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Indo-US Maritime Cooperation: Challenges and Prospects

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In 1991, after the denouement of the Soviet Union and the end of the bipolar world, major changes took place at the international level. In the wake of these changes, India and the US had to re-adjust their policies and relations that led to cordial India-US relations. Maritime relations were not immune to these winds of change. In the maritime domain, India has adopted a different attitude towards the US presence in the Indian Ocean as compared to the Cold War period. The United States has also recognized India as a major security provider in the Indian Ocean Region (IOR) as the Indian Navy is the largest force in the region. Through the maritime cooperation, both nations can provide the secure and stable environment in the IOR, which is the stated aim of both the countries. In this regard, this paper tries to analyse India-US maritime relations during the Cold War era as well as the post-Cold War period.

The relations between India and the United States were "estranged"[1] during the Cold War era, despite being the world's largest and oldest democracies respectively. The differences were primarily premised on divergent security perceptions and policies. In 1991, the disintegration of the Soviet Union and the consequent end of

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the bipolar world opened up new opportunities for improved Indo-US relations. Both countries had to recalibrate their policies and gradual improvements in the relations were visible. In this regard, the military to military contacts and the 1993 co-sponsorship of Comprehensive Test Ban Treaty (CTBT) in the United Nation General Assembly can be considered as manifestations of the gradual thaw in the bilateral context. However, the Indian refusal to sign the CTBT citing unique security concerns and a rigid US stance on this issue became a major stumbling block. The bilateral issues hit rock bottom with the Indian 1998 nuclear tests. Thereafter, the US President Bill Clinton's visit to India in March 2000 had been a watershed event indicating a reversal in the adverse relations. From there the mutual perceptions of both the countries had changed and they have come closer in all the fields.[2]

In the maritime domain, India has adopted a different attitude towards the US presence in the Indian Ocean, as compared to the Cold War period, because of the changing world order. With an evolved maritime thought, India has now focused on the Indian Ocean. The Indian Navy's strategy of cooperation with the navies of the others countries, both regional and extra-regional, is an example of the changed Indian policy. The United States has also recognised India as a major security provider in the Indian Ocean Region (IOR). Washington has accorded priority to the Asia-Pacific in its foreign policy which is assessed as pragmatic in the present times because of economic reasons. In the new US defence strategy, called "pivot" to the East, Washington expects that India should play an important role in the region.

In view of the foregoing, it is considered pertinent to examine and analyse the Indo-US maritime relations during the Cold War period and their engagement thereafter. In addition, an examination of the major stumbling blocks and the future prospects in this relationship it also vital.

Indo-US Maritime Relations through the Prism of History

In the 1950s, bilateral relations were overshadowed by the US–Pakistan military collaboration. Due to the containment strategy of the United States, military aid was extended to Pakistan and it also joined the US-led military alliances.[3] India opposed the alliances in Asia and criticised the US decision to supply arms to Pakistan. It was perceived in India that the same would disturb the military balance in South Asia and would be used against New Delhi.

In the 1960s, the Indian Ocean became the place of superpower competition[4] due to Cold War politics. It was in 1963 that the US Seventh Fleet entered the Indian Ocean for the first time, to participate in Central Treaty Organization (CENTO) exercises. Indian Ocean littorals namely Sri Lanka and Indonesia had opposed the entry of the US fleet into the Indian Ocean. At that time Indian reaction was not very critical because it did not recognise the importance of the Indian Ocean for security and commerce due to the land-centric outlook.[5]

But later on in 1966, when Indira Gandhi took over as the Prime Minister of India, she adopted more realistic policies compared to her predecessors. The ''vacuum theory'' was adopted by the United States to fill in for the British, who had decided to withdraw from east of the Suez, which was opposed by India leading to a divergence point between the two nations. This ''vacuum theory'' was also considered by India as a new form of colonialism in the region. Not only did India oppose the theory, it also proposed that if any vacuum was created it ought to be filled by the local powers themselves. A collective security mechanism was thus suggested by India to prevent replacement of one hegemonic power by another.[6]

In the 1970s, India opposed the military presence of superpowers (the United States and USSR)[7] in the Indian Ocean because of security concerns. These concerns further increased after the experience of December 1971, when at the heights of the Indo-Pak war, Washington dispatched the Seventh Fleet to the Bay of Bengal in an attempt to intimidate India. New Delhi had protested the entry of the US Seventh Fleet in the Bay of Bengal.

In addition, India supported the Indian Ocean Peace Zone (IOPZ) proposal, which was proposed by Sri Lanka. The peace zone concept was inherent in the concept of non-alignment, which required that the land territories, air space and territorial waters of non-aligned states must be closed to great power conflicts and rivalries.[8] The proposal basically was to denuclearise the Indian Ocean towards permanent renunciation, by countries of the region, of a nuclear weapon option.

In the 1980s, the supplying of US arms to Pakistan, the permanent presence of US forces at Diego Garcia (a major air and naval base) and the Indian policy towards the Indian Ocean littorals had been the major issues in the bilateral relations. The supply of Harpoon missiles, refurbished Gearing-class destroyers and airborne warning and control system (AWACS) to Pakistan[9] was the disturbing issue in Indo-US relations. Further, in 1987, the Indian naval intervention in Sri Lanka was

considered by the United States as an act of power projection in the immediate neighbourhood.[10]

Maritime relations during the Cold War were not cordial due to two main factors, first was the Indian opposition to the intervention of extra-regional powers in the Indian Ocean and the second factor being the close US–Pakistan military relations.

