INDIAN Foreign Affairs Journal

A Quarterly of the Association of Indian Diplomats

Volume 14, No. 2
April–June, 2019

ISSN 0973-3248
e-ISSN 2229-5372

Articles

Prints Publications Pvt Ltd
New Delhi
www.printspublications.com

Contents

Indian Foreign Affairs Journal Vol. 14, No. 2, April–June 2019, 87-102

RCEP and India: What Next?

V. S. Seshadri*

This article seeks to understand why India may have decided to withdraw from the Regional Comprehensive Economic Partnership (RCEP) as was announced at the third RCEP summit meeting held in Bangkok on 4 November 2019. It also examines briefly the possible implications of this decision, particularly in the present context of looming challenges on the international trade front. It explores possible options for India and what its priorities could be. Finally, in the event that there may be a re-consideration by India about joining RCEP, what could be some of the guiding elements?

Background

By the end of the first decade in 2000, ASEAN, with its membership of ten South East Asian countries, already had its FTAs[1] with all its six dialogue partners: Australia, China, India, Japan, Republic of Korea and New Zealand. The idea arose that these separate ASEAN+1 FTAs could be built upon further to broaden and deepen the engagement among the parties, and enhance their participation in the economic development of the region[2]. A more regional agreement covering the sixteen countries, with ASEAN centrality in the emerging regional architecture would be desirable. This was also a time when negotiations on the Trans Pacific Partnership (TPP) agreement between twelve countries of the Asia Pacific region were already underway, and preparatory moves for launching negotiations for the Tran Atlantic Trade and Investment Partnership (TTIP) between the United States and the European Union had also begun. In a sense, a move had begun in Asia and elsewhere towards

*__The Author,__ Dr. V. S. Seshadri, is a former Ambassador of India to Slovenia and former Ambassador of India to Myanmar. A former trade negotiator in the Government of India, he was earlier Vice-Chairman, Research and Information System for Developing Countries (RIS), New Delhi.

This article is substantially based on an invited lecture given by the author, at a meeting of the Association of Indian Diplomats (AID) on 18 December 2019, in New Delhi.

forging mega regional free trade agreements.

The Agreement on Guiding Principles and Objectives[3] for RCEP was finalised among the sixteen economic ministers in August 2012. The negotiations were formally launched by the leaders during the 21st ASEAN Summit meetings in Pnom Penh in November 2012. The negotiations themselves began in May 2013, and were initially intended to be completed by 2015. However, they steadily got extended to seven years and, after 28 negotiating rounds, interspersed by nine inter-ministerial sessions and two summits, they came to a stage of finalisation at the third RCEP summit in early November 2019 in Bangkok. While India decided to opt out of the grouping, it was decided that the agreement among the other fifteen members will be signed in February 2020.

Why did India decide not to join?

At the Press briefing immediately after the summit, the Secretary (East) from the Ministry of External Affairs of India said that[4] India had significant core issues that remained unresolved. She also added without elaboration that India's decision not to join reflected both an assessment of the current global situation as well as of the fairness and balance of the terms of the agreement.

Prime Minister Narendra Modi was himself reported[5] to have stated at the summit meeting that the RCEP outcome did not reflect the basic spirit and outcome and the guiding principles initially agreed for negotiating the RCEP. India had put forward certain specific proposals about bringing more equity and balance for consideration, but these were not addressed satisfactorily. The guiding principles and objectives for negotiating RCEP did carry a commitment that the negotiations would ensure a comprehensive and balanced outcome and, *inter alia,* would contribute towards equitable economic development. The Prime Minister also mentioned that he was guided (in taking the decision) by the impact the outcome may have on the livelihood of all Indians, especially the vulnerable sections.

Soon after the RCEP summit, India's Minister for Commerce and Industry, Piyush Goyal, was also quoted (in his Ministry's Press Release[6]) as having said that, throughout the seven year long negotiations for RCEP, India consistently stood its ground to uphold its demands, particularly over controlling trade deficit, stronger protection against unfair imports, and better market opportunities for Indian goods and services. He affirmed that the

opening of the Indian market must be matched by openings in areas where Indian businesses can benefit, and it would not become a dumping ground for goods from other countries. He had also talked about the need for safeguards with automatic triggers, for India.

Perhaps the most specific in terms of the reasons adduced for the withdrawal came from an article by the Indian Home Minister, Amit Shah, in which he said[7] that the Prime Minister had put forward the interests of farmers, SMEs and manufacturing industries, and vigorously asked for amendments vital to India's interest. He also referred to the five most prominent demands put forward by India as amendment in tariff differential, changes in base rate of customs duty, changes in the most favoured nation (MFN) rule, some exemptions to be built into ratchet obligations as part of the pact, and respecting India's federal character while determining investments.

The Minister for External Affairs, S. Jaishankar, also briefly weighed in on the subject[8] in a well attended public lecture, noting that India negotiated till the very end and then made a very clear eyed calculation of the gains and costs. He added "At that time, a no agreement was determined to be better than a bad agreement".

Other Factors Contributing to India's Refusal to Join

While this was not officially articulated, the recent economic slowdown in the country, a sombre mood prevailing about the economic outlook, and stagnation in India's exports for almost seven years could have been the other factors that inhibited the government from taking a bold decision to go ahead with the RCEP agreement at this juncture.

There was also stepped up opposition from several industry[9] segments/ bodies prior to the summit, questioning how RCEP would be different when commensurate gains had not been made from some of the existing FTAs. The presence of China in RCEP, a country with which India already had a huge trade deficit even in the absence of an FTA, was also highlighted here. There was also opposition from some farm segments, particularly the dairy industry,[10] which feared that RCEP may open up the sheltered Indian agriculture market to indiscriminate imports.

Several opposition political parties[11] also got into the fray, articulating reservations and threatening protests. This was notwithstanding the fact that no political party had raised any objection to RCEP in their manifestoes in the

general elections held a few months earlier, or had raised objections initially when India joined RCEP negotiations several years ago.

Against this scenario, pro-RCEP persuasions remained largely muted, barring some media articles and a handful of industry interests.[12]

After the summit, and in the light of India's statement that its specific proposals were not finally accepted in the RCEP negotiations, questions arose as per some reports, about whether these proposals had been put forward only towards the end of negotiations, or whether they had been articulated all along. While only those privy to the negotiations that have been shrouded in secrecy may know the full answer, it can be said that most of the changes mentioned by the Home Minister had generally been of concern to India.

India's Five Prominent Demands

Amendment on tariff differential was mentioned as one of the specific proposals submitted by the Indian side in the negotiations as per the Home Minister. Right from the beginning, India had asked for a tariff differential in relation to China, Australia and New Zealand, countries with which it already did not have FTAs. This was also understood to have been agreed to at earlier stages in the negotiations. A tariff differential vis-à-vis certain countries would, to be meaningful, also mean a differential in respect of cumulation. It is not clear whether any differential was finally inscribed in the text at all, and what further amendment India may have proposed.

Granting MFN rights and including ratchet obligation in the services sector are some of the provisions that we come across in more recent FTAs. However, ratchet obligation has not so often been found in Asian FTAs. Agreeing to MFN commitment would imply, any concession granted to any third country by India in any subsequent FTA it signs, including let us say some of India's neighbours, will become liable to be automatically extended to all RCEP members. Committing to ratchet obligation means any autonomous liberalisation by India, after the RCEP agreement, will get locked in for RCEP members. It would be difficult for a country like India at its present stage of development to get straitjacketed with such obligations.[13] [14] It could, for example, have constrained experimental liberalisation that can be rolled back if found not suitable. However, a remedy for such commitments was available in the form of listing non-conforming measures and exceptions that could have been included by India in the text, as surely most other countries would also have done.

Another specific change suggested by India was in relation to changing the base year for tariff reduction to 2019 instead of 2014. The latter year had apparently been agreed to earlier in the negotiations. This was presumably on account of India having raised tariffs on several items in the previous three years. This is, however, not a normal demand in tariff negotiations in which the base year is decided upon quite often early in the negotiations, as a year close to the start of the negotiations. Most of India's own earlier FTAs have followed the practice[15] of having a year close to the start of negotiations as the base year.

The fifth demand referred to RCEP members respecting India's federal character in investments in the country. It is not clear how this may have translated into any textual change; but it can be surmised that this concern may have arisen from certain ongoing investor-state disputes in India involving commitments that may have been made at the level of state governments to an investor which they may not have been able to later fulfil. But more details about this proposed change may be needed, since even in the model draft on investment promotion and protection agreements, the covered investments include those which are approved by state governments.

Yet another change that India was keen on was in having a safeguard arrangement with an automatic trigger, at least for certain sensitive items. Such a mechanism would allow safeguard measures to be imposed after imports have surged to a trigger level (or prices may have reached a certain level, if it is a price trigger) even without an injury test. For India, this would certainly have been necessary not only for certain sensitive agriculture products but also for a few industrial items, including for those (such as steel, non ferrous metals, etc.) in which there are demonstrated surplus capacities in the region, particularly in China.

RCEP: a Tough Negotiation for India

There can be little doubt that RCEP was a challenging negotiation for India. Other RCEP members were already linked with each other through existing FTAs, barring a few exceptions, whereas India did not have FTAs with three of them. India also had deficits in merchandise trade with eleven[16] out of the fifteen countries, with the cumulative deficit accounting for over 50 percent of India's overall trade deficit.[17] Moreover, all of them, if ASEAN is also viewed collectively, are more export oriented than India, with a higher share

Table 1: RCEP Member's Share in World Goods Trade (as per WTO Trade Profile 2018)

	Share in world exports (in %)	Share in world imports (in %)
Ten ASEAN countries collectively	7.39	6.93
Australia	1.30	1.27
China	12.77	10.22
India	1.68	2.48
Japan	3.94	3.73
Republic of Korea	3.24	2.65
New Zealand	0.21	0.22
Total	30.53	27.50

in world exports than in world imports (Table1), except perhaps New Zealand, marginally.

In such negotiations involving several parties, a participant country tries to identify others with like minded interests to build a coalition to push forward its proposals. But this was difficult for India since barring Cambodia, Laos, and Myanmar - which would in any case have received a more concessional approach in view of their LDC status - all the remaining countries were more export oriented. Being members of Asia Pacific Economic Co-operation (APEC), they were more familiar with each other's policies and procedures. It may be recalled here that APEC members have more than two decades of experience in working together with action plans to enhance trade and investment facilitation. APEC also holds more than 200 technical and other meetings every year related to trade, investment, technology, and various other economic and related issues. These meetings have helped to encourage the adoption of best practices in a range of economic areas, something to which India has not had adequate exposure.

However, despite these handicaps, Indian negotiators appear to have negotiated hard. But whether they used the resources of Indian embassies in RCEP countries, and adopted diplomatic strategies to enable wider acceptance of their proposals is somewhat unclear. While trade negotiations are admittedly confidential in nature, the use of diplomatic missions, a key resource, is normal and other countries frequently take recourse to it. Indeed, several diplomatic missions of RCEP countries in India were seen pushing forward their own country's interests during the period the RCEP negotiations were underway.

Insufficient Flexibility by RCEP Countries towards India

From available information, it is far from clear to what extent other RCEP countries may have shown understanding to accommodate India's concerns, and how wide the differences were in the end between India's proposals and what the other RCEP countries were willing to agree to. The final RCEP summit statement only said the following:

> India has significant outstanding issues, which remained unresolved. All RCEP participating countries will work together to resolve these outstanding issues in a mutually satisfactory way. India's final decision will depend on the satisfactory resolution of these issues.[18]

It was clearly a diplomatically worded statement, with no definitive commitment made about specific outstanding issues or directions given regarding how to resolve them except for holding further discussions. After seven years of negotiations, this may have been difficult for India to accept.

However, even if one looks at it from the point of view of other RCEP countries, India could have brought significant additionality to RCEP. India accounted for 2.5 percent of world imports, and had significant potential for further expansion - more than most other RCEP countries. And India, having adverse trade deficits with eleven RCEP members, certainly deserved a more flexible treatment - at least in the initial period - to enable it to become more competitive and have a less uneven playing field.

Could the other RCEP countries have wrongly calculated that while India had several unaddressed concerns, it would still come around since, in the final analysis, it would recognise what *not* being part of RCEP may mean? The latter was, in fact, a question posed by a few participants from other RCEP countries in a think tank event that this writer had an opportunity to participate in.

Could there also have been an expectation that RCEP gave India an opportunity to be a part of the dynamic East Asia grouping, and India should not mind the price of some increased imports for joining such a regional group? Here, a media commentary by Tang Siew Mun, Head of ASEAN Studies in the Institute of South East Asian Studies, is instructive. He, *inter alia*, queried, "Does India have the resilience and political appetite to absorb domestic hits to advance the regional common good?"[19] He goes on to claim that India's withdrawal from RCEP is the death knell of Indo-Pacific. However, Tang Sieu Mun does not explain why India should be taking hits in trying to become a member of RCEP rather than all other RCEP members concluding a more win-

win deal for the common good. Any regional grouping can become sustainable - and this can be seen in the relative successes of EU and ASEAN themselves, if there is a willingness of all members, with their diverse interests and concerns, to come to a reasonable compromise, no matter how tortuous that compromise may be.

While India did have several outstanding concerns, most of them arose because of a possible surge in imports from China when the bilateral trade deficit was already so wide[20] even in the absence of an FTA. Additionally, India had been denied fair market access into China for several items due to non-tariff barriers that had been taken up bilaterally many times with them, but without success. The question is: did other RCEP members lean on China to some extent into being flexible? Or was India simply asked to deal with China bilaterally? While earlier news reports suggested that India did have some bilateral meetings with China, to what extent these were useful is not known. Nor is it known if RCEP did figure in the high level bilateral summit meeting in Mamallapuram and what, if anything, was the outcome.

Media Articles in India after RCEP Withdrawal

A spate of articles and editorial pieces appeared in the Indian press after the announcement of India's withdrawal from the RCEP. Some observed that India not joining the RCEP was a right decision. A few even felt India should industrialise first and become competitive, before considering signing up for more FTAs. Others termed it a mistake not to join, or described it as a loss of opportunity. Still others speculated that it was probably a tactical diplomatic move to secure a better deal. These still expect that an RCEP deal with India in it will happen.

In any event, what was welcome was the serious soul searching evident in most of these pieces, all of which seemed to suggest that India had arrived at a cross-road. Some termed the moment as a wakeup call for reflection. Was a return to protectionism the answer? Were there other options? There were also queries whether India would be able to get its act together, and move forward with reform without external pressures like the RCEP.

What Next? Looming Challenges

Irrespective of whether RCEP still happens or not for India, it is important to recognise the looming challenges ahead for India on the trade front. Most worrying is the current export stagnation beginning 2011-12 with India's

total merchandise exports hovering around US$ 300 bn. The absence of significant new export capacities coming on the horizon is a concern. The need for boosting India's competitiveness cannot be over emphasised. Very rightly, the Economic Survey 2019 has underlined the following in the context of India becoming a US$ 5 trillion economy.

> To achieve the objective of becoming a USD 5 trillion economy by 2024-25, as laid down by the Prime Minister, India needs to sustain a real GDP growth rate of 8%. International experience, especially from high-growth East Asian economies, suggests that such growth can only be sustained by a "virtuous cycle" of savings, investment and exports, catalysed and supported by a favourable demographic phase. Investment, especially private investment, is the "key driver" that drives demand, creates capacity, increases labour productivity, introduces new technology, allows creative destruction, and generates jobs. Exports must form an integral part of the growth model because higher savings preclude domestic consumption as the driver of final demand.

The second challenge is the troubled situation facing the international trading system, the virtual demise of the Doha Round, and the near collapse of the dispute settlement system of the WTO that used to be celebrated earlier as its crowning jewel. In this context, if India has to look for increased market access to boost its exports, this can come only through signing up more FTAs at a time when their numbers have also risen globally. India still has only a limited portfolio of FTAs, and its last FTA was signed in 2011. Also, India has no FTA, beyond South Asia, to its west. However, newer FTAs globally are also generally getting more comprehensive, with several having obligations impinging on domestic policy. From this perspective, RCEP was expected to be less intrusive than recent FTAs like the Comprehensive and Progressive Trans Pacific Partnership (CPTPP) or the EU-Japan FTA, both of which came into force in 2019.

The third challenge is the Trump factor, and US President's readiness to use unilateralism for pursuing an "America First" approach. India itself has been a victim of this in the form of unjust steel and aluminium tariffs slapped on its exports on "security" grounds. This is almost unprecedented. Secondly, there was also the withdrawal of GSP concessions to India's exports that goes against the letter and spirit of the Enabling Clause that provides the legal basis for extending GSP. It may be mentioned here that protectionism, once unleashed, rarely goes away on its own. This is why it is worth pondering

whether this genie is here to stay, irrespective what the next US Administration may be like, and whether such measures will ever see a roll-back.[21] Some countries are also trying to mitigate the potential impact of such actions by entering into more FTAs with third country partners. The conclusion of CPTPP without the USA is an example. The hurry that appeared evident during the end game of RCEP at a time when the US-China trade war is still in play is, perhaps, another illustration.

Possible Approaches to Address Looming Challenges

In another publication,[22] this writer has spelt out what could be among the eight priorities in external trade for the government that took office in May last year.

In the present context of post withdrawal from the RCEP what may be relevant to flag would be three among them. The first, in any case, is to put in place an action plan for doubling exports in the next five years, a point that also figures among the 75 points listed in the manifesto of the ruling Bharathiya Janata Party prior to the last general elections. Doubling exports within this time frame will not be easy; but it can be done if there is a well rounded action plan that involves scaling up existing export capacities, bringing value addition to several of India's exports that are currently being exported in primary form, steadying agricultural exports that show considerable promise but need more stable policies, and inviting foreign investments for the promotion of supply chains. It will also involve a great deal of co-ordination of existing government initiatives like the Sagar Mala programme, the Bharat Mala Pariyojana programme, Make in India, and Skill India initiatives. The several measures announced by the Finance Minister Nirmala Sitharaman[23] on 14 September 2019, including easing export credit and ensuring a smoothly operating and WTO compatible Remission of Duties, or Taxes on Export Product scheme (RoDTEP) also have to tie in here. The simplification of labour codes is welcome; but it needs to be seen how they will facilitate some of our labour intensive exports to scale up and become more competitive.

The second will be to devise an FTA strategy in the context of India's diminishing export access as FTAs worldwide steadily rise. It needs to be appreciated that every new FTA between any two or more countries worldwide, even if they do not include India, has the potential to negatively impact India's market access in those partners. An FTA strategy needs to examine which potential partners to target, and also to see if some of the FTAs under negotiations - such as the one with EU - can be brought to quick

closure. The FTA dynamic is such that as a country concludes a major FTA, more suitors line up, not to be disadvantaged. Furthermore, the initiative announced by the Finance Minister for a greater utilisation of existing FTAs also deserves a mention here and, on this again, much can be done.[24] In fact, among existing FTAs, the India-Korea CEPA and the India-ASEAN FTA are already under review, and there are also calls[25] for a review of India-Japan FTA. These reviews can also be opportunities for ensuring better implementation of existing provisions, and introducing mutually beneficial changes.

Thirdly, it is important to improvise the mechanism for the regulation of imports based on a more strict system based on standards and regulations. This requires the strengthening of the necessary infrastructures available with Bureau of Indian Standards, including in the form of accredited laboratories and testing agencies. A phased programme is necessary to eventually cover all imports so that sub standard imports[26] do not enter the country. Regulating imports will also have to address the problem of under invoicing, and the false declaration of goods that have hurt the Indian industry.[27] SMEs have been particularly hit hard in this regard who, unlike their larger counterparts, are not organised enough even to be able to seek remedies in the form of anti-dumping or safeguard actions.

Could RCEP Have Helped India Face Looming Challenges?

It is difficult to answer this question unless one has a good idea of what was in the final text, and what were the changes sought by India in more detail. From a domestic perspective, however, it could have helped if the RCEP was seen as integral to India's planned economic reform and as facilitating India's action plan to double exports by providing increased market access. Of particular relevance would have been not only tariff concessions in markets like China (China's share of world imports was 10.75 percent in 2018[28]) but also certain assurances that non tariff barriers would not come in the way of larger Indian exports.

As an example, India's exports of pharma items worldwide were US$ 13.28 billion in 2018-19, but the bulk of it went to advanced markets like the US (39 percent) and EU (13 percent). Exports to RCEP countries like Korea (0.1 percent), Japan (0.4 percent), and China (0.4 percent) were paltry. If RCEP was promoting regional integration, then there should have been a way for Indian pharma exports to rise rapidly to these countries. This could have been done through side letters assuring fast track

consideration for the evaluation and access for Indian generics already having approvals from USFDA or EMA, on the lines India has with Singapore under the India-Singapore Comprehensive Economic Co-operation agreement (CECA).

On the side of imports, if RCEP had provided a somewhat phased and extended approach in tariff reduction back loaded to a certain degree, then Industry would have had timeframes to reform and become more competitive. Similarly, a differentiated tariff reduction approach would have been needed, along with a differentiated cumulation provision, for countries with which India already did not have FTAs - or at the least with China with which India also had a very large trade deficit. An assuring safeguard mechanism, in case of a surge in imports, could have also helped. These could have helped in the government being able to persuade the domestic industry to look at RCEP as a welcome external pressure and not as undermining India's industry or agriculture. And, India may have also needed to agree to bring back duties increased in the last few years to earlier levels within a short time frame.

Creative handling could have also helped in dealing with certain sensitive items - like agriculture or dairying - where market access would have had to be limited through tariff rate quotas. But by suitably channelling and administering them, such imports could have been used as a factor for reform rather than being perceived as undermining these sectors. In the process, India could have also received some assured export access, even if limited, for some of its products with export capacities, such as rice.

Limited TRQs could have also been explored for certain industrial imports, such as steel or non ferrous metals, if that improved India's negotiating position. Their imports could have been restricted to a few product clusters for SMEs to get raw material at international prices for creating value added products for exports.

Finally, being part of RCEP would have helped India in being a greater attraction for those investments that are moving out of China and are looking for alternative venues. And, RCEP membership may have also helped to influence third countries to become India's FTA partners, or even to coax EU to be more flexible in the India-EU BTIA negotiations.

RCEP and Trade in Services

This essay has so far not addressed the issue of trade in services although it was very much part of the RCEP negotiations. Several RCEP countries are

also fairly competitive in services trade, and have built up significant export capacities. But that said, they have been relatively conservative in liberalising these sectors, and were restrictive towards the movement of professionals (Mode 4), an area of particular interest to India.

Any agreement reached on Mode 4 will also have to be evaluated with care. India had a very good Mode 4 text in the CECA with Singapore; but this notwithstanding, Indian professionals having to go to Singapore for short term work have experienced difficulties. Tough immigration screening can undermine those commitments. Without some commitments on the provision of timely visas, even a good Mode-4 text has the risk of getting reduced in importance for trade purposes.

A general guideline - and this may apply to other FTA negotiations as well - may therefore be to seek a balance of concessions within services trade itself. An approach that seeks to gain certain possible Mode 4 concessions in an FTA as a compensation for potential losses on merchandise trade runs the risk of losses on both counts in actual implementation.

