

Bush Waives Nuclear-Related Sanctions on India, Pakistan

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Exercising waiver authority granted by Congress in 1999, on September 22 President George W. Bush lifted sanctions imposed on India and Pakistan for their 1998 nuclear tests. The president also removed other sanctions related to Pakistan's development of nuclear weapons.

The decision to lift sanctions on Pakistan came in large part due to the cooperation Washington received from Islamabad after the September 11 terrorist attacks on New York and Washington. At a September 24 press briefing, State Department spokesman Richard Boucher said, "We intend to support those who support us. We intend to work with those governments that work with us in this fight [against terrorism]."

Boucher also said that removing the sanctions is "an important step forward in being able to pursue our goals with Pakistan, to be able to support Pakistan, and to cooperate more easily with Pakistan in the fight against terrorism." He added that this "allows us to do some things very quickly and very immediately to support Pakistan."

The nuclear sanctions on Pakistan, some of which date back as far as 1979, were originally intended to prevent the further development and testing of nuclear weapons. After the 1998 nuclear tests, the Clinton administration tried to use those sanctions and the test-related sanctions to pressure India and Pakistan to restrain their nuclear weapons activities.

The nuclear sanctions barred all U.S. economic and military assistance to Pakistan, and their waiver would have allowed nearly all of this aid to proceed. However, other sanctions imposed after the October 1999 military takeover of Pakistan's democratically elected government prohibit Washington from providing most of this assistance. In addition, other sanctions imposed for the receipt of Chinese missile components do not allow certain Pakistani entities to receive U.S. missile and space assistance.

However, the coup sanctions do not bar U.S. commercial military sales of spare parts or U.S. support of applications for loans from international financial institutions such as the World Bank. As a result, Washington can now resume these activities, both of which are important to Islamabad. According to a State Department official, the ban on spare-parts sales has had "a strong impact" on Pakistan's military capabilities.

Removing the coup sanctions would require a presidential certification that democracy has been restored, something Bush cannot provide at this time, or the passage of congressional legislation authorizing a waiver of the sanctions. According to a House aide, there would be little resistance in Congress to passing such legislation. The aide noted that, since the terrorist attacks, Congress's attitude has been "to give the administration what it asks for."

Sanctions on India

Administration officials had acknowledged for several weeks that Bush was preparing to remove sanctions on India. But the question of how and whether to also lift sanctions on Pakistan delayed action because the administration apparently preferred to remove sanctions on both countries

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simultaneously. Once the terrorist attacks expedited a decision on lifting sanctions on Pakistan, the administration was finally able to announce the removal of sanctions on India.

The lifting of the 1998 nuclear-test sanctions will allow U.S. economic and military assistance to India to go forward. Most importantly, Washington can support Indian applications for international financial institution loans. India is the largest single borrower from the World Bank.

In a September 23 interview with the Press Trust of India, Indian Finance Minister Yashwant Sinha welcomed the sanctions' waiver but said, "As far as the Indian economy itself was concerned, except for certain defense supplies, sanctions had no meaning."

Sanctions Waived by President Bush September 22, 2001	
<p style="text-align: center;">Pakistan</p> <p style="text-align: center;">Symington Amendment Section 101 of the Arms Export Control Act</p> <ul style="list-style-type: none">• Adopted in 1976, prohibits U.S. economic and military assistance to any country delivering or receiving nuclear enrichment equipment, material, or technology not under International Atomic Energy Agency safeguards.<ul style="list-style-type: none">• Imposed in 1979 for Pakistan's clandestine construction of a uranium enrichment plant. <p style="text-align: center;">Pressler Amendment Section 620E(e) of the Foreign Assistance Act of 1961</p> <ul style="list-style-type: none">• Adopted in 1985, bars most forms of U.S. military assistance to Islamabad unless the president certifies annually that Pakistan does not possess a nuclear explosive device.• Imposed in 1990 when President George H. W. Bush was unable to make such a certification. <p style="text-align: center;">Glenn Amendment Section 102(b) of the Arms Export Control Act</p> <ul style="list-style-type: none">• Imposed in 1998 for Pakistan's nuclear tests in May of that year.	<p style="text-align: center;">India</p> <p style="text-align: center;">Glenn Amendment Section 102(b) of the Arms Export Control Act</p> <ul style="list-style-type: none">• Adopted in 1994, prohibits all U.S. economic and military assistance to any non-nuclear-weapon state (as defined by the nuclear Non-Proliferation Treaty) that carries out a nuclear explosion.<ul style="list-style-type: none">• Imposed in 1998 for India's nuclear tests in May of that year.
Sanctions Still in Force on Pakistan	
<p style="text-align: center;">Military Coup Sanctions Section 508 of the Foreign Assistance Act of 1961</p>	

- Adopted in 1988, prohibits most forms of U.S. economic and military assistance to any country whose elected head of government is deposed by a military coup.
- Imposed in 1999 for the ousting of Pakistan's democratically elected prime minister in a military coup.

Missile Sanctions

Chapter 7 of the Arms Export Control Act, as required by U.S. membership in the Missile Technology Control Regime, a voluntary regime of 33 states that seek to limit missile proliferation on

- Bars most U.S. missile and space cooperation for at least two years with specified entities for their sale or receipt of ballistic missiles, components, or related technology that could be used to deliver weapons of mass destruction.
 - Imposed in 2000 on the Pakistani Ministry of Defense and the Space and Upper Atmospheric Commission for their receipt of missile components and technology transfers from China. Also imposed in 2001 on Pakistan's National Development Complex for its receipt of missile components and technology transfers from China.

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