,000 people perished in the conflict in East Pakistan/Bangladesh in 1971, including combatants and non-combatants, Bengalis and non-Bengalis, Hindus and Muslims, Indians and Pakistanis. Casualty figures crossing one hundred thousand are within the realm of the possibility but beyond that one enters a world of meaningless speculations."<sup>83</sup>

Richard Sisson and Leo E Rose have also attempted to tackle the question of how many were killed in the conflict of 1971. They wrote, "India set the number of victims of Pakistani atrocities at three million and this is still the figure usually cited. We interviewed two Indian officials who had held responsible positions on the issue of Bangladesh in 1971. When questioned about the actual number of deaths in Bangladesh in 1971 attributable to the civil war, one replied 'about 300,000'. Then when he received a disapproving glance from his colleague, he changed this to, 300,000 to 500,000."<sup>84</sup>

BBC correspondent Mark Dummett believes that between 300,000 and 500,000 died in 1971.<sup>85</sup> The Peace Research Institute Oslo along with Uppsala University in Sweden has collected information on the number of deaths in all wars since 1900. Their estimates suggest that about 58,000 people died in the 1971 crisis.<sup>86</sup> General Kamal Matinuddin in *Tragedy of Errors: East Pakistan Crisis, 1968-1971*, wrote that the commander of Pakistani troops during the conflict General Tikka Khan admitted 34,000 casualties. The missionaries in East Pakistan estimated the loss of life at about 30,000.<sup>87</sup> The most recent account on the subject is given by Garry Bass in *Blood Telegram*. He too describes the figure of 3 million as 'inflated'.<sup>88</sup>

It is regrettable that excesses were committed by the autocratic regime of Pakistan at the time against its own citizens. But what Bangladesh is doing now is also objectionable, as it is denying freedom of speech and the fundamental right of every citizen to have justice. The conflict in 1971 was an outcome of suppression by a dictatorial regime. Bangladesh is once again curtailing the freedom of its people by silencing the voices of dissent.

In 2013, a lawyer Abul Kalam Azad filed a petition proclaiming that Bergman's piece on the war toll and two other articles were in contempt of court.<sup>89</sup> The court accepted the plea and initiated a case against Bergman in April 2014 after rejecting his assertion that the articles were 'accurate'. Azad adamantly said, "The three million death toll in the war is a settled issue. For 43 years there was no issue about these figures. Yet David has tried to unsettle it by

raising questions.”<sup>90</sup> The 49-year-old Bergman declined to comment for fear of prejudicing his case.

Analysts say that the case seriously undermines reporters’ bid to highlight independent narratives of the war. They believe that Bergman is being prosecuted for highlighting alleged shortcomings of the tribunal. Bergman’s ground-breaking work exposing alleged war criminals who took refuge in the United Kingdom was highly appreciated. His film won a British television award in 1995. Bergman’s lawyers have argued that the articles at the centre of the case were “accurate, fair, and logical” and his comments about the court “fell well within the permitted limits of fair criticism.”<sup>91</sup> Bergman, who is the editor of a local English-language daily *New Age*, has been living in Bangladesh for more than a decade.

Tibra Ali, the Canada-based editor of the popular Bengali blog site *Alal O Dulal*, said, “This case is very important for the country’s freedom of speech... Our historical narratives have become much politicised. This case is very important for depoliticisation of these narratives. We want an atmosphere in which anyone can probe or research our history without any fear.”<sup>92</sup> Bangladesh government is also planning to draft a law ‘Liberation War Denial Crimes Act’. This proposed legislation would prosecute anyone who would question the official figure of death toll in 1971.<sup>93</sup>

More astonishing is a sedition case filed by an Awami League activist against Khaleda Zia, the leader of BNP, on the basis of her speech referring to the official figure of the death toll. In December 2015, she said, “There is a debate about how many hundreds of thousands were martyred in the liberation war. Different books give different accounts.”<sup>94</sup>

Bangladesh has recently celebrated its 46th birthday on 26 March. Birth of Bangladesh was the outcome of a systemic failure in Pakistan. If Pakistan was lucky enough in establishing democratic institutions like India, Bangladesh would never have been born.

## **Pakistan’s stance on the birth of Bangladesh**

It is true that the state of Pakistan is responsible for a ‘tragic’ birth of Bangladesh. Various leaders and eminent persons of civil society of Pakistan have expressed their deep sorrow on the emergence of undesired conditions in East Pakistan that eventually gave birth to Bangladesh. On 29 July 2002, former president of Pakistan Pervez Musharraf visited the national memorial at Savar on the outskirts of Dhaka to pay homage to the country’s liberation war heroes. He wrote in the visitors’ book at the memorial, “I bring sincere greetings and good wishes from the Islamic Republic of Pakistan for their Bangladeshi brethren and sisters. We wish this land and its people peace, progress and prosperity... Your brothers and sisters in Pakistan share the pain of the events of 1971. The excesses during that unfortunate period are regrettable. Let us bury the past in a spirit of magnanimity. Let not the light of the future be dimmed. Let us move forward together. I am confident that with our joint resolve Pakistan-Bangladesh friendship will flourish in the years to come.”<sup>95</sup>

Imran Khan, Chairman of Pakistan Tehrik-e-Insaaf, the third largest political party in Pakistan said, "The Army operations always created hatred in Pakistan and we must apologise to Bangladeshis. We must learn lessons from our past mistakes and we should not repeat these mistakes in Baluchistan and tribal areas where we have started Army operations on the US pressure."<sup>96</sup> A renowned journalist of the Jang group, who has also been awarded 'Friend of Bangladesh' award said, "Pakistan must make an unconditional apology to Bangladesh for the atrocities the Pakistani occupation forces committed during the 1971 Liberation War."<sup>97</sup>

A renowned and highly respected professor of humanities in Pakistan Tariq Rehman said, "I also appealed to the Pakistani government to apologise to the people of Bangladesh for the military action and the atrocities committed from March till November 1971. But, of course, I added that in my view, the Bangladeshi government, too, should offer apologies to those Biharis and families of West Pakistanis who were killed before the military action and once the surrender took place."<sup>98</sup>

At that time Pakistan was diseased with dictatorship, which eventually led to the painful secession of East Pakistan. Bangladesh and Pakistan share the tragedy. The journey of changing the plight of Muslims of the subcontinent was started by mutual efforts of all ethnic groups of Pakistan. Alas, that dream of betterment of all Pakistanis could not be materialized. Nonetheless, the people of Pakistan wish better future for Bangladeshis.

## Conclusion

Bangladeshi people deserve to have democracy, prosperity, and progress. It would be better if Bangladeshi government focuses its energies on betterment of the country. The vengeful atmosphere in the Bangladesh is creating intolerance. The recent brutal attacks on bloggers (Avijit Roy, Bijoy Das, and Washiqur Rahman) for their secular views can be considered in this context.

Awami League is using the trials to discredit its political rivals. Many of the trials have been marred by faulty procedures. Some analysts accuse the ICT of prohibited contact by referring to evidence of intercepted communications between the prosecution and the judges. The ICT files contempt charges against those who raise questions about the trials. It is an adamant attempt to silence criticism. Human Rights Watch, journalist David Bergman, and journalists of The Economist, the Daily Amar Desh, and the Daily Star have been tried for contempt for publishing articles critical of the trials.

On the death of Ghulam Azam (war crimes accused Jamaat leader), editor of a Bangladeshi newspaper the Daily Star wrote:

"Now that Ghulam Azam is dead, should this nation take this opportunity to start the healing process? Should we stop the corrosion of hatred before it corrodes us further? Hatred's distribution has gone from wholesale to retail. Mutual contempt has gone to our blood. Whether we love or hate this man is no longer relevant. Perhaps it was never relevant for him in the first place. He returned to this

country as if nothing had happened. He never showed a twitch of guilt for diabolically opposing the creation of this state where he has lived and died! The best revenge on him and his band of brothers could have been a prosperous, peaceful, and democratic Bangladesh thrown in their face. Instead, the hatred they sowed in nine months of 1971 proved contagious for us. Ghulam Azam may have had the last laugh because, infected by the virus he masterminded, we've been fighting against each other for 43 years."<sup>99</sup>

The latest events in Bangladesh will only deepen the wounds in Bangladesh and Pakistan. It was certainly a systemic failure in Pakistan that led to the creation of Bangladesh.<sup>100</sup> It may be said that if decision-making elite in Pakistan had been predominantly Bengali in origin in an autocratic setup, Punjabistan or Sindhudesh could have emerged as independent states from systemic failure. This assumption can be supported by the fact that major political parties of both East and West Pakistan supported Fatima Jinnah in the 1965 elections to get rid of the autocratic regime of Ayub Khan. However, the elections were not fair, and Fatima Jinnah could not win. It establishes the fact that resentment against the autocratic regime was in the air all over Pakistan, but unfortunately the East Pakistan populace became a victim of unsolicited military operation.

'Velvet divorce' in case of Czechoslovakia is an example of nonviolent secession. A referendum for independence of Scotland in September 2014, which was voted against is also an example that can be followed whenever there is a widespread clash of opinions on a state level. It may be argued that separation of East Pakistan from West Pakistan could have been nonviolent and peaceful; unfortunately this was not the case because Pakistan was not democratic at the time.

Atrocities were committed indiscriminately against the rebels and non-combatant civilians during the civil war in East Pakistan. Therefore, it may also be suggested that Pakistan should at least acknowledge the atrocities committed by its military.<sup>101</sup> For the government of Pakistan, it would be better to respond on the 'faulty trials' conducted by the Awami League government against its political rivals rather than responding to the question of 'how many were killed' in the 1971 war. An official stance may be taken that unjust killing of one human is equivalent to the killing of the entire humanity and is highly condemnable.

The Holy Quran says:

"For that cause We decreed for the Children of Israel that whosoever killeth a human being for other than manslaughter or corruption in the earth, it shall be as if he had killed all mankind, and whoso saveth the life of one, it shall be as if he had saved the life of all mankind. Our messengers came unto them of old with clear proofs (of Allah's Sovereignty), but afterwards lo! many of them became prodigals in the earth."<sup>(5:32)</sup>

By forgetting the bitter past, Bangladesh and Pakistan can unleash various avenues of progress and prosperity. If Afghanistan also joins hands, the trio can make a Muslim bloc in South Asia. This 'Muslim bloc of South Asia' can cooperate in economic, social, and educational sectors. Together Afghanistan, Bangladesh, and Pakistan, can start an era of 'positive engagement' for the betterment of their people.

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offered condolences for the first time for the mass killings of  
Armenians under Ottoman rule during WWI. His comments came on  
the eve of the 99th anniversary of the mass deportation of Armenians in  
1915. Turkey denies Armenian claims that up to 1.5 million people  
were killed and that it constituted an act of genocide. Mr Erdogan said  
the events of 1915 had "inhumane consequences," and expressed hope  
that those who died were at peace. For examples of some international  
level apologies/ acknowledgement of atrocities, see Annex I.