Possible Implications for India Out of RCEP

There are several points to ponder even as it may be argued that if we were not ready for RCEP economically now, particularly in the final form that the agreement text was presented at the Bangkok summit, it was better to step aside than let it become a burden on our development process.

Be that as it may, it will be difficult to argue that it is not a setback for our Act East Policy and even for the emerging concept of Indo-Pacific in which much may be expected from India. The Act East Policy rested on four pillars: (i) political; (ii) strategic and security; (iii) economic; and (iv) cultural and people to people ties. Of the four, the economic pillar has somehow remained weak. A stronger economic pillar could have also reinforced the other three pillars. Being part of RCEP could have helped in this process. Ways will now have to be found to mitigate the impact, including through bilateral efforts.

Also, India not being part of RCEP does not mean that India will get shielded from increased imports that can still be expected from the other RCEP countries whose export capacities and strength will get further reinforced after the coming into force of RCEP, on top of CPTPP in which seven of RCEP countries are also members.

Will India Reconsider joining RCEP?

The clearest indication on this subject came from an oped by the Home Minister, Amit Shah, who wrote "Considering India's growing stature, RCEP members can't afford to ignore it for long and come around to agree to GOI's terms".[29]

It is difficult to say if and when this will happen; and, if it happens what may be the terms that may be finally agreed upon.

As per this author, there could be five general guiding elements for India in considering any proposal for re-joining. These are :

a) India should not be expected to take some hits for the regional good; RCEP members should be ready to discuss and arrive at win-win solutions;

b) the RCEP text with its changes should be able to contribute significantly to India's efforts towards doubling exports in 5 years;

c) sufficient tariff differential and cumulation delay; and,

d) a properly designed safeguard system for agri items, for products with surplus capacities in the region, and other products;

e) balance in the services sector within itself.

In any case, RCEP or otherwise, India should proceed with its reform to double exports, implement a well crafted FTA strategy, set up an efficient and effective regulatory import mechanism and after quick restructuring, bring recently increased tariffs to earlier levels. Stepping aside from RCEP is a wakeup call. Business as usual is not an option.

Notes :

[1] The FTAs with India and Japan were, by then, confined to only merchandise trade; but these agreements got subsequently extended to services and investment.

[2] See, for example, the background about RCEP provided in the ASEAN website, at https://asean.org/?static_post=rcep-regional-comprehensive-economic-partnership, accessed 12 January 2020

[3] May be seen at https://asean.org/wp-content/uploads/2012/05/RCEP-Guiding-Principles-public-copy.pdf, accessed 12 January 2020

[4] https://www.mea.gov.in/media-briefings.htm?dtl/32007/Transcript_of_Media_Briefing_by_Secretary_East_ during_PMs_visit_to_Thailand_ November_04_2019

[5] https://economictimes.indiatimes.com/news/economy/foreign-trade/india-decides-to-opt-out-of-rcep-says-key- concerns-not-addressed/articleshow/71896848.cms

[6] https://commerce.gov.in/PressRelease.aspx?Id=6732

[7] https://economictimes.indiatimes.com/news/economy/foreign-trade/view-by-saying-no-to-rcep-pm-modi-has- kept-india-first/articleshow/72028437.cms

[8] https://www.mea.gov.in/Speeches-Statements.htm?dtl/32038/F

[9] See, for example, https://www.thehindubusinessline.com/markets/commodities/steel-industry-fret-as-govt-inches-close-to-signing-rcep/article29575655.ece

[10] See, for example, https://www.hindustantimes.com/india-news/dairy-sector-warns-govt-of-adverse-effects-of-proposed-rcep-pact/story-O9mWYV0yBg6xP5S5weVFuK.html

[11] See, for example, https://www.deccanherald.com/national/congress-steps-up-anti-rcep-protests-772912.html

[12] https://www.theweek.in/news/biz-tech/2019/11/03/not-being-part-of-rcep-will-harm-indias-exports-and-investment-flow-cii.html

[13] Please refer here to Chapter 8 on 'Service rules in regional trade agreements: how diverse or creative are they compared to multilateral rules' by Pierre Latrille, in *Regional Trade Agreements and the Multilateral Trading System*, (ed.) Rohini Acharya, Cambridge University Press, 2016. The article also has devoted sections to MFN treatment and ratchet obligations. It notes that ratchet obligations are a structural feature of the NAFTA family of agreements, and non-existent in GATS and the other family of agreements, and if present, they are formulated in weak and in best endeavor terms. Apparently, MFN and ratchet obligations in RCEP have been imported from CPTPP by several common members to the two agreements; but in CPTPP too there are several notified non-conforming measures and exceptions by the parties.

[14] Both India's CEPAs with the Republic of Korea and with Japan have an MFN clause in the services chapter which only requires a party giving a more favorable treatment to a third party, and in future to consider giving a similar treatment to the CEPA partner, if requested. It further qualifies this by saying that giving such similar treatment should maintain the overall balance of commitments by each party under the CEPA

[15] The base years for tariff rates in the India-Korea CEPA, the India-Japan CEPA, the India-ASEAN FTA and India-Malaysia CECA were 2006, 2007, 2007 and 2008, respectively — close to the year of their commencement of negotiations.

[16] The four countries with which India had a surplus on merchandise trade account were Cambodia, Laos, Myanmar, and Philippines.

[17] In 2018–19, for example, India's trade deficit with other RCEP countries totaled US$ 105.2 bn, amounting to around 57 per cent of India's total merchandise trade deficit

[18] See https://asean.org/storage/2019/11/FINAL-RCEP-Joint-Leaders-Statement-for-3rd-RCEP-Summit.pdf

[19] "What India's withdrawal from RCEP means for ASEAN, India and the Indo-Pacific Concept" by Tang Siew Mun, Media Commentary, ISEAS, Singapore. See, https://www.iseas.edu.sg/medias/commentaries/item/10706- what-indias-withdrawal-from-rcep-means-for-asean-india-and-the-indopacific-concept-by-tang-siew-mun

[20] This writer, for example, had recommended in a CII study he had the opportunity to lead, on a possible approach to deal with China in the RCEP in view of the already large presence of that country in the Indian market, as well as a phased and extended approach in industrial tariff reduction that was also more back loaded. A gist of the outcome of the CII study could be seen in the following RIS policy brief on 'Emerging dynamics on RCEP' by this writer. See https://www.ris.org.in/sites/default/files/policy%20brief-85%20v%20s%20 sheshadri.pdf

[21] See, for example, an article on "Why trade wars are inevitable' by Michael Pettis, in *Foreign Policy*, Fall 2019, in which Pettis argues that Trump's trade wars are not just about him or China - But global imbalances that the next US Administration will still have to address.

[22] https://www.vifindia.org/sites/default/files/priority-issues-for-india-in-external-trade.pdf

[23] See, Press Release of PIB at https://pib.gov.in/newsite/PrintRelease.aspx?relid=193194

[24] See, for example, a recent brief on this topic by this author at https://www.delhipolicygroup.org/uploads_dpg/publication_file/optimising-fta-utilisation-1232.pdf

[25] See, for example, the news item "ComMin to review FTAs says Goyal", *The Indian Express*, 30th December 2019.

[26] A very comprehensive account of how such goods coming from China have affected Indian industry in a range of sectors may be found in the Parliamentary Standing Committee Report on "Impact of Chinese goods on Indian Industry",submitted July 2018.

[27] See, for example, "How Chinese goods are choking Indian industry and economy: The hard numbers", *Business Standard*, 28 July 2018, which is based on the Parliamentary Report cited above.

[28] See, WTO Trade Profiles 2019, at https://www.wto.org/english/res_e/booksp_e/trade_profiles19_e.pdf

[29] https://economictimes.indiatimes.com/news/economy/foreign-trade/view-by-saying-no-to-rcep-pm-modi-has-kept-india-first/articleshow/72028437.cms

✶ ✶ ✶

Indian Foreign Affairs Journal Vol. 14, No. 2, April–June 2019, 103-115

India and the United Nations

Dilip Sinha*

The United Nations will celebrate its 75th anniversary in 2020. This is a good time to look back at its performance, and examine how far it has met the aspirations of its founders and how relevant it is in today's world. India is a founder member of the organisation. What has been India's approach to the UN? How does India view the organisation, and what expectations does it have of it?

The United Nations has grown in the last seven decades from a general security organisation to an omnibus international entity that brings numerous international organisations dealing with every conceivable aspect of human life under one umbrella. But maintaining international peace and security remains its primary goal, and it is on this that its reputation has rested even though its main achievements have been, and continue to be, in other fields.

The United Nations started as a wartime alliance. It was formed at the peak of the Second World War, on 1 January 1942, against the Axis Powers - Germany, Japan, and Italy. After the war, only the allies were invited to the San Francisco Conference to adopt the Charter. Argentina, which had remained neutral during the war, was a late invitee. The conference converted the military alliance into an international organisation.

The primacy of security is established in the Preamble to the UN Charter:

"We the peoples of the United Nations determined:

- to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

*__The Author,__ Ambassador Dilip Sinha, is a former Special Secretary, Ministry of External Affairs, New Delhi and former Permanent Representative of India to UN Organisations in Geneva. He is the author of *Legitimacy of Power: The Permanence of Five in the Security Council*, published 2018 by the Indian Council of World Affairs/ VIJ Books (India) Pty Ltd, New Delhi.

This article is an updated and revised version of a talk by the author, delivered at Indian Institute of Management (IIM), Bodhgaya, on 10 July 2019, under the Distinguished Lecture Series of the Public Diplomacy Division of the Ministry of External Affairs, and is published under arrangement with them, and with their permission.

- to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and
- to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and
- to promote social progress and better standards of life in larger freedom."[1]

The United Nations (UN) was founded with the single-minded determination to prevent wars. It was with this in mind that the Security Council was made its most powerful organ. It was formed as a compact body of eleven members, but kept firmly in the control of the five principal allies who promised to act together to provide security to the rest of the world. For this, they claimed the right to be permanent members of the Council, with the power to veto its decisions. The Council's procedures were kept simple, and its powers absolute. It is the only organ of the UN authorised to take coercive action against a country. It is not accountable to any other organ of the UN, not even the General Assembly; and there is no forum for review of or appeal against its decisions. This is in sharp contrast to the other organs of the UN, which can only make recommendations. Even the jurisdiction of the International Court of Justice is neither compulsory nor comprehensive. The UN has a council for addressing economic and social issues, the Economic and Social Council, but this too is a recommendatory body, created only because the founders of the UN were aware of the economic and social causes that had contributed to the rise of Hitler in Germany.

The initial enthusiasm with which the UN was established, however, soon turned into despair as the victors split into two rival military blocs, confronting each other in the Cold War. The western bloc, led by the USA, along with the countries of Latin America, controlled both the Security Council and the General Assembly. Only a handful of countries could claim to be neutral. Even among the nine members from Asia and four from Africa, several owed allegiance to one bloc or the other.

The Security Council was also emasculated by the inability of the permanent members to agree on the modalities of providing troops to it, as provided for in the Charter. They could not even agree on the rules of procedure of the Council, which continues to function to date on provisional rules framed in 1946.

With the Security Council hamstrung by the veto, it was hardly surprising that, during the four decades of the Cold War, the United Nations became a

theatre of confrontation rather than cooperation. Till 1970, the Soviet Union, which was repeatedly out-voted by the West, used the veto 80 times. Then it aligned itself with the developing countries and turned the tables on the USA, which vetoed a resolution for the first time in 1970. By 1990, it had done so 64 times.[2]

The result of this impasse was that the Security Council could do nothing to prevent wars, such as in Vietnam and Afghanistan in which the two superpowers were involved. In one particular year, 1959, the Security Council adopted only one resolution, and met barely half a dozen times. In 1992, after the Cold War, the UN Secretary-General, Boutros Boutros-Ghali, stated in a report that, since the founding of the UN in 1945, there had been over 100 major conflicts, with about 20 million deaths. He admitted, "The United Nations was rendered powerless to deal with many of these crises because of the vetoes ..."[3]

In this difficult phase of the UN, India and a few other countries, which had stayed out of the Cold War military alliances, gave a new purpose and direction to the UN. They were instrumental in reorienting the UN from a security organisation to a developmental and promotional body. Though envisioned in the Charter, these activities were given short shrift by the big powers in their quest for global dominance.

India achieved this extraordinary feat through its tireless efforts in the General Assembly since it was a member of the Security Council only once each in the 1950s and 1960s. Egypt, Yugoslavia and Indonesia were among the countries that stood up with India. They were joined slowly by other countries of Asia and Africa as they became independent. They were able to bring the newly independent countries together, and keep them out of the Cold War military alliances through the Non-aligned Movement. These developing countries, as they came to be called, acquired their full strength in 1964 when the countries of Latin America joined them to form the G-77.

The UN is known today as a champion of freedom, democracy, and human rights, with peacekeeping being its most important activity. Yet, none of this was envisaged when the UN was formed. The word democracy does not figure in the UN Charter. Few of the founding members of the UN were democracies, and some like India, were not even independent. In the Charter, there is a passing reference to human rights; but decolonisation was not one of the goals set for the world body even though 750 million people, nearly a third of the world's population, were under colonial rule.[4] Peacekeeping was a later innovation; it was opposed by some permanent members, and it was

left to the neutral and non-aligned countries to provide troops for it.

Resetting the course of the organisation so soon after it was formed was a difficult and contentious task that took several years. It was done in the face of stiff opposition from the established powers - the permanent five.

India had won its freedom through a peaceful mass movement, a revolutionary and inspirational concept in those days, and was led by people with a world-view far ahead of the times. Its foreign policy was inspired by the ideals of this movement and, in the UN, it took up challenges like decolonisation, apartheid, nuclear disarmament, equity in the international economic order and in North-South relations, non-alignment in the Cold War, South-South cooperation, and democracy. India's signal success was in making the UN an instrument of decolonisation and the abolition of apartheid. It also contributed significantly to turning the UN into a champion of development, and worked energetically, though with less success, on disarmament.

When the Second World War got over, there was a rush among the victors to recover the colonies they had lost to the Axis powers. France wanted to recover Vietnam, Cambodia and Laos; and Britain was determined to take back Malaysia and Singapore and other colonies in Asia. Netherlands wanted to re-conquer Indonesia. The USA seized islands in the Pacific Ocean. Russia seized all of East Europe. The UN did not have a policy to check this. In fact, several applications for a membership of the UN were blocked for years due to Cold War rivalry. Transjordan, Ireland, Portugal, Austria, Finland, Ceylon, Nepal, Mongolia, and Albania were among the countries affected. The countries of the Soviet bloc also spoke up against western imperialism, but that merely embroiled the efforts for decolonisation in the Cold War.

It was only in 1960, by which time there were sufficient numbers of countries from Asia and Africa, that the UN General Assembly could adopt a resolution on decolonisation: the 'Declaration on the Granting of Independence to Colonial Countries and Peoples'.[5] It declared that subjecting people to alien subjugation constitutes the denial of human rights, and is an impediment to attaining world peace. The resolution was made possible by 19 newly-independent states that joined the UN that year. It was adopted by 89 votes to none; but there were 9 abstentions, including three permanent members of the Security Council: the USA, Britain, and France. Over 80 countries eventually became independent, and joined the UN.

The situation on disarmament was grimmer. The UN Charter mentions disarmament as one of the goals of the organisation; but the Cold War started

an arms race among the permanent five. The invention of nuclear weapons made this race even more dangerous, and India's voice was among the few to be raised against it. India called for an end to all nuclear testing and for global nuclear disarmament. It refused to join the nuclear club even when China went nuclear in 1964. Understandably, the UN's record in disarmament is dismal. The permanent five made some token concessions to the growing clamour for nuclear disarmament. The devastation caused by atmospheric and underwater nuclear tests in the early years created an outcry, and they were finally prohibited by the Partial Test Ban Treaty in 1963. This, however, did not have any impact on the nuclear arms race. The nuclear powers sealed their hegemony with the discriminatory Nuclear Non-Proliferation Treaty in 1968, which legitimised their nuclear weapons while making it illegal for others to possess them.

The UN achieved some success in other weapons of mass destruction. Biological and chemical weapons were banned by treaties negotiated under the auspices of the UN. These included the Biological Weapons Convention, 1972; and the Chemical Weapons Convention, 1993. But the USA and the Soviet Union chose to negotiate treaties dealing with nuclear weapons bilaterally, with moderate success. Two important treaties - the Comprehensive Test Ban Treaty and the Treaty on the Prohibition of Nuclear Weapons - have been negotiated in the UN, but are yet to come into force because they have not been ratified by the required number of countries, chiefly the nuclear powers themselves. The tardy progress in nuclear disarmament and the continued proliferation, both declared and clandestine, of nuclear weapons in its neighbourhood, led India to abandon its long-held policy of abjuring nuclear weapons and go nuclear in 1998. However, India has not given up its policy of seeking global nuclear disarmament.

India started its international campaign against apartheid even before it became independent. In 1946, it got the General Assembly to adopt a resolution against racial discrimination in South Africa. This was in the teeth of opposition from the South African Prime Minister, Jan Smuts, who had helped draft the Preamble to the UN Charter just a year before. But General Assembly resolutions only carry moral weight; they are not binding like the decisions of the Security Council. India also pressed for action by the Security Council on apartheid, and had its first success in 1965 when the Council adopted a resolution calling upon countries to break economic relations with Southern Rhodesia, and refrain from supplying arms to it. The sanctions were finally lifted in 1980 when the country became independent under its new name, Zimbabwe.

The imposition of sanctions on South Africa for its policy of apartheid was opposed by several Western countries on the ground that it violated Article 2 of the UN Charter against interference by the UN in the internal matters of states. The General Assembly adopted numerous resolutions calling upon the Security Council to impose sanctions. In 1960, when nearly a hundred people were killed in Soweto in police firing, there was a clamour for action by the UN. France questioned the "legal merits" of such action while the USA was only willing to let the matter be discussed in the Security Council. However, India took the stand that a matter of such importance had the potential to threaten international peace and security, and fell within the jurisdiction of the Security Council. India's Ambassador, C. S. Jha, said, "Events which cause world-wide concern, which have potentialities for international friction and disharmony, and which are directly opposed to the spirit and letter of the Charter, cannot be brought within the straitjacket of Article 2, paragraph 7."[6] The Council eventually imposed sanctions on South Africa in 1977, but these were confined to an arms embargo. The sanctions were lifted in 1994 when apartheid was abolished.

India took the lead in the UN on reforming the international economic order and making development its key goal. It was instrumental, in 1964, in the setting up of UNCTAD, an organisation dedicated to promoting development through trade. The goals of this organisation included monitoring the achievement of the target set by it, of official development assistance (0.7% of GDP), the transfer of technology, debt relief, preferential market access, South-South cooperation, regulating transnational corporations, protecting commodity exports, and a greater voice for developing countries in international monetary and trade institutions. A declaration for setting up a new international economic order was adopted by the General Assembly in 1974.[7]

Peacekeeping, with an annual budget of $6.7 billion (almost three times the regular budget of the UN), is certainly the most important security function being performed by the UN today. But peacekeeping should not be confused with the military action undertaken by member states on behalf of the Security Council or with the action the Security Council is itself empowered to take under Article 42 of the Charter. This article provides for action by the Security Council to restore international peace and security through its own military force envisaged in Article 43. Since the permanent five did not provide a military to the Security Council, it never acquired the capacity to take such action itself.

In Palestine and in Jammu and Kashmir, the Security Council was able

to send some observers from its own personnel to monitor the ceasefires it had successfully negotiated. These were small missions, paid for from the regular budget of the UN.[8] Later, in 1956, when the UN decided to send a larger contingent to monitor the ceasefire after the Suez War, France and the Soviet Union questioned its authority to do so, and refused to pay for it. The issue was resolved by the International Court of Justice which upheld the action. However, the financing of all subsequent peacekeeping operations has been done from a separate peacekeeping fund.[9] Besides, peacekeeping forces were initially drawn exclusively from neutral and non-aligned countries to make them more acceptable to the combating parties. Later, the permanent five started providing some personnel.

India has consistently been a major contributor to UN peacekeeping. It has provided about 240,000 personnel in 49 of the 71 UN peacekeeping operations so far. Currently, Indian personnel are participating in 9 out of 14 peacekeeping missions. The main principles of peacekeeping were developed by UN Secretary-General Dag Hammarskjöld for the mission in the Congo in 1960. At a particularly critical juncture in the operation, when Guinea, the United Arab Republic, and Indonesia withdrew their troops from the UN Force on account of differences over the treatment meted to Prime Minister Patrice Lumumba, Hammarskjöld turned to India for help. Prime Minister Nehru shared the concerns of these countries, but felt that he could not let the UN down and agreed to the request. Even today, India's largest peacekeeping contingent is to MONUSCO in the Democratic Republic of Congo.

The other major activity of the UN is imposing sanctions on countries, organisations, and individuals. Sanctions are mainly to prevent the illicit supply of weapons to countries facing armed conflict and the flow of funds to organisations and individuals indulging in terrorism. They are also directed against countries seeking to develop nuclear weapons. India has been supportive of UN sanctions, especially against terrorism.

However, India has been cautious in endorsing coercive action under 'responsibility to protect' (R2P). This concept, developed by civil society and supported by some western countries, seeks to confer on the international community the right to intervene in the internal affairs of a country in disregard of its national sovereignty in order to prevent humanitarian disasters and protect human rights if its government is unable, or unwilling, to do so.

India has been particularly reticent in supporting the Security Council's authorisation of military action by member states. The first such action was by the USA and its allies in 1950 in Korea. The Council was able to authorise

the mission because the Soviet Union was boycotting its meetings on the issue of the membership of the People's Republic of China. In 1990, after the Cold War, when Iraq invaded Kuwait, the Security Council authorised member states to take military action to liberate it. After the success of this operation, the Council authorised a dozen more such military actions with varying objectives – in Yugoslavia, Somalia, Rwanda, Haiti, Democratic Republic of Congo, Albania, Libya, Mali, and the Central African Republic. These military operations, authorised by ambiguous resolutions of the Security Council without reference to a specific article in the Charter, were led by the USA and its western allies with the notional participation of some other countries. Russia and China had their reservations on some of the operations, but they did not veto them.

This mode of activism of the Security Council came to an end soon after the invasion of Libya in 2011 because of differences of Russia and China with the other permanent members, the USA, France, and the UK, regarding the interpretation of the resolution. They maintained that the resolution had merely authorised the enforcement of a no-fly zone over Libya, and not aerial assistance to the rebel forces to overthrow President Muammar Gaddafi.[10]

These military interventions went well beyond the security structure envisaged in the UN Charter. They also raised expectations among victimised people, set unachievable targets for the champions of R2P, and inevitably led to disappointment and frustration. India had strong reservations on these military interventions because of their intrusive nature and the resort to force; but it supported some for their humanitarian necessity. Resolutions authorising such military actions came up five times in the Security Council during India's membership and India voted as under:

- Korea: India voted for Resolution 82(1950) but abstained on Resolution 84(1950).
- Bosnia & Herzegovina: India abstained on Resolution 770(1992).
- Somalia: India voted for Resolution 794 (1992).
- Libya: India abstained on Resolution 1973(2011).
- Mali: India voted for Resolution 2085(2012) for an African-led force.

