

MISSILE TECHNOLOGY CONTROL REGIME REFORMS AND U.S.'S SELECTIVE APPROACH TO INDIA

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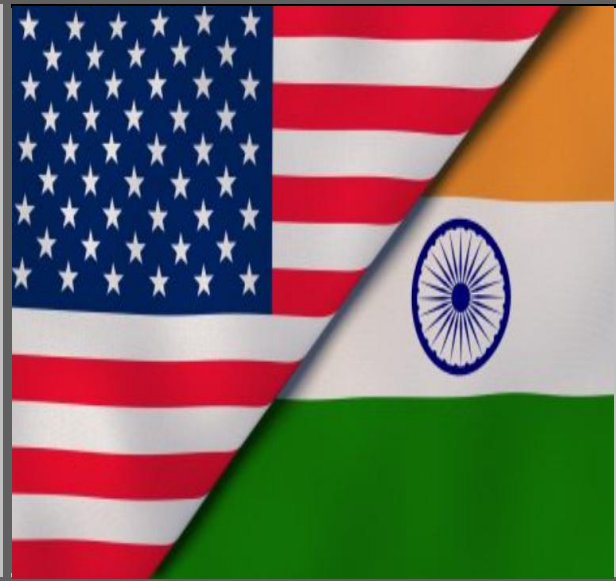
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The United States' favoritism towards India stemming from their deepening strategic ties has been a significant subject of debate, especially in the context of regional stability. Looking back at history, leniency and favoritism towards India have been observed on multiple occasions. Moreover, not only did the year 2024 witness two major agreements between the U.S. and India, further bolstering their defense-industrial cooperation, but also Washington announced the reformation of the Missile Technology Control Regime (MTCR) export control policies paving the way for enhanced space cooperation between the two countries.¹ This once again brings attention to America's partisan approach towards India and its strategic motivations, especially at a time when it has been pursuing a policy of discrimination against multiple states including those in South Asia, prominently Pakistan.

The MTCR, originally established in 1987 by the G-7 countries, is aimed at curtailing the proliferation of missile systems and technologies. It has established specific guidelines designed to restrict the spread of missile and unmanned aerial vehicle (UAV) technology with the ability to carry payloads

¹ "US to update its MTCR Export Control Policies for India," *The Economic Times*, December 18, 2024, <https://economictimes.indiatimes.com/news/economy/foreign-trade/us-to-update-its-mtcr-export-control-policies-for-india/articleshow/116417274.cms?from=mdr>.

above 500kg over distances surpassing 300km.² The MTCR was mainly formulated to closely supervise the transfer of missile equipment, materials, and similar technologies that have the possibility of being utilized in systems designed for the delivery of Weapons of Mass Destruction (WMD).³

The past decades have witnessed India's continuous attempts to impart greater strategic thrust to its partnership with the U.S. As both countries increasingly began to share similar interests, in June 2016, India was granted the membership of MTCR. The motivation behind India's quest to obtain membership in this regime was to increase its efforts to gain entry into the Nuclear Suppliers' Group (NSG). Having the support of the U.S. and the West, India intended to portray itself as a 'responsible' state in the international community, dedicated to tackling the spread of WMDs.⁴ It has been argued that Indian membership of MTCR, rather than promoting nonproliferation objectives, increased the possibility of boosting the Indian missile program, as it could enjoy easier access to advanced missile systems.⁵ Thus, it is believed to provide India with greater opportunities to enter the global missile market, enabling it to become a key importer of missiles and technology. Similarly, it was expected that this membership would lessen the concerns of supplier countries surrounding U.S. sanctions if they decided to trade with India. It has also been argued that this would provide assistance to India in acquiring military technology from the U.S. and increase its chances of obtaining armed Predator drones.⁶

Moreover, the Indian membership of MTCR raised concerns for regional stability in South Asia, as it has been argued that this development was likely to disrupt the balance of power in the region, giving rise to a possible arms race.⁷ Therefore, it could be understood that this membership enabled India to benefit not only from increased military procurement but also from enhanced global cooperation, bringing it closer to its quest for gaining prestige in the international community.

More recently, the revision of the U.S.'s export control policies under the MTCR is underway as the outgoing Biden Administration worked on a national security memorandum. It was claimed by the White House on December 17, 2024, that this revision aimed to increase collaboration in the space

2 Girish Kumar, "India and the Missile Technology Control Regime (MTCR): How Significant is MTCR Membership to Space Programmes?," *Indian Journal of Politics and International Relations* 9, no. 2 (2016): 98.

3 *Nuclear Threat Initiative*, "Missile Technology Control Regime (MTCR)", May 3, 2024, <https://www.nti.org/education-center/treaties-and-regimes/missile-technology-control-regime-mtcr/>.

4 Ghazala Yasmin Jalil, "India's Membership of Missile Technology Control Regime: Implications for South Asia," *Strategic Studies* 37, no. 3, (2017): 41-54.