Maritime Engagement in the Post-Cold War Period

In the 1990s, the demise of the Soviet Union and consequent denouement of the Cold War brought about many changes in the global politics. It opened new avenues of cooperation for India and the United States. In August 1991 the visit of the Indian delegation, led by the then Chief of Army Staff General Rodrigues, to the United States could be considered as the maiden positive step. The prospect of closer military cooperation between India and the United States received a further boost in October 1991 when Admiral Charles Larson, Commander-in-Chief of the US Pacific Command, stated ''let's forget the past, mistakes were made. Visakhapatnam was never a Soviet naval base, as we had thought''.[11] Later on, in January 1992, discussions in New Delhi between Lt. General John Crons, Commanding General of the US Army in the Pacific, Admiral Frank Kelso, Chief of Naval Operations, and senior Indian military officers cleared the ground for a long-term ''forces-to-forces''-level relationship.[12] This discussion between senior officials was deemed as a major bedrock for future naval cooperation.

The "Malabar" Series of Naval Exercises

The Malabar series of naval exercises have emerged as a major component in Indo-US maritime relations. In 1989, the then Commander-in-Chief of the US Pacific Command (CINCPAC), Admiral David Jeremiah, proposed the conduct of joint exercises between the two navies.[13] Thereafter in 1991, during his Indian visit Lt Gen Claude Kickleighter, Commander of the US Pacific Army, presented a set of proposals to intensify the defence cooperation including annual exchange of visits, service to service exchange, joint training and participation in military exercises.

As a follow up to the Kickleighter Proposals, the Executive Steering Groups (ESGs) were established to intensify the defence cooperation. An Army ESG was set up in January 1992, followed by the Navy and Air Force ESG in March 1992 and August 1992 respectively.[14] Since then the meeting of these ESGs are being held

annually.[15] The interaction between the Indian Navy and the US Navy commenced when the first-ever joint naval exercise was held off the Indian western seaboard in 1992 and continued to be held as an annual basis till 1997.

The Indian nuclear tests in May 1998 were a major setback in the bilateral relations and in the wake of the tests all defence and naval cooperation with the United States had been suspended. However, due to changing US perception towards India, the exercises were further revived in 2002[16] and became a regular event in the bilateral relations. In 2003, the scope of the naval exercises was expanded wherein for the first time both the navies conducted search and rescue exercises which was very successful.[17] In 2004, the exercises expanded in scope and complexity to include helicopter cross-deck landings, submarine operations and anti-submarine warfare (ASW). By 2005, Malabar had become a high-level and complex exercise also involving aircraft-carrier operations.[18] Malabar 2006 was the first time that US expeditionary forces participated in a large-scale joint amphibious exercise with India.[19]

The Malabar 2007 exercises were conducted on a substantially larger scale, not only in terms of their greater ''operational'' scope, but also due to their multinational nature. In 2009 the Japanese Maritime Self Defence Force (JMSDF) also participated making it a trilateral exercise. The Malabar 2010 exercise was again bilateral and was held off Goa. Malabar 2011 was held off Okinawa in April 2011[20] and a more intricate naval exercise during the current year (2012) in the Bay of Bengal.[21]

The main purpose of these naval exercises is to achieve interoperability in terms of both procedures and technological compatibility. These exercises provide an opportunity for a navy to learn more about the platforms and equipment acquisition in the future and also increase the mutual understanding between the nations' navies through their interaction. For example, the participation of a US nuclear submarine (SSN) in joint-exercises since 2003 may have provided some useful exposure for the Indian Navy's ASW capabilities against SSNs in Indian waters, just as it would have been useful for the US anti-submarine platforms to practice detecting the much quieter diesel electric submarines. Naval exercises also provide an opportunity to exchange views and conceptual aspects and issues of common concern and also have political and strategic implications.

Defence Agreements

Along with the naval exercises, a step forward in the bilateral ties has been the Agreed Minutes of Defense Relations, signed between the US Defence Secretary, William Perry, and Indian Minister of State for Defence, M. Mallikarjun, in 1995. Through this agreement, both the nations agreed to cooperate in various areas viz. civilian to civilian, service to service and in the area of defence research and production. This agreement cemented the continuation of service to service cooperation under the aegis of the ESGs formulated earlier in 1992. Further, three groups namely the Joint Defence Policy Group (DPG), the Joint Technical Group (JTC) and the Joint Steering Committee (JSC) were established to enhance cooperation and to facilitate discussion.[22] However, the agreement was limited in scope and was not free from conditions, as the US Secretary of Defence made it clear that signing of the agreement did not mean technology transfer.[23] Despite this, it was the first formal agreement to fulfil all those objectives that were envisaged under the Kickleighter Proposals.

The defence agreement concluded in June 2005 is considered a milestone in the maritime arena as it was the first time that India and the United States formally announced to strengthen cooperation through joint exercises.[24] The agreement was more comprehensive in scope and nature compared to the earlier one of 1995. Through this agreement, both countries also agreed to increase opportunities of technology transfer, collaboration, co-production, research and development in the defence sector.

Last month, during his Indian visit, US Deputy Secretary of Defense Ashtan Carter reiterated the above US pronouncement related to joint research and co-production. Indian and US companies viz. Lockheed Martin, Sikorsky and Tata group are already working towards manufacturing spare parts of transport aircraft at Hyderabad.[25] During his remarks before the Confederation of Indian Industry (CII), he also sought policy change on foreign direct investment (FDI) in the defence field[26] – 26% currently – which will further strengthen the defence cooperation.