India believes that on human rights and democracy, the UN should play a promotional role to strengthen national capacity and commitment as well as disseminate national best practices as examples for countries to draw inspiration from and emulate. It opposes any intrusive and coercive action to enforce them.

On terrorism, India has been pressing for the adoption of a Comprehensive Convention on International Terrorism that can increase international cooperation as well as the effectiveness of the UN in combating cross-border terrorism. Currently, only specific acts of terrorism, such as hijacking and taking of hostages, are prohibited by separate international agreements. Since 1963, there have been 19 such international treaties in the UN, IAEA, IMO and ICAO. India wants a universal definition of terrorism, a ban on terror groups, the closure of terror camps, the prosecution of terrorists under special laws, and making cross-border terrorism an extraditable offence worldwide.

India is also keen on the UN taking the lead in meeting the global challenges of development, especially poverty eradication and climate change. India is a party to the Paris Agreement on Climate Change of 2015. Its Nationally Determined Contribution underlines its commitment to its goals. India also supports the UN's efforts to promote the Sustainable Development Goals, as it was supportive of the Millennium Development Goals earlier.

India is an ardent advocate of UN reform, particularly of the Security Council. The UN Charter itself provides for its review after 10 years.[11] This provision was introduced because of the widespread discontent among delegates at the San Francisco Conference on the veto. The challenge to the veto was led by Australia's Foreign Minister, Herbert Vere Evatt, and supported by Mexico, Belgium, El Salvador, Chile, Colombia, Peru, New Zealand and a host of other countries. The leader of the US delegation, Edward Stettinius, had assured them there would be an opportunity to revisit the matter, "Let us act now in the sure knowledge that our work can be improved upon with time..."[12] India's delegate, Sir R. M. Mudaliar, realised that there would be little chance of a change in the veto provision if it continued to be applicable during the review process. He suggested a modification, "[I]f this unanimity rule were not to be applied at the end of ten years to any proposal regarding the amendment to the Charter, we could safely, and with good conscience and complete trust and confidence in the five great powers, agree to the complete Yalta formula during the intervening period of ten years."[13]

The review conference, due in 1955, never took place because, as expected, the permanent five did not agree to it. They let the addition of four non-permanent members to the Security Council go through in 1965, but this did not put an end to the clamour for a review conference nor for further expansion. In 1979, India and 15 other countries proposed adding another four non-permanent members. During this period, India was content with demanding more non-permanent members in the Security Council. It expressly disavowed any ambition of becoming a permanent member.

However, the situation changed when the Cold War came to an end. The western countries were now once again in control of the Security Council, and there was no threat of the Soviet veto. As tasked by them, Secretary-General Boutros-Ghali prepared an ambitious plan for reactivating the UN and making it an effective agent not only for maintaining international peace and security but also promoting democracy and human rights, the absence of which was declared to be the cause of internal strife in countries.[14] This revived the demand among non-permanent members for reform of the UN. Now, the issue was not merely the expansion of the membership of the Security Council but also its voting procedures and its relations with the General Assembly.

In September 1992, India and 35 other non-aligned countries tabled a resolution in the General Assembly for taking up the "Question of equitable representation and increase in the membership of the Security Council." Japan decided to co-sponsor this resolution, which was adopted without a vote as Resolution 47/62. Germany and Japan now put forward their demand for the permanent membership of the Security Council. India too soon staked its claim as did Brazil, which had missed out on a permanent seat narrowly in 1945.

India joined hands with Germany, Japan, and Brazil to form the G-4. The group proposed the addition of six new permanent seats, one each for itself and two for Africa, and four new non-permanent seats, one each for Africa, Eastern Europe, Asia, and Latin America and the Caribbean. The reform process moved at a glacial pace till 2005 when Secretary-General Kofi Annan suggested his own plan which was quite close to the G-4 proposal. However, the African countries were unable to agree on the two countries from the continent for its permanent seats and the G-4 decided not to press its proposal.

The reform process then went into a limbo. India once again worked to revive it through a group of countries, called the L-69 group. In 2008, the General Assembly decided to start intergovernmental negotiations for Security Council reform, and identified the following issues:

1. Categories of membership.
2. The question of the veto.
3. Regional representation.
4. Size of an enlarged Security Council and the working methods of the Council.
5. The relationship between the Council and the General Assembly.[15]

India maintains that the aim of the reform should be to increase the effectiveness of the UN in dealing with international terrorism, weapons of mass destruction (including nuclear), and transnational organised crime, including the trafficking in narcotic drugs, humans and arms. Its claim to permanent membership is based as much on its size, population and economy as on its commitment to the principles of the UN: peace, democracy, human rights, international cooperation and development assistance. India also cites its contribution to peacekeeping to underline its capacity and willingness to assist in maintaining international peace and security.

India was also one of the first countries to make a complaint to the Security Council. On 1 January 1948, it complained to the Security Council (under Article 35 of the Charter) that the invasion of the princely state of Jammu and Kashmir by Pakistan was likely to endanger international peace and security. India stated in its complaint that the infiltration of armed raiders from Pakistan into the state which had acceded to India left it with no option "but to take more effective military action in order to rid the Jammu and Kashmir State of the invader."[16] It requested the Council to ask Pakistan to desist from participating or assisting in the invasion. The Council adopted Resolution 47 on 21 April 1948 asking Pakistan to withdraw, following which a plebiscite would be held to decide which country the state would accede to. Pakistan, however, refused to withdraw its forces and, after forming an alliance with the USA, progressively increased its demands. The Security Council adopted 18 resolutions in all on the issue. The last of these was in 1971. Since the Simla Agreement of 1972 with Pakistan, India does not regard the UN resolutions as applicable any longer. However, it continues to allow the presence of UN military observers, the UNMOGIP.

What does the future look like for the UN? It survived the Cold War mainly because neither the USA nor the Soviet Union wanted to walk out of it and leave the field open to the other. The Soviet Union realised its mistake in boycotting the Security Council briefly in 1950, and never did so again. Its repeated vetoes led to outrage in the USA where there were calls for abandoning the UN. But both remained in the Council, and blocked each other's initiatives to the detriment of international peace and security. The permanent members continue to treat the UN with disdain. Their main endeavour is to prevent it from taking any action against their own strategic interests, and diluting their veto power. The UN's security-related activities are, thus, confined to gentle actions like peacekeeping and sanctions.

How long can this continue? Can the UN survive the new East-West

confrontation? This question is not difficult to answer. The permanent five have no reason to disturb the current global power structure, and as long as it has their support, it will continue. But the fear for the UN is not its extinction but irrelevance as a security organisation. The UN must be the organisation for smaller powers to turn to for their security and the protection of their rights. Its inability to address their security concerns makes them indifferent to it, and compels them to turn to the big powers for protection. A UN that is deadlocked by the veto of the permanent members and cannot take any action against them can be of little use in addressing the security concerns of other member states.

A more representative and democratic Security Council will be a more boisterous and slower body; but it would be a more meaningful forum for diffusing global security tensions. The reform of the Security Council and of the UN is essential for stemming the continued irrelevance of the organisation in its primary role of maintaining international peace and security. India retains a stoic faith in the UN as illustrated by its continued enthusiasm for a non-permanent term in the Security Council - despite its efforts for a permanent seat being effectively blocked by the permanent members. India must persist with its efforts for reform, no matter how frustrating and futile. Whenever it happens, it will be more rewarding than its cosmetic appearances in the Security Council as a non-permanent member.

Notes :

[1] At https://www.un.org/en/sections/un-charter/preamble/

[2] Dag Hammarskjöld Library, UN research website, at www.research.un.org/en/docs/sc/quick

[3] 'An Agenda for Peace', Para 14, UN document no. A/47/277-S/24111, 17 June 1992.

[4] www.un.org/dppa/decolonization/en/about

[5] UNGA resolution A/RES/1514(XV), 1960.

[6] C. S. Jha, at the 852nd meeting of the UNSC, 30 March 1960. See, SCOR, 30 March 1960, para 97, p. 24.

[7] UNGA resolution A/RES/3201(S-VI), 1974.

[8] UN Truce Supervision Organisation (UNTSO), and the UN Military Observer Group in India and Pakistan (UNMOGIP).

[9] ICJ Advisory Proceedings in Certain Expenses of the United Nations, See Article 17, Paragraph2 of the Charter, 1962.

[10] UNSC Resolution 1973, 2011.

[11] Article 109 of the UN Charter.

[12] Clark M. Eichelberger, *UN: The First Fifteen Years,* New York: Harper & Brothers, 1960 p. 5.

[13] UNCIO Vol. 11, Commission III – Security Council. 4th meeting, 20 June 1945, New York: UN Information Organizations, 1945, p. 175.

[14] An Agenda for Peace, UN document A/47/277-S/24111, 17 June 1992.

[15] UNGA Decision 62/557.

[16] Text of India's Complaint to the Security Council, 1 January 1948, para 12, South Asia Terrorism Portal, Institute for Conflict Management.

✶ ✶ ✶

Indian Foreign Affairs Journal Vol. 14, No. 2, April–June 2019, 116-128

India-US Defence Partnership: Challenges and Prospects

Shreya Upadhyay*

Since 2005, when the United States of America (USA) and India signed the new framework for the India-US Defence relationship, the bilateral defence ties have grown to become strong, and potential driven. With initiatives such as the Defence Technology and Trade Initiative (DTTI), the India-US Declaration on Defence Cooperation, the signing of agreements such as the Logistics Exchange Memorandum of Agreement (LEMOA) and the Communications Compatibility and Security Agreement (COMCASA), the two countries have made bipartisan efforts to move beyond the "hesitations of history".[1] They have been cooperating on defence production, maritime security, disaster response, and counter terrorism. In November 2019, India and the USA concluded the first land and sea exercise in the history of their military exchanges. With security challenges growing in the Indo-Pacific region, and growing Chinese influence, it becomes imperative for India and the USA to strengthen ties, and defence is one of the main drivers of the deepening relationship. This essay is an attempt to look at defence ties between the two countries.

It looks at the following:

- *How the defence ties between the two countries have grown in the last few years?*
- *What is the importance of Major Defence Partnership (MDP) for India and the US in the Indo-Pacific theatre?*
- *What are the existing challenges to a greater defence partnership?*
- *Recommendation for the future.*

From enjoying a "special role" in Barrack Obama's 'pivot to Asia' to remaining a central pillar in Donald Trump's Indo-Pacific strategy, India has been a strategic bet for the USA on a bipartisan level. In fact, in the last two decades,

*__The Author,__ Dr. Shreya Upadhyay, is a visiting faculty with Symbiosis University and a Senior Analyst with India Bound. A former Nehru-Fulbright pre-doctoral scholar with American University, Washington DC, she was also a researcher with the Institute of Peace and Conflict Studies, New Delhi.

consecutive US administrations have been prepping India's rise as a great Asian power to counter the influence of China in the region. While enthusiasts are of the opinion that growth in Indian power will uphold a favourable balance of power in the Indo-Pacific region,[2] intermittently, signs of strain in Indo-US relations have cropped up, even if these are not palpable. India's ties with revisionist powers like Russia and Iran, trade issues between India and the USA, a general cynicism regarding India's capability and intent to play a more robust role in global and regional security, and becoming the net security provider have been the key factors in this regard. In the last few years, India's defence capabilities have increased. However, India has still to catch up to the burgeoning Chinese military presence and assertiveness. This essay sets out to analyse the importance of defence and strategic ties between India and the USA to face the Chinese challenge in the region. It will look at how defence relations between the two countries have evolved in the last few years. It will look at the importance of the unique Major Defence Partnership (MDP) designation for India. The essay will also focus on the challenges impeding the exploitation of the full potential of the relationship. It will assess how the two countries should work together in the Indo-Pacific region, with a focus on developing a denial strategy in the Indian Ocean region. The essay will conclude with recommendations for the future of a more robust India-US defence partnership.

India-US Defence Ties

In the last two decades, India-US defence and security ties have flourished greatly. America's post-Cold War Presidents - Bill Clinton, George W. Bush, Barak Obama, and now Donald Trump have made considerable efforts to connect with Indian leaders, and have recognised India as a core part of the American Grand strategy in Asia. There has been an increased focus on defence technology cooperation, co-production, and co-development. There have been more frequent Government to Government (G2G) exchanges that are also to be seen in the commercial sector, with Indian and American defence companies working at partnering in the global supply chain. The value of the bilateral defence trade between the two countries is estimated to reach USD 18 billion by the end of 2019.[3] In fact, the USA has become the second largest arms supplier by providing 15 percent of India's weapons import. US arms exports to India increased by over 550 percent. Since 2008, Indo-US defence trade has steadily increased from under US$ 1 billion to now over US$ 18 billion, with the USA becoming India's second largest arms supplier.[4]

India has inducted a large number of American defence hardware, including Apache attack choppers, Chinook heavy-lift Helicopters, C-17 Globemasters, C-130J Super Hercules Transport aircraft, P-81 Maritime Patrol Aircraft, M-777 ultra-light howitzers, and AN-TPQ weapon locating radars. News reports in the month of November 2019 have indicated that India and the USA are close to inking a defence deal worth US$ 7 billion for the procurement of Sea Guardian armed drones as well as P-8I anti-submarine warfare and surveillance aircraft. Talks are ongoing on for the acquisition of 10 P-8I anti-submarine warfare and long-range surveillance aircraft[5]. Many of these - the C-17s, Chinooks, etc. - are being used in Humanitarian Assistance and Disaster Relief operations in the neighbourhood as well as in other countries, especially those with a sizeable Indian Diaspora.

Bilateral Pacts

In the last few years, India and the USA have signed several agreements in defence cooperation. In 2012, the Defence Technology and Trade Initiative (DTTI) was launched for the co-production and the co-development of military equipment to move away from the traditional "buyer-seller" dynamic. It was aimed at easing the bureaucratic hindrances that were slowing down the process. Under the initiative, nine meetings have taken place till the time of writing this report. Senior leaders from both countries are engaging consistently to strengthen the opportunities in the line of defence. The agreement has led to exploring collaborative projects and programmes, including aircraft carriers; jet engines; intelligence, surveillance and reconnaissance; chemical-biological protection; naval systems; and air systems. In addition, it encompasses two Science and Technology government-to-government project agreements - the Next Generation Protective Ensembles, and Mobile Hybrid Power Sources. Under DTTI, apart from the transfer of radars, gas turbine engines, and night-vision technology, cooperation on aircraft carrier design is also on the cards.[6] A major breakthrough came in 2016 when India was declared a Major Defence Partner (MDP) by the USA. The bespoke status was unique to India, and it was taken to help US Executive Branch officials who needed a political justification to treat India on par with America's partners and allies in the context of defence technology trade and cooperation. It was also aimed at winning the confidence of India as a reliable partner.[7] Under the aegis of this strategic partnership, the two countries have recently signed a number of bilateral agreements that facilitate greater synchronisation across their logistics support networks and communications platforms. In August 2018, the USA granted to India the designation of Strategic Trade Authority Tier 1

or STA-1, "providing India with greater supply-chain efficiency by allowing US companies to export a greater range of dual-use and high-technology items to India under streamlined processes." This authorisation is the equivalent of NATO allying with Japan, South Korea, and Australia.[8] The 2+2 ministerial dialogue was established in 2018 for promoting the shared principles of a "free and open" Indo-Pacific. The two countries also signed a 10-year-framework pact, envisaging the joint development and manufacture of defence equipment and technology, including jet engines, aircraft carrier design and construction, protective suits for chemical and biological warfare, as well as mobile electric hybrid power sources. The two countries are also facilitating the transfer of critical military technology and classified information by American defence firms to the Indian private sector for joint ventures. This is expected to enable 'Make in India' and technology sharing. There have been proposals in place for including drone warfare, light weighted arms, and virtual augmented reality.[9]

In the last few years, the two countries have also signed foundational pacts such as the Communications Compatibility and Security Agreement (COMCASA), the Logistics Exchange Memorandum of Exchange (LEMOA), and are likely to ink Basic Exchange and Cooperation Agreement (BECA) which is considered crucial for obtaining cutting edge weapons and communications system. These will allow India access to the big database of American intelligence, including real time imagery. While enabling interoperability, these pacts will also provide access to designated military facilities on either side for the purpose of refuelling and replenishment in port calls, joint exercises, training, and humanitarian assistance and disaster relief. Once signed, the BECA will allow India to use US geospatial maps to get pinpoint military accuracy of automated hardware systems and weapons such as cruise and ballistic missiles. Both sides have implemented the Helicopter Operations from Ships other Than Aircraft Carriers (HOSTAC) program. They are also negotiating the Industrial Security Annex that will enable greater cooperation between the defence industries. Other than that, the US Department of Defence and the Indian Ministry of Defence are increasing the scope, complexity, and frequency of military exercises.

India-US Joint Defence Exercises

Both countries have been increasingly conducting bilateral sophisticated military exercises. The first tri service bilateral exercise 'Tiger Triumph' took place in

November 2019. The exercise was aimed at developing interoperability between the two militaries in case of HADR operations. Apart from this, both the armies conducted the 15th iteration of 'Yudh Abhyas' in Washington, USA in September. These exercises provide the opportunity for armies to jointly train, plan and execute a series of well-developed operations for the neutralisation of threats of varied nature. Other major exercises being conducted by the two countries include the RIMPAC, Vajraparahar, and Malabar exercises. Their diplomatic engagements also involve other countries. Malabar has become tri-lateralised since 2015 to include Japan. There has been an upswing in Quadrilateral consultations involving the ministers and high officials of India, the USA, Japan, and Australia. The armies have also been jointly training African peacekeeping forces. For the first time, the Indian navy joined the USAFRICOM's Cutlass Express exercise, and American observers (along with some from New Zealand) were included in the Australia-India naval exercise. The American and Indian navies also undertook a group sail, with Japan and the Philippines, in the South China Sea recently.[10] Such exercises provide the opportunity to understand each other's organisational structure and battle procedures, enabling jointness and interoperability. The Indian Navy and the US Naval Forces Central Command (NAVCENT) are also set to deepen their maritime cooperation in the Western Indian Ocean, where Chinese presence, in island nations and strategic ports such as Gwadar and Djibouti, are of concern to India.[11] Thus, India-US defence ties focus on a broad spectrum of activities, ranging from intelligence sharing to joint humanitarian and relief efforts, mutual port visits by naval ships, joint exercises, trade in military hardware, and the co-production and co-development of military systems. These engagements with the USA as well as other foreign powers are intended to enable Indian forces to work closely with foreign counterparts, making it difficult for the Chinese military to dominate the region, especially during peacetime.

Indo-Pacific Alliance: Main Driver of the Defence Partnership

The current US administration has elevated the Indo-Pacific to a top level regional priority. It was the former US Secretary of State, Rex Tillerson, who had leveraged the potential of the concept in a speech on US-India relations. The 2017 National Security highlights American interests in the region, and puts India at the helm of its Indo-Pacific strategy. The strategy describes the Indo-Pacific as a region in which "a geopolitical competition between free and repressive visions of [the] world order is taking place",

and where "China is using economic inducements and penalties, influence operations, and implied military threats to persuade other states to heed its political and security agenda"[12]. The 2018 US National Defence Strategy also describes China as a strategic competitor, declaring it explicitly a "revisionist power".[13] The strategy calls upon US allies in the region to work in tandem. It further sought to boost the quadrilateral cooperation (Quad) with Japan, Australia, and India. The strategy also emphasises the strengthening of defence ties with India.

In the Indo-Pacific Strategy Report published in June 2019, the US administration reiterated the importance of regional multilateralism by calling for "a more robust constellation of allies and partners".[14] Notably, the report is the first document of depth on the strategic mega region referred to as the Indo-Pacific which, in the US conception, ranges from the western coast of India to the west coast of the USA. Previously, the 2018 US National Defence Strategy called upon the allies for the equitable burden sharing to protect against common threats, stating that, "When we pool resources and share responsibility for our common defence, our security burden becomes lighter and more cost-effective."[15] The Indo-Pacific Strategy Report carved the role of India as a "regional guardian", with the aim of building capability and acclimatising India to the USA's Indo-Pacific goals.[16] Even as the Indian Ocean region in the Indo-Pacific has not been exploited to its full potential, there is a strong Pacific bias. In this regard, Southeast Asia is a primary theatre of interest. The Indo-Pacific report describes Southeast Asian countries such as Vietnam, Indonesia, and Malaysia as crucial nations for ensuring stability and economic growth in the broader region. In this regard, the USA is looking at India's Look East policy as meeting the US rebalance strategy in the Southeast Asia and a greater India-US convergence in South Asia.[17] The USA recently renamed its Pacific Command as the US Indo-Pacific Command (USINDOPACOM) - an acknowledgement of the seamless connectivity that binds the Pacific and Indian Oceans as well as India's growing importance. The USA is trying to expand interoperability with allies and partners to "ensure that our respective defence enterprises can work together effectively during day-to-day competition, crisis, and conflict."[18] The USA is taking steps with regard to India so that it grows more comfortable with such bilateral military cooperation. On its part, New Delhi has been feverish about its strategic autonomy; this continues to drive policy debates. Therefore, while India is increasingly getting warm when it comes to consulting and coordinating with the USA on matters of shared concern, it is more comfortable to operate in parallel rather than in a joint set-up to achieve coordination and the benefits of mutual cooperation.

Challenges to India-US Defence Cooperation

Willingness to be a regional guardian?

As mentioned earlier, the US-India defence cooperation is the consequence in large part of growing Chinese assertiveness in the Indo-Pacific region. India shares US worry in this regard, and has been closely monitoring Chinese activities in the Indian Ocean region. Chinese submarines have been operating in the region, and Beijing is striking deals with seaports in what experts describe as the Chinese "string of pearls" against India. These "commercial" seaports can, in the future, be potentially used for military purposes.[19] India has refused to be a part of the Chinese ambitious Belt and Road Initiative. Yet, it does not prefer an open confrontation with China. In fact, India has been trying semi-formal or informal channels - such as the 'Wuhan Spirit' or 'Chennai Connect' - along with more formal approaches to solve long standing issues. The idea is to mitigate Sino-India challenges. This stands somewhat in contrast to Washington's increasingly confrontational attitude towards Beijing. India has made clear that, even with shared values, it is autonomous enough to pursue a different approach to China as well as other regional issues.[20]

Capability to be a net security provider?