# CHINA'S BELT AND ROAD INITIATIVE: IMPLICATIONS FOR BANGLADESH

MD. SAFIQU L ISLAM\* AND TANG QINGYE\*\*

## Introduction

The Belt and Road initiative, proposed by Chinese President Xi Jinping in September 2013, consists of a land-based economic belt and a maritime road. It aims at bolstering trade within Asia as well as with Africa and Europe by building infrastructure for integrating Asia. Both the land-based economic belt and the maritime road would connect Bangladesh with China, Southeast Asia, and other South Asian countries, which will promote trade, development of infrastructure and resources, industrial cooperation, and financial integration. The initiative will provide a bridge between minds and cultures of the people, and bring the two civilizations—Chinese and South Asian—closer. The ancient Silk Road also passed through Bangladesh and Myanmar from Yunnan province of China as well as other South and Southeast Asian countries. The centre of the economic network of the countries located along the Bay of Bengal was Bengal (Bangladesh). Although Yunnan was land-locked, it had built a historical relationship with the peoples of the Bay of Bengal through the land-based route. The geo-strategic location of Bangladesh has thus made it important with regard to the present Belt and Road initiative.

Geo-strategy, in its classical sense, links political power and geographical space. It can also be seen as a body of thought on specific strategic prescriptions based on the relative importance of land power and sea power in world history.<sup>1</sup> The key concept is the strategic geography that appreciates the factors of location and size, militarily important terrain, maritime choke points,

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and areas containing critical resources.<sup>2</sup> Geographical location may impose constraints but may also provide opportunities that would have far-reaching implications on policy and strategy.

Bangladesh is, therefore, geo-strategically located to become a gateway between China and South Asia, and between South Asia and Southeast Asia through the Belt and Road initiative. China can transport its goods to other South Asian countries by land route through Bangladesh. It can use the seaport of Chittagong in the Bay of Bengal to connect to the Indian Ocean, which will facilitate in developing the south-western region of China. Besides, the land route from Kunming to Chittagong Port in Bangladesh will be the shortest alternative land route in comparison to the route from Sittwe Port in Myanmar to Kunming. Bangladesh can provide Bhutan, Nepal, and the north-eastern region of India access to its seaport. In return, Bangladesh can enhance its strategic value and earn money. Bangladesh will be able to open up its trade through this route to the markets of China, Southeast Asia, and other South Asian countries. Foreign direct investment (FDI) will increase in different sectors that will create employment in Bangladesh.

Although the Belt and Road initiative in the case of Bangladesh is a very interesting and important research area, it is not thoroughly investigated yet. A few studies have been done in China-Bangladesh relations, but they are not extensive. This study will, therefore, investigate the nature of the ancient Silk Road, and its connection with the present Belt and Road initiative. It will also discuss how geo-strategically useful the Belt and Road initiative will be and what opportunities it may create for Bangladesh. The study will produce knowledge and understanding about China's Belt and Road initiative, which will be helpful for policymakers of Bangladesh and other countries located along the Belt and Road region. It argues for a proactive, prudent, and productive policy of Bangladesh towards China, Southeast Asia, and other South Asian countries. The study will also be useful in determining China's policy towards Bangladesh. Moreover, it will provide a guideline on what opportunities can be created for Bangladesh and China.

## **Concept of the Silk Road**

The romantic name of the Silk Road came from the German explorer and geographer Baron Ferdinand Von Richthofen in 1877. He associated the term with the Central Asian routes that served China as conduits of its trade with countries situated along the Oxus and Jaxartes as well as with South Asia between 114 BC and 127 AD.<sup>3</sup> The people living along the different trade routes in ancient time did not use the term Silk Road. In Roman period, the route between China and Europe was known as the trunk route. But the term Silk Road gained acceptance gradually. Sven Hedin's book (1936) on his Central Asian explorations carried the title *The Silk Road* in its 1938 English translation. After Japanese scholar Misugi Takatoshi used the term maritime Silk Road in his monograph *An Exploration of the Maritime Silk Road* (published in 1967), the concepts of land-based Silk Road and maritime Silk Road were widely accepted and used by the academia.<sup>4</sup> According to Baidu Encyclopaedia (Baidu

Baike), the maritime Silk Road refers to the maritime passage through which ancient China and other regions of the world conducted economic and cultural communication, and exchanges. It was an international trade network formed by a series of port nodes between the oceans in the East and the West. According to Haosou Encyclopaedia (Haosou Baike), the maritime Silk Road was also called the Porcelain Road and the extension of the land-based Silk Road, which originated during the Song and Yuan dynasties. With the introduction of spices from Arabia to Southeast Asia, this route also came to be known as the Spice Road. The Silk Road was, therefore, an ancient trade route that connected the eastern realms of China and India to the Western civilizations like Greece and Rome. It is also believed that the Silk Road existed as far back as the ancient Egypt through which silk production of China reached the West as early as the sixth century AD. Over time, the route grew and expanded into far-reaching corners of East, South and West Asia, North Africa, and Europe. The Silk Road, therefore, went through the modern day countries of Afghanistan, Bangladesh, China, Egypt, India, Iran, Iraq, Korea, Pakistan, Russia, Syria, Turkey, and Vietnam as well as the countries of the eastern Mediterranean, the Arabian Peninsula, and Central Asia.<sup>5</sup> As its name insinuates, the Silk Road played a hugely significant role in the distribution of luxurious Chinese silk to different regions of the world. This trade route acted as a catalyst that would begin to blend Eastern and Western cultures, and facilitated the exchange of goods such as silk, grains, spices, and other highly coveted items. China's One Belt and One Road is the updated version of the ancient Silk Road to integrate economically significant Eurasian countries, meet the needs of cooperation among developing countries, and upgrade Chinese enterprises and industries. Chinese State Councillor Yang Jiechi has remarked that while the ancient Silk Road has witnessed a common history and a glorious civilization in Asia, the new Silk Road combines rejuvenation of the ancient Silk Road with Asian integration.<sup>6</sup>

### **The Silk Road: a short historical background**

Since ancient times, the Silk Road went through an astonishingly diverse and mostly treacherous land. Generally accepted is the existence of two main routes of the Silk Road, i.e., the northern route and the southern route, supplemented by the middle route.

**Map 1:****Main routes of the Silk Road (around 114 BC-1450s)**

Source:

[https://en.wikipedia.org/wiki/Silk\\_Road#/media/File:Silk\\_route.jpg](https://en.wikipedia.org/wiki/Silk_Road#/media/File:Silk_route.jpg)

According to Herodotus' description of around 430 BC, the northern route started at the mouth of the River Don, a region belonging to the Sarmatians (today's Uzbekistan); it then crossed the Volga (Oarus) and continued to the Ural River, finally reaching Gansu (see Map 1).<sup>7</sup> The southern route from China to India existed even before the rise of the Central Asian Silk Road, and the introduction of Buddhism to China. The Silk Road between China and Central Asia became prominent between 500 and 800 AD. This was a 600 miles (1,000 km) route running mainly east-west between the Qinghai Mountains to its south and the Gobi Desert of Mongolia to the north (see Map 1).<sup>8</sup> However, Zhang Qian, a courtier of the Han Emperor Wu Di (140-87 BC), and his deputies had visited the countries of Dayuan (eastern part of the Uzbek Republic), Daxia (Bactria), Anxi (modern Iran), and Shendu (India) long before that. After returning to China, he reported to the emperor that in the street markets of Daxia, he saw square bamboo sticks and fabrics of Qionglai in Sichuan province. He was told by the local people that the traders of Daxia brought these goods from Shendu. Zhang Qian concluded that since there were Shendu-produced goods in Sichuan, Shendu was not very far from Sichuan.<sup>9</sup> In the fourth century BC, the Uttarapatha land route entered into central India on the one hand, and the land routes to China via Tibet and Myanmar on the other. The area was rich in resources notably copper, cotton, iron, and gold. The entire Gangetic area (area of Ganges River) as an international and domestic trading centre is well documented in various literary sources dating from before the fourth century BC to the first five centuries.<sup>10</sup> Besides, the road linking south-

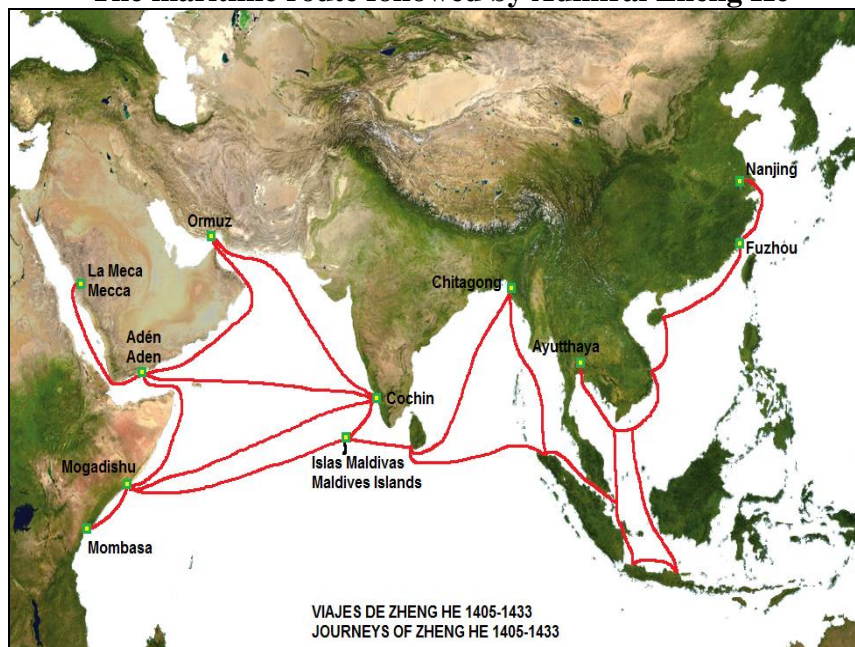
western China (Yunnan and Sichuan) with India was recorded by Xuanzang (mid-seventh century) and Yijing (late-seventh century). Fan Chuo, a military official who served in Tang China's Annan protectorate, also recorded these roads in his *Man Shu* (Records of the Barbarians). Although his books are no longer available, *Xin Tang Shu* (New History of the Tang Dynasty), edited in the tenth century, kept a record of the seven routes that he had discerned, linking China with the 'barbarians of four directions'. The sixth route linked Annan with India starting from Tonkin via Yunnan province through Prome to Maghada.<sup>11</sup> From Yunnan to India, there were again two routes: the southern one from Dali to Yongchang arrived in India through the Pyu Kingdom, Prome, the Arakan Range, and Kamarupa; and the western one crossing the Irrawaddy, the Mogaung, and the Chindwin rivers reached India and beyond.<sup>12</sup> The southern route seemed very roundabout, but it was important, not only because it linked Yunnan and Myanmar, but also because it connected to the maritime Silk Road. Moreover, Tome Pires described a vivid trade network that encompassed Arakan, Bengal, Burma, China, Pegu, and Siam.<sup>13</sup> The merchants from different regions including Arabs, Bengalis, Chinese, Gujaratis, Kling, Persians, Siamese, and other Southeast Asians from Ava, Cambodia, and Myanmar used the trade network. The centre of this trade network was most certainly Bengal as all of these countries were located along the Bay of Bengal. Although Yunnan was a land-locked area, it had built a historical relationship with the peoples of the Bay of Bengal through the land route.

