

U.S. SANCTIONS ON PAKISTAN'S MISSILE PROGRAM: HISTORICAL DISPARITIES AND REGIONAL STRATEGIC IMBALANCES

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The recent sanctions imposed by the United States on Pakistan's missile program in December 2024 generated an intense debate regarding U.S. non-proliferation policy in South Asia, especially about its discriminatory characteristics.¹ These unilateral sanctions are directed at Pakistan's missile capabilities and illustrate the lack of balance in the U.S. policy toward the region, which have historical roots of strategic asymmetries. The context of these sanctions was similar to the historical U.S. sanctions on Pakistan, which shows dichotomous behavior of selective enforcement in regional policies, further accentuating strategic imbalances. This demonstrates the selective implementation of U.S. policies while propping up its strategic partnership with India. This is due to the fact that the U.S. conveniently glosses over comparable developments by India in view of geo-strategic considerations, thereby exacerbating the existing security disparities between India and Pakistan and contributing to regional instability.

¹ "US Imposes More Sanctions over Pakistan's Missile Program," *Reuters*, December 18, 2024, sec. Asia Pacific, <https://www.reuters.com/world/asia-pacific/us-imposes-more-sanctions-over-pakistans-missile-program-2024-12-18/>.

Historical Context of U.S. Sanctions on Pakistan

Historically, sanctions have long been part of U.S. policy towards Pakistan, with the apparent goal of constraining Pakistan's defence and nuclear capabilities. Sanctions have been imposed on Pakistan at various points in history, demonstrating the U.S. selective approach that leaves Pakistan vulnerable due to limitations on its military strength while simultaneously disregarding India's military development in missile and weapons technologies. The sanctions have varied from limitations on specific entities to more extensive penalties on overall sector-related defence. The U.S. nonproliferation approach aims at limiting the proliferation of missiles but shows an obvious double standard in contrast with India's nuclear and missile development.

During the 1965 war between India and Pakistan, the U.S. and Western powers placed arms embargoes on both states, disproportionately affecting Pakistan. During the period, India was able to get military supplies and imports from the Soviet Union. By 1966, the Indo-Soviet military cooperation had expanded to include the supply of advanced military equipment, such as Sukhoi-7 aircraft, T-55 tanks, artillery, and radar systems.² On the other hand, Pakistan was restrained from accessing such advantages or acquiring any advanced weaponry. This arms embargo was ostensibly intended to restrict the weaponry import to prevent the escalation of war between India and Pakistan; however, it worked primarily to Pakistan's disadvantage and only added to instability within South Asia. Similarly from 1970s to 1990s, sanctions such as those under the Symington³, the Pressler⁴ and Glenn amendments⁵ specifically targeted Pakistan's defence programs on allegations of proliferation activities.

In April 1993 the U.S. imposed sanctions on Pakistan under the Missile Technology Control Regime (MTCR), which was focused on regulating global proliferation of missile technologies.⁶ The U.S. imposed sanctions on several Pakistani entities, including the National Development Complex (NDC), over concerns that missile capabilities could further exacerbate regional tensions and primarily under its approach to reduce the distribution of missile technology globally. While India relentlessly

² K. Subrahmanyam, "Soviet Help for Self-Reliance in Defence," The Embassy of the Russian Federation in the Republic of India, 1981, https://india.mid.ru/en/history/articles_and_documents/soviet_help/.

³ Robert M Hathaway, "Confrontation and Retreat: The U.S. Congress and the South Asian Nuclear Tests," Arms Control Association, accessed January 14, 2025, <https://www.armscontrol.org/act/2000-01/confrontation-and-retreat-us-congress-and-south-asian-nuclear-tests-key-legislation>.

⁴ Ibid.

⁵ "Pakistan's Sanction Waivers: A Summary," Carnegie Endowment for International Peace, October 29, 2001, <https://carnegieendowment.org/research/2001/10/pakistans-sanction-waivers-a-summary?lang=en>.

⁶ "Report to Congress: Update on Progress Toward Regional Nonproliferation in South Asia," U.S. Department of State Archive, Bureau of South Asian Affairs, June 15, 1997, <http://1997-2001.state.gov/regions/sa/nonproliferation.html>.

continued to develop its missile programs without encountering any penalty or scrutiny, it at the same time continued to develop nuclear-capable missiles, which include its Prithvi and Agni missiles.

Furthermore, in September 2024, the U.S. placed indirect sanctions on Pakistan that targeted specific state-linked organizations, Chinese research institutes and companies that were accused of being involved in its missile program.⁷ These sanctions were placed to contain Pakistan's long-range missiles on the basis of allegations that they could potentially transport nuclear payloads. Nevertheless, India's advancements in missile systems and the development of intercontinental ballistic missiles (ICBMs), which are capable of transporting nuclear warheads, were largely disregarded. The U.S. did not impose any relative limitations on India and besides these developments, the U.S. not only engaged in defence collaboration with India but also granted it access to more sophisticated technologies and called India's missile program a component of its broader military modernization efforts.

The U.S.'s sanctions show selective approach to non-proliferation and have had significant implications for South Asia's strategic stability. The established precedents indicate that U.S. sanctions have specifically aimed to limit Pakistan's defence capabilities, whereas India has been allowed to enhance its military strength without similar restrictions .

