

## NSG Expansion for Non-NPT States: Criteria and Candidacy

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### Abstract

*Although Nuclear Suppliers Group (NSG) came into existence after a year against India's nuclear test in 1974, its powerful members possessing nuclear weapons appear to be creating exceptionalism while at the same time attempting to encourage and support Indian membership at the NSG. This article argues that major powers Party to the NSG undertake these potential measures without realizing collective normative posture of the NSG and the subsequent challenges this could create for South Asian deterrence stability when India, once becoming an NSG member, could then utilize its Veto power to prevent Pakistan from even becoming part of the NSG. This article finds out that in addition to the normative posture of the NSG as a rising influential cartel group, it is observed that India appears to have a greater support by eventually getting NSG's membership because of its growing strategic partnership with leading powers more particularly with the predominant player, the US in the Asia-Pacific region. As part of its offshore balancing/Pivot to Asia strategy against the rising potential regional power, say China, that the US is closely working*

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*with India in its rise to either balance or contain the spread of China in the Indian-Ocean region. Therefore, this article concludes that the NSG's future decision-making processes with regard to its expansion policy could be fraught with certain policy decision largely influenced by the growing geopolitical reasons between the major/leading players and like-minded power aspirant states in the Southern Asia region.*

**Keywords:** Nuclear Suppliers Group (NSG), Normative Posture, Potential Member-States of NSG, Nuclear Powers, Geo-Political Interests.

## **Introduction**

Although Nuclear Suppliers Group (NSG) was created as a consequence of the Indian nuclear test, it is surprising to observe that even the NSG's revised guidelines June 2013 does not mention India directly, whose nuclear weapon test became responsible for the creation of NSG in the first place.<sup>1</sup> One may question why NSG hides the fact of its origin when it currently exempts India as a self-declared nuclear weapon state, not party to the Non-Proliferation Treaty (NPT) that conducted more nuclear weapons tests in May 1998? Is not this the violation of the NSG's norms for which this was created in the first place? Or is it legitimate for the NSG to remain flexible in its policy guidelines creating exceptionalism to a nuclear weapon state not party to the NPT? Should the future NSG's members, not recognized as nuclear weapon states (i.e. India and Pakistan) need to become party to the NPT first before being

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<sup>1</sup>"The Nuclear Suppliers Group: Its Origins, Role and Activities," *INFCIRC/539/Revision 6*, IAEA, January 12, 2015, <https://www.iaea.org/sites/default/files/infirc539r6.pdf> (accessed April 2, 2018).

accepted by the NSG? This becomes one of the critical issues when it comes to the growing normative posture of NSG and its proposed expansion plan.

It is imperative to note that the NSG works with consensus by following the two prominent sets of its normative posture. One, it is responsible to strictly follow the guidelines for nuclear exports. Two, it also relates to nuclear related exports.<sup>2</sup> However, the third plausible imperative that goes beyond the NSG's normative posture is the direct and indirect influences of geo-political environment that in turn affects the certain decision making processes with the NSG framework. It may not be wrong to argue that although India has never been the member of the NPT and the NSG was created one year later after India's nuclear tests in 1974, but major powers particularly possessing nuclear weapons influences the decision making process, therefore, affecting the normative provisions of the NSG by trying to accommodate India as part of NSG. This is potentially carried out due to the growing geo-political interests of major powers when they would in turn require India to play a significant offshore balancing role to contain China as rising regional power. Arguably, the principle stand of the NSG is gradually becoming fraught with loopholes because of the possible exploitation by the major powers that would favor their geopolitical interest much more than that of the normative posture of the NSG.

That being noted, however, the first set of NSG's guidelines deals with elements such as a) nuclear materials, b) nuclear reactors and equipment's) non- nuclear materials for reactors, d) plants and equipment for the reprocessing, enrichment and

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<sup>2</sup>"Guidelines for Transfer of Nuclear-Related Dual-use Equipment, Material, Software, and Related Technology," *NSG Part 2 Guidelines –INFCIRC/254/Rev. 10/Part 2*, November 8, 2016, <https://www.iaea.org/sites/default/files/publications/documents/infcircs/1978/infirc254r10p2.pdf> (accessed April 2, 2018).