The Maritime Security Framework Agreement

Apart from the above cooperation in the defence and naval fields, perceptions about India's capacity in the Indian Ocean emerged during the first tenure of George W. Bush administration. This was reflected by the then US Secretary of State, Collin

Powell's statement, before the Senate Foreign Relations Committee in January 2001; he stated that India had the potential to help in keep peace and stability in the vast Indian Ocean and its periphery.[27] During May 2001, US Deputy Secretary of State Richard Armitage visited India, to discuss security cooperation. During this visit the focus was on matters of common interests like controlling piracy in the Indian Ocean, combating global terror and expanding military to military contacts.[28] This was the first time that maritime issues were discussed between the two nations at the secretary level, even though naval exercises had been going on between the two countries since 1992.

The next additional salience in the relations was the Maritime Security Framework Agreement, framed in March 2006. As part of the agreement, both the nations affirmed to adopt a comprehensive approach consistent with the strategic partnership and defence framework agreement of 2005. It was decided to work together as well as with their respective regional partners to counter maritime threats to ensure unimpeded commerce. They affirmed their commitment to support the existing efforts to enhance maritime security through the International Maritime Organization (IMO) and relevant UN programmes. Some of the other key areas identified were response to transnational crimes such as piracy, armed robbery, trafficking in arms and drugs and search and rescue operation. Besides this it was decided to exchange information and facilitation of technical assistance on combating marine pollution.[29]

Defence Trade

Cooperation in the field of naval acquisitions has been increasing since 2004 and procurement of INS *Jalashwa* and P-8I Multi-mission Maritime Aircraft (MMA) from the United States have been a major milestone in the bilateral relations. The amphibious ship INS *Jalashwa* was procured by India from the United States and was inducted into the Indian Navy in September 2007. After the induction of the ship it has become the largest ship to undertake amphibious operations, special operations, search and rescue, medical support and also humanitarian assistance.[30]

In 2009, a contract worth US$2.1 billion was awarded for eight P-8I aircraft to the US company Boeing. The first batch of three P-8I aircraft is scheduled to be delivered by 2013. The aircraft is a modified version of the Boeing 737–800

commercial airplane, having maritime reconnaissance and ASW capabilities[31] which will increase the strategic reach of the Indian Navy. The importance of the P-8I is that the timing of the induction of this strategic asset is same in both Indian and the United States navies.

Operational Interaction between the Two Navies

Indian Navy and the US Navy have conducted cooperative Humanitarian Assistance and Disaster Relief (HA/DR) operations in the IOR. They established a working group to coordinate disaster relief activities more effectively. In July 2005, post-tsunami, they introduced the US–India Disaster Relief Initiative (DRI) to spur greater training and engagement to prepare for combined responses to future disasters in the IOR.[32] The Indian Navy and the US Navy have cooperated operationally on four occasions. Firstly, during the US military operation in Afghanistan called "Operation Enduring Freedom", the Indian Navy helped the US Navy in escorting and protecting their high-value shipping through the Strait of Malacca through its "Op Sagittarius".[33] This was considered an unprecedented step by India that opened a new chapter in maritime relations. Secondly, both the navies participated in the HA/DR operations in the IOR during the 2004 tsunami. Thirdly, the Indian Navy cooperated with the US Navy in its Non-Combatant Evacuation Operation (NEO) in Lebanon in July 2006. Fourthly, since 2008 both the navies have been part of coordinated anti-piracy operations in the Gulf of Aden.[34]

Strategic Dialogue

Strategic dialogue, which was proposed by Hillary Clinton in 2009 to discuss a wide range of bilateral, global and regional issues of shared interests and common concerns, was perceived as a significant development in their relations. The first strategic dialogue took place in June 2010 in Washington, wherein a host of far ranging issues were deliberated upon including enhanced cooperation in maritime domain. It was decided that both the nations will continue to work together in the areas of mutual interests, viz. maritime security, counter piracy and HA/DR.[35] The second annual strategic dialogue was held in July 2011 in New Delhi. Re-emphasising the importance of maritime security, both the nations declared this issue as an area of common concern. The third strategic dialogue took place in Washington in June

2012. By focusing on the maritime security, they affirmed peaceful settlement of maritime disputes. India also welcomed US interest in becoming the dialogue partner with the Indian Ocean Rim Association for Regional Co-operation (IOR-ARC).[36]

Net Security Provider

US expectations from India have been that it should play a role of security provider in the Indian Ocean. Former US Defense Secretary Robert Gates has labelled India "a partner and net provider of security in the Indian Ocean and beyond".[37] Further, the 2010 US "Quadrennial Defense Review" elaborated this by stating that:

> *"As the economic power, cultural reach, and political influence of India increase, it is assuming a more influential role in global affairs. This growing influence, combined with democratic values it shares with the United States, an open political system, and a commitment to global stability, will present many opportunities for cooperation. India's military capabilities are rapidly improving through increased defense acquisitions, and they now include long-range maritime surveillance, maritime interdiction and patrolling, air interdiction, and strategic airlift. India has already established its worldwide military influence through counter piracy, peacekeeping, humanitarian assistance, and disaster relief efforts. As its military capabilities grow, India will contribute to Asia as a net provider of security in the Indian Ocean and beyond."*[38]

President Barak Obama also made a similar comment in the strategic document, which was unveiled in January 2012, titled "Sustaining U.S. Global Leadership: Priorities for 21st Century Defense". The document stated that the United States is also investing in a long-term strategic partnership with India to support its ability to serve as a regional economic anchor and security provider in the broader IOR.[39]

Following the US pronouncement India is committed to its role in the Indian Ocean and also assured its maritime neighbours it would provide them security and economic assistance. It is evident from the Indian Defence Minister A.K. Antony's statement at the naval commander's conference in October 2011 in New Delhi. He averred "The Indian Navy has been mandated to be a net security provider to island nations in the Indian Ocean region. We would like to assure our

maritime neighbours about our unstinted support for their security and economic prosperity".[40]

Correspondence of Interests

In view of the above, in the post-Cold War period, India and the United States are coming closer because of common interests. They share a common view on the maintenance of a stable security environment in the IOR, especially in answer to myriad challenges, viz. piracy, smuggling, the illegal movement of weapons including weapons of mass destruction (WMD), human trafficking, and terrorism. These challenges constitute a serious threat to the interconnected industrial economies of the world and require concerted joint efforts by the two navies as the Indian Navy is the largest in the IOR and the US Navy is the largest globally.