The ancient maritime Silk Road went through the Indian Ocean to the shores of Arabia and Africa, and touched the seaports of Canton, Bangkok, Chittagong, Madras, Goa, Karachi, Muscat, and Alexandria. Renowned navigator Admiral Zheng He of the Ming Dynasty led seven maritime expeditions to the Indian Ocean from 1405 to 1433, visiting 30 or more countries and places (see Map 2). He expanded the Chinese maritime sphere of influence westward, in particular, to the shores of Arabia and Africa.<sup>14</sup> On his sixth expedition, he visited the Chittagong and Calcutta ports in Bangladesh and West Bengal, respectively, more than once. 'Panggela' (Bangladesh) had very cordial relations with China during the Ming Dynasty. According to *Mingshi* (Annals of Ming Dynasty), the ruler of the Kingdom of Bengal sent 13 emissaries to China between 1409 and 1439, twice presenting a Sahala (giraffe).<sup>15</sup> The giraffe was welcomed by the Chinese people then as the legendary auspicious 'unicorn' making news all over China, and prompting the composition of many a poem and painting. The works of the famous Ming painter Shen Du, including *Ruiying qilin song bing xu* (painting in praise of unicorn), are still extant. This is one of the rare material proofs of the cordial historical relationship between Bengal and China during the Ming Dynasty. The expeditions made trade relations with local merchants, conducted diplomatic duties, and fought against piracy. These mainly promoted economic contacts of the Ming Dynasty, especially the tributary trade which was a form of official trade along the coasts of Bengal and India. Most of the 'tributary goods' were perfumes, spices, jewels, rare birds and animals, Chinese silk, and other special local products.<sup>16</sup> Goods were exchanged between Chinese ship commanders

and merchants from Bengal and elsewhere in the Indian subcontinent. Chinese silk was, for instance, exchanged for the Chitti's pearls.

## Map 2

### The maritime route followed by Admiral Zheng He



Source: [https://en.wikipedia.org/wiki/Zheng\\_He](https://en.wikipedia.org/wiki/Zheng_He)

## The Belt and Road initiative

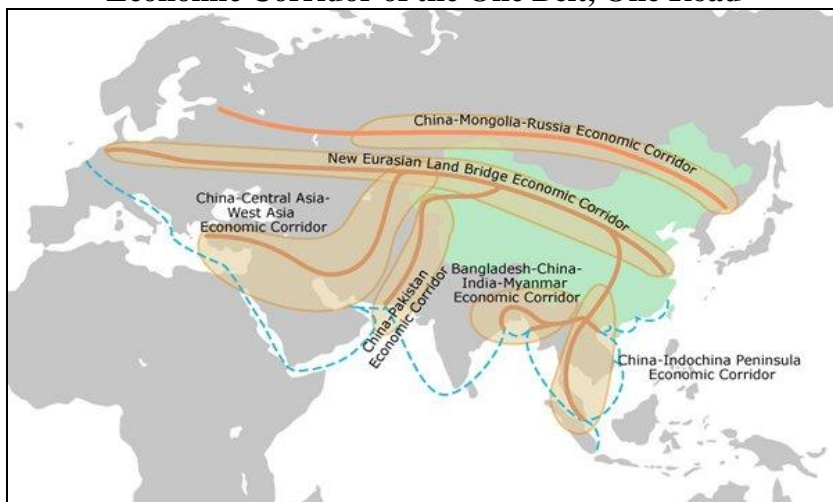
The Belt and Road initiative consists of two key elements—a land-based Silk Road Economic Belt (SREB) and the 21st Century Maritime Silk Road (MSR) which will bolster connectivity between Asia, Europe, Africa, and their adjacent seas. The SREB was unveiled by President Xi Jinping at Nazarbayev University on 7 September 2013 as part of his state visit to Kazakhstan. The MSR was announced before the Indonesian Parliament on 3 October 2013 as part of his state visit to Indonesia. The vision and actions on jointly building the SREB and the MSR, issued by the National Development and Reform Commission on 28 March 2015, have outlined the initiative's framework, cooperation priorities, and mechanism. The SREB encompasses China-Mongolia-Russia Economic Corridor, New Eurasian Land-based Economic Corridor, China-Central Asia-West Asia Economic Corridor, China-Pakistan Economic Corridor, Bangladesh-China-India-Myanmar Economic Corridor, and China-Indochina Peninsula Economic Corridor. It focuses on bringing together China, Central Asia, West Asia, Russia, and Europe (the Baltic) on the one hand; and China, Southeast Asia, and South Asia on the other.



It would link China with the Bay of Bengal, the Persian Gulf, and the Mediterranean Sea.

The MSR consists of two routes: one route will go from China’s coasts to Europe through the South China Sea and the Indian Ocean, and the other from China’s coasts through the South China Sea to the South Pacific (see Map 3).<sup>17</sup> It will involve 29 coastal counties from South China Sea to the Indian Ocean, and 28 costal countries from the West Pacific to the Indian Ocean. Among them, there are nine Southeast Asian countries: Brunei, Cambodia, Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam; five South Asian countries: Bangladesh, India, Maldives, Pakistan, and Sri Lanka; nine West Asian coastal countries: Bahrain, Iran, Iraq, Kuwait, Oman, Qatar, Saudi Arabia, the United Arab Emirates, and Yemen; and five East African coastal countries: Djibouti, Eritrea, Madagascar, Somalia, and Sudan.<sup>18</sup> All of the three directions of westward construction will start from the coastal ports of China and rely on the Association of Southeast Asian Nations (ASEAN) and its member countries to give impetus to the economies of South Asia, East Africa, the Middle East, and Europe. Therefore, the Belt and Road regions include a range of more than 60 emerging economies and developing countries with a total population of over 4 billion and an economic aggregate of about \$21 trillion, accounting for about 65 per cent and 30 per cent of the global totals in land-based and maritime-based economic production values, respectively.<sup>19</sup>

**Map 3:**  
**Economic Corridor of the One Belt, One Road**



**Source:** Billy Wong, HKTDC Research, 2015.

**Purpose and importance of the Belt and Road initiative**

China’s Belt and Road initiative aims at promoting five major goals among its constituent nation states: policy coordination, connectivity, unimpeded trade, financial integration, and people-to-people bonds. It is attempting to strengthen and expand cooperative interactions to create an

integrated web of mutually beneficial economic, social, and political ties, and ultimately lower distrust and enhance a sense of common security. The initiative will help align and coordinate the development strategies of the countries along the Belt and Road, promote investment and consumption, create demand and job opportunities, and enhance cultural exchanges and mutual learning among the peoples of the relevant countries. It will also enable them to understand, trust and respect each other, and live in harmony, peace and prosperity.<sup>20</sup> The major tool of the initiative for releasing untapped growth potential in the region is the development of an array of transport and logistics corridors to draw Central and South Asia into a unified transport network.<sup>21</sup> Delivering goods on time and at a low cost has been a crucial part of emerging Asia's integration into the global production chain. Besides, majority of the Asian countries are still developing and their economic development markedly lags behind East Asia and Europe. Cooperation among Asian countries in areas such as industrial parks and special economic zones can enhance Asia's status as an entity in the world economy. Similarly, emphasis on building connectivity is seen as a means of addressing the lack of balance among various sub-regions in Asia in terms of development and the absence of strong economic bonds between these sub-regions. The need for deeper economic cooperation would motivate the countries to dedicate more resources towards the shared economic goals, which would in turn make it easier to engage in consultations to benefit from the wisdom of others, and to synergize the ways and means of implementing the idea.<sup>22</sup> Deeper economic cooperation would also help in harmonizing development efforts, reducing competition, and decreasing the potential of conflict. Besides, the initiative will provide a bridge between minds, and bring civilizations closer. History teaches us that when minds are brought nearer, misperceptions and misgivings start to disappear.

China's objective is to speed up the development of its western region. The Belt and Road will transform western China into a frontier in the opening to the world, increase development opportunities in the central and western regions, and create new growth points.<sup>23</sup> It will make Xinjiang geographically advantageous and a core area of the SREB. It will also give full scope to developing Inner Mongolia and Heilongjiang provinces. Moreover, it will provide unique advantages to Guangxi and Yunnan provinces to speed up the opening up and development of the Beibu Gulf Economic Zone and the Zhujiang-Xijiang Economic Zone as well as develop a new focus for economic cooperation in the Greater Mekong sub-region.<sup>24</sup> The Belt and Road is also considered a gateway to facilitating China's forward march in its 'go global' strategy. Chinese enterprises are being encouraged to increase overseas investment in the exploitation of mineral resources in order to improve China's supply of energy resources, and to undertake cooperation in advanced technologies. According to the Department of Outward Investment and Economic Cooperation of the Chinese Ministry of Commerce, China has established 118 economic and trade cooperation zones in 50 countries around the world. Amongst these zones, 77 are established in 23 countries along the Belt and Road. There are 35 cooperation zones in countries along the SREB.<sup>25</sup>

In addition, the initiative will work as a response to the new geo-political situation marked by the US rebalance to Asia.

The US adopted the New Silk Road strategy to promote a link between South Asia and Central Asia via Afghanistan. It envisaged the creation of a transcontinental trading network linking Afghanistan, Central Asia, and Europe.<sup>26</sup> The Asian Development Bank (ADB) also promoted the Central Asia Regional Economic Cooperation (CAREC) initiative established in 1997 with the key aim of giving a fillip to economic cooperation among the countries in Central Asia as well as Afghanistan, Pakistan, and notably the People's Republic of China.<sup>27</sup> But China's initiative is more comprehensive and mutually beneficial than the US and ADB versions of the New Silk Road. Besides, the Belt and Road is considered a new kind of strategy designed to support the larger effort in strengthening Beijing's peripheral diplomacy and creating a new type of major country relations, both of which are based on intensive cooperation and a non-zero-sum approach to international politics and economics.

### **Funding and construction of the Belt and Road**

Chinese government established 'a special leading group' to oversee the construction of the Belt and Road initiative. The office of the group was placed under the National Development and Reform Commission (NDRC) of China. Beijing is committed to investing heavily in a wide variety of infrastructure projects in order to strengthen the economic capacity and connectivity among countries located in the Belt and Road region. President Xi Jinping has stated that China must make common efforts with relevant countries to accelerate the pace of infrastructure and connectivity constructions for the Belt and Road.<sup>28</sup> In order to push forward the construction of the Belt and Road and manage its fund, the New Development Bank (BRICS Bank) with a starting capital of \$100 billion was established in July 2014, and the Asian Infrastructure Investment Bank (AIIB) in October the same year. Besides, the Chinese government has announced a Silk Road Fund with an endowment of \$40 billion (see Table 1). Infrastructure investment is in high demand in Asia's emerging economies. The ADB has projected that in ten years, from 2010 to 2020, the infrastructure in the emerging Asian countries will require investment of over \$400 billion a year.<sup>29</sup> China has already committed sizeable sums of capital to found or co-found various institutions aimed at supporting infrastructure financing.