conversion of nuclear material and for fuel fabrication and heavy water production, and e) nuclear technology for each of the above nuclear export elements. Also, the second set of NSG guidelines largely deals with nuclear export related materials such as fuel cycle and nuclear explosive for industrial purposes only.<sup>3</sup> Both of these two sets of NSG guidelines are consistent with the provisions of internationally binding treaties in the field of nuclear non-proliferation such as the NPT, the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga), the African Nuclear Weapon Free Zone Treaty (Treaty of Pelindaba), the Treaty on the Southeast Asia Nuclear Weapon Free Zone (Treaty of Bangkok), and the Central Asian Nuclear Weapon Free Zone Treaty (Treaty of Semipalatinsk).<sup>4</sup> Nevertheless, the third aspect of the NSG is gradually marking the benchmark – that is, how major states possessing nuclear weapons could influence the decision making processes of the NSG by successfully favoring states not-party the NPT due to their growing geo-political and/or geo-strategic relations. In doing so, this could become one of the major challenges for member-states in general and the NSG normative approach in particular.

One of the major challenges that may fall within the critical issues of the NSG that it confronts in the 21<sup>st</sup> century nuclear politics is the induction of more members especially states not Party to the NPT but possessing nuclear weapons. Since the revised NSG's provisions talk about the criteria-based principles based on the unanimous consensus between the members, it would be challenging how the NSG could induct non-NPT states particularly possessing nuclear weapons into the NSG. There can be two plausible options. One, the NSG could follow its principles and allow

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<sup>3</sup>ibid., 1.

<sup>4</sup>ibid., 2.

only these non-NPT states to become part of the NPT first, before they join the NSG respectively. However, this strict criteria may not be acceptable to, say, India and Pakistan who are nuclear weapons states, but they have never joined the NPT rather these nuclear weapon states would like to be recognized; that is, obtaining a formal nuclear legitimacy like the P-5 major nuclear weapons states before they could become part of the NPT.<sup>5</sup> Two, the NSG could relax the conditions through mutual consensus that are acceptable for both India and Pakistan as the non-NPT members permitting both India and Pakistan simultaneously into the NSG enjoying the similar rights for peaceful uses of nuclear technology under the IAEA's comprehensive safeguards without compromising on their vital interest on nuclear weapons status. In contrast, creating exceptions for one state against the interest of another could jeopardize the credibility of the NSG in general and affect the strategic stability of South Asia in particular.

This policy paper talks about the plausible options/criteria the NSG may opt, not only to sustain the credibility of NSG and the international non-proliferation, but also allow the induction of more states especially nuclear weapon states, not Party to the NPT. It concludes that NSG that rises up as one of the leading international non-proliferation cartel regimes would lose its credibility if it creates discrimination and promotes exemptions by allowing one state at the expense of another. However, its credibility could be restored if it makes endeavors ensuring either a specific criteria for all states or relaxing the bar of restriction in order to accommodate new states without compromising on its credibility. First, it talks about the normative aspects of the NSG

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<sup>5</sup>Mark Hibbs, *The Future of the Nuclear Suppliers Group* (Washington: Carnegie Endowment for International Peace, 2011), 17.

that in turn could eventually pave the ways for its proposed expansion plan.

### **NSG Norms**

The formation of the NSG is based on normative principles that it would promote the ideals of non-proliferation while encouraging member states to strictly follow the peaceful uses of nuclear technology. The NSG would make sure that its principles are not violated and that even if it has to increase its membership, it will be based on criteria it sets for. For example, any decisions the NSG members would take will be based on unanimous agreement ensuring its normative principles. Any exemptions or country specific decision because of geo-political interest while without meeting the provisions of the NSG could undermine the credibility of the NSG in general and international non-proliferation regime in particular. It is observed that India appears to have a greater support by eventually getting NSG's membership because of its growing strategic partnership with leading powers more particularly with the predominant player, the US in the Asia-Pacific region. As part of its offshore balancing/Pivot to Asia strategy against the rising potential regional power, say China, that the US is closely working with India in its rise to either balance or contain the spread of China in the Indian-Ocean region. Therefore, NSG's future decision with regard to its expansion policy could be fraught with certain policy decision largely influenced by the growing geopolitical reasons between the major/leading players and like-minded power aspirant states in the Southern Asia region. Nevertheless, when it comes to the normative posture of the NSG, the revised guidelines based on unanimous agreement make few important provisions binding upon the NSG members.