In addition, they share a common opinion on the continued viability of the sea lines of communication (SLOCs). More than 90% of global trade by volume, which roughly translates into 77% by value, is transported through the medium of sea with 100,000 ships comprising almost 700 million gross tons crossing the Indian Ocean every year. Almost 35% of global energy resources pass through this region and many nations are dependent on a stable and secure regional architecture. The United States expects that India, the largest democracy in the world, through its favourable geo-strategic location and suitable maritime capabilities could play an important role in the protection of these arteries of global economic engine.

Lastly, stability in Asia is a common goal of both India and the United States. China's rise in the Asia-Pacific is a major cause of worry for both the nations. India is concerned about the Chinese presence in the Indian Ocean as it would erode New Delhi's influence in the region. The increasing Chinese presence in the Indian Ocean region is motivated by a number of factors. Among them, one is the protection of SLOCs, which is important from the economic point of view, second, the maintenance and projection of power in all global hotspots, so it can influence the events in favour of its own national interest. Towards fulfilling the above aims, the Chinese Navy would continue to be present in the IOR in the near future. After investing so much effort, resources and international relations capital, it would appear contrary to reason if the People's Liberation Army (PLA) Navy were to return

to China.[41] India is also worried about the Chinese port development in Gwadar (Pakistan) and Hambantota (Sri Lanka).

Limits of Cooperation

In spite of the above areas of mutual interests, there are certain problematic issues in Indo-US maritime relations.

The Iran Factor

The Iran factor plays an important role in Indo-US maritime relations. India enjoys good historic civilisation links with Iran. However, from time to time Washington has been insistent that India limit its relations with Tehran, which is considered a pariah state in the perception of the United States. The United States wants to isolate Iran at the global level due to its nuclear weapons programme and has sought India to comply with its policy.

In 2005, when the Iran nuclear issue was brought to the United Nations (UN), by using the nuclear agreement as a bargaining issue, the United States pressurised India to vote against Iran. Former US Ambassador to India David Mulford also said that if India voted against referring Iran to the UN, the nuclear deal with the United States would not materialise.[42] Apart from this, the United States had been against the proposed Iran–Pakistan–India gas pipeline and insisted that New Delhi not to go ahead with the deal with Iran. This is clear from former US Secretary of State Condoleezza Rice's statement in 2005; she said "Washington has conveyed its concerns to India on the proposed Iran–Pakistan–India gas pipeline project."[43] Therefore, statements from the US side have had negative implications for Indo-US relations.

The United States also took a very hard stand over the Iranian nuclear programme and by passing a National Defence Authorization Act for the fiscal year 2012 has pressurised the global communities not to import oil from Iran. Washington imposed sanctions under the section 1245 of the act[44] which came into effect in July 2012. Though the United States gave an exemption to the financial institutions of many countries including India,[45] this does not mean that the Iran factor does not still exist in the Indo-US relations. As Hillary Clinton, US Secretary of State, during her May 2012 visit, while appreciating the reduction of oil import from Iran, insisted

India that further reduce it. However, as crude imports have already dropped from a level of over 16% in 2008–2009 to almost 10% in 2011–2012 Indian energy security has also been impacted.[46]

Recently, development related to the Chabahar port could be a dilemma for India as it might be contrary to the earlier US expectations of New Delhi viz. minimum relations with Iran. The project on which India, Iran and Afghanistan agreed on in 2003 was lying in limbo despite India having built the Zarang–Delaram road from the Afghan side of the Iran–Afghan border. But now Iran has expressed its desire to complete the project and the Indian response is positive as the project provides an alternative route to New Delhi for Central Asia, bypassing Pakistan. Ahead of the Non-Alignment summit a discussion was held between the foreign secretary of India and deputy foreign ministers of Iran and Afghanistan about the Chabahar port in which they agreed to set-up a joint working group (JWG) to take discussion forward on the project.

The China Factor

China is a serious concern for United States in present time due to its increasing economic, military and political influence at international level. The United States is apprehensive that unless a stable balance of power is promoted in Asia, China will attain dominance in the region. Washington considers Beijing as a potential threat to stability in the Asia Pacific region. As the then US Secretary of State, Condoleezza Rice, stated in an article in the *Foreign Affairs* journal:

> *"China is still a potential threat to stability in the Asia Pacific region. Its military power is currently no match for that of the United States. But that condition is not necessarily permanent. What we do know is that China is a great power with unresolved vital interests . . . China resents the role of [the] United States in the Asia Pacific region. This means that China is not a 'status quo' power but one that would like to alter Asia's balance of power in its own favour. That alone makes it a strategic competitor."*[47]

The United States has given special priority to India in its defence strategy of "rebalancing" toward the Asia-Pacific region. It is clear from US Defense Secretary Leon Panetta's statement during his India visit in June 2012; he stated that India

would be a "lynchpin" in America's unfolding new defence strategy which revolves around "rebalancing" its forces towards the Asia-Pacific.[48] At the Shangri-La dialogue held in June 2012 in Singapore, Defense Secretary Panetta announced that the United States will shift 60% of its naval fleet, including as many as six aircraft carriers, to the Pacific Ocean by 2020.[49]

The US partnership with India is widely seen by analysts in the context of its search for friendly Asian powers that may prevent future Chinese influence and give the United States more opportunities for leverage in the Asia-Pacific. To counter-balance China, the United States sees India as a partner. Richard Falkenrath, senior fellow of the Brooking Institution, said "the great strategic challenge to the US foreign policy is the rise of China. By more constructive co-operation with India [the] US can overcome this challenge … India's size, population, and economic growth which give it power and its location at the centre of Asia and Middle East and on the Southern border of China may give [the] US full strategic benefits".[50]

However, it is not certain that India will be willing to play the role of balancer against China, when India's relations with China have been becoming more cordial since the end of the Cold War.