**Table 1:****Fund availability**

	<b>Registered Capital</b>	<b>Loan to Equity Ratio</b>	<b>Loan Repayment period</b>	<b>Annually Available Fund</b>
Asian Infrastructure Investment Bank	\$100 bn	1.5	8 Years	\$18.75 bn
New Development Bank	\$100 bn	1.5	8 Years	\$18.75 bn
Silk Road Fund	\$40 bn	2.00	8 Years	\$10 bn
<b>Total</b>	<b>\$240 bn</b>	<b>-</b>	<b>-</b>	<b>\$47.5 bn</b>

Source: Hang Seng Bank cited in Ryan Lam, 2015: 06

The main task of constructing the MSR is port construction along the maritime route. China is now developing seaports at Gwadar in Pakistan, Hambantota in Sri Lanka, Coco Island in Myanmar, and Bandar Abbas in Iran. It is also interested in developing a seaport at Sonadia in Chittagong, Bangladesh. China has increased the capacity and industry clustering of the port cities based on construction of airfields, highways, and railways. The focus of the MSR is to promote economic development of the hinterland of the pivot countries through infrastructure projects. China is more focused on stimulating local industrialization process through these ports and creating better conditions for China to cooperate with these countries—improving the cargo capacity of the ports (including ports, highway, and railway)—than the connectivity value of these ports. The port of Chittagong, the energy port of Kyaukpyu, and the container port of Colombo are not just aimed at expanding the capacity of transporting materials from the Indian Ocean to China. These ports also strengthen the Indian Ocean countries' status in the global shipping industry, and support their own industrialization capabilities through enhancement of their status and improvement in their capacity.

### **Implications for Bangladesh**

Bangladesh and China do not share a border, but China's border is at a distance of 100 km from Bangladesh in the north across the Himalayas. Bangladesh shares a long border with India in the north, north-east and west, and Myanmar in the east. It has a long coastline along the Bay of Bengal in the south. It is a nation of strategic importance not only to the South Asian sub-region but also to the larger geo-political dynamics of Asia as a whole.<sup>30</sup> In particular, with respect to China's Belt and Road initiative, Bangladesh could become a regional hub for South Asia and some of the Southeast Asian countries.

### **Connectivity**

The Bangladesh-China-India-Myanmar (BCIM) Economic Corridor of the land-based Economic Belt will run through Bangladesh and Myanmar from

China to India, Bhutan, and Nepal. It would further link with the Bay of Bengal, and subsequently the Indian Ocean. The China-Indochina Peninsula (CIP) Economic Corridor will follow the same route up to Myanmar and will then go to Southeast Asia. The MSR will touch all of the three seaports of Bangladesh located along the Bay of Bengal since it will reach the Bay of Bengal from the South China Sea through the Strait of Malacca. The Belt and Road initiative will, therefore, make Bangladesh a gateway between China and other South Asian countries, and between South Asia and Southeast Asia. The BCIM Economic Corridor may enable the creation of a growth triangle of these countries, and will facilitate China's 'west development' strategy.<sup>31</sup> For a long time, the infrastructure of south-western China has been backward and its economic development slow. The region consists of the provinces of Guangxi, Guizhou, Yunnan, and the autonomous region of Tibet. China's coastal region is far more developed industrially than the central region, which in turn is superior to the western region in terms of development.<sup>32</sup> In order to mitigate the gap of economic disparities between eastern and western China, Beijing adopted the western development strategy. Since several parts of the relatively less developed south-western China are in close proximity to Bangladesh, it will be very useful to cultivate stronger economic links with the latter in order to develop the region. Moreover, the bulk of China's imported petroleum and goods is transported through the sea lanes of the Indian Ocean. Eighty per cent of it passes through the Strait of Malacca, over which China has little control as the western exit of the strait is located near Andaman and Nicobar Islands controlled by India.<sup>33</sup> Moreover, the South China Sea disputes, the Taiwan issue, and other threats to the Pacific Ocean have increased Beijing's anxieties about its over-reliance on the Pacific Ocean. China currently faces three offshore disputes in South and East China seas: with Vietnam over the ownership of the Paracel Islands; with Brunei, Malaysia, Philippines, Taiwan, and Vietnam, over the ownership of the Spratly Islands; and with Japan over the ownership of the Diaoyu/Senkaku Islands.<sup>34</sup> These disputes do not only involve ownership of islands, but also control over the sea lanes of communication and natural resources. The BCIM Economic Corridor can, therefore, facilitate China in transporting energy to and exporting goods from its south-western region that will help overcome its Malacca Dilemma.<sup>35</sup> The planned construction of a deep sea port at Sonadia in Chittagong may extend port facilities to China since it is currently making efforts to ensure access to naval port facilities in the Indian Ocean region in order to protect its sea lanes of communication. If this economic corridor is implemented, the distance from Kunming in Yunnan province of China to the Bay of Bengal (via the seaport in Chittagong) is going to be 580 km shorter than its link to the present nearest port in Shanghai.<sup>36</sup> Myanmar also has a road link between Yangon and Sittwe, capital of Rakhine (Arakan) state, near the Bangladesh border but it passes through difficult terrain and is used mostly for military purposes. But the road from the seaport in Chittagong to Kunming via Myanmar will be suitable strategically to China and a shorter land route than the one from Sittwe (Akyab) seaport to Kunming. To materialize these prospects, Bangladesh and Myanmar signed a deal in July 2007 for construction

of a 25 km road connecting the neighbours to boost trade and people-to-people interaction. Designed to start at Gundun in Cox's Bazar, 2 km inside the border, and then run over 23 km through the Myanmar territory to Bawlibazar, the road could be stretched up to Kunming as part of a tripartite border scheme.<sup>37</sup> Bangladesh has already developed a river port at Teknaf to provide link to Maungdaw, a border town in Myanmar across the Naaf River. Bangladesh, therefore, needs to construct this economic corridor of the Belt and Road initiative since it will be a big boost for the country to implement its Look East Policy. According to Rehman Sobhan, Chairman of a Bangladeshi think tank Centre for Policy Dialogue, the objective of this initiative was to explore opportunities for mutually beneficial cooperation among four neighbours who remain linked by inheritance of history and compulsion of geography.<sup>38</sup> The launching of Dhaka-Kunming flight is an example of the positive results of developed transport and communication systems. In the past, flights from Bangladesh used to follow the Bangkok-Hong Kong-Beijing route to reach Kunming, but now they are flying straight to Kunming. Moreover, the economic corridor will enhance the scope for Bangladesh to extend seaport facilities to Bhutan, India, and Nepal. The land-locked north-eastern India shares a long border with Bangladesh and the Chicken's Neck, the Siliguri Corridor, is the only land connection with mainland India.<sup>39</sup> Goods from Tripura in north-eastern India currently take the 1,645 km route to reach Kolkata port through the Chicken's Neck, which could be reduced to just 75 km with the use of Chittagong Port.<sup>40</sup> Moreover, it is expected that goods from Assam can reach Europe through the Chittagong Port, which will mean 1,000 km less than if they are to be transported through the Kolkata Port.<sup>41</sup> Bangladesh will be able to earn money by extending port facilities to these countries.

### **Development of infrastructure**

The capacity of the Chittagong Port is vital for ensuring the export growth of Bangladesh, but the facilities in the seaport are not adequate for managing increasing cargo. The port is very often hit by severe over-load and agitation by workers, rising the average turnaround time for a container from 2.4 days to five to six days.<sup>42</sup> The situation is likely to worsen as the exports continue to increase. Moreover, mother vessels or large ships cannot enter into the harbour. Development of the seaport in Chittagong and other infrastructure is, therefore, necessary for meeting the increasing demand. Bangladesh has taken initiatives to build a seaport at Phayra in Patuakhali and a deep sea port at Sonadia in Chittagong. But Bangladesh is also facing the problems of low road transportation efficiency and backward transport infrastructure. It needs to construct a large number of bridges, wide highways, and high speed railways.

It is not possible for Bangladesh alone to build the seaports and other infrastructure since it requires a large amount of funds. Bangladesh can get this funding from China's Silk Road Fund and the newly established AIIB. Cross-border projects such as building of port facilities, airports, highways, and even power projects of the countries within the Belt and Road region are also targets for China's 'going out' funds.<sup>43</sup> In April and May 2015, joint projects worth

\$46 billion were signed between China and Pakistan. The first investment by the Silk Road Fund was made into a hydro-power plant in Pakistan called the flagship of the Belt and Road initiative. The signed projects with Kazakhstan and Russia are worth \$23.6 billion and \$20 billion, respectively.<sup>44</sup> With the cooperation of China, Bangladesh plans to build the deep sea port at Sonadia Island in Chittagong. Chinese assistance to build the new port could be in the form of grants, concessional loans, or technical assistance. If the project is successfully implemented, the seaport's annual cargo handling capacity would increase from the current 30.5 million tonnes of bulk cargo and 1.1 million twenty-foot equivalent units (TEU) to 100 million tonnes of bulk cargo and 3 million TEU containers annually.<sup>45</sup> The port would serve not only the interests of Bangladesh but also other regional countries. It is believed that the port will become the main shipping hub for north-eastern India, southern region of China, Myanmar, land-locked Nepal, and Bhutan.

Bangladesh suffers from electricity deficit. Shortfalls reach 2,000 MW in summer. Only about 47 per cent of households have access to electricity. The age-old gas-based power plants are struggling to generate enough electricity to meet the country's huge demand. Thus Bangladesh is planning to meet the shortages by setting up nuclear power plants. As a signatory to the NPT, Bangladesh has every right to use nuclear energy for peaceful purposes. In April 2005, Bangladesh signed an agreement on nuclear cooperation with China, under which it can receive Chinese assistance for exploring nuclear materials and construction of a nuclear power plant. According to China's former ambassador to Bangladesh Zhang Xianyi, Chinese investors are focusing on investing in Bangladesh's power generation, IT, garments, textiles, and home manufacturing sectors.<sup>46</sup> Besides, since Bangladesh is a country located in the Belt and Road region, China will extend its cooperation with the country in building power plants to generate necessary electricity.

### **Increasing trade and investment**

Connectivity will bring ample opportunities for Bangladesh to boost its trade with China, Southeast Asia, and other South Asian countries. China emerged as the largest trading partner of Bangladesh overtaking India in 2005,<sup>47</sup> and Bangladesh is its third largest trading partner in South Asia. In 2014, the trade volume between Bangladesh and China increased to \$12.5 billion.<sup>48</sup> In the year, the trade imbalance between Bangladesh and China was about \$10 billion. China has offered duty-free access to 4,721 Bangladeshi products to address the growing trade imbalance.<sup>49</sup> President Xi Jinping assured the Prime Minister of Bangladesh Sheikh Hasina in a bilateral meeting in New York on the sidelines of the UN General Assembly session held in September 2015 that China would take necessary steps to reduce trade gap between the two countries.<sup>50</sup> The assurance has created room for duty-free access of the products of Bangladesh to China's market. Especially, Bangladesh will be able to export its goods into the huge but unexplored south-western markets easily, on time, and at a minimum transport cost using the BCIM Economic Corridor. The goods of Bangladesh will be cheap and the demand will thus increase in the markets.

As a result, the market of China for the commodities of Bangladesh will be widened and the trade deficit will be reduced gradually. Moreover, by using the CIP Economic Corridor, Bangladeshi enterprises will be able to deliver their goods to the markets of Southeast Asian countries easily, on time, and at a low cost as well. If the initiative is eventually materialized, the Chittagong-Mandalay-Kunming highway will offer another opportunity for Bangladeshi exports into the markets of the Mekong sub-region, consisting of Cambodia, China, Laos, Myanmar, Thailand, and Vietnam. The Mekong sub-region is a natural economic area bound together by the Mekong River covering 2.6 million square kilometres, and a population of around 326 million.<sup>51</sup> Besides, the connectivity will offer Bangladesh an opportunity to increase its trade with the land-locked north-eastern India as well as Bhutan and Nepal by land route more comfortably and at a minimum transport cost.