5 Ibid.

6 Ibid.

7 Ibid.

domain between Indian and American companies. Jon Finer, Principal Deputy National Security Advisor, declared that the intent behind this revision was to further boost “commercial space cooperation” with “close partners like India.”⁸ He maintained that they are actively making efforts to clear impediments to private-sector cooperation. He also stated, “...and importantly, we are in the process of finalizing a national security memorandum that will update our own export control policies under the Missile Technology Control Regime (MTCR).” These revisions once again illustrate the U.S.’s strategic effort to strengthen U.S.-India ties.⁹

Building further on the U.S.’s strategic intent to strengthen U.S.-India relations, the visit of then U.S. National Security Advisor Jake Sullivan to India on January 6, 2025, once again reinforced America’s favoritism towards India. Referring to the successes of defence and technology cooperation, Jake Sullivan pointed out that his visit to India was a good way to end his tenure in the White House.¹⁰ Interestingly, he announced that steps were being taken by the U.S. to clear the impediments to the civil nuclear cooperation between India’s nuclear entities and American companies.¹¹ He also predicted future cooperation between the two countries in high semiconductor technologies and space exploration research.¹² Just days before the end of its term, the Biden Administration announced the U.S. decision to remove three Indian entities –Rare Earths, the Indra Gandhi Atomic Research Center, and the Bhaba Atomic Research Center– previously put under the restrictive Entity list for being involved in “activities contrary to U.S. national security and foreign policy interests”, claiming that “the removal of India entities...will support U.S. foreign policy objectives...”¹³ As such, it again illustrated the U.S. approach of continuously clearing the obstacles for India, while penalizing Pakistan.

Easing of the relevant laws would not only allow India to acquire technology for its space program and make strides in the space sector but, more importantly, it would also facilitate the development of ICBMs as they share similarities with space technology.¹⁴ Granting India membership of MTCR has already brought a large set of benefits and opportunities for India to boost its missile program

⁸ “US to update its MTCR export control policies for India.”

⁹ Ibid.

¹⁰ *Times of India*, “US to remove regulations preventing civil nuclear cooperation with India, announces NSA Jake Sullivan” January 6, 2025, <https://timesofindia.indiatimes.com/india/us-to-remove-regulations-preventing-civil-nuclear-cooperation-with-india-announces-us-nsa-jake-sullivan/articleshow/116994906.cms>.

¹¹ Ibid.

¹² Ibid.

¹³ *Times of India*, “‘A clear message’: US removes 3 Indian entities from restrictive list, adds 11 from China over national security concerns”, January 15, 2025, <https://timesofindia.indiatimes.com/world/us/a-clear-message-us-removes-3-indian-entities-from-restrictive-list-adds-11-from-china-over-national-security-concerns/articleshow/117273169.cms>.

¹⁴ Jalil, “India’s Membership of Missile Technology Control Regime: Implications for South Asia.”

through high-end technology transfers. Further relaxation of these export control laws to boost the so-called “commercial space cooperation” only clears the path for increased technology transfers which could then be utilized in the missile and defence industry, thus bringing India closer to achieving its goals.

The announcement from Washington came at an interesting time, as it favored India by further increasing its access to missile technology under the guise of commercial space cooperation on the one hand, while on the other, it imposed sanctions on the missile programs of its neighbor, Pakistan. According to the press statement by the U.S. Department of State, under Executive Order 13382, the U.S. imposed sanctions on Pakistan’s ballistic missile program, targeting four Pakistani entities.¹⁵ Paradoxically, the U.S. maintained that it remains committed to tackling “proliferation and associated procurement activities of concern.”¹⁶ If anything, these sanctions reflected the double standards of the U.S. and its continued policy of discrimination between India and Pakistan.

It is evident that U.S.-India ties continue to grow with the passage of time. Following the pattern of the U.S. favoring India, it can be seen providing greater leverage to India in the strategic domain specifically defence, critical technologies, and space cooperation. The U.S. has clearly expressed its interest in strengthening ties with India, as its strategic importance grows in the context of ‘containing’ China. Although the relaxation of export laws under MTCR has been claimed to serve commercial interests in the space sector, the increased leverage and opportunities it provides to India in its missile development program and, more particularly, the development of ICBMs cannot be ignored. As India benefits from these policy adjustments, its neighbors have to deal with sanctions that negatively affect their relations with the U.S., thereby shifting the regional balance of power once again to India’s favour. Such a selective approach of a global power towards a certain country portrays the discriminatory approach in addressing proliferation which does more harm than good to global security and instead exacerbates regional instability and heightens geopolitical tensions.

¹⁵ Mathew Miller, “U.S. Announces Additional Sanctions on Entities Contributing to Pakistan’s Ballistic Missile Program,” *U.S. Department of State*, December 18, 2024, <https://www.state.gov/u-s-announces-additional-sanctions-on-entities-contributing-to-pakistans-ballistic-missile-program/>.

¹⁶ Ibid.