Since the last two decades, there has been an assumption that India is/can emerge as a great Asian power. While India's development has been unprecedented, it has not yet closed the gap with China's military and economic might. During the Obama's administration, India was the 'linchpin' in the US pivot to Asia. It was expected that India will take the role of a net security provider. However, currently, India has been involved in its domestic economic and national security issues. India's military modernisation has been pending even as there are plans to infuse US$ 130 billion to bolster the combat capabilities of the armed forces.[21] These, if implemented with full vigour, will still take at least five to seven years to reach fruition. China's recent military modernisation has further widened the gap.[22]

Relations with Other Countries

The shadow on India-US defence collaboration has been India's relations with countries like Iran, Venezuela, and Russia as well as US relations with Pakistan. India has accepted some costs (such as US sanctions against Iranian oil imports) in exchange for US accommodation of India's priority

(such as the completion of the Chahabar port project). However, India's continued reliance on Russia regarding key defence exports such as the decision to purchase S-400 long range surface to air missile systems has been a red flag for the US administration. The Countering America's Adversaries through Sanctions Act (CAATSA) (passed by Congress in 2017 and intended to target Iran and Russia) could potentially be used against India as well. Sanctions under the CAATSA range from the denial of visas to persons who are party to the S-400 contract to severe action such as the denial of munitions licences to India. This could have negative implications for future interoperability between the two nations as well as high end defence cooperation and sales. India's strategic autonomy can have a bearing on the extent both the countries would converge over geostrategic developments in the Indo-Pacific. Notably, India has signed deals with Moscow for leasing a nuclear submarine, a manufacturing facility for Kalashnikov rifles, and the production or purchase of frigates. These four deals, worth over US$ 12 billion (with additional deals being contemplated), would count as "significant transactions" under the CAATSA.[23] Interestingly, these deals come in the wake of Moscow's strengthening relations with Beijing and Islamabad. [24]

Trade Issues

US President Donald Trump cares about trade deeply, making it one of the most vexing issues in the relationship. In the last few years, trade, investment and immigration have become front running issues. India's stance on matters regarding data localisation, e-commerce regulations, and price caps on pharmaceutical imports has also added concerns in US businesses. The USA also ended India's trade benefits under the Generalized System of Preferences. Even though that affects meagre US$ 5.5 billion of Indian exports, it has not gone down well on the Indian side. On its part, the Modi government has also imposed retaliatory tariffs. The attempt on the part of the Trump administration to raise trade issues even with allies and partners shows that the USA is not willing to let go of small time economic concessions in the hope of garnering long term strategic alliances.

Differing Conceptions of the Indo-Pacific

For the USA, the Indo-Pacific spans from the west coast of India in the Indian Ocean to the west coast of the United States in the Pacific Ocean. In contrast, India, regards "Indo" to denote the whole of the Indian Ocean, stretching from South Africa to Australia. The western Indian Ocean - including

the Persian Gulf - is arguably the most strategically important sub region of India's Indo-Pacific but does not feature in the US conception of the same.[25] This difference in conception also signals the different priorities of both the countries. While the USA wants India to play a more strategic role in the Pacific Ocean, India wants to give more priority to the Indian Ocean.

Bureaucratic Measures on Both the Sides

Many leaders on the US side - such as Hillary Clinton, John Kerry, Ashton Carter, James Mattis, etc. - have advocated greater ties with India. However, with the exits of many of these, India has lost some important advocates at the Cabinet level. On India's part, the Minister of External Affairs, Subramanyam Jaishankar, has been Indian Ambassador to the USA and China, and has been tasked with managing relations with both the countries. However, both the sides need leaders at the senior level, with an appreciation of the strategic dimensions of the bilateral relationship. Apart from this, both the nations, especially India, needs to clear up bureaucratic bottlenecks that do not allow fast decision making.

Recommendations

Operationalising Agreements and Sharing Expertise

While the LEMOA and the COMCASA have been concluded and MDP status accorded to India, these have not fully been channelised. These agreements need to be operationalised, and BECA and ISA need to be concluded fast. Apart from this, attention needs to be paid to more defence exchanges, military exercises, training, planning, and military education. There is need for technology cooperation and information transfers on areas relating to maritime domain awareness, undersea domain awareness, anti-submarine warfare, and integrated air and missile defence.

HADR operations strengthened

For both India and the USA, working together in disaster relief and humanitarian intervention is a way to jointly garner influence in the Indo-Pacific region. The region is prone to disasters, and both the countries are skilful in responding to humanitarian emergencies at home and abroad. Australia, Japan, India, and the USA played an anchor role in the 2004 Tsunami response after which the idea of Quad germinated. HADR will help them in coordinating disaster response planning and training. It will enhance information and data sharing

and build interoperability, and help operationalise foundational agreements like the LEMOA. Above all, it will demonstrate to sceptics and adversaries alike, the Good Samaritan values of the USA and Indian militaries.

Enhancing Co-production

Defence relations between the two countries can reach new heights once the buyer-seller relationship can be replaced with co-production. These will help India become a regional defence export hub. It will also provide an alternative to Chinese and Russian arms. For this, DTTI and MDP need to be reinvented so that joint research, development, and production can be conducted.

Conclusion

As India and the USA grapple with the emerging security challenges in the Indo-Pacific, both are looking at each other for a stronger defence partnership. In the last 20 years, the USA has been incrementally increasing its strategic bets on India. This has been due to the recognition of the importance of the Indo-Pacific for global trade, commerce, and security. Both the countries acknowledge that developments in this region will shape the larger trajectory of the rules-based international order. The USA and India maintain a broad-based strategic partnership, underpinned by shared interests, democratic values, and strong people-to-people ties. This has resulted in the strengthening of India-US ties. Between 2013 and 2017, American arms sales to India have increased by more than 500 percent, and India has become one of the most important non-NATO allies for the USA. The establishment of the US-India 2+2 Ministerial Dialogue in September 2018 also serves as a tangible demonstration of the ties. However, despite the hope that India will act as a "regional guardian" or a "US ally" in the Pacific biased Indo-Pacific, India has shown a preference for multipolarity and a more flexible style in dealing with China. For critics this could mean an "Indian fatigue"[26] in the USA. It is, therefore, important for both the countries to relax expectations, and keep the groundwork going for keeping the strategic partnership in momentum, even if it moves slowly.

Notes :

[1] Prime Minister Modi's remarks at the US Congress , June 08, 2016, at https://mea.gov.in/outoging-visit-detail.htm?26886/Prime+Ministers+remarks+at+the+US+Congress

[2] Tarapore, Arzan, 'A More Focused and Resilient U.S.-India Strategic Partnership',

Centre for a New American Security, 23 October 2019, at: https://www.cnas.org/publications/reports/a-more-focused-and-resilient-u-s-india-strategic-partnership

[3] 'India US Bilateral Trade to Reach USD 18 Bn this Year: Pentagon', *India Today*, 19 October 2019, at https://www.indiatoday.in/world/story/india-us-bilateral-defence-trade-to-reach-usd-18-bn-this-year-pentagon-1610910-2019-10-19

[4] Parpiani, Kashish, 'Institutionalising India-US Defence Ties in American Legislative Precedents', Observer Research Foundation, 26 February 2019, at https://www.orfonline.org/research/institutionalising-india-us-defence-ties-in-american-legislative-precedents-48539/

[5] Negi, Manjit, 'India to Sign Over $7 Billion Defence Deal with US to Procure Combat Drones, Spy Aircraft', *India Today*, 17 November 2019, at https://www.indiatoday.in/india/story/india-to-sign-over-7-billion-defence-deal-with-us-to-procure-combat-drones-spy-aircraft-1619888-2019-11-17

[6] Parpiani, Kashish, 'Institutionalising India-US Defence Ties in American Legislative Precedents', Observer Research Foundation, 26 February 2019, at https://www.orfonline.org/research/institutionalising-india-us-defence-ties-in-american-legislative-precedents-48539/

[7] Schwartz, Benzamin, 'From Inertia to Integration: Getting Serious About U.S.-India Defense Cooperation', *The American Interest*, 2019, at https://www.the-american-interest.com/2019/06/24/from-inertia-to-integration-getting-serious-about-u-s-india-defense-cooperation/

[8] 'Explained: What is US-India Defence Technology and Trade Initiative' *The Indian Express*, 19 October 2019, at: https://indianexpress.com/article/explained/explained-us-india-defense-technology-and-trade-initiative-dtti-6077915/

[9] Dharmaraj, Samaya, 'India Working to Bolster Defence Tech Start-ups', OpenGov Asia, 9 December 2019, at: https://www.opengovasia.com/india-working-to-bolster-defence-tech-start-ups/

[10] Madan, Tanvi, 'As Pompeo Heads to Delhi, the US-India Relationship is at a Critical Juncture', Brookings, 21 June 21, 2019, at: https://www.brookings.edu/blog/order-from-chaos/2019/06/21/as-pompeo-heads-to-delhi-the-us-india-relationship-is-at-a-critical-juncture/

[11] Chinoy, Sujan, 'Indo-US Defence Partnership: Future Prospects', Institute for Defence Studies and Analyses, New Delhi, 26 June 2019, at: https://idsa.in/idsacomments/indo-us-defence-partnership-srchinoy-260620

[12] Ayres, Alyssa, 'The U.S. Indo-Pacific Strategy Needs More Indian Ocean', Council of Foreign Relations, 2019, at: https://www.cfr.org/expert-brief/us-indo-pacific-strategy-needs-more-indian-ocean

[13] Panda, Ankit, 'The 2019 US Indo-Pacific Strategy Report: Who's it For?' *The Diplomat*, 11 June, 2019, Available at: https://thediplomat.com/2019/06/the-2019-us-indo-pacific-strategy-report-whos-it-for/

[14] 'Indo-Pacific Strategy Report', the US Department of Defence, 1 June, 2019, at: https://media.defense.gov/2019/Jul/01/2002152311/-1/-1/1/DEPARTMENT-OF-DEFENSE-INDO-PACIFIC-STRATEGY-REPORT-2019.PDF

[15] 'Summary of 2018 National Defense Strategy of the United States of America', the US Department of Defence, 2018, at: https://dod.defense.gov/Portals/1/Documents/pubs/2018-National-Defense-Strategy-Summary.pdf and US Department of Defence, 'A Free and Open Indo-Pacific: Advancing a Shared Vision', 2019, Available at: https://www.state.gov/wp-content/uploads/2019/11/Free-and-Open-Indo-Pacific-4Nov2019.pdf

[16] Ashbee, Edward and Kashish Parpiani, 'US-India defence ties 'socialising' India into the Indo-Pacific calculus', Observer Researcher Foundation, at https://www.orfonline.org/expert-speak/us-india-defence-ties-socialising-india-indo-pacific-calculus-54884/, 2019

[17] Walter C. Ladwig III and Anit Mukherjee, 'The United States, India, and the Future of the Indo-Pacific Strategy', The National Bureau of Asian Research, 20 June 2019, at https://www.nbr.org/publication/the-united-states-india-and-the-future-of-the-indo-pacific-strategy/

[18] 'Indo-Pacific Strategy Report', the US Department of Defence, 1 June, 2019, at: https://media.defense.gov/2019/Jul/01/2002152311/-1/-1/1/DEPARTMENT-OF-DEFENSE-INDO-PACIFIC-STRATEGY-REPORT-2019.PDF

[19] Habib, Maria, 'U.S. and India, Wary of China, Agree to Strengthen Military Ties', *The New York Times*, 6 September, 2018, at: https://www.nytimes.com/2018/09/06/world/asia/us-india-military-agreement.html

[20] Tarapore, Arzan, 'A More Focused and Resilient US-India Strategic Partnership', Centre for a New American Security, 23 October 2019, at: https://www.cnas.org/publications/reports/a-more-focused-and-resilient-u-s-india-strategic-partnership

[21] 'Government Plans to Spend $130 Billion for Military Modernisation in Next 5-7 Years', *India Today*, 10 September 2019, at: https://www.indiatoday.in/india/story/military-modernisation-government-planned-expenditure-1597436-2019-09-10

[22] Tarapore, Arzan, 'A More Focused and Resilient US-India Strategic Partnership', Centre for a New American Security, 23 October 2019, at: https://www.cnas.org/publications/reports/a-more-focused-and-resilient-u-s-india-strategic-partnership

[23] Madan, Tanvi, 'As Pompeo Heads to Delhi, the US-India Relationship is at a Critical Juncture', Brookings, 21 June 21, 2019, at: https://www.brookings.edu/blog/order-from-chaos/2019/06/21/as-pompeo-heads-to-delhi-the-us-india-relationship-is-at-a-critical-juncture/

[24] Maxwell, Megan, 'Don't Blame Russia for the Problems in the U.S.-India Relationship', Carnegie Endowment, 16 September 2019, at: https://carnegieendowment.org/2019/09/16/don-t-blame-russia-for-problems-in-u.s.-india-relationship-pub-79850

[25] Singh, Sinderpal, 'The Indo-Pacific and India-U.S. Strategic Convergence: An Assessment, The National Bureau of Asian Research, 30 January 2019, at: https://www.nbr.org/

publication/the-indo-pacific-and-india-u-s-strategic-convergence-an-assessment/

[26] Lalwani, Sameer and Heather Bryne, 'Great Expectations: Asking Too Much of the US-India Strategic Partnership', The Elliott School of International Affairs, *The Washington Quarterly*, 2019

✶ ✶ ✶

Indian Foreign Affairs Journal Vol. 14, No. 2, April–June 2019, 129-136

India's Soft Power Diplomacy: Capturing Hearts and Minds

H. H. S. Viswanathan*

Any discourse on International Relations (IR) today never fails to talk about the Soft Power of countries. Ever since Joseph Nye coined the term, it has become rather obligatory to use it. It is not as if the aspects of the so-called Soft Power were never recognised before. Earlier, it was known by other terms, one of which was cultural and civilisational diplomacy. Countries projected their cultural and non-transactional sides to get the friendships of others. This indirectly helped them to pursue their national interests

Power in International Relations is defined in relational terms, as the ability of actor A to influence the behaviour of actor B to get the outcome he wants.[1] That is to say, there is no absolute power. Traditionally, military and economic powers were considered the major factors. However, some other intangible aspects have also been given importance by many strategic thinkers even in the past. The term Soft Power was first used by the eminent IR scholar Joseph Nye in his book *Bound to Lead: the Changing Nature of American Power* (1990). In the book, Nye identified three dimensions of power: coercion by military force; influence by offering economic incentives; and, finally the ability to co-opt other states by the nation's appeal based on its culture and values. The argument is that other states modify their preferences because of their favourable perception of you. They like your story and your narrative. These are very valid arguments. However, when one tries to capture these in one term, it leads to difficulties. The problem lies in the definition of the concept. It is very imprecise, to say the least. The ideas we are dealing with

*__The Author,__ Ambassador H. H. S. Viswanathan, is a former Ambassador of India to Cote d'Ivoire, a former High Commissioner of India to Nigeria, and a former Consul General of India in San Francisco. Currently, he is a Distinguished Fellow at the Observer Research Foundation (ORF), New Delhi.

This article is an updated and revised version of a talk by the author, delivered at Indian Institute of Management, Tiruchirappalli, on 4 September 2019 under the Distinguished Lecture Series of the Public Diplomacy Division of the Ministry of External Affairs, and is published under arrangement with them, and with their permission.

here are quite intangible. That, of course, does not mean that we cannot have a reasonable notion of what they are. It is, in fact, essential to put all those aspects in a group. Giving this group a title is the difficult part. Therefore, for want of a better term, we go along with Joseph Nye's definition. It must be remembered that Nye himself has, in his later writings, tried to refine the term. Others have tried to give new names, but without much success. For example, Hillary Clinton, as Secretary of State of the USA, used the term "Smart Power" meaning a clever mixture of the traditional military, political and economic powers with cultural and humanitarian aspects. The term, however, did not find much traction. The other term — namely "Sharp Power" — had the same fate.

What is Soft Power?

The most important question that arises is whether Soft Power is a product or a process, or is it both. Merely clubbing together aspects like art and culture as Soft Power, and military, political and economic assets as Hard Power may lead to contradictions. Let us take some examples. Normally, military power is considered hard, and hence looked down upon in the context of Soft Power. However, when it is used for peacekeeping or disaster relief, it is a humanitarian and welcome activity; it is not hard power anymore because the intentions are good. Similarly, the projection of one's culture is considered laudable; however, the aggressive projection of a big and historical nation's culture in less powerful countries, particularly in the neighbourhood, can be interpreted as cultural imperialism. Aren't we familiar with this kind of imperialism during colonial times when the colonisers called it the "White man's burden to civilize the Natives"? Hence, the important thing is how one uses the instruments. One test of this is to see how the other side views it. Soft Power ultimately becomes more a process than a product.

Three main factors determine the foreign policy of a country: its geography, history, and capabilities.[2] Geography is a given. As they say, a country cannot choose its neighbours. Hence, neighbourhood policy becomes vital for any nation. Normally, engagements and conflicts are more pronounced with neighbours. It is with neighbours that a country normally has strong bonds or strong rivalries. History determines mind sets, outlooks, and visions of countries. They also determine some of the linkages with others. Many of the issues that countries face are a product of their histories. Capabilities are what a nation acquires over a period of time. These could be in the military, economic, or technological areas. With new capabilities, the foreign policy

approaches of a country evolve. New interests outside the country's neighbourhood develop. Phrases like "extended neighbourhood' and "strategic interests" have become common parlance in discussions on international relations. The more powerful the country, the more interests it will have in distant geographies.

It may be relevant here to touch upon the usual debate on "Idealism and Realism" in the foreign policy of a country. The normal error in this binary approach is the over simplification of the issues involved. Hence, instead of following the "either-or" approach, some scholars have suggested a middle path called "Moral Realism". This takes into account the realpolitik of a situation but also suggests that while dealing with it, a more morally acceptable method should be followed. By doing this, the contradiction in the binary approach is minimised. Patricia Stein Wrightson says that, "Conventional wisdom has it that realism excludes moral concerns from questions of Foreign Policy. But the truth is more complex. Conventionally, realism has a problem with the moral question. Does it have to be that way?"[3]

Ilan Manor in the Centre on Public Diplomacy of the University of Southern California argues that, "one of the things that increases the appeal of a State is its perceived morality. Indeed. Morality breeds legitimacy on the international stage." He goes on to define Soft Power in the 21st century as "the ability to manage the normative associations that a State evokes so that a state is seen as a desirable partner for creating temporary coalitions or permanent alliances."[4]

In the context of 'Soft Power", capabilities become relevant. How do you protect your interests? What are the instruments you use? Strategic thinkers over the ages have asked these questions. Our own Kautilya in his *Arthashastra*, talks of the Six Stratagems or Shadgunyas, and the four Upayas or instruments to be used. More on this will be discussed later in the paper.

At the most fundamental level, Soft Power is about winning the hearts and minds of people. Hence, there has to be a people centric approach. In this, governments cannot do much beyond facilitating the process. Let us take two examples. In the last century, there were only two instances when the idea of India became very popular amongst a large section of the global population. The popularity was not with the foreign governments so much as with the ordinary people. The first was during our freedom struggle, with Mahatma Gandhi's concept of non-violent non-cooperation. This was seen universally as a new paradigm in fighting oppression and injustice. There was a genuine desire that humanity should turn a new leaf and follow this path.

The second was during Hippie movement of the 1960's, when many in the West got attracted to Yoga, Meditation, classical music, and spirituality of India. Those were the days when the anti-Vietnam war protests were at their peak. In both these instances, the Government had very little to do with their propagation. In fact, in the first case, the Government of the time was British who did their best to discredit the concept. Even in the second case, the Government of India was not particularly interested in encouraging promotion of yoga and meditation because of the negative publicity of the Hippie movement.

Nonetheless, governments all over are nowadays facilitating the spread of positive ideas from their countries. This would include arts, culture, music, dance, philosophy, sports, and cuisine. India is no exception to this rule. The Government of India realises that it has an abundance of these resources. So, why not use them to further Indian interests in a subtle manner?

The operative term here is "subtle". Using Soft Power to achieve specific goals is a contradiction in terms, and can be counter-productive. Ideally, Soft Power dissemination should be neutral, without any reference to our interests.

Can Soft Power by Itself Achieve Foreign Policy Goals?

It is obvious that Soft Power may be a necessary condition for achieving goals; but it is not a sufficient condition. This is because Foreign Policy outcomes are not unilateral decisions. Their success depends on other nations. Their interests play a crucial role on how successful we are. If our policies are opposed to their national interests, they would not tow our line even if they like our culture and civilisation. That is where use of some aspects of Hard Power would come into play. This does not automatically imply the use of force. There are other instruments of persuasion. Nonetheless, the fact cannot be denied that Soft power "lubricates" other instruments in diplomacy. If a country is appreciative of our values and culture, it may be pre-disposed towards avoiding an adversarial position. Hence, during decision-making situations, it could tend towards a favourable one, provided it is not against its national interests. Even if Soft Power may not directly help in furthering foreign policy goals, it certainly helps in the conduct of diplomacy. It is necessary here to differentiate clearly between the two. Often, the two terms are used wrongly. We see, for example, newspaper articles analysing Foreign policy achievements in a particular period by listing out the various foreign trips undertaken by leaders. These activities do fall under diplomacy. They may even contribute to foreign policy. But by themselves, they do not amount to policy.

Kautilya understood this very well. That is why he conceptualised the six Stratagems or the Shadgunyas as foreign policy initiatives and the four Upayas as diplomatic tools. The Shadgunyas are Samdhi (policy of peace), Vigraha (policy of hostility), Asana (policy of remaining quiet), Yana (policy of expedition), Sansraya (seeking shelter with another king), and Dvaidhibhava (double policy of samdhi with one king and vigraha with another at the same time). The Upayas are Saam (extending friendship), Daan (offering material incentives), Bhed (dividing the adversary's group), and Dhand (use of force).[5]

What are India's strengths and weaknesses in Soft Power?

While making this assessment, one should not lose sight of the product and process aspects mentioned earlier. Both are critical.

The most important element is India's long history, culture, and civilisation. These have attracted both intellectuals and common folk from across the globe to India. If they were not attractive, so many brilliant minds all over the world would not be working as Indologists. In the 1980s, the famous theatre personality Peter Brook produced the 'Mahabharata' with a universal cast. The impact was spectacular. The great Indian epic became popular in the far corners of the world overnight.

India is fortunate to have all the major religions of the world. Four are indigenous: Hinduism, Buddhism, Jainism, and Sikhism. Four came from outside: Zoroastrianism, Judaism, Christianity, and Islam. This adds to the incentives for the religiously minded foreigners to visit India. The international media coverage of the Kumbh Mela is testimony to the admiration of other countries for India, and how it has kept up its beliefs and traditions over millennia.

Religious tourism into India is a major factor in our external relations. Apart from Hindu religious sites like Varanasi, Badrinath, Puri, Kedarnath, Vaishnao Devi, Amarnath, Tirupati, Sabarimala, Tanjavoor, Madurai etc., a large number also come for places of interest to other religions. India is the most favoured destination for Buddhist pilgrims. This is not surprising because most of the places associated with Lord Buddha's life are in India. Throughout the year, there is a steady stream of visitors from the ASEAN countries, Japan, Sir Lanka, and Myanmar to Bodh Gaya and Nalanda. Christianity and Judaism in India are also very old, and there are historic Churches and Synagogues in South India. Speaking of Islam, the *dargas* of Sufi saints like Moinuddin Chishti and Nizzamuddin Aulia attract thousands of devotees.

Connected to the religious aspects of India are yoga and meditation, which have become household terms in most countries. The health aspects of these are being researched and propagated by well known physicians and doctors. The Government of India did well to persuade the United Nations declare June 21 as the Global Yoga Day.