Chinese enterprises including private investors will be interested to invest more in Bangladesh since the major objective of China's 'go global' strategy is to invest in the untapped growth potential of foreign countries along the Belt and Road region. China's move towards a vertical economy has already created scope for Bangladesh owing to its abundant supply of cheap labour. China seeks to place its production facilities in a place where it can produce goods at a much lower cost than China, as labour costs are rising therein. Bangladesh's sweater manufacturers received a large number of orders from international buyers due to rise in labour costs in countries like China and Indonesia.<sup>52</sup> According to ILO Wage Report of 2014, the monthly minimum wage for unskilled garment workers in Bangladesh is \$68 per month. It is \$95 per month in Pakistan; \$131 in India, \$100 in Cambodia, \$128 in Viet Nam, \$237 in Thailand, \$219 in Indonesia, and between \$156 and \$266 in China.<sup>53</sup> With Bangladesh's more favourable demographic transition in hand, more complementarities could emerge in the medium term owing to the contrast with China's ageing population. If the Belt and Road is implemented, China will be more interested to invest in different sectors of Bangladesh. China has become an important source of FDI in Asia and Africa, and even in the West. There is also a significant Chinese investment in Bangladesh. China also has plans to establish an exclusive special economic zone on 774 acres of land in Chittagong.<sup>54</sup>

The scale of cooperation between Bangladesh and China can be much higher than the existing level. While China is the largest supplier of apparel in the world, Bangladesh is fast growing as Asia's apparel hub as well. A recent McKinsey report indicated that the country's ready-made garments manufacturing will double by 2015 and nearly triple within a decade. China will, therefore, be more interested to invest in the ready-made garments manufacturing and textile industries to be able to produce goods at cheaper costs. Bangladesh will benefit from Chinese investment through employment generation. Besides, Bangladesh is a lucrative market for garments machinery. China is a major supplier of machineries to Bangladesh. In this case, Bangladesh-China garments machinery industries joint ventures can be profitable for both countries. In particular, sales of textile machineries are



increasing in Bangladesh because of the growing demand from garments manufacturers of the country. Bangladesh is a good place for international buyers for its relatively lower production costs.<sup>55</sup> In addition to Chinese investments, other foreign investors will be interested to invest in these sectors in Bangladesh due to this connectivity.

### **Increasing geo-political value**

Bangladesh faces considerable geo-political challenges in maintaining an independent foreign policy. Its geo-strategic location is increasingly coming to the attention of major global and regional powers. The interests of these powers set the parameters within which the country has to manoeuvre. Bangladesh is sandwiched between two rising powers, China and India. During the Cold War, China and the United States were hostile to India and friendly to Pakistan. After the end of the Cold War, China has maintained friendly relations with Pakistan, and has taken a more balanced approach towards India.<sup>56</sup> However, the China-Pakistan security and strategic nexus and Sino-India border disputes have remained a central issue in Sino-India relations. Besides, from an Indian perspective, China's growing presence in Myanmar and strategic partnership with other countries in South Asia has increased India's suspicions about China's intentions in the region. China's massive infrastructure building—such as seaport, highway, and airfield development in South Asia and elsewhere in the Indian Ocean—is considered part of the String of Pearls<sup>57</sup> strategy by India. But India's neighbouring South Asian countries have always resented its hegemonic ambitions in the region and have tried to resist the imposition of the Indian version of the Monroe Doctrine by seeking to build security links with extra-regional powers, mainly China and the United States, as a counterweight to India's domineering role.<sup>58</sup> Some political analysts perceive China as a counter-weight to gradual Indian expansionism in Bangladesh for its strategic and economic interests.<sup>59</sup> China does not wish Bangladesh to become a 'satellite' of India too. The construction of the Belt and Road through Bangladesh will thus increase its geo-strategic value. It will enhance the interests of several other countries in Bangladesh. One global or regional power will not be able to pressurize Bangladesh to do its bidding. Therefore, the geo-political location of Bangladesh will be strengthened and it will be enabled to maintain a proactive, prudent, and productive foreign policy to serve its own interests.

### **Conclusion**

The entire Gangetic area as an international and domestic trading centre is well documented in various literary sources dating from before the fourth century BC to the first five centuries. A vivid trade network, recorded in the tenth century, encompassed Arakan, Bengal, Burma, Pegu, and Siam to connect China to the Bay of Bengal. Different merchants including Arabs, Bengalis, Chinese, Gujaratis, Kling, Persians, Siamese, and other Southeast Asian people used the trade network. The centre of this economic network was most certainly Bengal, as all of these countries were located along the Bay of Bengal. Although

Yunnan was a land-locked area, it had historically built a relationship with the people of the Bay of Bengal through the land route. China's present Belt and Road initiative is an updated version of the ancient Silk Road and more comprehensive and mutually beneficial than the US and ADB versions of the New Silk Road. It will promote connectivity of Asian, European, and African continents and their adjacent seas, and help in establishing and strengthening partnerships among the countries along the Belt and Road. Especially, it will build infrastructure across Asian countries and integrate them. Moreover, the initiative will bolster trade in this region, promote investment and consumption, create job opportunities, enhance people-to people and cultural exchanges, and augment prospects of learning among the peoples of the relevant countries. It will also enable them to understand, trust and respect each other, and live in harmony, peace, and prosperity.

BCIM Economic Corridor will make Bangladesh a gateway between South Asia and Southeast Asia, and between China and other South Asian countries. It will run through Bangladesh and Myanmar from China to India, Nepal, and Bhutan; and link with the Bay of Bengal and subsequently the Indian Ocean. Moreover, the MSR will touch all of the three seaports of Bangladesh located along the Bay of Bengal. Bangladesh can provide China access to other South Asian countries and to the seaports of the Bay of Bengal, which will facilitate in developing the south-western region of China. It will also help in overcoming China's Malacca Dilemma. On the other hand, Bangladesh is also facing the problems of inadequate capacity of seaports, low road-transportation efficiency, and backward infrastructure. A deep sea port and other infrastructure such as bridges and railways are, therefore, necessary to meet the increasing demand. Bangladesh can finance such projects from China's Silk Road Fund and the newly established AIIB. The deep sea port at Sonadia in Chittagong has the potential to develop as a regional hub and serve the interests of not only Bangladesh and China, but also Bhutan, India, and Nepal. Besides, the initiative will bring ample opportunities for Bangladesh to boost its trade with China, Southeast Asia, and other regional countries. By using the CIP Economic Corridor, the enterprises of Bangladesh will be able to export their goods to Southeast Asian markets as well as the unexplored south-western markets of China on time and at a low transport cost. If the Belt and Road initiative is implemented, investors from China and other countries will be more interested to establish textile and ready-made garments manufacturing industries in Bangladesh, and to invest in other potential sectors to produce goods at cheaper costs. Bangladesh will benefit from the FDI since new job opportunities will be created. Moreover, the connectivity will enhance the strategic value of Bangladesh and its geo-political position.

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# **EVOLUTION OF ISRAEL'S NUCLEAR PROGRAMME: IMPLICATIONS IN POST-IRAN NUCLEAR DEAL ERA**

**SHAMS UZ ZAMAN\***

## **Introduction**

Israeli nuclear programme is considered a matter of extreme sensitivity and prime national interest domestically. Very few people have been able to openly talk and objectively write on the Israeli nuclear programme in Israel as well as the US. As a result, the subject is rarely approached by scholars from an academic viewpoint, probably in an attempt to avoid being labelled as anti-Semitic. Such problems create difficulties in evaluating Israeli nuclear programme because a lot of research on the subject is either based on conspiracy theories prevailing about the issue or a narrow subjective interpretation of the Tel Aviv's official position. The international influence of Israel also makes objective evaluation of the Israeli nuclear doctrine a difficult subject.<sup>1</sup> Strong and influential pro-Israel lobbies, pressure groups, media, and financial institutions discourage attempts at bringing Israel, its nuclear programme, or its atrocities against Palestinians into the limelight. Hence these issues remain shrouded in mysteries and secrets, which objective academics rarely debate. The Israeli nuclear programme was mostly funded by wealthy Jews of the world and was not just a nationalistic project as is usually projected in the media.<sup>2</sup> Many scholars even turn a blind eye to some very serious and unprecedented breaches and incidents of nuclear proliferation which would be analyzed in the paper. This behaviour clearly illustrates that nuclear proliferation concerns of most academics and scholars have different barometers when it comes to Pakistan, Iran, North Korea, and Israel. The Israeli nuclear programme mostly enjoys immunity from criticism and scrutiny in the media, and even at international

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forums, despite the fact that the Israeli story of acquiring nuclear weapons is much more contentious than other nuclear weapon states outside the Nuclear Non-proliferation Treaty (NPT).

This paper is aimed at exploring the role of different states in deliberately assisting Israel in acquiring nuclear capability, besides analyzing the historical and present geo-strategic aspirations/environments that shaped Israel's threat perception and conventional/nuclear response options.

### **Israel's history: an overview of regional hegemony**

On 29 November 1947, UN announced the partition plan proposing a Palestinian and a Jewish state. Jews, expecting a much larger territory were dissatisfied with the plan. Therefore, they sought British and French help to arm themselves subsequently to forcibly expel the Arabs in a quest to expand the borders of the Jewish state.<sup>3</sup> The Jewish quest for expanding the borders resulted in armed clashes with the Arabs, leading to Arab uprisings against the British and the Jews. The British mandate on Palestinian land was to expire on 15 May 1948 but David Ben-Gurion announced the independent state of Israel on 14 May 1948, which resulted in the first Arab-Israeli war of 1948. Although the skirmishes continued for several years, the second major Arab-Israel confrontation erupted on 28 October 1956 after the nationalization of the Suez Canal by Egypt, which was used as a pretext by Israel to launch a surprise pre-emptive attack on the former with the collusion of Britain and France.<sup>4</sup> The war stopped only after a Soviet threat to intervene with nuclear weapons, thus prompting the US to enforce a truce.<sup>5</sup> Although the US intervention ended the war, it drew Israel and France closer over strategic and nuclear issues.

The famous Six Days War started on 5 June 1967 with the Israeli pre-emptive airstrikes on Egypt resulting in the destruction of more than half of Egyptian fighter aircrafts before they could actually become airborne. Later, in a blitzkrieg type manoeuvre Israeli mechanized forces captured Sinai from Egypt, Jerusalem from Jordan, and Golan Heights from Syria.<sup>6</sup> After the war, a long era of hostilities involving ground and air skirmishes—called the war of attrition—started between Israel and its neighbours, which lasted until 1973. The period from 1967 to 1973 was utilized by the defeated Arabs to arm themselves and overcome their defensive and offensive weaknesses. Confident of their capabilities, Syria and Egypt finally launched a surprise attack on Israel on 6 October 1973. The initial successes of Egyptian and Syrian armies did not last long though, especially after France and the US transported supplies through sea and air to help Israel regain the lost territories and pride. On the other hand, Soviet supplies helped Egypt and Syria to keep fighting and prolonging the battle. Fearing a spill-over of the war, the US and the USSR arranged a ceasefire, which was broken by Israel on the secret advice of the then US secretary of state Henry Kissinger on 23 October 1973, which prompted the Soviets to issue a direct ultimatum to intervene, thus bringing the war to an end on 25 October 1973.<sup>7</sup>

After years of diplomacy, Camp David accord was finally signed between Israel and Egypt in September 1978, which was seen by most in the



Arab and Muslim world as an act of treachery by Egypt that had helped Israel in securing its most vulnerable front. This victory subsequently encouraged Israel to launch an attack against Lebanon on 6 June 1982, apparently to create a buffer zone against Palestinian militant activists from the north. However, the real Israeli intentions for the invasion were to extend Israeli hegemony over the region with the help of non-state actors like Maronite Christian Phalangists.<sup>8</sup> The war did not yield desired results for Israel and instead fetched international condemnation over its indiscriminate use of force resulting in thousands of innocent civilian deaths including women and children.