First, one of the important factors taken into account by the NSG for its membership is that a participant or a member needs to

adhere to one or more treaties such as the NPT or other international treaties on nuclear weapons free zones with full compliance with obligations of such agreements. This factor can simply be interpreted that the NSG requires a participant/member to become part of the NPT or other international treaties with full compliance of the provisions of these treaties when it comes to the NSG's membership in the first place.

Second, when it comes to the special controls on sensitive exports that largely include the Enrichment and Reprocessing Nuclear Technology (ERNR), the NSG's revised guidelines clearly show that the Suppliers should not authorize the transfer of these sensitive materials if the recipient does not meet at least all of the following criteria:

- 1) the recipient is a Party to the NPT and is in full compliance with the NPT provisions;
- 2) the receipt is not identified breaching the International Atomic Energy Agency (IAEA)'s safeguard agreement;
- 3) the recipient follows the NSG's guidelines and implement effective export controls as identified by Security Council Resolution 1540;
- 4) the recipient has concluded an inter-governmental agreement with the supplier including assurances regarding non-explosive use, effective safeguards in perpetuity (lasting) and retransfer;
- 5) The recipient has made a commitment to the supplier to apply physical protection of the transferred nuclear technology based on the current international guidelines as agreed between the Suppliers and Recipient;
- 6) The recipient has committed to the IAEA's safety standards and adheres to the international safety conventions.<sup>6</sup>

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<sup>6</sup>"Guidelines for Nuclear Transfer," *NSG Part 1 Guidelines INFCIRC/254/Rev.13/Part 1*, November 8, 2016, <https://www.iaea.org/sites/default/files/publications/documents/infcircs/1978/infcirc254r13p1.pdf> (accessed April 2, 2018).

Third, in addition to these criteria based provisions, the NSG's guidelines also mention that the Suppliers should not transfer the enrichment and reprocessing nuclear materials that enable the recipient to produce greater than 20% of enriched uranium. To satisfy the non-proliferation measures, the NSG's guidelines for the Suppliers that their transfer of these nuclear technologies would not contribute to the proliferation of nuclear weapons or other nuclear explosive devices or be diverted to acts of nuclear terrorism. The NSG makes sure that the Suppliers have legal measures when it comes to the effective implementations of the NSG's guidelines including "export licensing", "enforcement measures" and "penalties for violations."<sup>7</sup>

As part of its normative posture, it argues to expand its membership on the basis of mutual consensus. However, the NSG is not substantially clear whether the principle for future membership be based on criteria or country specific (exceptions) with special exemptions granted. For example, if India goes into the NSG, it will be a nuclear weapons state, not Party to the NPT. In doing so, this will go against the NSG's revised guidelines when it comes to norms and specific criteria of the NSG unless the NSG brings some structural reforms for new members especially that are nuclear weapon states, not party to the NPT. It is not clear how this could affect the norms of the NSG in the 21<sup>st</sup> century nuclear politics when a nuclear weapon state such as India would be accepted by the NSG without first getting into NPT. This creates many more questions than we might really require appropriate answers: Will this be appropriate enough for NSG or a failure for international non-proliferation regime which would in turn undermine the strategic stability of South Asia in general and international security in particular? What options the NSG will then

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<sup>7</sup>ibid.

have in order to restore the balance making sure that India's inclusion into the NSG alone could not trigger new arms race? Can Pakistan's smooth inclusion into the NSG as it prepares itself to be possible after India gets in? Has the NSG thought of the strategic consequences about India's inclusion into the NSG as a non-NPT member leaving Pakistan behind?

That's all being asked NSG plays absolutely essential role that govern the set provisions for both nuclear exports and nuclear-related exports. Gradually, the NSG makes sure that it keeps itself updated, effective, and credible even if it gradually expands by accepting the membership of nuclear weapon states not Party to the NPT. Currently, NSG seems to have increased its credibility by making sure that its members would follow the strict guidelines by not exporting nuclear related technology if they are sure that these nuclear related items/technology/materials could be diverted for nuclear weapons program. Despite the normative endeavors NSG members attempt to make, NSG confronts critical issues with regard to its long lasting efforts for meeting the principles of non-proliferation, disarmament, and peaceful uses of nuclear technology. These are discussed in the subsequent section.