Equally important are the music, dance, art, and architecture of India. Even though the Taj Mahal is the most famous monument of India, foreign tourists are discovering thousands of other historical and archaeological sites all over the country. These visits will certainly have a positive effect on their attitude towards our country. The propagation of our culture is nothing new. In earlier times we called it cultural diplomacy. The Indian Council for Cultural Relations (ICCR) under the Ministry of External Affairs (MEA) does pioneering work in not only disseminating our culture abroad but also encouraging the exposure of other cultures in India to encourage a cultural dialogue.

Bollywood has been projected as a great Soft Power tool for India. Sometimes, there is exaggeration of this aspect. It is true that Bollywood movies are popular among the people of many countries. However, it is equally true that Bollywood does not figure high among its peer competitors. For decades now, Indian cinema has not figured prominently in any of the famous International Film Festivals, like Cannes, Berlin, Venice or Karlovy Vary. Let us look at its size. Hollywood's worldwide box office receipts and international diffusion are far greater than those of Bollywood. The latter's success is in a limited "echo chamber" of Non-resident Indians (NRIs), People of Indian Origin (PIOs), and some India lovers. Bollywood was, in fact, able to get much more global appreciation in the 1950s and 1960s. The movies of those decades appealed to foreign audiences more because the themes and presentations seemed natural and realistic regarding the Indian context. One has also to mention here the adverse effects of Bollywood on Indian regional cinema, which tends to be marginalised. Having said all that, the attractiveness of Bollywood, particularly its music and dance, cannot be underestimated.

Indian cuisine is a major attraction for foreigners. There is universal appeal for its variety and sophistication. There may not be a single big city in the world without at least two or three Indian Restaurants. They all do great business.

The Indian Diaspora (the NRIs and the PIOs) plays a vital role in promoting India's Soft Power. Both put together add up to twenty million. They are spread across all continents, and have become prosperous, famous, and influential over the last many decades. They not only help in disseminating

Indian culture but have also, on occasion, contributed to promoting our foreign policy goals. The best example of this was during the negotiations of the Indo-US Nuclear Deal in the early years of the first decade of this century. Many influential Indians in the USA did remarkable work in lobbying Congressmen and Senators, and bringing them around to our point of view. The Indian Diaspora is becoming a real asset as more and more of them achieve success in their respective fields in different countries.

One important aspect of Soft Power less often discussed is the power to lead by example. Mahatma Gandhi could do it. Others will respect and admire us only if we do what we preach. The world will judge us by our commitments to our promises. This is particularly relevant in the case of Development Partnership Projects in Developing Countries. In international relations, nothing is more important than credibility of one's statements.

At present, India faces many challenges as an important emerging power. Hence, it has to play multiple roles. Indian interests are both with the developing world and with major powers. Sometimes others could feel that we are running with the hares and hunting with the hounds. It is a delicate balancing act that India has to perform constantly. It is easy to convince foreign governments, since they are in the same business and can understand the compulsions of other governments. The problem is to convince the common citizens of those countries. This is where the articulation of our narrative becomes important. Is our story credible? Is it interesting? Does it evoke respect?

Public diplomacy is the new tool to deal with these issues. The idea is to communicate directly to the citizenry in simple terms. These have to be devoid of jargon and overt propaganda. Earlier, these used to be done through conventional media and lectures/seminars. The advent of Social Media has changed the face of public diplomacy drastically. Today, even national leaders are resorting to Tweeting to make their ideas known. Here, Prime Minister Narendra Modi is leading by example, and encouraging all officers in the government to leverage Social Media for communication with the public.

Soft Power is not "image polishing". It is much more than that. Mere image polishing without a corresponding improvement in reality can be counterproductive. Soft Power is also different from "Nation Branding". Achievements in arts, literature, music, sports, science and technology are the main factors that lead to admiration of others, and contribute to Soft Power.

Others judge us also by our ability to understand and appreciate them. Openness, humility, and empathy go a long way in Diplomacy. The French

born American historian Jacques Barzun once remarked, "To see ourselves as others see us is a very rare and valuable gift, without a doubt. But in international relations what is still rarer and far more useful is to see others as they see themselves." This needs true openness of mind. Real communication can be there only if you see others in their perspective.

One way of winning hearts and minds is not to be obsessed with projecting our successes and achievements all the time, but also try to celebrate those of others. Famous Film Festivals where movies from all over the world compete on an equal footing — like in Cannes, Berlin or Venice — generate a great deal of goodwill for the hosts. Why do countries fight to host international sporting events like the Olympics? This is a way of showing appreciation for universal talents. India has increased its activities in this respect. The ICCR's objective is to not only promote Indian culture abroad but also make Indians aware of other cultures. Care has to be taken that this is done without even a hint of being patronising or condescension.

Even if the concept of Soft Power is not precise, Joseph Nye did well to flag this important aspect in the foreign policies of countries. There is no country in the world today, which does not attach importance to this factor. India is in a good position regarding this aspect due to its enormous resources, which come in handy in increasing the country's attractiveness to others. Academics and intellectuals can play a critical role in this endeavour.

Notes :

[1] Blarel Nicolas, "India: the next super power? India's Soft Power: from Potential to Reality?" IDEAS Reports, LSE IDEAS, 2012

[2] Malone David M., "Does the Elephant dance? Contemporary Indian Foreign Policy", Oxford University Press, 2014

[3] Wrightson, Patricia Stein, "Morality, Realism and Foreign Affairs: A Normative Realist Approach", *Journal of Security Studies*, Vol. 5, 1995, Issue 2

[4] Manor Ilan, Center on Public Diplomacy, University of Southern California, 21 & 28 October 2019.

[5] Kangle R. P., *The Kautilya Arthashastra*, Motilal Banarasidass, Part 3: Chapter 11, 2014

✶ ✶ ✶

Indian Foreign Affairs Journal Vol. 14, No. 2, April–June 2019, 137-148

Changing Security Environment in Indian Ocean: Decoding the Indian Strategy

Netajee Abhinandan*

As a conflict zone for power and supremacy, history cannot exclude the oceans. During the early phases of modern history, oceans were the zones of intense contestation where most of the conflicts among major and aspiring powers played out. The contestations played the most significant role in shaping both history and civilisation. It would not be farfetched to say that the modern history of the world is also, in a way, the history of oceans. The tussles for power, resources, land, and people were mostly fought over the seas and oceans, as these were the only modes of communication and transportation linking distant countries and continents. Though the Indian Ocean, covering the expanse from East Africa to the Indian subcontinent and Australia, has always been the theatre of human interactions, it caught global attention only in 1498 when the Portuguese explorer Vasco da Gama arrived at Calicut (now Kozhikode) after a successful sea voyage. This opened the first all water trade route between Europe and Asia. Since then, it became a part of the global trading system as more and more European powers came forward to trade with India and other countries of Southeast Asia using this route. Also, till then, under the complete control of India, it turned into an active conflict zone, with established European powers vying with each other for greater control over the ocean and the littoral countries. The opening of the Indian Ocean as one of the most lucrative trade routes in the 15th century made it the most contentious and volatile of all the oceanic zones. This continues even today.

The intensification of the process of globalisation in the last two decades of the 20th century led to the growth of trade transactions between countries, most of which took place through the maritime routes of the Indian Ocean, thus increasing its importance manifold. Also, the emergence of several of Asian countries as strong economic performers led to increased activities in

*__The Author,__ Dr. Netajee Abhinandan, is Assistant Professor, Department of Political Science, Ravenshaw University, Cuttack.

the maritime zone of the ocean. Today, it is economically the most vital of all regions, the busiest, and strategically the most significant trade corridor, carrying almost two-thirds of global oil shipments and a third of bulk cargo. The economic potential and vitality of the region have also, in fact, contributed to it being the most volatile and troublesome of all the regions in the world. Among the littoral states, are not only the fastest growing economies of the world but also have the strongest militaries and naval capabilities. As the key players exert power to gain maximum — and sometimes exclusive — control over the seas and crucial chokepoints, conflicts and fault lines come to the fore. The contestation for supremacy, power, and resources among the dominant actors in the region — Australia, China, Japan, the USA and, of late, India — makes the Indian Ocean region the most dangerous conflict zone in the world. It has, in recent years, emerged as the geo-political and geo-economic nerve centre of the world, holding the key to global security. History has certainly not come to an end; it is rather unfolding in the form a bitter and protracted geo-political rivalry in the newest theatre: the Indian Ocean Region (IOR).

The Contestation

As the third largest of world's oceanic divisions, the IOR covers around one-fifth of the total ocean area that is bounded by Africa and the Arabian Peninsula, India's coastal waters, and the Bay of Bengal near Myanmar and Indonesia. It connects the Middle East, Africa, and South Asia, with the broader Asian continent to the east and to Europe in the west.[1] The Indian Ocean is one of the most critical water routes in the world in that it contains crucial strategic chokepoints such as the Strait of Hormuz, Strait of Malacca, and the Mandeb Strait. More than 50 percent of global maritime oil trade moves through these checkpoints. Moreover, the IOR is considered as one of the richest reservoirs of energy, mineral and maritime resources where around 40 percent of the world's offshore petroleum is produced.[2] The enormous economic significance of the region has made it the hotbed of conflict and contestation, especially between India and China while the USA remains the vigilant watchdog trying to maintain the status-quo.

India and China - the most rapidly rising global powers - are competitors as they vie with each other for capital, resources, technology, and connectivity. Moving fast on the path of modernisation, both are heavily dependent on energy resources - transported through sea lanes of the Indian Ocean - to sustain their economic growth and infrastructural development. While China

and India are the second and third largest importers of oil in the world, India is set to overtake Japan as the world's third-largest energy consumer, behind China and the USA. Both import around 80 percent of their energy, mostly oil, from the Middle East and North Africa, followed by East Asia and the Pacific.[3] Thus, the need to secure the transport/trade routes of the Indian Ocean is more profound for India and China than for any other country. The need for security, coupled with a sense of anxiety to have better access to resources and economic connectivity with other countries, have made India and China consider each other as competitors rather than collaborators.

In recent years, both India and China, pursuing the twin goals of security and connectivity, have undertaken several policy initiatives to establish regional networks and infrastructure to expedite the processes of resource generation, mobilisation, and economic modernisation. Under the Xi Jinping regime, China has initiated grand and ambitious projects such as the Maritime Silk Road (MSR) and the One Belt and One Road (OBOR) that entail huge investments to establish multiple lines of communication, linking different regions of Asia, and connect China with Europe, Africa and Southeast Asia. These humungous projects envision the development of a wide array of assets, including ports, roads, railways, airports, power plants, oil and gas pipelines and refineries, and Free Trade Zones, etc., as well as a supporting IT, telecom and financial infrastructure across regions and the continents of Asia and Europe.[4]

However, these projects, being aggressively pushed by the Xi government, cannot be seen merely as economic initiatives as China would like the world to believe. They are, rather, part of an overall Chinese grand strategy to establish its predominance in the IOR, initiate a Sino-centric regional order, challenge US supremacy, and undermine India's growing strategic clout. Not buying the Chinese rationale, India is constrained to believe that through these massive capital-intensive projects, China wants to augment its military-strategic capabilities in the IOR that might pose a serious threat to its security in the future. India is deeply concerned about the build-up of Chinese commercial and military facilities in and around the IOR under the disguise of 'economic connectivity' through MSR and OBOR. India's concerns stem from China's increasing presence in the Bay of Bengal and the Arabian Sea as it is developing ports in Bangladesh, Sri Lanka, and Pakistan.

The Conflicts

The contestations in the Indian Ocean are not merely over resources or over the control of sea-lanes/waterways. It is also about the projection of power

and the assertion of supremacy by principal actors who are insistent upon establishing such a geo-politico-strategic order that would serve their strategic interests the most, to the disadvantage of others. The tussles, mostly in the economic realm, have now been catapulted into serious geo-political conflicts affecting peace, stability, and order in the IOR. Apart from intense competition between India and China, there are also other inter-state conflicts in the region which have been simmering for a long time. While China has maritime disputes in the East China Sea with Japan, it claims over 90 percent of the South China Sea (SCS) as its territorial waters. This is being strongly contested by Vietnam, the Philippines, Malaysia, Brunei, and Taiwan who seek equal rights to explore the natural and maritime resources in the seas. These claims and counter claims have vitiated the atmosphere in the region. As the principal player in the region, China should have been more accommodative and flexible with regard to the maritime interests of the smaller countries, its adamant stance along with its refusal to cede any space to its neighbours have precipitated the situation, thus affecting the peace and stability not only of the maritime region but of entire Asia. Again, in the Korean peninsula, the nuclear-armed North Korea, led by its impulsive leader, is a cause for concern not only for the USA and its ally South Korea, but for others as well.

The main driver of the geo-strategic shift - leading to conflicts and contestations - is China, which, during the last five years, has been obstinately expanding its territory pushing the border deep into the international waters of the SCS. It has solidified its territorial claims in the region by establishing military installations on artificially constructed reefs, and by creating artificial islands in and around the SCS. With the installation of sophisticated weapon systems and advanced military facilities, China's control over the region is almost total and absolute. This dispute is not an isolated case of China pushing hard to have its way, but rather part of an overall strategy to validate its growing power, capabilities, and its intent to protect its 'interests and sovereignty' at any cost.

Establishing firm control over the SCS, China has moved swiftly to build a string of influence - both military and political - in the Indian Ocean region. Adopting a carrot and stick approach, it has made deep inroads into countries surrounding the Indian Ocean, like Pakistan, Myanmar, Bangladesh, Sri Lanka, and Maldives, by launching huge infrastructural projects under different initiatives, including the OBOR. China's large economic projects in the Indian Ocean, which consist mostly of ports, roads and airports, are being referred to as 'a string of pearls' stretching from the South China Sea to Pakistan. This has allowed it to increase its presence along the region's key sea lines of

communications - or SLOCs - while guaranteeing access to developing markets and international trade.

To challenge US dominance, China has established its first overseas military base in Djibouti in which it has positioned about 1,000 troops, though it can house up to 10,000. While it has acquired the Hambantota port in Sri Lanka (along with 15,000 acres of land around it on 99 years lease), China is moving towards establishing a new naval base next to Pakistan's China-controlled Gwadar port. The operationalisation of this port will create a combined Pakistan-China maritime border, thereby fusing two of India's most pressing strategic challenges into one. There are also reports of a Chinese military base planned in nearby Jiwani, and another in Bangladesh. Through these projects, China's military will embed in India's backyard, with strategic access to the Bay of Bengal. China has also taken control of several islands in the Maldives, where it is set to build a marine observatory that will provide subsurface data supporting the deployment of nuclear-powered attack submarines (SSNs) and nuclear-powered ballistic missile subs (SSBNs) in the Indian Ocean. China's policies and actions, especially during the Xi regime, have upended South Asia's balance of power that has been dominated by India since the nineteenth century.

In his recently published book *The Costliest Pearl: China's Struggle for India's Ocean* (2019), Bertil Lintner, an expert on the region, writes that he is apprehensive about the emergence of a 'Cold War'-like scenario in the Indian Ocean.

> …if an armed conflict emerges from either a 'misstep' or a more calculated provocation, it is likely to occur in the Indian Ocean where control over shipping lanes is more important than elsewhere, where divergent interests compete and overlap — and where China's ambitions for regional supremacy are the strongest. Investment and geopolitical power plays will determine in what direction the Indian Ocean nations and territories are headed.[5]

The American Response

The USA has been the most dominant power in the IOR. Its "interests are inextricably linked with Asia's economic, security and political order."[6] There has been both uncertainty and anxiety among allies and friends as to how far the USA would go in containing China's power in the IOR after Donald Trump assumed office in 2017. During the initial days, President Trump maintained silence over Chinese activities in SCS, focussing mostly on immigration, free

trade, terrorism, and North Korea. The abandonment of the Trans-Pacific Partnership (TPP), the repudiation of Barack Obama's 'pivot' or 'rebalance' to Asia, and his praise of Chinese President Xi Jinping during a summit (at his Mar-a-Lago resort) in early April 2017 did not help assuage the concerns of allies and partners.

However, with the entry of some well-known 'hawks' into the Trump Administration towards the end of 2017, US strategy towards the region and China has undergone a major transformation. The change in the American attitude was reflected in important policy documents, such as the *National Security Strategy 2017*, the *National Defense Strategy 2018*, *Nuclear Posture Review 2018*, and the *Missile Defense Review 2019*, all of which clearly portray China as a "strategic competitor".[7] The 'Unclassified summary of the National Defense Strategy' declared that "inter-state strategic competition, not terrorism, is now the primary concern in US national security, and many have turned to the classic concept of great-power rivals to describe the new reality".[8] "After being dismissed as a phenomenon of an earlier century," the National Security Strategy concluded that "great power competition [has] returned." [9]

At the Asia-Pacific Economic Cooperation (APEC) Summit in Da Nang, Vietnam, on 10 November 2017, President Trump emphasised initiating a "free and open Indo-Pacific", and mentioned 'territorial expansion' as one of the key security challenges in his speech - obviously referring to Chinese activities in the SCS. This speech signalled the USA's intention to challenge China, and counter its activities that are in violation of international laws and norms.

To carry out the "Free and Open Indo-Pacific" (FOIP) strategy as outlined by Trump, the US Navy has increased the frequency of its "freedom-of-navigation operations" (FONOPs) in the region.[10] This strategy aims to strengthen security partnerships with regional states, broaden participation in US-led joint exercises, and reinvigorate the Quadrilateral Security Dialogue with Australia, India, and Japan. Under this strategy, the USA has enhanced its military assistance to Taiwan, greatly annoying China. In 2018, the USA promulgated 'The Asia Reassurance Initiative Act', which sought to reassure Asian allies of full US support in case of any security exigency. According to the act, "the US will reaffirm security commitments to its allies in the Asia-Pacific region, including Japan, South Korea and Australia, and spend US$ 1.5 billion annually for five years to improve its regional presence."[11] It also intends to revitalise its security partnerships with Southeast Asian countries who feel threatened due to growing Chinese assertions in the region.

Apart from modernising its naval assets and developing new weapons systems, the USA has stepped up security cooperation with regional allies and partners, including Japan, South Korea, Taiwan, Australia, Singapore, and India. Also, "it is conducting an international diplomatic and intelligence campaign to counter China's cyber-attacks, traditional espionage and intellectual property theft. This campaign includes efforts to contain the global reach of Chinese telecom companies [like] Huawei and ZTE Corp."[12]

For the Trump Administration, the Indo-Pacific is the priority 'theatre', which would not be allowed to be dominated by one single power. It has been very vocal in calling for a free and open Indo-Pacific, and in deriding China for its obtrusive policies and actions in the region. The USA is keen to work closely with India to maintain 'strategic stability' in the Indo-Pacific, and establish a rule-based order that would be equally beneficial for all stakeholders.

Strategic Options for India

The evolving geo-political situation in the IOR presents both challenges and opportunities for India that is seeking greater economic engagement with ASEAN countries, especially in the maritime sphere, through mutually beneficial partnerships and collaborative projects. While the South East Asian countries, along with the USA, Japan, and Australia, look towards India to play a proactive role in maintaining security in the Indo-Pacific, it has to contend with an obdurate China that views any Indian initiative in the region, economic or strategic, with suspicion. While India has remained mostly flaccid to growing Chinese activities in the IOR, it no longer wants to remain a passive player. It now intends to become one of the 'principal' actors in the region by vigorously pursuing its political, economic, and security interests vis-à-vis China.

Under the Modi Government, India has adopted a pragmatic strategy that entails active participation in the debate on the SCS and the revival of maritime linkages with countries like Myanmar, Thailand, Indonesia, Malaysia, Singapore, and Vietnam. Prime Minister Narendra Modi's call for an 'open, inclusive, democratic and transparent Indo-Pacific region' during the Shangrila Dialogue in 2018,[13] and India's strenuous effort to augment maritime connectivity with immediate and extended neighbours through initiatives like 'Sagarmala' could be seen as a part of this strategy. 'Act East' may very soon evolve into 'Act Indo-Pacific', thus signalling India's intent to play a major role in the region.[14]

With the relative decline in US influence and its perceived lesser engagement with the region, India is expected to play a proactive role in maintaining stability and security in the region. Since India's north-eastern region is being recognised as the 'corridor to South East Asia', integration with neighbouring countries like Myanmar, Bangladesh, and Thailand should be facilitated through fast construction of transportation networks which would contribute to sustained peace and development. As India deepens its ties and employs pragmatic diplomacy to increase its influence in South-East Asia, the repercussions in India-China relations are inevitable. However, if India manages to maintain its relations with both China and the ASEAN countries on parallel tracks without frictions between the two, and make all stakeholders agree to a common agenda of peace and development, the 'Asian Century' would reach its zenith. To make this happen, India has adopted a multi-prong strategy.

Greater Engagement with its Extended Neighbourhood

India has been striving hard to enhance its presence in the Indian Ocean region and beyond. The Modi government is making great efforts to revitalise India's relations with countries in the extended neighbourhood, especially the ASEAN countries under 'Act East' to expand its sphere of influence. India's growing ties with Japan, the defence agreement with Vietnam (which includes the sale of advance helicopters and spares for MIG fighters), and the move towards developing a close military relationship with Singapore reflect a dynamic shift in India's approach towards the power politics in the region. The focus on maritime issues is evident from the increase in maritime exchanges led by the Indian Navy with countries such as Vietnam, Singapore, Indonesia, and Japan. India's trade in this region is growing rapidly, with several overseas investments being directed towards the East. India has Comprehensive Economic Partnership Agreements with Japan, South Korea, and Singapore; and Free Trade Agreements with the ASEAN and Thailand. Despite domestic economic concerns, India is actively engaged in the process of negotiation with ASEAN for instituting the Regional Comprehensive Economic Partnership sooner than later. After his victory for a second term, Prime Minister Narendra Modi chose to visit the Maldives followed by Sri Lanka, thus underlying the importance of these countries for India's evolving maritime strategy.

Building Maritime Partnerships with Key Players

To counter China's increasing maritime assertiveness, India has entered into maritime partnerships with key players who can help in maintaining a strategic balance in Indo-Pacific region.

After holding first maritime security dialogue in 2016, India and the USA signed a Logistics Exchange Memorandum of Agreement (LEMOA), a crucial agreement that allows the two navies to access each other's logistics facilities on a reciprocal basis. A pact allowing deployments from each other's naval facilities was signed with Singapore in 2017.[15] In 2018, Prime Minister Narendra Modi finalised an agreement for a new base in Seychelles, and negotiated military access to naval facilities at Oman's port and airfields.[16] India also signed a strategic pact with France, which allowed the opening up of their respective naval bases to each other's warships across the Indian Ocean. This deal grants the Indian navy access to strategically important French ports - including the one in Djibouti. [17]

Strategic Initiatives

India has been assiduously making efforts to institute small yet significant tactical initiatives, both in the ideational sphere as well as in the politico-economic-strategic sphere. In March 2015, Prime Minister Modi put forward the concept of 'SAGAR' (Security and Growth for All in the Region), a maritime initiative aimed at enhancing a range of capacities, and fostering greater cooperation among the littoral countries.