The most heart-breaking massacre took place at Sabra and Shatila refugee camps where thousands of women and children were brutally killed by Phalangists under the direct auspices of Israeli military commanders to be known subsequently as the most brutal acts in recent history.<sup>9</sup> Such incidents increased pressure on Israel. Amidst international criticism, Israel had to withdraw from the occupied Lebanese territories in 2000. This invasion, nevertheless, resulted in creation of new and more potent militant groups like Hamas and Hezbollah. The subsequent years saw a long trail of resistance from these armed militant groups against Israeli occupation.

On 12 July 2006, Israel launched an attack on Lebanon in retaliation to a raid by Hezbollah on its military patrol. This war also did not yield the desired results for Israel due to indiscriminate Israeli aerial and artillery bombing, which caused huge loss to innocent civilians as well as infrastructure. Therefore, according to some analysts, the moral cost outweighed any benefits Israel had perceived to achieve from this war.<sup>10</sup> Even more drastic was the result of repeated Israeli invasions of Gaza, first in 2008-09, second in 2012, and third in 2014. All of these resulted in thousands of innocent human fatalities including women and children, and consequently became counterproductive for Israeli image in the global community. Nevertheless, despite humanitarian calls from most of the world leaders to end occupation and bombing of innocent civilians in Gaza, it was the US support and the Israeli confidence in its nuclear weapons capability that enabled it to bomb innocent civilians with complete impunity. The consistent Israeli aggression and its lack of appetite for peace amid instability in the Arab world has not only become a source of concern for Israel, but has also, to some extent, isolated it within the international community.<sup>11</sup>

### **Construct of Israeli threat perceptions**

Israel is considered a nation enjoying unqualified financial and moral support from the US and some EU states. It maintains a strong state of the art military, air force, and navy, which distinguishes it amongst some of the world's most heavily armed nations. Yet, despite receiving billions of dollars in aid from the US, Israel has not formally signed any defence treaty with the former and continues to follow the principle of self-help and self-reliance. Prevailing strategic mosaic quantifies Israeli threat perceptions in three broad categories: existential threat, a potential distant threat, and a persistent security threat.<sup>12</sup> Israel regards its hostile Arab neighbourhood as an immediate threat, especially Iran and Syria; a potential existential threat is perceived from Egypt and Jordan;

whereas any Arab state with a potential to arm itself with nuclear weapons is contemplated as an existential threat by Israel.<sup>13</sup> Iraq, prior to the US invasion of 2003, was regarded as a distant but serious threat by Israel. However, since the destruction of Iraqi military capability after the US invasion of 2003, Iraq has ceased to be a serious threat to the Jewish state.

Interestingly, Pakistan also emerges on the Israeli strategic calculus as a serious and credible threat, and has been mentioned from time to time in statements of Israeli politicians and officials.<sup>14</sup> Israel also perceives a persistent security threat from lightly armed militant groups like Hezbollah, Hamas, Islamic Jihad, Palestine Liberation Organization (PLO), Popular Front for Liberation of Palestine (PFLP), Al-Aqsa Martyrs' Brigade etc. which actually do not have the potential to pose a significant threat to the state of Israel. The contemporary Israeli threat perceptions were shaped due to the following factors:<sup>15</sup>

- An all-out initial Arab quest and plan to wipe off the state of Israel;
- Use of hostile language and overt threats from Arab governments against the state of Israel;
- Prevailing demographic and territorial asymmetry between Israel and its Arab neighbours;
- Perceived vulnerability of Israel to defend itself from all sides in a hostile neighbourhood.

## **Israeli response to perceived security and existential threats**

### **Conventional**

Israel maintains a sizeable, well equipped, and hi-tech conscript military, which is ranked 13<sup>th</sup> in the world.<sup>16</sup> The Israel Defense Forces (IDF) was organized from militant and terrorist groups like Irgun Haganah, Irgun Zvai Leumi (IZL), Palmach, Stern Gang etc. during the 1948 war.<sup>17</sup> IDF provides the first line of defence against the conventional existential and distant threats. Every Israeli citizen has to serve for a specified term (3 years for men and 2 years for women) in the military at the age of 18, with very few exceptions. After the compulsory service, one can either become part of the reservist cadre, required to attend training sessions of one month every year, or join the regular force as a profession. Despite facing a hostile neighbourhood with Lebanon in the north, Syria in the northeast, Jordan in the east, and Egypt in the southwest, Israel still enjoys qualitative land, air, and sea military superiority over its adversaries. This superiority always enabled Israel to maintain a winning edge over its Arab neighbours in almost all the battles since 1948. Not only has Israel ruthlessly employed its armed forces to brutally crush the Palestinian resistance, which it regards as a persistent security threat, but has also used or planned to use them against the distant potential threats like Iraq and Pakistan. In 1981, Israeli Air Force bombed out the Iraqi nuclear reactor at Osirak. In 1982 and 1986, with Indian collaboration, Israel planned to carry out airstrikes against Pakistan's nuclear installations at Kahuta, but these were called off at the last

minute by India fearing the cost of a retaliatory strike by Pakistan.<sup>18</sup> Israeli foreign minister is on record to have termed Pakistan as the biggest threat to Israeli security in 2009.<sup>19</sup>

## **Nuclear**

Due to expansionist designs aimed at gaining more territory, Israel made the entire Arab neighbourhood hostile towards it. Threatened from all sides, Israel sought the ultimate weapon to ensure its security against existential threats. Possibility to employ nuclear weapons against an adversary is termed the 'Samson Option'. Samson, a biblical character in Jewish history, was imprisoned for public execution by the Philistines in a temple full of 3,000 spectators. However, before Samson could actually be executed, in an act of self-immolation, he rammed into the main pillar to bring down the whole structure on spectators, resulting in their instant death.<sup>20</sup> Consequently, the philosophy of Samson Option pivots around the fact that Israel, due to its size and demography, can't exist after a nuclear strike; therefore, before it perceives an end or surrender, it would destroy its enemies in a nuclear suicide.<sup>21</sup>

## **Evolution and development of Israeli nuclear programme**

### **History of Israeli nuclear programme**

After having rejected the UN partition plan in November 1947, Israeli leaders knew that they were on a confrontationist path with their Arab neighbours. Having no formal military, the Israeli leaders desired for weapons of mass destruction. The Israeli nuclear aspiration fermented back in April 1948 when the first prime minister of Israel David Ben-Gurion expressed hope to organize the Jewish scientists who could devise means both for 'mass scale killings' and 'cure'. He was optimistic that if the three Jewish scientists, Oppenheimer, Teller, and Einstein could discover the power of atom in the US, same could also be done by Israeli scientists in Israel.<sup>22</sup>

The beginning of Israeli nuclear programme can thus be traced back to 1948, when Israeli geologists were sent to Negev desert by the government in a quest to search for uranium reserves. In 1949, the Israeli government established its first Nuclear Research and Development Centre at Weizmann Institute in Rehovoth, and also encouraged students of the institute to go abroad in pursuit of higher degrees in nuclear-related fields. In 1952, Israel Atomic Energy Commission (IAEC) was established under the directions of David Ben-Gurion<sup>23</sup> whose earnest desire for nuclear weapons had started in early 1950s resulting from the conviction that Israel's continuous expansion and security in a hostile Arab neighbourhood was only possible after having acquired the weapon of last resort.<sup>24</sup> Meanwhile, former US president Dwight Eisenhower launched his famous nuclear initiative under the rubric of Atoms for Peace, which enabled Israel to have its first nuclear research reactor of 10 MW at Nahal Soreq. This reactor was fuelled by highly enriched uranium (HEU), which was provided by the US on condition that it would remain under the international safeguards, an arrangement which still remains intact.<sup>25</sup>

The initial French cooperation with Israel started in early 1950s, but after the Suez Crisis of 1956, this cooperation deepened, which paved the Israeli path for acquisition of nuclear weapons. In 1956, France and Israel signed a secret agreement to build a 24 MW (according to other estimates up to 150 MW)<sup>26</sup> natural uranium reactor called Machon 1 at Dimona along with four components including a plutonium separation plant (Machon 2), a waste treatment plant (Machon 4), and a laboratory to test uranium purity levels (Machon 8). Although the reactor became operational around 1963 or 1964, its plutonium separation plant started functioning in 1969.<sup>27</sup> Some reports revealed, however, that France had actually supplied Israel with enriched uranium, the plutonium separation plant, and even nuclear bombs in early 1960s, which were brought in a ready to use state during the Arab-Israeli War of 1967.<sup>28</sup> Dimona is believed to have a capacity of producing 20-40 kg of plutonium annually, sufficient enough to produce 5-10 nuclear bombs in a year depending upon their yields.<sup>29</sup>

Initially, Israel faced problems in obtaining critical materials and fuel for its secret nuclear facility at Dimona. Therefore, it had to rely on clandestine operations for seizing nuclear fuel and materials, besides secret uranium purchases from countries like Argentina, France, and South Africa.<sup>30</sup> Declassified documents in the UK reveal that in 1961 the British government sold 20 tonnes of surplus heavy water worth £1.5 million to Israel in a top secret deal.<sup>31</sup> Furthermore, in 1966 the UK government secretly sold tonnes of chemicals to Israel including uranium-235, plutonium, and other nuclear-related materials, which were intended to be used for making boosted fission devices. These illegal exports, or nuclear proliferation, clearly violated the safeguards established by the European Atomic Energy Community also referred to as EURATOM.<sup>32</sup> There were other reports suggesting that spent nuclear fuel, weighing up to 40 tonnes, was brought back to France from Dimona after being used in the reactor according to the deal, but up to half of it was secretly shipped back to Israel which was enough for manufacturing at least 15-20 nuclear bombs.<sup>33</sup>

After December 1960, when a US spy plane U-2 discovered Dimona, pressure started mounting on Israel, and Kennedy administration demanded Israel to come clean on its nuclear issue. Caught in a tight situation, Israel had to open up its facility at Dimona for US inspectors from 1961-1967. Israel, however, claimed Dimona to be a commercial industrial facility (textile factory) and blocked access to the underground floors housing nuclear facilities by building concrete walls at the entrance. Later on, the US scientists also acknowledged that they were neither given free access for the inspections nor were they able to establish whether the activities going inside Dimona had anything to do with the alleged clandestine nuclear issue.<sup>34</sup> After 1969, Israel flatly refused to grant permission for inspections, and despite rising controversy over its clandestine nuclear activities, Israel remained committed to secret procurement of nuclear materials wherever it could lay its hands on them. There are at least four major cases of uranium theft or hijacking, which allegedly involved Israeli intelligence agencies.