US Export Control

Transfer of dual-use technology has been a major hurdle in Indo-US relations for a long time due to the national legal compulsions of the United States. In 1998, by conducting nuclear tests, India presented a unique challenge to US export control. US non-proliferation experts raised concerns about India's nuclear capabilities and intentions. At the same time, the US government implemented a license policy of denial for exports and re-exports of items controlled for nuclear non-proliferation and missile technology to India. In 2001, US President George W. Bush waived the sanctions against India and with this the policy of denial for exports and re-exports of items controlled for nuclear non-proliferation and missile technology reasons changed. In November 2001, during the Indian Prime Minister Atal Bihari Vajpayee's visit to the United States, both leaders committed to a strategic partnership[51] which among other things envisioned full civil nuclear cooperation between the two nations. Further, many efforts have been made to promote high-technology trade viz. the High Technology Cooperation Group (HTCG-2002), the Next Steps in Strategic Partnership (NSSP - 2004) and the civilian nuclear agreement (October 2008).[52]

As a result, the US government eliminated approximately 25% of the license requirement for export to India by removing some Indian institutions from the Entity List. However, the United States lifted nine Indian organisations from the 'Entity List' in January 2011 by issuing the notification.[53] Whilst this was perceived as a good omen for technology transfer, there were expectations in India that the trade in dual-use technology would accelerate. In response to a question, Minister of State in the ministry of parliamentary affairs, V. Narayanasamy, said that it is expected that these removals from the ''Entity List'' would be advantageous to the Indian Space Research Organisation (ISRO) and the Defence Research and Development Organisation (DRDO) in their work in high-technology areas.[54] However, while the United States has lifted the entities, practically the trade in dual-use technology is still on paper and technology transfer has not commenced between the two countries so far. Recently, DRDO Chief V.K. Saraswat said that although on paper India had been removed for the list of denied companies, the change had not made any great difference in practice.[55]

US regulations are not the sole hurdle in the technology transfer. India's objections against certain agreements are also considered a problem in acquiring high-end technology. Under US law regarding such transfer, a provision mandates that a country has to sign certain agreements like the End User Monitoring Agreement (EUMA), the Logistic Support Agreement (LSA), the Communication Interoperability and Security Memorandum of Agreement (CISMOA), and the Basic Exchange and Cooperation Agreement for Geo-spatial Cooperation (BECA).[56]

The United States is keen that India should sign these agreements as former US Ambassador to India Timothy J. Roemer urged India to sign these agreements so it could get access to high technology.[57] India has signed the EUMA agreement only, as it considers these agreements restrictive and that the signing of these agreements is not in its interests. New Delhi also argues these agreements will impose constraints on its strategic autonomy as against the United States stance that these agreements are mandatory for compliance with its national legislations. In addition, there are certain fixed mindsets and entrenched bureaucracies in both the countries are also a major hurdle in the areas of cutting-edge technology.

The Spill Over Effect of the Politico-Military Mindset

Although the Indian Navy along with the other navies has been cooperating with the US-led anti-piracy operation in the Gulf of Aden, it did not participate in these

operations. India believes in operating under the United Nations mandate, not under the aegis of any likeminded nation. That is why India did not participate in the US-led Combined Task Force 151 (CTF 151) which was formed for counter-piracy operations in the Indian Ocean in 2009. Apart from this the way of operating at sea is different of both the Indian Navy and the US Navy. It is deemed that the Indian Navy's way to operate naval operations has been benign.[58] The US strategy is different and it emphasised the use of force to achieve its objective. This is evident from the US Senate resolution, which was passed in June 2011 in regard of the South China Sea. The resolution advocated that the United States will support the continuation of operation by armed forces in support of freedom of navigation right in international waters and air space in the South China Sea.[59] Further, though the freedom of navigation is in the common interest, they varied on the strategy to achieve this goal. As Indian naval commentators[60] averred that the Indian approach towards the freedom of navigation is different from the US approach, it has not linked freedom of navigation to its national interest like the United States.

India and the United States also have different interpretations of the innocent passage related to freedom of navigation. The United Nations Convention on the Law of the Sea (UNCLOS) provides the right of freedom to enter territorial sea to all the ships of the coastal and land-locked states under Article 17.[61] But the Indian and US posture is discrete on this right or article like many other countries. India's stance on the matter is that it allows all type of ships in its territorial water without any prior permission as this is mentioned in its Maritime Zone Act of 1976.[62] On the other hand, the US passage of assertion is different. Washington has not ratified UNCLOS because of the deep seabed-mining article and it has a Freedom of Navigation programme (FON) that was established in 1979. The United States has made compulsory for the warship of other countries to take prior notification and permission before entry in the territorial sea.[63] Thus, in the maritime domain it is an area on which they have divergent views.