### **NSG and the Critical Issues**

The NSG currently confronts critical normative issues as majority of its members have already provided special exemptions by providing nuclear technology to India. Most of the NSG major powers possessing nuclear weapons have shown significant leniency to India including the recent Ambassador Grossi's nine-point Formula paving the ways for India to secure a smooth entry into the NSG.<sup>8</sup> It

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<sup>8</sup>Anwar Iqbal, "Formula for new NSG members leaves Pakistan out: US group," *Dawn*, December 28, 2016, <https://www.dawn.com/news/1304941> (accessed May 1, 2018).

creates exceptions in most of the cases for India whilst ignoring the set criteria by lowering the restriction bar. In doing so, this could further undermine the credibility of the NSG in general and the international non-proliferation regime in particular. Since the NSG rises up as one of the important cartel groups in the field of non-proliferation, it is not free from the critical issues it confronts.

First, many observers in Pakistan would consider that the US-India nuclear deal and the NSG's nuclear exemptions to India has become a critical issue for the NSG that in turn could challenge the credibility of the NSG. This indicates that NSG may drift away from the provisions it sets and undermine its own set guidelines if and for how long the NSG would continue to follow the criteria and guidelines making the provision that any new state would become Party to the NPT first before joining the NSG. Although India theoretically claims to follow the IAEA's additional protocol by accepting its safeguards, it is not clear whether or not India is following the comprehensive safeguards. India argues that it would follow the principles in phases in terms of bringing its nuclear reactors under the IAEA's safeguards.<sup>9</sup> It is not clear whether or not India could actually follow the IAEA's comprehensive safeguards when it comes to various stages for bringing India's nuclear reactors under the IAEA's safeguards. Presumably, India could exploit and create greater opportunity for it to cheat without successfully being caught.

Various Phases stage by stage could provide India opportunity to exploit the IAEA's additional protocol, therefore, undermining the credibility of the NSG and the IAEA's safeguard agreement when India would have already acquired much fissile materials for making nuclear warheads out of its currently 8 nuclear reactors not

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<sup>9</sup>Kamran Akhtar, "NSG Membership of Non-NPT States," *Institute of Strategic Studies Islamabad*, no. 4 (August 2016): 6-8.

under the IAEA's safeguards. India also claims to retain its nuclear moratorium, but the evidences show at Karnataka that India could go for more nuclear weapons tests including building more nuclear reactors for its nuclear submarines. Nuclear moratorium is not legally-binding and that can be broken as France did in 2005 by carrying more nuclear weapons tests for its deterrent force modernization undermining the provisions of the NPT and its normative posture towards the international non-proliferation regime.<sup>10</sup>

If India goes for more nuclear weapon tests, as it desires so, it would undermine the set provisions of the NSG amidst its struggle for its membership. The NSG is not clear on the implications for India if it conducts more nuclear tests after becoming member of the NSG as to how this could affect the credibility of international non-proliferation regime linked with this particular rising cartel (NSG). Despite the NSG's exemptions, India tends to remain outside the CTBT and the NPT at large. It tends to keep many of its civilian nuclear activities outside the IAEA's comprehensive safeguards reflecting that it could acquire more deterrent forces.<sup>11</sup> India has already aspired for a grand nuclear strategy and such a grandiose journey would require India to build more nuclear reactors and produce more fissile materials that could suffice its aspiration for a regional rising power status by building more deterrent forces bolstered with sophisticated delivery systems. This development would have implications for strategic stability of South Asia where there could be a new arms race between India and Pakistan. Also, this could increase the prospects for security dilemma in the South

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<sup>10</sup>Oliver Meier, "Chirac Outlines Expanded Nuclear Doctrine," *Arms Control Today*, March 2006, [https://www.armscontrol.org/act/2006\\_03/MARCH-Chirac](https://www.armscontrol.org/act/2006_03/MARCH-Chirac) (accessed February 11, 2019).

<sup>11</sup>Adeela Azam, Ahmed Khan, Syed Muhammad Ali and Sameer Ali Khan, *India Unsafeguarded Nuclear Program: An Assessment*, *Institute of Strategic Studies Islamabad* 20, no. 5 (December 2016): 68-69.

Asian region<sup>12</sup> because of increased mistrust between India and Pakistan.

