

An Analysis of the Indo – US Civil Nuclear Cooperation Agreement (2005)

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New Delhi

Conference on Security and Cooperation in South Asia:

A Global Perspective

Berlin, Oct 8 – 10 2007

organised by

German Federal College

Institute for Peace Research and Security Policy, Hamburg

Massachusetts Institute of Technology

Political Reactions to the Agreement in India

- Hailed as historic by most parties
- Left Parties vehemently oppose it; would inhibit future testing (*ironic because they had opposed the 1974 and 1998 tests*)
- Most academic circles welcome it; enables demise of nuclear isolation imposed by USA in 1974
- Mainstream newspaper columnists support it

Reactions of Industry and the Scientific Community

- Large industrial houses (eg Tatas, Reliance) would like to enter the nuclear electricity sector – provided enabling legislation is passed; would like to sign deals with foreign majors
- Criticism by retired atomic energy chiefs that it curtails autonomy to conduct tests in the future; bulk of the community is reported to welcome the deal
- Nuclear industry professionals believe prospects of nuclear electricity have been brightened by the deal because US opposition in the NSG to imported turn-key power reactors has now vanished
- Given India's current uranium deficit, its import from uranium-rich nations is enabled
- India's 'strategic' programme is unaffected by the agreement

Need for Testing and Testing Methods

- Principle of “Trust by Verify” applies; assurance of performance is more important than confidence in design - especially to the armed forces
- Spectrum of testing procedures ranging from ‘full scale’ tests to simulation, modelling, sub-system tests; not in violation treaty or other obligations
- Even USA has its Stockpile Stewardship Program; not surprising that others would have similar programs
- If changes have been made to nuclear core or the trigger system, the need would arise for a confirmatory test or tests; however, the green signal would be given by the political authority only while taking account of politico-economic-diplomatic repercussions

Need for Testing and Testing Methods

- Nuclear tests could be used to `signal' adversaries not to cross some Red Signals (or the Nuclear Rubicon)
- A nuclear debutante will have to conduct a test to convince the world of its `arrival'; no statements or declaratory postures would suffice
- Some countries (eg North Korea) could use nuclear tests, or the threat to go nuclear, as bargaining chips in international affairs

On the Indo-US Nuclear Agreement

Six features need highlighting:

- 1)** It reveals more of statesmanship on the part of USA and less of politics
- 2)** Both would create a “strategic fuel reserve” to guard against any supply disruption over the lifetime of power reactors and USA Would work with countries like France, Russia and UK; plus the Nuclear Suppliers Group (NSG)
- 3)** Reprocessing of spent fuel from such imported power reactors will Be permissible. India would build a new, safeguarded facility for this purpose

Six features Contd.....

- 4) If India's security environment changes adversely advantage and the need for nuclear tests arises in the future, both countries would enter into `consultations'. These would be 'prompt'; could arise if there is a nuclear test by any country.
- 5) The validity of the agreement is 40 years; extendable by 10.
- 6) Agreement termination will need a year's notice; no automatic fall of the guillotine

Political Reactions in India

Opposition from Left Parties

Their demands:

- a) Do not 'operationalise' the agreement
- b) Agreement should be debated in parliament and cleared
- c) Impose a 6-month freeze
- d) Any abridgement of India's right to conduct future tests not acceptable

An Analysis of the Left/Opposition Demands

- Appears driven by archaic ideology and genetic dislike of USA as the sole Super Power
- No politico-economic-technological rationale presented, so far
- Ignores tradition that the government of the day has the right to enter into bilateral/multilateral treaties without prior debate in Parliament; (eg the Indo-USSR Treaty of Friendship and Cooperation of 1971)

An Analysis of the Left/Opposition Demands (contd)

- There are 2 just remaining bastions of Communist power and ideology in India: West Bengal and Kerala; insignificant in the other States of India
- The present coalition government in New Delhi depends on Left support
- But the Indo-US nuclear deal is *not likely to be a make-or-break* issue.
Reason: no political party is ready for premature parliamentary elections; mid-term elections not favoured

What If India's Security Environment turns Adverse and the Need to Test Arises?

A nuclear *modus vivendi* exists with China and Pakistan; plus CBMs

A nuclear Bangladesh, Sri Lanka, Nepal or Myanmar could call for a re-think

Then, likely impact on the Indo-US Agreement could be:

- a) Prompt consultations; the Agreement provides for such "consultations"
- b) Moves towards more regional CBMs
- c) If the political and technical need exists for more tests under the changed circumstances; unlike 1974 and 1998, USA would not be "surprised"

Other Measures

As part of its Minimum Credible Deterrence (MCD), India may be expected to:

- Continue R&D and upgrades to avoid obsolescence
- Repackage and clear payloads for new delivery vectors as they emerge in the future
- Continue bilateral and multilateral engagements to ensure that a nuclear exchange is not triggered by misperceptions, ignorance or worse
- Cooperate in efforts to ensure that nuclear weapons or technology does not fall into the hands of non-State actors
- Work towards the elimination of nuclear weapons in a time-bound framework

Summing Up

- The deal is largely perceived in India as being in India's national interests
- It ends the nuclear isolation of India, mainly by USA, since 1974
- It removes hurdles for countries like Russia and France to vigorously participate in turn-key power reactor projects
- Criticism of the deal by India's Left Parties could be handled within the democratic space