Prospects

The maritime relations in the future will depend on the policies of both the countries' leadership. India should reciprocate the US overtures made towards its role in the region and also come up with a suitable maritime strategy.

On the Iran issue, it is assessed that India needs to adopt a more cautious and convincing policy, while safeguarding its national interest. Regarding technology transfer, the United States should take India's non-proliferation record into account and possibly include certain provisions in its Export Control Act, 1979, which would facilitate transfer of the cutting-edge technology that India wishes to seek. There should be a resolution of the certain agreements namely the LSA, the CISMOA and the BECA through negotiations. India should also consider FDI in the defence sector. Apart from this, both countries would need to understand each other's imperatives and compulsions.

Thus, in the near future cooperation between India and the United States would grow in the maritime domain for two reasons. Firstly, India has the largest naval and military capabilities in the region and a common perspective with the United States' stated aims in the India Ocean of stable and secure environment and protection of SLOCs in the region. Through the joint efforts India and the Unites States can provide secure and stable environment in the IOR. Secondly, as China is rising, India would be a reliable "partner" in the new US defence strategy which is stability in the Asia-Pacific.

Indo-US maritime relations are moving towards closer and holistic cooperation. The Malabar series of annual naval exercises and defence trade have become the major area of cooperation in the bilateral relations. In future, it is considered that maritime cooperation between the two countries can be enhanced by adopting a flexible approach towards the divergent issues.

In the maritime field, India expects US collaboration on two specific technology areas, viz. the design and construction of the Indian Navy's next indigenous aircraft carrier including the integration of aircraft catapult system; and the sale of a High Altitude Long Distance (HALD) Intelligence Surveillance and Reconnaissance (ISR) system; these were identified in the first instance for possible India–US maritime cooperative efforts in the context of Indian Ocean security. These systems and technologies would add to the Indian maritime capacity-building and prove beneficial to both countries.

Conclusion

While relations between India and the United States were not at their cordial best during the Cold War era – in major part due to the differing security perceptions and

divergent foreign policies – the break-up of the Soviet Union in 1991 and the end of the bipolar world, brought about a major transformation in bilateral relations and maritime ties. In the changing geo-political scenario, India and the United States have come closer and maritime relations have been evolving in this transforming world due to the correspondence of interests. Initially, delegation visits of both countries and then the agreements in the defence field were the major landmarks in the relations. The maritime issues have been the area of focus at every forum including strategic dialogue. This happened due to the India's economic and maritime emergence in the Asia-Pacific and the changed US perceptions towards New Delhi. The United States expects India as a security provider in the Indian Ocean and an indispensable partner in the 21st century. The larger aim for India in bilateral relations is for "capacity building and capability sharing"; this basically involves US help to improve technologically, economically and militarily. The United States in return gains its larger strategic and economic objectives.

Notes

1. Dennis Kux, *Estranged Democracies: India and the United States* (Washington, DC: National Defense University Press, 1992).
2. For detail about the Clinton's visit see C. Uday Bhaskar, "Clinton's Visit and the Nuclear Narrative," *Strategic Analysis*, 27, no. 2 (2000): 207–19.
3. Despite India's resistance, the United States continued with its military aid to Pakistan. It provided total $6.50 million in assistance between financial year (FY) 1950 and FY 1980 under the Military Assistance Programme (MAP). It provided $3.2 billion during 1982–1987 and approved a large economic and military package of the value of $4.2 billion for the period 1987–1993. The $40.2 billion military and economic assistance to Pakistan was approved in 1988 despite its refusal to satisfy the US law on its nuclear weapon programme. For source see Poonam Mann, *India's Foreign Policy in the Post Cold War Era* (New Delhi: Herman Publications, 2000), p. 60.
4. Rasul B. Rais, *The Indian Ocean and the Superpowers* (London: Croom Helm Publications, 1986), p. 154.
5. Devendra Kaushik, *The Indian Ocean: A Strategic Dimension* (New Delhi: Vikas Publications, 1983), p. 84. India's ignorance of the India Ocean is called "sea-blindness" by Admiral (Retd) Arun Prakash, former Chief of Naval Staff. For detail see Admiral Arun Prakash, "India's Maritime Growth: Rationale and Objectives," *Varuna Vak Policy Paper*, no.1 (July 2011), p. 16.

6. P.S. Jayaramu, ''India and the Indian Ocean,'' in *Indian Ocean: Issues for Peace*, ed. Rama S. Melkote (New Delhi: Manohar Publications, 1995), p. 38.

7. C. Raja Mohan, ''India and the Changing Geopolitics of the Indian Ocean'', Eminent Persons Lecture Series, July 19, 2010, www.maritimeindia.org/sites/all/files/pdf/EminentPersonsLectureSeries_RajaMohan.pdf (accessed August 2, 2012).

8. Kamal Kumar, *Indian Ocean as a Zone of Peace: Problems and Prospects* (New Delhi: A.P.H. Publications, 2000), p. 242.

9. M.P. Awati, ''Emerging Security Issues in the Indian Ocean: An Indian Perspective,'' in *Superpower Rivalry in the Indian Ocean: Indian and American Perspectives*, ed. Selig S. Harrison and K. Subrahmanyam (New York: Oxford University Press, 1989), p. 106.

10. Selig S. Harrison, ''India, the United States and Superpower Rivalry in the Indian Ocean'', in *Superpower Rivalry in the Indian Ocean: Indian and American Perspectives*, ed. Selig S. Harrison and K. Subrahmanyam (New York: Oxford University Press, 1989), pp. 261–71.