Minimal Resistance to Indian Missile Advancements

The precedents established by these sanctions indicate a consistent pattern of containing Pakistan's defence capabilities while permitting India to expand its missile capabilities without restriction. India has been acquiring advanced offensive and defensive missile systems, which can further strengthen its military capability. For instance, the Russian-made S-400 missile defence system can strengthen its ability to defend against potential nuclear retaliation and enhance its second-strike capability.⁸ Moreover, the development of the 'Agni V' land-based nuclear Multiple Re-entry Vehicle (MIRV)-capable Intercontinental Ballistic Missile (ICBM) has a range of more than 7000 km, and the acquisition of missile technology of this range has further enhanced its missile capabilities. Despite the advancements in India's military capabilities, the U.S. has not imposed sanctions, nor has it sought to curb its missile and defence capabilities. The lack of resistance while facilitating its

⁷ "US Imposes Sanctions on Chinese Suppliers to Pakistan's Ballistic Missile Program," *Reuters*, September 13, 2024, sec. Asia Pacific, <https://www.reuters.com/world/asia-pacific/us-imposes-sanctions-suppliers-pakistans-ballistic-missile-program-2024-09-12/>.

⁸ Shaza Arif, "India's Acquisition of the S-400 Air Defense System: Implications and Options for Pakistan," Air University (AU), August 25, 2021, <https://www.airuniversity.af.edu/JIPA/Display/Article/2743750/indias-acquisition-of-the-s-400-air-defense-system-implications-and-options-for/https%3A%2F%2Fwww.airuniversity.af.edu%2FJIPA%2FDisplay%2FArticle%2F2743750%2Findias-acquisition-of-the-s-400-air-defense-system-implications-and-options-for%2F>.

strategic equation has raised concerns regarding growing Indian hegemony and increasing risks of military escalation in the region.

Double Standards in Defence Cooperation

In recent years, the U.S. has been working to fortify its defence collaboration with India by supplying it with advanced military equipment such as radars, aircraft, and drone systems. The both countries have been partners in a series of bilateral security and defence agreements, including the four foundational agreements that cover areas from economic interests to military interests.⁹ On August 29, 2016, the Logistics Exchange Memorandum of Agreement (LEMOA) was signed between the U.S. and India, which aimed at improving and further strengthening bilateral military cooperation.

Similarly, India, and the U.S. signed the Communications Compatibility and Security Agreement (COMCASA) on September 6, 2018, under which the U.S. has facilitated its close allies with interoperability between militaries and high-end technologies. It was done on the sidelines of the India-U.S. 2+2 ministerial dialogue to secure communications between their respective governments and ministries. Moreover, in December 2019, India and the U.S. further deepened their broader security partnership and defence trade relations by signing an Industrial Security Agreement (ISA) under the second 2+2 dialogue in Washington, which was aimed at facilitating each other with classified information related to defence industries. On that occasion, Indian Ambassador to the U.S., Harsh Vardhan Shringla, said, "This agreement will facilitate close technology transfer with private industry in India and ease the process of doing business, including applying for licenses to support mutual interests, Make in India, increased industrial and defence cooperation, and regional stability."¹⁰ Lastly, on October 27, 2020, the U.S. and India signed the Basic Exchange and Cooperation Agreement (BECA) which was aimed to further enhance research and development and to work and exchange critical geospatial information, topographical data for long-range navigation and missile targeting.¹¹ BECA allowed military cooperation in areas related to technology, exchange of classified information, and interoperability of forces.

⁹ Vivek Mishra, "Building on the Pillars of the India-US Defence Relationship in the 21st Century," ORF, March 16, 2023, <https://www.orfonline.org/research/building-on-the-pillars-of-the-india-us-defence-relationship-in-the-21st-century>.

¹⁰ "Industrial Security Pact Represents Historic Progression Between India, US: Lockheed Vp Vivek Lall," *The Economic Times*, January 9, 2020, <https://economictimes.indiatimes.com/news/defence/industrial-security-pact-represents-historic-progression-between-india-us-lockheed-vp-vivek-lall/articleshow/73166684.cms?from=mdr>.

¹¹ Rajat Pandit, "India, Us Agree to Expedite Work on Beca, Strengthen Defence Ties," *The Times of India*, February 26, 2020, sec. India News, <https://timesofindia.indiatimes.com/india/india-us-agree-to-expedite-work-on-beca-strengthen-defence-ties/articleshow/74307875.cms>.

Policy Bias and South Asian Strategic Stability

The dichotomous approach of the U.S. toward non-proliferation in South Asia has significantly influenced Pakistan's security considerations and strategy. The historical trajectory of these sanctions on Pakistan demonstrates double standards and discrimination in the U.S. policies vis-à-vis India's growing missile and defence capabilities, and it has undermined South Asian strategic stability and fuelled regional tensions. The consistent support of the U.S. for India's weapons development has always resulted in accentuating strategic challenges for Pakistan. Pakistan's missile program is a critical element of its national security that allows it to maintain a credible deterrence against the expanding military capabilities of India.

Maintaining a robust missile deterrent ensures Pakistan's capacity to respond to potential escalation and serves as a strategic deterrent to maintain stability in South Asia, thereby preventing India from acquiring a military advantage that could lead to regional destabilization. Pakistan's missile program should be viewed not as an act of aggression but as a crucial step towards ensuring peace and stability within the region. The U.S. must adopt a more even-handed approach on non-proliferation in South Asia that does not disproportionately affect Pakistan and rather has the same implications for India to ensure equal non-proliferation. For this balance, a more balanced non-proliferation framework is required, which can promote a more secure regional order, reduce risks of any nuclear escalation, and help in promoting long-term stability and peace in South Asia.