Second, NSG is not clear how and when it would need to expand its membership despite its plans for its expansion while urging new members to join the NSG. Whether or not, it would include India as a nuclear weapon state, not party to the NPT. Also, it is not clear if it intends to bring both India and Pakistan into the NSG simultaneously by widening its scope of nuclear politics, not Party to the NPT. As both India and Pakistan prepare the grounds for joining the NSG, NSG needs to bring Pakistan when and if India becomes part of growing cartel group. However, it is feared that this could make Pakistan's membership into the NSG more complex, painful, and hard because then India will have veto power to block Pakistan's chances for membership completely once India becomes its member while preventing Pakistan to secure the NSG's membership. That means that Pakistan may not be able to acquire nuclear technology for peaceful purposes as its energy needs would require Pakistan do so. If the NSG shows flexibility while accepting India as its member while India is not yet a member of the NPT, then the NSG might need to allow Pakistan too simultaneously to help prevent the strategic consequences for a broader Southern Asian region. Favoring one at the expense of other could have a damaging regional implications and the burden of responsibility could be on the NSG for its discriminatory approach, incorrect direction, and decision making mechanism.

The recent two-page Grossi formula prepared by the former Chair of the NSG Ambassador Rafael Mariano Grossi has been

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<sup>12</sup>Zafar Khan, "India's Grand Nuclear Strategy: a Road towards Deployment of Ballistic Missile Defense System," *Regional Studies* XXXIV, no. 1 (2016): 48-64.

rejected by Pakistan<sup>13</sup> because the so-called Grossi formula remains discriminatory that lowers the restriction bar and paves ways for India that can theoretically claim to have a smooth entry into the NSG without adhering to the existing provisions of the NSG.<sup>14</sup> The Grossi formula is not only considered discriminatory, but it is largely presumed to frame the basis for exceptionalism. However, it is also imperative to note that accepting India and Pakistan could also drift the members of the NSG into a complex decision making dilemma. Because, once India and Pakistan are accepted by the NSG, then this could open a Pandora box for other states too. They would then argue the nuclear status of India and Pakistan and challenge the NSG's criteria for allowing nuclear states not recognized by the NPT in the first place. However, unless otherwise the NPT accepts India and Pakistan as recognized nuclear weapons states, it could be painful decision for India and Pakistan to join the NPT as non-nuclear weapons states in order to secure a membership in the NSG. Since the NSG's guidelines create a significant bar for both India and Pakistan to become members of the NSG without being Party to the NPT, there can be some plausible policy options for the NSG regarding the proposed plan for its expansion.

### **Plausible Policy Options on the NSG Expansion**

There can at least a couple of plausible options the NSG may undertake to further enhance its normative posture and credibility

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<sup>13</sup>Baqir Sajjad Syed, "Pakistan rejects new formula for NSG membership," *Dawn*, December 30, 2016, <http://www.dawn.com/news/1305297/pakistan-rejects-new-formula-for-nsg-membership> (accessed April 4, 2018).

<sup>14</sup>Daryl G. Kimball, "NSG membership proposal would undermine nonproliferation," *Arms Control Today*, December 21, 2016, , <https://www.armscontrol.org/blog/ArmsControlNow/2016-12-21/NSG-Membership-Proposal-Would-Undermine-Nonproliferation> (accessed April 6, 2018).

as one of the rising cartels in the field of international non-proliferation.

One, the NPT should recognize both India and Pakistan as nuclear weapon states before they join the NSG. Presumably, as India and Pakistan enhance their nuclear maturity after two decades of South Asian nuclearization, the NPT and NSG could eventually recognize these South Asian nuclear weapon states with the ultimate motive to strengthen the non-proliferation regime. Nevertheless, there are both merits and demerits to this perspective. For instance, bringing Pakistan and/or India into the NPT as nuclear weapon states would strengthen the prospects of nuclear non-proliferation regime rather than keeping them outside for indefinite period. By keeping the South Asian nuclear weapon states away from the NPT and/or other important non-proliferation regimes could further encourage these nuclear weapon states to continue to develop more warheads and delivery systems. Presumably, the more India and Pakistan, as nuclear weapon states, remain outside the NPT, the more there is a risk of consistent arms race in South Asia affecting the deterrence stability in the South Asian region. And the more this could risk major military escalation leading to a nuclear level. Yet, it may not be guaranteed that India and Pakistan would completely get out of the vicious cycle of security dilemma even if they are recognized by the NPT. Both the Soviet Union and the US being recognized as nuclear weapon states since the inception of the NPT continued to live under a long shadow of security dilemma and the same persists even after the end of the Cold War. Nevertheless, it would still be a better option rather than to live with zero option to encourage India and Pakistan by providing them opportunities to become part of the NPT and other important non-proliferation regime such as NSG.