11. As cited in K. Raja Menon, ''The Geo-political Scenario in the Indian Ocean Region: India–US Strategic Convergence and Maritime Cooperation,'' in *Security Challenges Along the Indian Ocean Littoral: Indian and US Perspectives*, ed. C. Uday Bhaskar and Kamlesh K. Agnihotri (New Delhi: Matrix Publications, 2011), p. 13.

12. Sharif Shuja, ''The United States and India,'' *National Observer*, no. 69 (2006): 35–45.

13. Rahul Roy-Chaudhury, ''US Naval Policy in the Indian Ocean,'' www.idsa-india.org/andec8-4.html (accessed August 1, 2012).

14. V.P. Malik, ''Defence and Military Relations: From 'Estrangement' to 'Strategic Engagement','' in *US–Indian Strategic Cooperation into the 21ˢᵗ Century: More than Words*, ed. Sumit Ganguly, Brian Shoup and Andrew Scobell (New York: Routledge, 2006), pp. 83–4.

15. This information brought up in the interview with Vice Admiral Pradeep Kaushiva (Retd), who had one of the delegation members in the navy ESGs meeting with the US Navy. The interview was held on August 20, 2012 by the author.

16. Malik, ''Defence and Military Relations,'' p. 90.

17. R.K. Radhakrishnan, ''Indo-U.S. Joint Naval Exercises Conclude,'' *The Hindu*, July 12, 2003.

18. Gurpreet S. Khurana, ''Joint Naval Exercises: A Post-Malabar-2007 Appraisal for India,'' www.Ipcs.org /pdf_file/issue/49320093IPCS-IssueBrief-No52.pdf (accessed August 1, 2012).

19. Ibid.

20. See Ministry of Defence, ''Annual Report 2011–12, India,'' p. 37, www.mod.nic.in/reports/AR-eng-2012.pdf (accessed August 15, 2012).

21. Indian Navy, ''Exercise Malabar 2012 Begins on East Coast,'' press release, April 8, 2012, www.indiannavy.nic.in/press-release/-naval-exercise-malabar-12-has-commenced-eastern-coast (accessed August 2, 2012).

22. For detail of defence cooperation between the two countries see Chintamani Mahapatra, *Indo-US Relations into the 21st Century* (New Delhi: Knowledge World Publications, 1998). And for text of the Agreed Minutes agreement on defence relations see ''Agreed Minutes on Defence Relations between India and the United States'', *Foreign Affairs Record*, XLI, no.1 (1995): 14–15.

23. Ashok Sharma, ''Strategic Convergence: An Overview of Defence and Military Cooperation,'' CLAWS Paper, no. 2 (2008), www.claws.in/download.php?action2,%202008.pdf (accessed July 2, 2012).

24. The text of the defence agreement is available at www.indianembassy.org/india-us-defense-relations.php (accessed July 12, 2012).

25. US Defense Secretary, ''Partners in the 21st Century'' (Leon Panetta's address at IDSA, June 2012, www.idsa.in/keyspeeches/LeonEPanettaonPartnersinthe21stcentury (accessed August 13, 2012).

26. ''Remarks by Deputy Secretary of Defense Carter to the Confederation of Indian Industry, New Delhi, India,'' www.defense.gov/transcripts/transcript.aspx?transcriptid=5084 (accessed August 9, 2012).

27. ''Statement of Collin Powell before the Committee on Foreign Relations,'' United States Senate, 17 January 2001, p. 34, www.gpo.gov/fdsys/pkg/CHRG-107shrg71536/pdf/CHRG-107shrg71536.pdf (accessed July 12, 2012).

28. Sumit Ganguly, ''U.S.–South Asian Relations: A Future Unlike the Past,'' www.ceri-sciences-po.org/archive/jan03/artsg.pdf (accessed July 12, 2012).

29. For text of the agreement see ''Framework for Maritime Security Cooperation,'' www.defense.gov/news/Mar2006/d200600302indo-usframeworkformaritimesecuritycooperation.pdf (accessed January 17, 2012).

30. Press Information Bureau, ''INS Jalashwa Joins the Eastern Fleet,'' www.pib.nic.in/newsite/erelease.aspx?relid=31220 (accessed August 13, 2012).

31. ''India's US Made Strategic Naval Aircraft Prepares for Launch,'' *Deccan Chronicle*, August 5, 2012.

32. ''US–India Disaster Relief Initiative,'' Fact Sheet, US Department of State, Washington, DC, 18 July 2005, at http://2001-2009.state.gov/p/sca/rls/fs/2005/49730.htm (accessed August 8, 2012).

33. Ministry of Defence, ''Annual Report 2002–03'', p. 26, www.mod.nic.in/reports/welcome.html (accessed August 15, 2012) and see also Amit Kumar, ''US in Ocean Region: It May Help India's 'Look East' Policy,'' *The Tribune*, June 14, 2006.

34. US Department of Defense, ''Report to Congress on US–India Security Cooperation,'' November 2011, www.defense.gov/pubs/pdfs/20111101_NDAA_Report_on_US_India_Security_Cooperation.pdf (accessed August 8, 2012).

35. US Department of State, "US–India Strategic Dialogue Joint Statement," www.state.gov/r/pa/prs/ps/2010/06/142645.htm (accessed February 14, 2012).

36. "Joint Statement 2012 U.S.–India Strategic Dialogue," http://www.state.gov/r/pa/prs/ps/2012/06/192267.htm (accessed November 15, 2012).

37. Robert M. Gates, "Forward, Together," *The Times of India*, January 19, 2010.

38. US Department of Defense, "Quadrennial Defense Review Report 2010", p. 60, www.defense.gov/qdr/images/QDR_as_of_12Feb10_1000.pdf (accessed July 30, 2012).