The first major incident regarding theft of nuclear-related material by Israel was discovered in the US, which was later known as the 'NUMEC Affair' or 'Apollo Affair'. The case was discovered by the US intelligence agencies in 1965 during an investigation, which was primarily launched to account for approximately 206-392 pounds of HEU which remained unaccounted for from the Nuclear Materials and Equipment Corporation (NUMEC) in Apollo, Pennsylvania.<sup>35</sup> There were several rumours regarding the incident. First, NUMEC head Zalman Shapiro had sold the HEU to Israel through Rafi Eitan, who was a Mossad agent in the US.<sup>36</sup> Second, this diversion was done with the help of the CIA. Third, it was done with the tacit consent of the US government because for 11 years, until 1976, no proper or serious inquiry was conducted either by the FBI or the CIA, despite a formal request from the Department of Energy (DOE).<sup>37</sup>

Seymour Hersh, in his book *The Samson Option*, has refuted all these reports and has offered a very different explanation for the missing quantity of uranium. According to Hersh, the uranium had seeped into floors and some quantities had even flung into the air thus sticking with metallic sections of the nuclear plant. Thus once it was decommissioned in 1982, over 100 kg of enriched uranium was recovered from various parts of the plant, including the floor, during the dismantling operation.<sup>38</sup> But Hersh offers no documentary evidence to support his assumption, which thus can be contested on several accounts.

First, the scientific community should have been aware that such losses do occur as a routine in nuclear plants and thus there was no reason to raise an alarm. Second, while carrying out repeated inspections, the DOE should have found out these traces either on the metallic components or the floor of the nuclear plant. Third, if the FBI and the CIA were not aiming for a cover up, there was no plausible reason for their reluctance to conduct a thorough inquiry into the issue for 11 years. Fourth, if the lost uranium was recovered by 1990, there was no reason for the US Nuclear Regulatory Commission (NRC) to deny the Pennsylvanian Senator Arlen Specter's request to clear Zalman Shapiro from the uranium diversion issue in 2009.<sup>39</sup> Last, the Pittsburgh Review ran a piece of investigative journalism on the NUMEC affair in 2002, which revealed that the CIA and the FBI were actually involved in the cover up and once Mr. Zalman Shapiro was contacted to talk and clear his position on the issue, he declined the request.<sup>40</sup>

The second incident occurred in 1968, when a German-built freighter *Scheersberg-A*, carrying 200 tonnes of uranium oxide (yellow cake) in 560 drums along with other cargo equipment, started its journey from Antwerp, Belgium, for Genoa, Italy. The drums were disguised as paint cargo with 'Plumbat' written on the outer side.<sup>41</sup> Halfway during the voyage, the ship docked at Rotterdam where the old crew was discharged and Mossad agents—disguised as the new crewmen—took over.<sup>42</sup> The ship never reached its final destination and was found abandoned and empty near the Turkish port of Iskenderun after 15 days without a single trace of uranium oxide.<sup>43</sup> This incident is usually referred as to 'The Plumbat Affair'.

In 1973, a Mossad agent Dan Aerbel was apprehended by the Norwegian police on account of a suspected murder. During investigation he revealed various other secrets including the fate of yellow cake on Scheersberg-A. According to Aerbel, the drums of uranium oxide were loaded onto an Israeli vessel and shipped to Israel, whereas Scheersberg-A was abandoned near the Turkish port.<sup>44</sup>

There have been other reported incidents of uranium theft by the Mossad agents who, after firing tear gas grenades in commando style attacks, hijacked trucks loaded with uranium at two separate places in Britain and France in 1968 and 1969, respectively, leaving empty trucks behind and shipping uranium to Israel.<sup>45</sup> Classified reports obtained under the Freedom of Information Act reveal that in 1975 Israel had offered the sale of Jericho missiles along with nuclear warheads to South African prime minister. Minutes of a top secret meeting held between former South African prime minister P.W. Botha and the then Israeli defence minister Shimon Peres disclosed that the South African prime minister had asked for missiles and nuclear warheads which Israeli defence minister offered in three sizes.<sup>46</sup> However, the deal could not be finalized due to the high cost of these warheads.<sup>47</sup>

In 1960s, Argentina provided Israel with more than 80 tonnes of enriched uranium. Intelligence agencies of at least three countries, i.e., Canada, the UK, and the US, had concluded after evaluating their intelligence reports that the transfer had actually taken place but no further action was taken by any of the governments even after this confirmation.<sup>48</sup> Besides the Argentinean sale, other reports claim that in 1970s South Africa sold over 600 tonnes of uranium to Israel in return for about 30 grams of Tritium, which was sufficient for up to 12 nuclear bombs.<sup>49</sup> FBI declassified documents further revealed that a systematic operation was carried out inside the US—involving some high-level Israeli officials in coordination with Mossad—to smuggle sensitive nuclear materials to Israel including more than 800 Krypton nuclear trigger switches known as ‘Krypton Switches’ from California-based trading company MILCO International Inc.

The operation involved Israel’s current Prime Minister Benjamin Netanyahu, who had personally smuggled these switches from the US to Israel.<sup>50</sup> The president of MILCO Richard Kelly Smith disappeared from the US during investigation leaving behind his property and home. He was arrested in Spain in July 2001 and subsequently awarded 40 years in prison along with a fine of \$20,000 but was bailed out only after four years of imprisonment. Moreover, the main accused in this illegal transfer, billionaire Hollywood producer Arnon Milchan, who served as a link between the Israeli Defence Ministry and MILCO, was never implicated in the case.<sup>51</sup>

In 2012, Washington Post published a report revealing that the US Army Corps of Engineers (USACE) had built a secret facility in Israel to handle nuclear weapons. A month later, however, it partially retracted from the story, stating that although the USACE had acknowledged the construction of a five-storey underground facility named ‘Site 911’ at an Israeli air base, it would not be used for handling of the nuclear weapons.<sup>52</sup> The report did not cite the

purpose for this five-storey underground military facility. In the same year, German magazine *Der Spiegel* ran a story regarding German sale of Dolphin class submarines, which were later to be fitted with nuclear-capable cruise missiles in Israel.<sup>53</sup> The deal between Germany and Israel was unique in the sense that the German government not only agreed to share one-third of the project cost amounting to \$170 million, but also deferred the payments without consulting the EU. As of April 2015, four out of six submarines have been shipped to Israel while the fifth is almost ready to be dispatched; the remaining vessel is expected to be delivered by 2017.<sup>54</sup> There are rumours that Israelis have plans to buy three more Dolphin class submarines in future. These submarines are expected to be fitted with Popeye Turbo cruise missiles having a range of 1,500 km.<sup>55</sup> There are even reports in the American press indicating that the US actually helped Israel in acquiring critical technologies that could have possibly helped Israel in developing Thermonuclear or Hydrogen bombs.<sup>56</sup>

Consequently, success of the Israeli nuclear programme can rightfully be attributed to tacit support by states like Argentina, France, South Africa, the UK, and the US, which monumentally facilitated Israel in acquisition of nuclear weapons.

### **Nuclear testing**

Israel has neither publicly proclaimed that it is a nuclear weapon state nor has it explicitly tested a nuclear device. There are reports of several Israeli nuclear tests secretly conducted within and outside the state of Israel though. It has also been learnt that while French nuclear scientists were facing problems regarding their nuclear research and development activities, Israeli scientists were known to have produced low-grade uranium from phosphate in the Negev desert, besides being able to develop an efficient technique to produce heavy water in low quantities. Therefore, Israeli and French scientists decided to share their expertise with each other. Consequently, in 1960 (1953 according to other sources) Israeli scientists were invited at a French nuclear test site in Sahara desert and were also given unrestricted access to the technical data of nuclear tests.<sup>57</sup> Some Western intelligence sources believe that Israel conducted its first underground nuclear test somewhere in Negev Desert in 1963.<sup>58</sup> Numerous other sources also report about a zero yield test, probably of an implosion device, secretly conducted at Negev Desert on 2 November 1966 by Israel.<sup>59</sup> Declassified documents of 1979 have further revealed that Israel had secretly carried out a nuclear test in the Indian Ocean, possibly in collaboration with South Africa, which was detected by a US spy satellite 'Vela'.<sup>60</sup> Although some analysts regarded it as a flash from some meteor, most concluded it to be a flash as a result of nuclear testing. Earlier in 1977, preparations of a nuclear testing site in the Kalahari Desert were picked up by a Soviet spy satellite and communicated to the US; thus the nuclear device could not apparently be tested due to mounting international pressure.<sup>61</sup> Other reports hypothesize, however, that probably an extremely low yield device or a neutron bomb was tested in the Kalahari Desert, which had either failed to detonate<sup>62</sup> or could not be detected at

the time due to technological issues. Although the detection techniques have improved to a great extent in recent years—with very few yields still remaining undetectable—this obviously was not the case a few decades ago.<sup>63</sup> Therefore, the possibility of an Israeli nuclear test at the Kalahari site cannot be ruled out entirely. The chronology of suspected nuclear tests conducted by Israel according to various sources is given below:

Testing Year	Venue	Source
1963	Negev desert	“How Israel got the bomb,” <i>Time</i> , Special Report, 12 April 1976.
1966	Negev desert	Avner Cohen, <i>Israel and the Bomb</i> , p.403, note 42.
1977	Kalahari desert (joint test site by South Africa and Israel, possibly abandoned)	Gillian Bourassa, “South Africa’s Nuclear Weapons Program,” <i>International Studies Review</i> , Washington College, Vol. IV, 2007, p.85, 90. According to another source, “Israel’s nuclear programme: An analysis of International assistance,” by Atiq-ur-Rehman published in <i>Berkeley Journal of Social Sciences</i> , Vol. 1, Issue 3, March 2011, it is not sure whether the device was a Neutron bomb or it just fizzled out.
1979	Indian ocean (joint test by South Africa and Israel)	“The 22 September 1979 Event,” <i>Director of Central Intelligence Agency</i> , Inter agency Intelligence Memorandum, December 1979, declassified in June 2004. Also Michael Karpin, <i>Bomb in the Basement</i> , p.343.

## Main contours of Israeli nuclear policy and doctrine

### Nuclear policy

Right from the outset, Israel has maintained a nuclear policy of ‘strategic ambiguity’, known as ‘*Amimut*’ in Hebrew, which emanated from the slogan of ‘never again’ adopted by the Jewish Defence League. The never again motto means, “never again will Jews be victimized; never again will Jews be scapegoats; never again will [Jews] stand idly by while Jewish blood is spilled; never again will [Jews] be silent.”<sup>64</sup> Therefore, nuclear weapons remain the Israeli insurance against regional and extra-regional threats.

### Self-reliance

The core of Israeli defence policy is based on self-help and self-reliance. Although Israel enjoys very strong military ties with European and other states like China, India, and the US, it neither solely relies on their support



nor has concluded any formal defence treaties with any of them. Israel believes that such an arrangement could limit its defensive and offensive options.<sup>65</sup>

### **Deliberate nuclear ambiguity**

Israel neither confirms nor denies the existence of its nuclear deterrence. Although this policy of secrecy has kept Israel immune from international criticism to a great extent, scholars debate the efficacy of this doctrine in contemporary strategic environment.<sup>66</sup> In the near future, Israel is likely to continue with its policy of '*Amimut*' or nuclear ambiguity though.