However, the more international non-proliferation regime makes serious endeavors bringing both India and Pakistan into these non-proliferation regimes, the more the international community could emphasize on a global nuclear disarmament that major nuclear states pledged to follow suit eventually. But, there are still those who could argue that the induction of both India and Pakistan as nuclear weapon states party to the NPT could encourage other nuclear weapon states, say, North Korea and Israel to get recognized by securing their nuclear weapon status by the NPT. This dilemma would continue to persist unless a major structural reform is brought into the international non-proliferation regime both sustaining the life and spirit of the international non-proliferation regime and encouraging India and Pakistan to ultimately become part of the NPT/NSG.

Two, the NSG may create flexibility in its guidelines by allowing these two states as nuclear weapon states, not Party to the NPT, but of course agreeing to international treaties and safety conventions. Currently, it may not be acceptable for both India and Pakistan to join the NSG as non-nuclear weapons states, Party to the NPT. When it comes to international politics in general and nuclear politics in particular, states would always opt for effective cost and benefit analysis as to how much they are winning and losing before becoming part of any treaty. In the realist paradigm, states would prefer to have maximum gain in those proposed treaties. That being said, neither India nor Pakistan could agree to a stringent criteria proposed by the NSG that would not allow by consensus or by the revised guidelines both India and Pakistan to become part of the NSG unless they join the NPT. Rather India would desire to have a nuclear legitimacy by joining the NSG to enjoy the acquisition of nuclear technology. The inclusion of India and Pakistan into the NSG as nuclear weapon states including that of all major nuclear weapon states recognized by the NPT would

enhance the NSG's stature as one of the strongest cartel groups when it comes to the field of non-proliferation and the peaceful use of nuclear technology. The prospects for turning the NSG as a cartel into a formal legally-binding treaty could also get enhanced. Therefore, the expansion plan could benefit both the new nuclear weapon states even if they are not party to the NPT and enhance the overall stature of the NSG within the growing prospects of international nonproliferation regime. This in turn could further enhance NSG's normative posture and its credibility that is currently challenged by when few of its member states attempt to create special exceptions and space for India to join the NSG, even though this could be contrary to the existing provisions of NSG.

### **Conclusion**

The rise of the NSG as a one of the important, but influencing cartel groups promoting the cause of non-proliferation intends to encourage India alone to become part of it by passing the historical fact that the NSG was created against the Indian nuclear weapon test. The major powers possessing nuclear weapons have already given certain exemptions to India in terms of trading with India in the field of nuclear technology transfer. However, these special exceptions by the NSG members are not consistent with the so-called provisions of the NSG that does not allow a state unless it is party to the NPT. This goes against the revised provisions of NSG which in turn could undermine its normative posture and credibility as one of the important rising cartel groups. These special exceptions to India reflect the nuclear politics in the broader field of nuclear non-proliferation where political and economic interest and even geo-political interest could undermine the set provisions of any treaty. If this remains the case, the international community needs to look into this growing matter of concern that may not simply be wished away when India has an arch rivalry with Pakistan that is also a nuclear weapon state and also strongly presents its

case for the NSG membership. Nevertheless, it appears to be that a discriminatory approach is played against Pakistan where NSG becomes a criterion specific for Pakistan and a country specific when it comes to India's bid for joining the NSG.

It is encouraging that the NSG could expand its membership by inducting more states that may include state either Party to the NPT or those who have not yet joined the NPT. One, it could allow India leaving Pakistan behind, but then this complex decision could have critical consequences for arms race and increased over reliance on nuclear weapons in the South Asia. This may not be in the best interest of the NSG members when their geo-economic and geo-strategic stakes are high in the South Asian region. Two, the NSG could relax its provisions unanimously agreeing that it could eventually pave the ways for both India and Pakistan to join the NSG. However, both would remain legitimate and responsible nuclear weapons states by following the essential parameters of the international non-proliferation regime including that of the additional protocol of the IAEA. Three, the NSG becomes strict to its provisions without showing any flexibility by not allowing both India and Pakistan to become part of the NSG unless they comprehensively meet the guidelines of the NSG particularly joining of the NPT. However, this may not be favorable to the NSG as this would show NSG too rigid, discriminatory, and limited by not increasing its membership. Plausibly, expanding its membership and promoting the cause of non-proliferation, the NSG could further enhance its credibility in the field of non-proliferation by making both India and Pakistan obligatory to the essential imperatives of the non-proliferation.