39. US Department of Defense, "Sustaining U.S. Global Leadership: Priorities for 21st Century Defense", www.defense.gov/news/Defense_Strategic_Guidance.pdf (accessed January 6, 2012).

40. "Navy to Safeguard Indian Ocean Islands: Antony," *Indian Express*, October 13, 2011.

41. Kamlesh Kumar Agnihotri, "Modernisation of the Chinese Navy, Its Strategic Expansion into the Indian Ocean Region and Likely Impact on the Regional Stability," *Maritime Affairs*, 7, no. 1 (2011): 54–61.

42. As cited in Pramit Mitra and Vibhuti Hate, "India–Iran Relations: Changing the Tone?", CSIS, no. 92 (March 2006), www.csis.org/files/media/csis/pubs/sam92.pdf (accessed July 15, 2012).

43. As cited in *Asian News Digest*, VII, no. 80, February 11–17, 2006, p. 5108.

44. For text of the act see "National Defense Authorisation Act for Fiscal Year 2012," www.govtrack.us/congress/bills/112/s1867 (accessed July 29, 2012).

45. Mark Landler, "China is Excluded from the Waivers from Oil Trade with Iran," *The New York Times*, June 11, 2012, www.nytimes.com/2012/06/12/world/middleeast/china-not-issued-waiver-for-oil-trade-with-iran.html (accessed July 9, 2012).

46. "US Exempts India from Iran Sanctions," *The Financial Express*, June 12, 2012.

47. Condoleezza Rice, "Promoting the National Interest," *Foreign Affairs*, 79, no. 1 (2000): 45–62.

48. US Defense Secretary, "Partners in the 21st Century."

49. Leon Panetta, "First Plenary Session" (address before the 11th Shangri-La dialogue, Singapore, June 2, 2012), www.iiss.org/conferences/the-shangri-la-dialogue/shangri-la-dialogue-2012/speeches/first-plenary-session/leon-panetta (accessed August 13, 2012).

50. Testimony of Richard Falkenrath on US–India global partnership, Before the Committee on House International Relations, 11 May 2006, at http://www.brookings.edu/research/testimony/2006/05/11india-falkenrath (accessed November 15, 2012).

51. "India–US Joint Statement on the Occasion of the Official Working Visit of Prime Minister to Washington D.C.," PIB release, November 10, 2001, www.pib.nic.in/archieve/lreleng/lyr2001/rnov2001/10112001/r101120011.html (accessed July 25, 2012).

52. "Joint Statement between President George W. Bush and Prime Minister Manmohan Singh," July 18, 2005, http://www.indianembassy.org/India_Review/2005/August2005.pdf. (accessed November 15, 2012).

53. *Federal Register*, 76, no. 16 (2011), p. 4229, www.gpo.gov/fdsys/pkg/FR-2011-01-25/pdf/FR-2011-01-25.pdf (accessed June 29, 2012).

54. *Lok Sabha* unstarred question series, at http://www.isro.org/parliament/2011/Budget/LUSQ2227.pdf (accessed June 29, 2012).

55. "US Promise to Remove Sanctions against Indian Entities Remain on Paper," *The Economic Times*, May 13, 2012.

56. The EUMA is related to the standard set of procedure governing the proper end use of US-origin defence items. The LSA permits the armed forces of the two countries to procure fuel and supplies from each other facilities. The CISMOA assures the security of communication between the two armed forces. The Basic Exchange and Cooperation Agreement (BECA) for Geo-spatial Cooperation is related to the geo-spatial cooperation. For reference see Deba R. Mohanty and Uma Purushothaman, "India–US Defence Relations: In Search of a Direction," *ORF Occasional Paper 23* (August 2011), pp. 1–30. And Kenneth I. Juster and Ajay Kuntamukkala, "US–India Initiative Series: Unleashing US–India Defense Trade," Working Paper, Center for a New American Security (October 2010), www.isn.ethz.ch/isn/Digital-Library/Publications/Detail/? (accessed June 28, 2012).

57. "US Prods India to Sign CISMOA," March 9, 2011, www.news.outlookindia.com/items.aspx?artid=714545 (accessed July 9, 2012).

58. Abijit Singh, "India Strengthens Eastern Naval Flank," *Asian Times Online*, August 29, 2012, www.atimes.com/atimes/South_Asia/NH29Df01.html (accessed August 31, 2012).

59. "U.S. Senate Unanimously 'Deplores' China's Use of Force in South China Sea," press release, June 27, 2011, www.webb.senate.gov/newsroom/pressreleases/06-27-2011.cfm?renderforprint (accessed August 31, 2012).

60. Commander Raghavendra Mishra and Kamlesh K. Agnihotri, "US Asia-Pacific Military Rebalance: The String of Pearls in Reverse," www.maritimeindia.org/article/us-asia-pacific-military-rebalance-string-pearls-reverse (accessed August 31, 2012).

61. For text of the UNCLOS, see www.un.org/Depts/los/convention_agreements/texts/unclos/unclos_e.pdf (accessed September 7, 2012).

62. For text of the India's Maritime Actof 1976 see http://nbaindia.org/uploaded/Biodiversityindia/Legal/19.%20Territorial%20Water,%20Continental%20Shelf,%20Exclusive%20Economic%20Zone%20and%20other%20Maritime%20Zones%20Act,%201976.pdf (accessed November 15, 2012).

63. Steve Groves, "Accession to the UN Convention on the Law of the Sea is Unnecessary to Secure US Navigational Rights and Freedoms," *Backgrounder*, no. 2599 (August 24, 2011), www./thf_media.s3.amazonaws.com/2011/pdf/bg2599.pdf (accessed September 7, 2012).