In recent times, many dialogues have been conducted between India and other countries - like the 2+2 dialogues with the USA, Japan, and Australia; the trilateral dialogues between India-Japan and the USA; between India-Japan-Australia (JAI); between Russia-India-China, between India-Australia-Indonesia; and the Quadrilateral meetings between India, Japan, Australia, and the USA. The strategic engagement between India and Australia have developed over the recent past, with increased military-to-military contact, the *Ausindex* naval and *Australia Hind* army exercises, and the Australian participation in India's *Milan* exercise, regular port visits, and staff talks.[18] The signing of the Shared Vision Statement of the India-Indonesia Maritime Cooperation in the Indo-Pacific during Prime Minister's Modi's first visit to Indonesia in May 2018 is notable. The invitation to the 2018 Indian Republic Day celebrations - extended to the leaders of all ten ASEAN countries - underscored the significance of India's Act East policy. In April 2019, India

set up an Indo-Pacific wing in the Ministry of External Affairs. The division will integrate the IORA, the ASEAN region, and the Quad to the Indo-Pacific table. It is also significant to note that a new air base, INS Kohassa, has been commissioned in the Andaman and Nicobar Islands by the Indian Navy in January 2019 to expand operational presence in the Indian Ocean.[19]

Strengthening the Quad

There is deepening of understanding between India, USA, Japan, and Australia in terms of information and intelligence exchanges, personnel interactions, and interoperable equipment. The institutionalisation of the 'Quad', once just a dialogue mechanism, as a multilateral politico-security framework might pave the way for greater understanding, and a collaboration with important countries like Vietnam, Indonesia, and South Korea as well as with smaller countries.

Pragmatic Engagement with China

India cannot afford to adopt a direct confrontational stance against China, it being the most dominant power and principal player in the IOR. Rather, it has to calibrate its moves very cautiously in order to secure its economic and maritime interests. As India, encouraged by the South-East Asian countries and Japan, moves forward to expand its presence in the geo-economic and geo-political space at the confluence of the two major oceans, China sees the move as a direct threat to its natural claims and sovereignty. India faces a real challenge: how to maintain its strategic leverage in the South China Sea region and its growing relations with the South East Asian countries and, at the same time, not antagonise China or invite any major diplomatic row with it over the dispute. Much will depend on how India meets this challenge. India would do well to maintain its strategic independence and not join any 'alliance' provoking or antagonising China.

Strategic Narrative

India needs to build a grand strategic narrative of its own to counter China's aggressive diplomacy. It has the geographic, demographic, economic, military, and ideological wherewithal to be a stabilising player in the region. From New Delhi's perspective, the consolidation of a Sino-centric regional order in the IOR would surely be detrimental, affecting its economic and strategic interests

in the region and beyond. While it may hope to play the role of a swing state between the two super powers, India's strategic imperatives compel it to work for balancing against China in the IOR. India's 'SAGAR' and America's 'Free and Open Indo-Pacific' can merge to become a grand strategic narrative, defining the politico-security order in the Indo-Pacific and ushering in new opportunities.

The rapidly changing power alignments in the IOR augur well for India. In case the differences between China and countries like Japan, Vietnam, and the Philippines continue to widen, or the US rebalancing does not progress well, the regional balance of power would need to be preserved collectively. In this India will have key contribution. The Southeast Asian countries, perturbed by China's assertiveness in the seas and its policy of territorial aggrandisement, look towards India as the 'balancer' of power in Asia. Under Narendra Modi, a leader willing to act, India is emerging as a crucial player in the strategic power play in the region. New Delhi's ability to evolve necessary strategic imagination and adopt suitable strategy will be crucial for India to face the emerging challenges in the twenty-first century. India cannot afford to remain non-committal on crucial strategic issues and challenges confronting the IOR, and has to be more pragmatic and assertive. The reorientation of policies and approach towards security and diplomacy has started taking shape under Prime Minister Modi. But it is going to be a long journey.

Notes :

[1] Eleanor Albert, "Competition in Indian Ocean", Council on Foreign Relations, at https://www.cfr.org/backgrounder/competition-indian-ocean

[2] Ibid

[3] Utpal Bhaskar, " India, China set to form a Working Group on Energy", *Livemint*, 28 April 2019, at https://www.livemint.com/news/india/india-china-set-to-form-a-working-group-on-energy-1556472590562.html

[4] "Vision and Actions on Jointly Building Silk Road Economic Belt and 21st-Century Maritime Silk Road", 28 March 2015, Foreign Ministry of China, at http://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1249618.shtml

[5] Bertil Lintner, The *Costliest Pearl: China's Struggle for India's Ocean*, London: C. Hurst and Co. Ltd., 2019, pp. 238 –39.

[6] M. Mardell, "US pivots, China bristles", BBC, 18 November 2012, at "http://www.bbc.co.uk/news/world-us-canada-20387131.

[7] "Regional Security Outlook 2019" , Council for Security cooperation in the Asia-Pacific, at http://www.cscap.org/uploads/docs/CRSO/CSCAP%202019%20Regional%20Security%20Outlook.pdf

[8] Summary of the 2018 National Defense Strategy, US Department of Defense, 19 January 2018, at https://www.defense.gov/Portals/1/Documents/pubs/2018-National-Defense-Strategy-Summary.pdf.

[9] The National Security Strategy of the United States of America, The White House, December 2017, at https://www.whitehouse.gov/wp-content/uploads/2017/12/NSS-Final-12-18-2017-0905.pdf.

[10] Asia Pacific Regional Security Assessment 2019, IISS, at https://www.iiss.org/publications/strategic-dossiers/asiapacific-regional-security-assessment-2019

[11] Teddy Ng, "United States ups the ante in China rivalry with Asia Reassurance Initiative Act," *South China Morning Post*, 5 January 2019, at https://www.scmp.com/news/china/diplomacy/article/2180715/united-states-ups-ante-china-rivalry-asia-reassurance.

[12] David Lague, "How China is replacing America as Asia's military titan," Reuters, 23 April 2019, at "https://www.reuters.com/investigates/special-report/china-army-xi."

[13] See, "Prime Minister's Keynote Address at Shangri La Dialogue", 1 June 2018, at https://www.mea.gov.in/Speeches-Statements.htm?dtl/29943/Prime+Ministers+Keynote+Address+at+Shangri+La+Dialogue+June+01+2018

[14] Prabir De, "Act East to Act Indo-Pacific: Agenda for the New Government", The *Economic Times,* 1 June, 2019.

[15] "India's Response to China's Assertiveness over the Seas", at https://www.frstrategie.org/en/publications/notes/indias-response-chinas-assertiveness-over-seas-2018. Also see, Shaurya Karanbir Gurung, "Navy gets access to Singapore's Changi naval base", The *Economic Times*, 12 July 2018.

[16] Dipanjan Roy Choudhury, "India and Seychelles agree on naval base at Assumption Island", The *Economic Times*, 13 July 2018.

[17] Rob Edens, "India crafts its own 'string of pearls' to rival China's naval jewels in the Indian Ocean", *South China Morning Post*, 23 March, 2018. at https://www.scmp.com/comment/insight-opinion/article/2138327/india-crafts-its-own-string-pearls-rival-chinas-naval-jewels

[18] Dhruva Jaishankar, "The real significance of the Quad", *The Strategist*, 24 October 2018 at https://www.aspistrategist.org.au/the-real-significance-of-the-quad/

[19] "NAS Shibpur to be commissioned as INS Kohassa", The *Economic Times*, 18 January 2019

✶ ✶ ✶

Indian Foreign Affairs Journal Vol. 14, No. 2, April–June 2019, 149-164

The Centenary of India's Membership of the League of Nations

Asoke Kumar Mukerji*

The League of Nations (LN) was conceptualized by the Treaty of Versailles,[1] which formally ended the First World War on 28 June 1919. The Treaty also created the International Labour Organization (ILO), a unique multi-stakeholder multilateral structure in which policies are decided by governments, employers and workers, without any government exercising veto power.[2]

India signed the Treaty of Versailles as a distinct legal entity, although she was a colony consisting of the territory of British India and Indian Princely States. In international law, India's signature was that of "an anomalous international person".[3] However, this did not prevent India from participating on the basis of "legal equality"[4] in the activities of both the LN and ILO with other sovereign states to reflect her evolving national interests and perspectives. How did India acquire a seat at the Paris Peace Conference of 1919 which resulted in the Treaty of Versailles? Was India's participation in the LN and ILO of relevance for contemporary India's multilateral diplomacy? These are the questions that arise when reviewing India's membership of the LN a century later.

India and the First World War

The primary reason for India's signature on the Treaty was her immense military and financial contribution to the success of the Allied powers in the First World War. Britain had declared war on Germany on 4 August 1914. Mahatma Gandhi, who had just completed his epic twenty-one-year struggle in favour of equal rights in South Africa, arrived in London en route to India that very same day. After meeting Indian political activists in London, Mahatma Gandhi took the initiative to draft and sign a "Confidential Circular", dated 13 August 1914, containing an Indian offer to assist the British

*__The Author,__ Ambassador Asoke Kumar Mukerji, was Permanent Representative of India to the United Nations in New York from 2013 to 2015.

Government during the War.[5] The circular proposed to Indian political leaders in Britain "for the sake of the Motherland and the Empire to place our services unconditionally, during this crisis, at the disposal of the Authorities". The next day, in a letter to Charles Roberts, the Under Secretary of State for India, Mahatma Gandhi and his colleagues explained that "the one dominant idea guiding us is that of rendering such humble assistance as we may be considered capable of performing, as an earnest of our desire to share the responsibilities of membership of this great Empire, if we would share its privileges."[6]

Mahatma Gandhi became Chairman of the Indian Volunteers Committee, which sought to enlist orderlies and nurses to tend to the wounded Indian soldiers arriving from battlefields in Europe. However, he fell ill with pleurisy, and was advised by the authorities in England to return to India. Accompanied by his wife, Kasturba, he returned to Bombay on 9 January 1915.

In its 1923 publication, *India's Contribution to the Great War*, the Government of India published a comprehensive account of India's participation in the war effort.[7] Altogether, 1,302,394 Indian soldiers volunteered to fight as part of seven separate Expeditionary Forces across Europe, Africa, and Asia (including China) during the First World War.[8] They were supplemented by 172,815 animals and 3,691,836 tons of supplies and stores. 121,598 Indian soldiers were the casualties of the War, including 53,486 dead, 64,350 wounded, and 3,762 missing or imprisoned as on 31 December 1919. The highest number of Indian casualties in the war occurred in West Asia (which includes today's Palestine/Israel, Iraq and Syria), including approximately 30,000 dead and 32,000 wounded.

Apart from this, India contributed equipment and stores worth over £80 million to the Allied war efforts until 1918. In terms of direct monetary contributions, India gave £146.2 million from its revenues towards the cost of the war up until the end of 1919-20. This included an offer made to Britain, at the beginning of 1917, of a lump sum War Loan of £100 million (valued at more than £ 6.4 billion at today's rate of exchange) as a special contribution towards the expenses of the war. The British Parliament passed a Resolution on 14 March 1917, accepting the offer which was taken from Indian revenues. Of this sum, nearly £75 million was raised in India by the war loans of 1917 and 1918, and the balance raised by the Government of India assuming the liability for interest on an equivalent amount of the British Government War Loan. Till October 2014, the British Government had not repaid fully the War Loans taken during the First World War.[9]

The Indian contribution to the war efforts came from both British India as well as the Indian Princely States. 29 major rulers of the Princely States of India offered their "personal services and the resources of their States for the war", and the rulers of Jodhpur, Bikaner, Kishangarh, Ratlam, Sachin, Patiala, Bhopal, and Cooch-Behar joined the Expeditionary Forces sent from India, along with Imperial Service Troops from their states.

India and the Treaty of Versailles

Indian political demands to participate meaningfully in coordinating issues of common interest to the British Empire, especially international security and trade, came to a head during the meeting in Simla of the Viceroy's Legislative Council on 22 September 1915. Following an impassioned appeal for "official" Indian representation in the forthcoming meeting of the Imperial Conference, moved in a resolution in the Council, the Viceroy Lord Hardinge committed to recommending to the British Government that "India should be represented by the Secretary of State and one or two representatives nominated by the Secretary of State in consultation with the Viceroy".[10]

Subsequently, at the meeting of the British War Cabinet held in London on 23 December 1916, the participation of the British Dominions at a "special War Conference" was discussed. In addition to the four Dominions of Australia, Canada, New Zealand, and South Africa, the War Cabinet decided that, "having regard to the great services of India during the war…there could not possibly be any tenable objection on the part of the Dominions to the inclusion of a distinguished Native of India" in the representation led by the Secretary of State for India at the Imperial Conference. It left the decision on which Indian to include in the delegation to the Secretary of State for India.[11]

Between 20 March 1917 and 2 May 1917, British Prime Minister Lloyd George convened joint meetings of the Imperial Conference, which he called a "special War Conference of the Empire", and the "Imperial War Cabinet", which met on alternate days.[12] India was represented in these meetings by the Secretary of State for India Sir Edwin Samuel Montagu; the Maharaja of Bikaner Sir Ganga Singhji; the Parliamentary Under-Secretary of State for India, Sir Satyendra Prasanno Sinha; and the former Governor of the United Provinces of Agra and Oudh, Sir James Meston.[13] In his memoirs, Lloyd George wrote of Maharaja Sir Ganga Singhji's participation in the Imperial War Cabinet.

> "Bikanir" as he was familiarly and affectionately called— the Indian Prince — was a magnificent specimen of the manhood of his great country. We soon found that he was one of "the wise men that came from the East." More and more did we come to rely on his advice, especially on all questions that affected India.[14]

Lloyd George had openly advocated the inclusion of India in discussions within the Imperial Conference and the Imperial War Cabinet to discuss the conduct of the First World War and the contours of an eventual peace settlement. Apart from looking at the deployment of Indian troops in the war, these discussions also included the future strategic role of British India in West Asia following the retreat and break-up of the Ottoman Empire. As Lloyd George emphasised, "the representation of India in the Imperial War Cabinet was the beginning of the open recognition of India's new status".[15] This was consolidated by a resolution adopted by the Imperial Conference which placed India at par with the other Dominions of the British Empire at subsequent Imperial Conferences, marking "the first Imperial recognition of the altered status of India".[16] The resolution asserted "the right of the Dominions and India to an adequate voice in foreign policy and in foreign relations".[17]

Consequently, the British Empire delegation at the Paris Peace Conference (held in Versailles from 18 January 1919 and led by British Prime Minister Lloyd George) included three members representing India. They were Sir Edwin Montagu, Secretary of State for India; Sir Ganga Singhji, Maharaja of Bikaner; and Sir S. P. Sinha, then Member of the Governor of Bengal's Executive Council.[18] Two places each were allotted at the Conference Table to the British Dominions of Australia, Canada, and South Africa, as well as to India. The Treaty of Versailles was signed by Sir Edwin Montagu as Secretary of State for India and Maharaja Sir Ganga Singhji of Bikaner.[19] Altogether 33 signatory states (including India) are recognised by the Treaty of Versailles as "original members" of the LN.[20]

The Government of India Act, 1919

India's participation in the Paris Peace Conference was her first foray in multilateral diplomacy. This coincided with the opening of India's first diplomatic representation abroad through the Government of India Act, 1919, which created the position of a High Commissioner for India in the United Kingdom. For the first two sessions of the General Assembly of the League of Nations, the Indian delegation was led by the High Commissioner for India in London.[21]

A Royal Proclamation emphasised the intention of the British government to devolve political power in a phased manner to British India, as a "definite step on the road to responsible Government".[22] The charter of the High Commissioner was to exercise the delegated powers of the Secretary of State and act on behalf of the Governor General of India.[23] The Government of India Act, 1919 received Royal Assent on 23 December 1919, after having been successfully piloted through the House of Lords by Lord S.P. Sinha, who had been part of the Imperial Conference and Imperial War Cabinet as Under-Secretary of State for India, and a member of the Indian delegation to the Paris Peace Conference.[24]

The Government of India Act of 1919 did not result in Dominion Status for British India. It proposed a gradual devolution of political power through the system of a "dyarchy", falling short of the expectations articulated in Mahatma Gandhi's letter of 13 August 1914. This shortfall was compounded by the sequence of political events in India beginning with the brutal Jallianwala Bagh Massacre in April 1919.[25] The killing of innocent Indian civilians triggered the first non-violent non-cooperation movement against British rule led by Mahatma Gandhi. Eventually, this process culminated with India's independence from Britain on 15 August 1947.

India and the League of Nations

As one of the "Principal Allied and Associated Powers" signing the Treaty, India became a founder-member of the League of Nations and the ILO. President Woodrow Wilson of the USA was the driving force behind the creation of the League of Nations. He chaired the Committee at the Paris Peace Conference in Versailles which drew up the Covenant of the League of Nations on 29 April 1919. The Covenant "outlined the League of Nations' three basic objectives: to ensure collective security, to assure functional cooperation, and to execute the mandates of peace treaties. However, the League of Nations could only begin to function, formally and officially, after the Peace Treaty of Versailles came into effect. Thus, the League of Nations was officially inaugurated on 10 January 1920".[26]

During its existence, the LN proved ineffective in confronting the challenge of implementing the principle of international cooperation to promote international peace and security.[27] Under Article 5 of its Covenant, the LN was committed to taking decisions by complete consensus. Its early successes included the 1925 Locarno Agreements which brought about reconciliation between France, Belgium, Great Britain, Italy, and Germany, enabling Germany

to become a member of the LN and its Council in 1926.[28] However, the LN was unable to prevent the violation of the territorial integrity of its member states guaranteed in Article 10 of the Covenant, viz. the invasion of Manchuria in China by Japan in 1933, the annexation of Ethiopia by Italy in 1936,[29] and the invasion of Finland by the Soviet Union[30] in 1939. The fact that these violations had been perpetrated by permanent members of the LN Council illustrated the ineffectiveness of the LN, which directly led to the outbreak of the Second World War in 1939. In some ways, this issue continues to resonate a century later, with the United Nations Security Council being marked by growing polarization among its permanent members and their unilateral violations of the principles of the UN Charter.

India's participation in the LN and the ILO needs to be assessed against this broad backdrop. India did not become a member of the LN Council, which was dominated by the Principal Allied and Associated Powers. The LN Council was mandated by Article 4 of the LN Covenant to deal with "any matter within the sphere of action of the League or affecting the peace of the world."[31] Instead, India engaged within the LN Assembly on issues relevant to her interest by supporting the implementation of the pertinent provisions of the Treaty of Versailles. She was able to do so by using her international legal status as a signatory to the Treaty, contributing to the evolving principles and legal architecture of multilateral relations.

The relevance of India's participation in the LN a century after she joined the organization can be seen in some of the current priorities of independent India's multilateral diplomacy at the United Nations. These focus on effective international cooperation to achieve objectives such as disarmament, counter terrorism, socio-economic development, and the peaceful settlement of disputes.

Disarmament

Article 171 of the Treaty of Versailles prohibited Germany from the manufacture of chemical weapons to be used in war.[32] The use of chemical weapons in warfare during the First World War had directly affected India. Allied armies, including troops from the Indian Corps, were the victims of a surprise attack by Germany using chlorine gas during the Second Battle of Ypres on 22 April 1915.

By the end of the First World War, all the major combatants had developed chemical weapons. This provided the incentive for India to join other members of the LN Assembly in the first attempt to outlaw the use of chemical weapons in warfare by negotiating legal obligations banning the use of such weapons.

The LN convened a Conference in Geneva between 4 May and 17 June 1925 for this purpose. The outcome was the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed on 17 June 1925,[33] which entered into force on 8 February 1928. India ratified the Geneva Protocol on 9 April 1930.

Independent India carried forward her commitment to universal chemical and biological weapons disarmament. In 1993, India actively negotiated the Chemical Weapons Convention (CWC), which strengthened the 1925 Geneva Protocol by outlawing the use of chemical weapons "under any circumstances". The CWC established an intrusive body, the Organization for the Prohibition of Chemical Weapons (OPCW), to monitor compliance with the CWC. India signed the CWC on 14 January 1993 and ratified it on 3 September 1996. In 2009, the OPCW confirmed that India had become the third country member of the CWC (after Albania and the Republic of Korea) to destroy its chemical weapons stockpile.[34] On 19 January 2018, India became the 43rd member of the Australia Group, joining an informal group of countries committed to greater international cooperation to counter the spread of materials, equipment, and technologies that could contribute to the development or acquisition of chemical and biological weapons by states or terrorist groups.[35]

Countering Terrorism

In 1934, France proposed to the LN Assembly that it adopt a legal convention to counter terrorism, following the assassination of King Alexander I of Yugoslavia and the French Foreign Minister Louis Barthou (who had been briefly Prime Minister of France in 1913) by terrorists in Marseilles. The refusal of Italy, one of the permanent members of the LN Council, to extradite the accused terrorists who had taken refuge in Italy, was a major consideration behind the French proposal. Discussions on the French proposal were entrusted to a Committee for the International Repression of Terrorism by the LN Assembly. Final negotiations on a legal text were conducted at the LN in Geneva in the first half of November 1937. India was among the 24 members of the LN that adopted the Convention for the Prevention and Punishment of Terrorism on 16 November 1937.[36] Britain did not sign this Convention.

The Convention required signatory states to enact national legislation making terrorist acts extraditable offences in case one of their nationals committed an

act of terror in a foreign country. It was this requirement that prevented the Convention from being ratified by many signatory states. In the event, India was the only member of the LN to ratify the Convention in 1941, and the Convention did not come into effect.

Independent India carried forward the intention of the LN Convention by tabling the first draft of a Comprehensive Convention on International Terrorism (CCIT) in the United Nations General Assembly in 1996.[37] The objective of the CCIT is to ensure effective international cooperation to counter terrorism by making terrorist acts extraditable offences, on the legal principle of "prosecute or extradite". India's initiative assumed urgency following the adoption of the use of cross-border terrorism as an instrument of state policy by Pakistan.

Socio-Economic Issues at the LN

The LN Assembly provided a forum for India to participate in the initial multilateral discussions on trade and economic issues. The two LN International Economic Conferences of 1927 and 1929 were watershed moments, providing the intellectual inputs for the eventual creation of multilateral financial and economic organizations under the United Nations. India's view was that any multilateral economic policies should not result in the use of tariffs to raise protectionist barriers and should recognise the specific role of agriculture on employment in countries like India. A resolution moved by India in the LN to examine the impact of the World Depression of 1929 on trade and economic issues was adopted.[38]

India's implementation of three of the provisions of Article 23 of the Covenant of the LN is illustrative of the impact of her membership of the LN on her domestic policies of socio-economic development. These related to increased international cooperation to counter trafficking in women and children, illegal trafficking in opium, and the prevention and control of disease.[39]

As a result of negotiation in the LN Assembly, India signed the International Convention for the Suppression of the Traffic in Women and Children on 30 September 1921, and ratified the Convention on 28 June 1928.[40] This Convention contained legal obligations for signatory countries to prosecute, or extradite, persons engaged in trafficking women and children, and to regulate the legal travel of women and children travelling on emigrant ships.