### **No parallel regional nuclear rival**

Israel has vowed that it will not permit another nuclear rival in the region even if it entails a pre-emptive airstrike. Not only has it destroyed nuclear sites and reactors of Iraq and Syria in the past, but has also threatened to bomb the Iranian nuclear facilities. In case Iran definitively reaches closer to making a nuclear bomb, or the hope for a diplomatic breakthrough withers away, such a strike becomes extremely likely even though the exact time of the strike remains contestable.<sup>67</sup>

### **Holding back from introducing nuclear weapons in the region**

Israel has also reaffirmed that it would not be the first to introduce nuclear weapons in the Middle East, implying that it would neither be the first to publicly acknowledge the existence of its nuclear deterrence, nor the first to overtly test the device.<sup>68</sup> This Israeli policy has helped it to justify pre-emptive strikes against nuclear installations of other regional states.

### **Nuclear Harakiri**

Israeli nuclear deterrence is also known by its alternate name, 'Samson Option', which implies, 'if we go, everyone goes' or in other words it warns, "We [Israel] may have to die, but this time we don't intend to die alone."<sup>69</sup> This concept of collective suicide comes from historical Jewish tradition and perfectly adds to the credibility of nuclear deterrence.

### **Nuclear doctrine**

Although Israeli nuclear doctrine remains shrouded in mystery, the pattern of previous Arab-Israeli wars illustrates that Israel would not hesitate to use nuclear weapons in extreme circumstances as a last resort, regardless of whether the adversary has a nuclear capability or not. Consequently, 'first use but last resort' remains the corner stone of Israeli nuclear doctrine.<sup>70</sup> Israel has never acknowledged its nuclear weapons capability. Therefore, it remains an extremely challenging question whether Israel would resort to pre-emptive first strike or not. Analysts and think tanks have concluded, however, that using low yield (tactical) nuclear weapons in a pre-emptive strike remains a plausible option for Israel.<sup>71</sup>

### **Pre-emptive and retaliatory options**

Israel might use nuclear weapons in the following perceived scenarios either in defensive or pre-emptive manner:

- Capture of a large area by an adversarial force advancing deep into Israeli territory and populated areas;
- Successful annihilation of a major portion of the Israeli air force;
- Substantial destruction of Israeli cities in massive aerial attacks/strikes;
- Biological or chemical attack over an Israeli city;
- Use of a nuclear weapon over an Israeli territory;
- Perceived threat of a nuclear strike;
- Specifically targeted strike on Israeli nuclear installations;
- Grave nature of risk, which Israel considers as an existential threat.

### **Iran nuclear deal and Israeli nuclear posture: Heading for confrontation or cooperation?**

Israel has been persistently making a case for military strikes against Iranian nuclear installations and vehemently opposes the Joint Comprehensive Plan of Action (JCPOA) alongside Saudi Arabia. This does not illustrate that Israel and Saudi Arabia have formed an alliance against Iran; rather both states share common concerns over Iran's nuclear expertise and ineffectual consequences of sanctions imposed on Iranian nuclear programme. Both states are apprehensive that the nuclear deal would enable Iran—which largely remains unaffected by the sanctions—to use its nuclear capability for blackmail and regional hegemony. Other Gulf Cooperation Council (GCC) states also share the concern that after the nuclear deal Iranian economy would considerably improve, thus bolstering Iranian desire to dominate the Persian Gulf and perpetuating regional instability and conflict. Core Iranian goals in the region are as follows:<sup>72</sup>

- Exercising regional dominance and gaining international significance;
- Maintaining the posture of a nuclear breakout state for economic, political, and strategic bargains without actually crossing the nuclear threshold;
- Improving economic ties with states within and outside the region;
- Using its existing nuclear capability as a strong bargaining chip to remain an important regional player;
- Supporting the pro-Palestinian proxies and militant groups to increase its sphere of influence and capabilities against hostile states, especially Israel;

- Promoting the Shiite ideology and influence in neighbouring and Shiite populated states.

After the deal, Iran could become more active in supporting pro-Shiite groups and militias in Sunni states in the Middle East, creating problems for the Sunni monarchies.<sup>73</sup> Israel also considers a nuclear-armed Iran an existential threat, as it could profoundly limit Israeli military options against Iranian allies and proxies in the region. The JCPOA, also known as Iran nuclear deal, does not obliterate Iranian technical expertise and capability in the nuclear field, but imposes some constraints for a specified period. Following are some key limits on Iranian nuclear programme under JCPOA:<sup>74</sup>

- Restriction on the level of uranium enrichment from 20 per cent to 3.67 per cent for 10 years;
- Reduction in the number of centrifuges from 10,000 to 5,060 for enrichment purpose;
- Reduction of low-enriched uranium stocks from 10,000 kg to 300 kg;
- Termination of uranium enrichment activities at all other sites except Natanz for a period of 15 years;
- Re-designating of the status of Fordow uranium enrichment centre to nuclear physics and technology centre, not allowing any enrichment activity at the facility;
- Introduction of design changes to Arak heavy water reactor to ensure that it is not able to produce weapons grade plutonium;
- Restriction on storage and procurement of heavy water other than essentially required at Arak nuclear reactor;
- Provisional application of additional protocol to Iranian comprehensive safeguard agreement;
- Round the clock permission to the International Atomic Energy Agency (IAEA) inspectors to access all the sites related to nuclear fuel cycle;
- Non-reprocessing of spent fuel for the next 15 years;
- Establishment of a joint commission to evaluate and assist in procurement of Iran's fuel and other requirements for peaceful nuclear activities through the Nuclear Suppliers Group (NSG), as allowed under the NPT;
- Sanctions related to nuclear activities to be lifted gradually after due verification of the agreed clauses in the nuclear deal by the IAEA and endorsement by the United Nations Security Council (most of the sanctions related to nuclear activities have already been lifted);
- Negotiation of a roadmap on the part of Iran to clear all past and present outstanding issues related to suspicious nuclear activities;
- Resolution of any issue with respect to providing IAEA access to a suspected or undeclared nuclear-related site through the joint commission within 24 days.

The deal initially was a divisive issue in Iran, despite getting eventually passed in the Majlis (the Iranian parliament) through a 161 vs. 59 vote, with 13 abstentions.<sup>75</sup> Iranian Supreme Leader Ayatollah Khamenei has termed some clauses of the deal as ‘excessive’ and ‘insulting’. Iran also temporarily suspended the dismantling of centrifuges. As a result of lifting of the sanctions after the deal, Iranian economy would significantly improve, which is likely to make the deal popular within the Iranian nation besides strengthening Iranian stature in the region. Republicans in the US are also opposed to the deal and have threatened to scrap it once elected to power. However, reversing the deal and imposing sanctions again would not be an easy option for the Republicans.<sup>76</sup> The deal could nevertheless be threatened by some miscalculated Iranian action—like testing a long-range missile—or Syrian conflict escalating into a regional war as a consequence of an extremely provocative Iranian action. Thus in case the deal fails—even though less plausible—the probability of an Israeli strike on Iranian nuclear installations, with or without US support, would substantially increase.

### **Implications of Israeli nuclear programme and JCPOA for the region and nuclear non-proliferation regime**

The possession of undeclared nuclear weapons by Israel could have numerous negative implications for the region as well as the global nuclear non-proliferation regime. Due to strict implementation and verification mechanism of the nuclear non-proliferation regime, however, the repercussions are not likely to be precipitous. With the growing sense of isolation amongst the GCC states, especially after Washington’s renewed priorities in the region, these states are seeking to devise defensive mechanisms of their own against perceived regional and extra-regional threats. In response to Iran’s suspected nuclear ambitions and capabilities alongside Israeli nuclear threat, the GCC states are likely to seek nuclear weapon capability in future, and the following consequences might trail thereon:

- Due to the undeclared nuclear weapons programme of Israel and Iranian nuclear capability, there is no possibility of Middle East becoming a nuclear free zone in future. Policies related to nuclear issues premised on discrimination could influence other states—most notably Iran, Saudi Arabia, and the UAE—to seek nuclear weapons.
- Iran’s nuclear expertise and scientific skills would largely remain unaffected even after the successful conclusion of JCPOA. The deal only imposes a few limits on Iranian nuclear activities like uranium enrichment, heavy water production and stocks, and spent fuel re-processing etc. for 10-15 years. Consequently, Iran would have time to further improve upon the existing capabilities during the moratorium period. Iran—which sees itself in strategic competition with other regional states, especially Israel, Saudi Arabia, and Turkey—would

- remain a threshold nuclear state,<sup>77</sup> in extremis, influencing the nuclear choices of other states in the region.
- Since the JCPOA, Iran is struggling to improve its relations with the West. If the deal remains a success story, Iran-Israel relations might also improve. Not only were Iran and Israel strategic partners prior to 1979 Islamic revolution, but they have also been discreetly interacting with each other even after that.<sup>78</sup> Therefore, emergence of the unique strategic equation between Israel and Iran under moderate governments on either side remains a plausible scenario in future.
  - Israeli nuclear weapons programme would always remain at the heart of the nuclear non-proliferation debate in the region. This particular issue risks persuading other regional states seeking regional pre-eminence or security—like Egypt, Iran, Saudi Arabia, and Turkey—to contemplate the nuclear option; putting the future of nuclear non-proliferation regime in an indeterminate state.
  - If other states in the region abandon NPT in pursuit of nuclear weapons, there could be a domino effect, with more and more states, both within and outside the Middle East, opting for nuclear weapons either due to security compulsions or for prestige and stature. North Korean nuclear and missile tests have already renewed the nuclear debate in Japan and South Korea.
  - Abandonment of NPT by states in the Middle East or elsewhere would seriously undermine the nuclear non-proliferation regime, thus possibly rendering it redundant and irrelevant in the end.
  - Nuclear weapons programmes, if so initiated by states in the Middle East, would ostensibly evoke Israeli pre-emptive strike policy. Such a scenario would profoundly deteriorate the security situation in the region, thus leading to a major regional war between Israel and its neighbours, presumably involving global powers.

## Conclusion

Israel perceives considerable security threats due to its continued policy of occupying the Palestinian territories. But its nuclear weapons capability along with a sizeable conventional force provides insurance to its expansionist policies. Israel's acquisition of nuclear capability is attributed to its clandestine activities and operations, which enjoyed overwhelming support of some of the advanced Western countries. The ubiquitous Western support to Israeli nuclear ambitions makes it immune from criticism which encourages other regional states to contemplate the nuclear option. The complex security paradigm in the region not only perpetuates conflict along sectarian lines but also accentuates inter-state and intra-state rivalries. A nuclear pursuit in the region, amidst Israeli

and Iranian nuclear programmes, would be an extremely dangerous and destabilizing proposition. The growing instability in the Middle East at strategic and tactical levels would make it extremely difficult to keep an effective check on nuclear materials and proliferation. Iran nuclear deal only offers short-term solutions to the existing complexities, which cannot be solved without addressing the question of nuclear proliferation as a whole rather than being state specific.

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