The Government of India had banned the export of opium to China in 1913. Following the Second Opium Conference held by the LN, India joined member-states in negotiating and signing the International Opium Convention at the LN in Geneva on 19 February 1925, and ratified it on 17 February 1926.[41] This Convention dealt with controlling the production, processing, and trading of opium, including for medicinal uses. India had a significant stake in the discussions, as opium had traditional uses in Indian society, and British colonial administrators had called opium smoking a "social vice" without any criminal intent.[42] This was followed by India's adoption of the LN 1931 Convention limiting the manufacture and regulating the distribution of Narcotic Drugs in July 1931.[43]

Implementing the provisions of Article 23 of the Covenant on the prevention and control of disease by the LN resulted in regular exchanges of information between member-states on common health issues, including influenza, tuberculosis, and leprosy. Vaccines for diphtheria, tetanus, and tuberculosis were standardized for use world-wide. The establishment in 1922 of the International Health Organization (the precursor of the World Health Organization set up in 1948) was very significant for India.[44]

At the ILO

In addition to participation on issues related to labour harmony under Article 23 of the Covenant of the LN, India has played a role in raising issues specific to Indian labour at the ILO since 1919. In the process, India has used ILO standards to harmonise the Indian labour market with global labour standards.

In 1919, India negotiated and ratified a slew of ILO Conventions for limiting work in industrial undertakings to 8 hours a day/a 48-hour week, countering unemployment, and streamlining the night work of young persons and women. In 1921, India adopted ILO Conventions on rights of association and combination of agricultural workers, the application of a weekly rest period in industrial undertakings, and the medical examination of children and young persons employed at sea. In 1925, she adopted ILO conventions on workmen's compensation for occupational diseases and equality of treatment for foreign and national workers as well as compensation for accidents and, in 1926, the ILO convention on the simplification of examination of emigrants on board ship.[45]

India's participation in the ILO was also unique because it marked India's assuming a leadership role in multilateral decision-making from 1922 onwards.

Following the first ILO reforms in September 1922, India was designated as a "country of chief industrial importance", and joined other similarly designated countries as permanent members of the ILO Governing Council (who were not required to be elected).[46] In 1927, Sir Atul Chatterjee, ICS, who was High Commissioner for India to the United Kingdom, and leader of the Indian delegation to the ILO, became the first Indian to be elected President of the ILO Conference. He chaired the ILO Governing Body in 1932. This was followed by the opening of the first ILO Office in India in 1928 (ahead of the ILO Office in China in 1930), and the appointment of an Indian (Dr P. P. Pillai) as the Head of Office. Dr. Pillai would later become independent India's first Ambassador/Permanent Representative to the United Nations in New York in 1947.

Independent India has built on these early interactions, with India's strong support for women's issues, including negotiating the formulation on gender equality in Article 1 of the 1948 Universal Declaration of Human Rights[47]; negotiating the steady growth of a competitive pharmaceutical industry that currently accounts for 20 percent of global generic drug exports;[48] and hosting the activities of the WHO South-East Asia Regional Office (SEARO) in India, which looks after issues concerning a quarter of the world's population.[49] Upholding ILO labour standards has helped India ward off attempts by major trading powers seeking to use labour standards for market access in the World Trade Organization negotiations.[50] Most recently, India negotiated and adopted Agenda 2030 on Sustainable Development with its 17 Sustainable Development Goals.[51]

Peaceful Settlement of Disputes

While the LN Council was unable to prevent the use of armed force against its member-states, a more robust affirmation by countries was made outside the LN to renounce war altogether. On 27 August 1928, India joined 14 other nations in Paris who signed the Kellogg-Briand Pact negotiated between US Secretary of State, Frank B. Kellogg, and French Foreign Minister Aristide Briand.[52] Officially known as the "General Treaty for the Renunciation of War as an Instrument of National Policy",[53] the other signatories of this treaty included Germany (admitted to the LN in 1926), Italy, Japan, the United Kingdom and British Dominions, and India. It affirmed that all disputes or conflicts of "whatever nature" between states should be resolved only by "pacific means".

The "Pacific Settlement of Disputes" became Chapter 6 of the 1945 Charter of the United Nations.[54] During her membership of the United Nations, India has contributed significantly to implementing these provisions by contributing Indian troops to UN peacekeeping operations and offering the services of her diplomats at the United Nations.[55]

Intellectual Cooperation to Sustain World Peace

The LN Assembly adopted a resolution in 1921 establishing an International Committee on Intellectual Cooperation (ICIC) "to examine international questions requiring intellectual cooperation".[56] On 14 January 1922, the LC Council decided to constitute the ICIC of 12 eminent persons, including both men and women. On 15 May 1922, the LC Council agreed on the names of the 12-member ICIC, which included Professor D. N. Banerjee of Calcutta University, along with Albert Einstein, Marie Curie, and Henri Bergson, among others.[57]

Professor Banerjee was succeeded by Professor Jagadish Chandra Bose in 1926. In 1931, Dr Sarvepalli Radhakrishnan was appointed to the ICIC, and stayed in it until 1938. He played an important role in the establishment of the Indian Committee of Intellectual Cooperation between 1935 and 1936 at the University of Mysore. Addressing the ICIC, Dr Radhakrishnan said that the main objective of international intellectual cooperation should be to "teach the rising generation the love of humanity and the greatness of peace. Let us impress on them the unity of mankind and the duty we owe to humanity as a whole."[58]

The activities of the ICIC, and the International Institute for Intellectual Cooperation hosted by France, led directly to the creation of the UN Educational, Scientific and Cultural Organization (UNESCO) in November 1945. The objective of UNESCO was to stress the "intellectual and moral solidarity of mankind" and, in so doing, prevent the outbreak of another world war.

Conclusion

In 1939, the LN failed to prevent the outbreak of the Second World War. Today, multilateralism is in crisis, primarily due to the assertive unilateralism of the major powers in the UN Security Council. Unchecked by the enforcement of international law as codified in international treaties registered under Article 102 of the United Nations Charter,[59] the threat to the principle of international cooperation on which modern multilateralism is anchored is very

real. It is, therefore, necessary to look at how multilateralism can be re-vitalised as the United Nations marks its 75th anniversary with a Summit on 21 September 2020.

India can play a leading role in coordinating such an initiative by building on the significant work done over the past century in multilateral fora on intellectual cooperation to strengthen international cooperation. A rapidly changing world requires such an initiative to be multi-stakeholder in nature, encompassing critical issues of human, environmental, and technological development. Perhaps the time has arrived for another "Dumbarton Oaks"[60] moment in international relations, which could be launched at India's Raisina Dialogue in 2021!

Notes :

[1] Treaty of Versailles, 28 June 1919. Part I, with its 26 Articles and one Annex, created the League of Nations, while Part XIII created the International Labour Organization, the US Library of Congress, Multilateral Agreements 1918–1930; see, pp. 1–241; at https://www.loc.gov/law/help/us-treaties/bevans/m-ust000002-0043.pdf , accessed 30 January 2020

[2] Ibid., pp. 241–254.

[3] Anand, R.P., "The Formation of International Organizations and India: A Historical Study", in *Leiden Journal of International Law*, 23, 2010, pp. 5–21, quoting T. Poulose in footnote 14 on p. 8; at http://www.publicinternationallaw.in/sites/default/files/articles/FormationsIndia.pdf, accessed 30 January 2020.

[4] Ibid.

[5] *The Collected Works of Mahatma Gandhi* (Electronic Book), New Delhi, Publications Division, Government of India, 1999, 98 volumes, Vol. 14, No. 224, 13 August 1914, p. 284; at https://www.gandhiashramsevagram.org/gandhi-literature/mahatma-gandhi-collected-works-volume-14.pdf, accessed 30 January 2020.

[6] Ibid. No. 225 dated 14 August 1914, p. 286.

[7] "India's Contribution to the Great War", Government of India, 1923. The statistics referred to are taken from this publication; at https://dspace.gipe.ac.in/xmlui/handle/10973/19710, accessed 30 January 2020.

[8] The Seven Expeditionary Forces in which Indian troops fought in the First World War were France and Flanders in West Europe, Tanganyika, Uganda, Mesopotamia, Palestine and Sinai, Egypt and Gallipoli. Indian troops also fought in China (Tsingtao) against the Germans.

[9] "Chancellor Osborne to repay part of our First World War debt", HM Treasury, 31 October 2014, at https://www.gov.uk/government/news/chancellor-osborne-to-repay-part-of-our-first-world-war-debt, accessed 30 January 2020.

[10] "Abstract of Proceedings of the Council of the Governor-General of India: Laws and Regulations", Vol. LIV, April 1915–March 1916; Government Printing Press Calcutta; at https://eparlib.nic.in/bitstream/123456789/785192/1/ilcd_22-september-1915.pdf, accessed 30 January 2020.

[11] "Minutes of the Meeting of the War Cabinet held at 10, Downing Street, S.W. on Saturday December 23 1916 at 11:30 A.M.", The National Archives, UK, Catalog Reference: CAB/23/1; at http://filestore.nationalarchives.gov.uk/pdfs/small/cab-23-1-wc-16-16.pdf

[12] "War Memoirs of David Lloyd George 1917", p. 10ff., at https://www.on-island.net/History/LLoyd-George/v4.pdf

[13] "Formation of the League of Nations", The Open University, at http://www.open.ac.uk/researchprojects/makingbritain/content/formation-league-nations

[14] Note 10. p. 18.

[15] Ibid., p.13.

[16] Ibid., p.34.

[17] Ibid. p.35.

[18] "Paris Peace Conference, 1919", Vol. III, p. 7; Office of the Historian, US Department of State, at https://history.state.gov/historicaldocuments/frus1919Parisv03/pg_7, accessed 30 January 2020.

[19] Ibid. Annex II on Rules of the Conference, Rule II, p. 172.

[20] See note 1. Annex.

[21] See note 11.

[22] Mitter, N. N., "The Government of India Act 1919, Rules There under and Govt. Reports 1920", Annual Register Office, Calcutta, 1921, at https://ia800708.us.archive.org/33/items/govtofindiaact19029669mbp/govtofindiaact19029669mbp.pdf, accessed 30 January 2020.

[23] Ibid., Part III, Section 35.

[24] "Lord Sinha of Raipur and the Government of India Act 1919", UK House of Lords Library Briefing, 13 December 2019, at https://researchbriefings.parliament.uk/ResearchBriefing/Summary/LLN-2019-0153, accessed 30 January 2020.

[25] "Jallianwala Bagh Massacre", UK House of Commons, Hansard, 09 April 2019, at https://hansard.parliament.uk/commons/2019-04-09/debates/A5FB9CDE-F333-46BB-9336-5F9C9500726B/JallianwalaBaghMassacre, accessed 30 January 2020.

[26] "History of the League of Nations (1919–1946)", United Nations Office in Geneva, at https://www.unog.ch/80256EDD006B8954/(httpAssets)/36BC4F83BD9E4443C1257AF3004FC0AE/%24file/Historical_overview_of_the_League_ of_Nations.pdf, accessed 30 January 2020.

[27] "The Covenant of the League of Nations", Treaty of Versailles, Part 1, See note 1.

[28] "Membership of Germany in the League of Nations", World Digital Library, at https://www.wdl.org/en/item/11597/, accessed 30 January 2020.

[29] See note 19.

[30] "USSR joins the League of Nations", Russian Presidential Library, https://www.prlib.ru/en/history/619549, accessed 30 January 2020.

[31] See note 1, Article 4.

[32] See note 1, Part V, Chapter II, Article 171.

[33] "1925 Geneva Protocol Text", Centre for Non-proliferation Studies, Geneva, at https://media.nti.org/documents/1925_geneva_protocol_text.pdf, accessed 30 January 2020.

[34] "Frequently Asked Questions", National Authority Chemical Weapons Convention India, at https://nacwc.nic.in/content.php?page=741, accessed 30 January 2020.

[35] "India Joins the Australia Group", Press Release, The Australia Group, 19 January 2018, at https://australiagroup.net/en/india_statement.html, accessed 30 January 2020.

[36] "Convention for the Prevention and Punishment of Terrorism, 1937", League of Nations, World Digital Library, at https://www.wdl.org/en/item/11579/, accessed 30 January 2020.

[37] "Comprehensive Convention on International Terrorism", Unstarred Question 1765, Lok Sabha, Ministry of External Affairs, India, at https://www.mea.gov.in/lok-sabha.htm?dtl/28724/QUESTION+NO1765+COMPREHENSIVE+CONVENTION+ON+INTERNATIONAL+TERRORISM,accessed 30 January 2020.

[38] Sir Coyajee, J. C., *India and the United Nations*, Waltair, 1932, pp. 95–98, at https://archive.org/details/indiaandtheleagu020279mbp, accessed 30 January 2020.

[39] See note 1, Article 23 (c) and (f).

[40] United Nations Treaty Collection, Chapter VII, Traffic in Persons, 3. International Convention for the Suppression of the Traffic in Women and Children, Geneva, 30 September 1921, at https://treaties.un.org/doc/Treaties/1921/09/19210930%2005-59%20AM/Ch_VII_3p.pdf , accessed 30 January 2020.

[41] United Nations Treaty Collection, Chapter VI, Narcotic Drugs and Psychotropic Substances, 6a, International Opium Convention, Geneva, 19 February 1925, at https://treaties.un.org/doc/Treaties/1925/02/19250219%2006-36%20AM/Ch_VI_6_6a_6bp.pdf, accessed 30 January 2020.

[42] "The abolition of opium smoking in India", 1 January 1957, United Nations Office on Drugs and Crime, at https://www.unodc.org/unodc/en/data-and-analysis/bulletin/bulletin_1957-01-01_3_page002.html, accessed 30 January 2020.

[43] United Nations Treaty Collection, Chapter VI, 8.a Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs, Geneva, 13 July 1931, at https://treaties.un.org/doc/Treaties/1931/07/19310713%2006-44%20AM/Ch_VI_8_ap.pdf, accessed 30 January 2020.

[44] Archives of the League of Nations Health Section Files, WHO Archives, at https://www.who.int/archives/fonds_collections/bytitle/fonds_3/en/, accessed 30 January 2020.

[45] Pillai, P. P., "India and the International Labour Organization", Patna University, 1931, pp. 112–120, at https://dspace.gipe.ac.in/xmlui/handle/10973/25070, accessed 30 January 2020.

[46] Ibid., pp. 100–101. Today, the 10 "countries of chief industrial importance" of the ILO Council are the United States, United Kingdom, France, China, Russia, India, Brazil, Germany, Japan and Italy.

[47] "The Role of Women in shaping the Universal Declaration of Human Rights", UN Office of the High Commissioner for Human Rights, at https://www.ohchr.org/EN/NewsEvents/Pages/TheRoleWomenShapingUDHR.aspx, accessed 30 January 2020.

[48] "Make India the international capital for generic medicines", 70th Indian Pharmaceutical Congress, Address by Vice-President of India, 21 December 2018, Press Information Bureau, India, at https://pib.gov.in/newsite/PrintRelease.aspx?relid=186696, accessed 30 January 2020.

[49] "About WHO in the South-East Asia Region", WHO, at https://www.who.int/southeastasia/about, accessed 30 January 2020.

[50] For a broad discussion of this issue, see "Trade and Labour under the WTO and FTAs", Centre for WTO Studies, India, at http://wtocentre.iift.ac.in/Papers/Trade%20Labour%20Study.pdf, accessed 30 January 2020.

[51] "The Sustainable Development Agenda", United Nations, at https://www.un.org/sustainabledevelopment/development-agenda/, accessed 30 January 2020.

[52] "The Kellogg-Briand Pact, 1928", Office of the Historian, U.S. Department of State, at https://history.state.gov/milestones/1921-1936/kellogg, accessed 30 January 2020.

[53] League of Nations Treaty Series, Volume XCIV 1929, Number 2137, p. 57, at https://treaties.un.org/doc/Publication/UNTS/LON/Volume%2094/v94.pdf

[54]"The Charter of the United Nations", The United Nations, Chapter 6, at https://www.un.org/en/charter-united-nations/, accessed 30 January 2020.

[55] India has contributed 244,000 troops so far to 49 out of the 72 UN peacekeeping missions mandated by the UN Security Council since 1948. Among the Indian envoys that have brokered peace through dialogue and negotiation are Sir Benegal S. Rau (Korea), Gopalaswamy Parathasarathy (Indo-China), Rajeshwar Dayal (Lebanon and Congo), and Brajesh Mishra (Namibia).

[56] "Organization of Intellectual Work", Resolution No. 4, Second Session of the Assembly of the League of Nations, 21 September 1921, at http://libraryresources.unog.ch/ld.php?content_id=31405464, accessed 30 January 2020.

[57] "Nomination of a Committee on Intellectual Cooperation", Annex. 354, C. 312. M.155.1922.XII, at http://libraryresources.unog.ch/ld.php?content_id=31402441, accessed 30 January 2020.

[58] Sir Coyajee, J. C., *India and the United Nations*, Waltair, 1932. p. 189, at https://archive.org/details/indiaandtheleagu020279mbp/page/n4/mode/2up, accessed 30 January 2020.

[59] See note 53, Article 102. The LN Covenant's Article 18 required every international engagement or treaty to be registered with the LN Secretariat "to be binding". Article 102 of the UN Charter carries forward this requirement, stipulating that no party to any such treaty which is not registered with the UN Secretariat "may invoke that treaty or agreement before any organ of the United Nations". A good example of a registered treaty in the UN is the 1972 India-Pakistan Simla Agreement, registered in Volume 858, p. 71 as Treaty No. I: 12308 in July 1972.

[60] Dumbarton Oaks Conversations, 1944, at https://www.doaks.org/research/library-archives/dumbarton-oaks-archives/historical-records/75th-anniversary/blog/the-dumbarton-oaks-conversations-1944, accessed 30 January 2020.

✶ ✶ ✶

Indian Foreign Affairs Journal Vol. 14, No. 2, April–June 2019, 165-180

Science and Technology Dimensions of Indian Foreign Policy

Bhaskar Balakrishnan*

Science is the basic knowledge of nature and Technology is the practical application of that knowledge. This is sometimes not so clear. For example, we knew that penicillin works against bacteria, but not why. At each level of understanding, new science opens up, and there is new technology to be applied. Another concept is Governance. The goal of governance in any country is firstly national security and, secondly, a better quality of life for its people. Science and Technology have a very strong impact not only on society but also on the international system. There are many examples of this, such as mobile phones and smart phones. In the international system, countries which discover and use new science and technology gain an advantage - both economic and military. Because of this, all governments must deal with science and technology in an appropriate manner, and respond to new developments in both.

Science research has moved away from small laboratories and individual researchers - such as Madame Curie who worked alone in a garage sized lab processing one ton of pitchblende and extracting radium. Today, scientific research is a much larger scale operation, involving large budgets, and many researchers and facilities which might be spread across several countries. A good example is the Manhattan Project in the USA, which developed the first nuclear bomb. Governments have been funding Science and Technology research, and building large facilities for this purpose. They have put in place policies designed to stimulate and support scientific research. Science and Technology can also have disruptive effects - for instance, it can change the

* **The Author,** Ambassador Bhaskar Balakrishnan, is a former Ambassador of India to Cuba and to Greece, and is a Science Diplomacy Fellow, Research and Information Systems for Developing Countries (RIS), New Delhi. The views expressed herein are his personal views.

This essay is an updated and revised version of a talk by the author, delivered at the Central University of Punjab, Bhatinda, on 2 September 2019, under the Distinguished Lecture Series of the Public Diplomacy Division of the Ministry of External Affairs, and is published under arrangement with them, and with their permission.

balance of power among States as well as increase inequality within them. Persons who can take advantage of Science and Technology will prosper, while those who cannot will be left behind.

In the pursuit of economic and military power, countries may try to control the knowledge of science and technology and prevent it from going to rivals. The USA and its allies set up the COCOM[1] during the Cold War to prevent technology leakage to the Soviet bloc. Various technology control regimes have come into being,[2] and there is a system of intellectual property rights which also controls access to technology; it also enables profits to be made from access to technology. There are cases of technology denial to certain countries, and India itself has been a victim of the denial of nuclear technology.[3] In response, countries which are denied access to technology will seek to develop it indigenously, or acquire it by open or covert means. Today, the main issue between the USA and China is about the illegal and clandestine acquisition of technology. The denial of nuclear technology resulted in countries such as India, Iran, and North Korea, making indigenous efforts to acquire this technology, or to acquire it clandestinely, as in the case of Pakistan. As new technology comes into the world, policymakers and civil society will continue to face such challenges.

Science Diplomacy and its Challenges

Science diplomacy is a term which was coined about 10 years ago. It is analogous to economic diplomacy, cultural diplomacy, or sports diplomacy. There have been efforts to define this concept - for example, by the Royal Society of the UK, and the AAAS in the USA[4]. One popular way of looking at science diplomacy is to regard it as composed of three components: science in diplomacy, diplomacy for science, and science for diplomacy. Science in diplomacy means the scientific inputs going into diplomacy and foreign policy making. Diplomacy for science means making use of diplomacy to gain benefits in science and technology - bilaterally, multilaterally as well as globally. Science for diplomacy means using collaborations in science and technology to bring together countries which have differences. Another way of looking at science diplomacy is based on intentions - advocacy, promotion, and influence. Yet another approach is based on geographical scope - domestic, trans-border, and global. A good working definition for most purposes would be the full integration of science and technology into the diplomatic and foreign policy framework of a country.

This concept recognises that science and technology are becoming increasingly important in international relations, and also in determining global competitiveness wherein the role of knowledge based industries is becoming increasingly critical.

The first aspect is science in diplomacy. Increasingly, global challenges such as weapons of mass destruction, climate change, cyber security, human health, energy and environment, outer space, etc., all require scientific inputs in order to understand and deal with them. These challenges are trans-border, and require the application of Science and Technology in order to resolve them, in addition to normal diplomatic efforts. This requires that science and technology experts must have a good dialogue with policymakers so that the latter are well informed about the scientific aspects of the global challenges, and the former also appreciate the diplomatic challenges involved. Many advanced countries have long recognised this, and have integrated science and technology experts into their policymaking bodies. The challenge is that policymakers must understand the basic science underlying global challenges, and the scientific community must be able to explain, in plain and simple terms, the scientific issues involved. Therefore, close co-ordination between the scientific community and policymakers is extremely important. Developing countries in particular face severe challenges in this respect, and often their delegations are not well prepared at international negotiating tables. This results in the advanced countries sometimes pushing their interests, while developing countries are not prepared to defend their interests.

There has been a steady increase in science and technology issues, on which international consultations have become more and more necessary. Similarly, increased inter-actions have been noticed on specific issues. (See Table 1). Besides, the older topics such as Chemical and Nuclear weapons, relatively newer subjects such as biotechnology, cyber security, outer space, energy, and climate change, etc., have become important in international negotiations. As technology advances, it may become necessary to review and revise older international agreements related to nuclear weapons, biological weapons,[5] etc., and devise new agreements and frameworks in areas such as internet governance, cyber security, etc. Past experience indicates that governments often react late to the emergence of new technologies, and usually only after some negative or harmful effects begin to appear - for example, on employment, environment, etc. This can happen long after the technology and knowledge of the scientists in the laboratory has emerged into the world.

Table 1: S & T Areas of Importance in Foreign Policy

S & T areas	Issues involved
• Nuclear technology • Aerospace technology • Chemical technology • ICT, including cyber security, AI • Biotechnology • Nanotechnology • Climate change and energy • Ocean science & technology • Human Health • Technology diffusion, IPRs	• Military power and balance • Economic competitiveness and development. • Harmful impact management and control • Positive cooperation and building relations • Technology control and regulation • Access to technology

Diplomacy for science is quite similar in many respects to economic diplomacy, which seeks to expand exports and increase inward investment. Diplomacy for science seeks to acquire the knowledge of science and technology to strengthen the national economy and capacity, and to participate more effectively in international discussions where science and technology are involved. External collaboration in science and technology (especially with advanced countries), and engaging in large international scientific projects, therefore, becomes important. The more advanced developing countries can use their knowledge of science and technology and their capacity to support other developing countries and, in general, to achieve the sustainable development goals.

Mega or large-scale international science projects are a good opportunity to participate in frontier scientific research at comparatively lower cost. Science research is increasingly becoming more expensive and beyond the means of individual countries, even for the large economies like the USA. International scientific collaboration is growing, and more and more projects are coming up in this sector. India has participated in projects such as CERN, ITER, Thirty metre telescope, square kilometre array, and LIGO. India missed the opportunity to participate in the Human Genome Project and the International Space Station. Now that India has given manned space exploration some priority, it is possible that it may participate in large-scale international projects involving manned space flights and space habitats.

Some international projects in which India has taken the initiative are the International Solar Alliance (ISA) launched in 2015 with France as the main

partner, and the ICGEB which was launched in 1983 together with Italy. The NAM Centre for Science and Technology was set up in India in 1989. The ICGEB[6] was intended to help developing countries to gain access to the newly emerging field of genetic engineering and biotechnology, and to apply it to problems faced by them. The ISA is a global platform that seeks to bring together and mobilise technology and finance to implement solar energy projects in member states.

Large-scale international projects and activities in science and technology require detailed negotiations to reach agreement and for implementation. Diplomats and scientists need to work closely together in this process. Significant benefits can accrue through participation in such projects. For example, India's participation in CERN is on a win-win basis where India supplies components and equipment, the value of which then finances Indian researchers who work at CERN. As mankind goes deeper into the frontiers of science, the cost of doing research and setting up facilities will become higher. It may well be beyond the ability of a single country to finance this research. For example, the USA which had embarked on a large particle accelerator project in Texas had to abandon it because of the high costs, after which CERN became the leading laboratory in this field. Now, China is also trying to build a large accelerator by 2022, and it remains to be seen whether it will be able to build it. Therefore, in the future, one can expect more and more large scale international science projects which will be multinational in character.

Such large projects could be of two types: a single large facility like CERN; or a network of a large number of institutions dispersed around the world, as is the case with LIGO. Even in the case of CERN, the data generated from experiments is shared through a worldwide network (it was CERN that invented the World Wide Web) of collaborating institutions across the world who carry out analysis and research on the data. These trends are promising, and could offer good opportunities to institutions and universities across the world to participate in large scale international science projects, and collaborate with research groups.

Science and Technology for Development

Another important area of diplomacy for science is the focus on development, particularly sustainable development. Science and technology is critical for development. Development has to be seen in its widest context. The international community had agreed in 2015 upon a set of 17 Sustainable

Development Goals (SDGs) which all countries have undertaken to achieve by 2030. To support this effort, the UN and member states have established a Technology Facilitation Mechanism (TFM). This mechanism is intended to enable developing countries to access the technology which is required to achieve the SDGs. Given that the SDGs cover subjects that cut across several line Ministries and also the States of the union in India, NITI Aayog has been designated as the nodal coordinating agency for implementing the SDGs. It is very important for developing countries to share the technology which they have used or developed for achieving the SDGs. Therefore, South-South cooperation in this area is very important. Developing countries have come up with innovations which are very cost effective, and relevant to their needs. For example, a bicycle ambulance has been developed for rural areas to transport patients across rural roads. Such frugal innovation needs to be promoted and supported.

The SDGs were adopted in 2015, and every year, a Sustainable Development Report is published which ranks the performance of countries according to the SDG targets. Table 2 shows the performance and ranking of some countries in this respect. The top rank was secured by Denmark in 2019, while India's rank is 115. In Asia, Japan is ranked highest at 15. In South Asia, Maldives, Bhutan, and Sri Lanka have done quite well. In South Asia and in Sub-Saharan Africa, performance in achieving SDGs - especially in the larger countries - needs to be improved considerably.

Table 2. SDG Performance Index and Global Ranking, 2019

Country	SDGP Index	Ranking	Country	SDGP Index	Ranking
Denmark	85.2	1	Cuba	70.8	56
Sweden	85.0	2	Brazil	70.6	57
Finland	82.8	3	Iran	70.5	58
France	81.5	4	Mexico	68.5	78
Germany	81.1	6	Turkey	68.5	79
Norway	80.7	8	Bhutan	67.6	84
New Zealand	79.5	11	Egypt	66.2	92
UK	79.4	13	Sri Lanka	65.8	93
Japan	78.9	15	Saudi Arabia	64.8	98
RO Korea	78.3	18	Indonesia	64.2	102
Chile	75.6	31	Nepal	63.9	103
USA	74.5	35	Myanmar	62.2	110
China	73.2	39	South Africa	61.5	113

Thailand	73.0	40	India	61.1	115
Maldives	72.1	47	Bangladesh	60.9	116
Algeria	71.1	53	Pakistan	55.6	150
Vietnam	71.1	55	Afghanistan	49.6	153
Russia	70.9	55	Nigeria	46.4	159

In South Asia, Sub Saharan Africa, countries with large populations are at the bottom of the rankings. China has improved its ranking considerably.

Source: http://www.sdgindex.org

Science and Technology solutions developed in India for tackling development challenges can be very useful for other developing countries because the conditions in many developing countries are similar to that found in India. In fact, the development challenges which can be found anywhere are also present in India. Thus, India has a huge repository of experience in tackling development challenges, and in using science and technology which could be very useful for other developing countries. Therefore, the Government of India has developed an Indian technical and economic cooperation programme (ITEC) through which India provides capacity building assistance as well as training to personnel from other developing countries. Indian Missions abroad play a vital role in this programme.

Science and Technology Ecosystem Issues

Science and technology does not function in a vacuum. It is part of the larger ecosystem of the country. Human resources or brain power is the most important element of this ecosystem. The other elements of the ecosystem include academic and research institutions, funding agencies, IPR and commercialising agencies, regulatory frameworks, and business and civil society. In many developing countries, the Science and Technology ecosystem has deficits, especially in terms of the capacity of academic and research institutions and the funding for research. This results in the so-called brain drain or migration of skilled science and technology personnel to advanced countries with more favourable ecosystems. The Diasporas from developing countries include a substantial number of highly qualified and experienced science and technology personnel working in advanced countries. Their involvement in strengthening the capacity of the home country could be extremely beneficial. Many countries have developed innovative programs to attract their Diaspora science and technology personnel to engage with their

home country. India has a very large Diaspora with large numbers of science and technology personnel working in the advanced countries, and this constitutes an important resource.

Retaining highly skilled science and technology personnel is also a challenge. In a competitive world, policies need to be flexible, realistic, and responsive to the particular needs of science and technology workers. Adequate facilities, infrastructure, and funding are also important. There is global competition for attracting the best science and technology talent, and academic and research institutions must face this challenge. India has very good science and technology graduates coming out of institutions; but because they do not find enough opportunities to work within the country, they leave the profession or migrate to a country which has a better ecosystem. Apart from the USA, which attracts a considerable amount of foreign science and technology talent, other countries such as Canada, European Union members, and China are also seeking to attract foreign science and technology talent.

The commercialisation of research outputs is particularly important. For this reason, many universities and research institutions have associated business incubators and mechanisms to facilitate start-ups. In India, academic research institutions do produce high quality Science and Technology talent. However, the lack of sufficient capacity with research institutions and limited funding for research as well as the limited development of commercialising agencies are all weaknesses. As a result of these deficits in our ecosystem, India faces the problem of the so called brain drain where the best of a Science and Technology talent migrates to advanced countries in search of better opportunities. Therefore, India has to strengthen and build sufficient capacity in its Science and Technology ecosystem so that its Science and Technology talent can find adequate opportunities to work in India.

The Indian Science and Technology Ecosystem

Table 3 presents some data on India's Science and Technology ecosystem.[7,8] Gross expenditure on R and D (GERD) is around 0.7 percent of GDP, which is well below that in many other countries. UNESCO has suggested a benchmark of 2 percent of GDP for GERD. This is what India should aim at. The number of researchers per million of population in India is fairly low. The share of the private sector and academic institutions in research and development expenditure is around 40 percent, which is quite low compared with some advanced countries where it is around 60 per cent. Unfortunately,

many of our academic institutions and universities, though producing high quality Science and Technology talent, do not have sufficient R&D activity. This needs to be corrected in the future.

Table 3: India Science and Technology Ecosystem Data

- India's total spending on R & D was 0.7 percent of GDP (2016 - 17), much below that in major nations such as the USA (2.8), China (2.1), Israel (4.3), and Korea (4.2).
- The number of researchers per million population in India was 218 in 2015, well below that of China (1200), Brazil (884), Russia (3000), and South Africa (473).
- Gross Expenditure on R&D (GERD): Central Government 45.1 per cent, State Governments 7.4 percent, Higher Education 3.9 percent, and Public Sector Industries 5.5 percent, Private Sector Industries contributing 38.1 percent.
- The R & D spending of central government agencies is dominated by 8 major scientific agencies.
- Higher Education Sector participation in GERD by India is quite low. Many universities lag in R & D.

The R & D expenditure in the government sector in India (Table 4) is dominated by 8 science departments. The biggest share of expenditure is by three departments: DAE, DOS, and DRDO, which undertake both civilian and defence related research and development. There are 5 other science departments whose expenditures are relatively lower. There are also a number

Table 4: Central Government Science and Technology Related Departments[9]

Department/Agency	**Budget 2018-19 (Rs. Crores)**
Principal Scientific Adviser to the GoI	**NA**
Defence Research and Development Organization (DRDO)	17861
Dept of Atomic Energy (DAE)	13970
Department of Space (DOS)	10783
Department of Agricultural Research & Education (DARE/ICAR)	7800
Department of Science and Technology (DST)	5110
Department of Scientific and Industrial Research (DSIR)	4800
Department of Biotechnology (DBT)	2410
Department of Health Research (ICMR)	1800
Other Ministries with significant R & D activities: Ministry of Electronics and IT; Ministry of Environment, Forests, and Climate Change; Ministry of Earth Sciences; Ministry of New and Renewable Energy; Ministry of Food Processing Industries; etc.	N/A

of other line Ministries, which are not regarded as scientific Ministries but which do play an important role in R and D. This is a rough picture of R & D activity in the government sector. The data collection on R & D spending in India needs to be further refined, and there are many R and D activities not included at present.

It is important to look at the large research centres which are being set up in talent rich countries, like Israel and India, by multinationals such as GE, Microsoft, etc., and to examine how they interact with the host country. An advanced economy with a sophisticated ecosystem develops linkages with ecosystems of countries such as India and Israel in order to benefit from the human Science and Technology talent present within the latter. There are basically two modes of interaction. The first involves the recruitment of Science and Technology talent from the less advanced country to work in R & D institutions in the more advanced country. This mode is important, where the physical proximity to R & D facilities and infrastructure in the advanced country is essential. The second mode involves the setting up of research centres in the less advanced country where talented Science and Technology professionals can be hired to work and generate knowledge. This mode is more cost effective where large R & D physical facilities are not required - for example in software and information technology products. In both these modes, the fruits of R & D are largely captured by the advanced economies through their institutions and enterprises. They are able to exploit the generated knowledge and commercialise it in the larger and global markets. A small part of the benefits of these modes of R & D activity may be shared with the less advanced economy. This may be regarded as a normal and inevitable phenomenon, but policy makers need to be aware of its consequences, and seek to negotiate the best outcomes possible.

India's Science Diplomacy Outreach

India's bilateral cooperation in Science and Technology with various countries presents some noteworthy features. India's bilateral Science and Technology agreements are fairly simple in structure. They are based on cost sharing, joint implementation, agreed programme of cooperation activities, and periodic review meetings. The DST has such agreements with over 80 countries. Out of these, 44 agreements are considered to be active. The DAE and DOS also have bilateral agreements with various countries. Better coordination of external engagement of various science departments could enable synergies to be exploited, and prove to be beneficial.

India's present network for science diplomacy is small. It has science counsellors located in the Indian missions in Russia, USA, Germany, and Japan. In addition, there are some personnel from DAE, DOS, and DRDO in a few other missions. In all the other countries, Science and Technology cooperation work is handled from India. The work tends to be episodic, and mostly event driven. It is necessary to have capacity for handling Science and Technology cooperation in Indian missions in several important countries. This can be achieved by training Indian diplomats to handle Science and Technology cooperation activities in a manner similar to training given for economic diplomacy. The Ministry of External Affairs of India has recently decided to set up a Division for New, Emerging, and Strategic technologies, recognising the increasing role of technology in international engagement. The Office of the Principal Scientific Adviser to the Government of India plays a key coordinating role in advancing Science Technology and Innovation in the country.

The networks operated by other countries for science diplomacy are quite diverse. The UK has an independent science innovation network which has personnel located in 30 countries. The USA gives its career diplomats training in Science and Technology cooperation work, and stations them abroad. Given India's increasing role in Science and Technology, it is clear that India will have to further expand its external Science Diplomacy network in the most appropriate way. Operational guidelines for diplomats to carry out Science and technology work in the field can be devised similar to that for economic diplomacy.

Building Bridges through Science Diplomacy

Science for diplomacy involves promoting Science and Technology cooperation to build bridges between countries which have troubled relations. There are several examples of this in the past. The USA has used science cooperation to build bridges with countries such as the Soviet Union during the Cold War, as well as with China, North Korea, Cuba, and Iran. The underlying idea is that scientists being more objective can work together on problems of common interest to countries, and they can serve as a channel of communication if required. Among South Asian countries, one can envisage a Science and Technology effort aimed at tackling common problems such as air pollution, weather forecasting, energy and environment as well as health and disease control. The potential is there, but so far it remains to be exploited.

And an interesting case of science for diplomacy is the SESAME project.[10] This is a research facility located in Amman, Jordan. This accelerator produces several beams of X Rays of widely varying energies which are useful for scientific experiments. The facility started operating in 2017. The 8 members include Israel, Iran, Palestinian authority, and Pakistan. It is located in Jordan, which is the only country which has diplomatic relations with all the other members. Despite troubled political relations among several countries, their scientists are managing to work together. About 20 other observer countries are supporting this project.

Another important upcoming project is the EU's Horizon Europe (2021 - 27),[11] with funding of about Euros 100 billion. This project is an important opportunity for universities and research institutions in India to participate with EU counterparts in various research activities. It is, therefore, important to follow the development of Horizon Europe. It is hoped that India will get the same opportunities for its researchers to participate that was available in the previous EU programmes – Horizon 2020 and the Framework Programme.

India and Science Diplomacy Challenges

There are some science and technology areas where India has had to face diplomatic challenges. The first such area is nuclear technology. India did not sign the discriminatory Non Proliferation Treaty, and has developed its own independent strategic nuclear capability. This resulted in India being put on a nuclear embargo as far as nuclear technology, equipment, and materials are concerned. Therefore, India had to make a big indigenous effort to develop its capability in the nuclear field. Finally, during 2005-08, through difficult negotiations with the USA, IAEA, and other countries, India was able to secure recognition of its responsible nuclear posture, and get a waiver from the NSG that enabled normal nuclear commerce. This was the result of a major effort in science diplomacy on the part of our scientists and diplomats working together.[12] Today, India is treated as a de facto nuclear weapons state as far as the nuclear regime is concerned. India has also embarked on an ambitious nuclear power programme involving both indigenous reactors and imported reactors, and a unique Thorium based fuel cycle.

In the area of aerospace, India was denied access to certain space technology such as cryogenic engines. It had to develop this technology through its own efforts. Its space programme has now gained international recognition. India has recently joined the MTCR and two other Technology Control Groups.[13]

In the area of Climate Change and energy, India's role is crucial. A solution to global climate change requires the support of large countries such as India and China. India has committed to reducing the carbon intensity of its GDP, and has also launched a major initiative - the International Solar Alliance (ISA) - with France. India is making a major effort to move away from fossil based energy production. However, its needs for economic growth are great, and cannot be sacrificed. Both technology and finance are critical for India and other developing countries to move into a low carbon pathway. Despite the lack of commitment on the part of certain countries, India will continue to make all possible efforts to tackle climate change, especially by bringing down the carbon intensity of its GDP, and going in for renewable energy on a large scale. The ISA, launched recently, is a global platform to bring together technology and finance for solar energy projects. Its membership can now include all members of the UN. There has been rapid progress in solar photovoltaic technology and energy storage technology, which has brought down the cost of solar energy considerably, and future developments look promising.

Emerging Challenges for Science Diplomacy

In the Information and Communication Technology Sector, India has made good progress, and is a major supplier of IT related services to the world. This sector has witnessed rapid change and technological development which is continuing in areas such as artificial intelligence, digital manufacturing, the internet of things, etc. There is concern over the disruptive effect of these technologies, especially on employment. In addition, the emergence of cyber crime, cyber terrorism, cyber warfare, and the misuse of social media has created new problems which require action at the international level. Lethal autonomous weapons, which integrate artificial intelligence into weapons platforms, are being rapidly developed. Concern over the use of "killer robots" has led to international discussions about how to regulate the use of these weapons. These global challenges will have to be met through science diplomacy.

Rapid advances in life sciences have also thrown up new challenges for science diplomacy that are being discussed in international forums. Today, the genomes of organisms can be rapidly sequenced, modified with high precision, and even synthetic genes can be introduced. This has tremendous potential applications in health, agriculture, food, environment, energy, and industry. But concerns have emerged, including the use of genetically modified agricultural and food products, assisted human reproduction, the genetic

modification of humans, and the potential for the creation of deadly bio weapons and bioterrorism.

Managing the oceans has also given rise to science diplomacy challenges. Marine biodiversity in the oceans is under threat due to over exploitation, pollution, and climate change. Efforts are going on in the UN to negotiate a new wide ranging international treaty that will protect marine biodiversity in the areas beyond national jurisdiction. Discussions indicate that there are many divisive issues involved which will require difficult negotiations. India has an important stake in two large marine ecosystems (LMEs):[14] the Bay of Bengal and the Arabian Sea. Both have been assessed at being at high risk, and need the protection of their biodiversity.

There are also a number of science diplomacy challenges in outer space. The fact that satellites can be used for both civil and military purposes has given rise to anti-satellite weapons technology. This has been already tested by countries such as the USA, Russia, China, and now India. There is a growing concern over militarisation and weaponisation of outer space. The USA, Russia and China are testing and developing a new class of hypersonic powered and gliding vehicles that can travel and manoeuvre at very high speeds on the fringes of the earth's atmosphere. These vehicles could carry nuclear weapons, and could be practically impossible to defend against. Space debris, which has accumulated around the earth over decades, is now posing a threat to space flight. As mankind moves from the exploration of the Moon and Mars to exploitation, questions of mineral and other rights on extra terrestrial bodies (principle of common heritage of mankind versus first come first serve) are likely to surface.

The future agenda for science diplomacy is likely to become increasingly complex and challenging. New developments in the future will bring new challenges for scientists, diplomats, and policymakers. Therefore, it is important for developing countries to be adequately prepared to tackle these challenges, and protect their interests. Developing countries will need to strengthen South-South cooperation to achieve the sustainable development goals, together with willing partners from the North.

Notes :

[1] The Coordinating Committee for Multilateral Export Controls (CoCom) was established by the Western Bloc after the end of World War II, during the Cold War, to put an embargo on Comecon countries. CoCom ceased to function in 1994, and the then-current control list of embargoed goods was retained by the member nations until the successor, the Wassenaar Arrangement, was established.

[2] These include the Nuclear Suppliers Group (NSG), the Missile Technology Control Regime (MTCR), the Wassenaar Arrangement (WA), and the Australia Group (AG) for controls over nuclear technology and materials, missile technology, high-end technology, and chemical technology.

[3] India was denied access to nuclear technology and materials following its nuclear explosion test in 1974. This embargo was lifted after negotiations with the USA in 2005 and the NSG in 2008, giving India the same status as a nuclear weapons state.

[4] Turekian, V. A., et al., "Science Diplomacy: A Pragmatic Perspective from the Inside", *Science and Diplomacy*, January 2018, at http://www.sciencediplomacy.org/article/2018/pragmatic-perspective

[5] For example, the review conference for the Nuclear Non-proliferation Treaty will be held in 2020, and the review conference for the Biological Weapons and Toxins Convention will be held during 2021. Such review conferences are held every 5 years.

[6] The International Centre for Genetic Engineering and Biotechnology (ICGEB) was initially established as a project of the United Nations Industrial Development Organization (UNIDO) in 1983 and, since 1994, is an autonomous entity with three components and 65 members. The Centre for Science and Technology of the Non-aligned and Other Developing Countries (NAM S&T Centre) has been established in New Delhi, India, in August 1989.

[7] "Research and Development Statistics at a glance, 2017 - 18", National Science and Technology Management Information System (NSTMIS), DST; at http://www.nstmis-dst.org/Statistics-Glance-2017-18.pdf

[8] "R & D expenditure ecosystem- current status and way forward", July 2019, Office of the Principal Scientific Adviser to the Government of Indiahttp://psa.gov.in/sites/default/files/pdf/RD-book-for-WEB.pdf

[9] Union Budget 2018 - 19, Government of India, at https://www.indiabudget.gov.in/budget2018-2019/vol2.asp

[10] The Synchrotron-Light for Experimental Science and Applications in the Middle East (SESAME) is an independent laboratory located in Amman in Jordan. The founding members are: - Bahrain, Cyprus, Egypt, Iran, Israel, Jordan, Pakistan, the Palestinian Authority, and Turkey. The project was launched in 1999. See, https://www.sesame.org.jo for details.

[11] Horizon Europe is a European Union scientific research initiative for 2021 - 2027, successor to the current Horizon 2020 program. The proposed spending for Horizon Europe is approximately □90 billion compared to □77 billion for the current Horizon 2020.

[12] Grover, R. B., "Resumption of International Civil Nuclear Cooperation, Dr RIS Case Study, 2019", contains a detailed account, see, http://fisd.in/sites/default/files/FISD%20Case%20Study_NEW_R%20B%20Grover-min.pdf

[13] India joined the Missile Technology Control Regime (MTCR) in 2016, the Wassenaar Arrangement in 2017, and the Australia Group in 2018.

[14] Large Marine Ecosystems (LMEs) are wide areas of ocean space along the Earth's continental margins, spanning 200,000 square kilometres or more, and extending from coastlines seawards. The world's coastal oceans are divided into 66 LMEs. For details see, http://www.lmehub.net

✶ ✶ ✶