

Indo-U.S. deal: Negotiating the nuclear fine print

India's nukes are not a problem for the US but an asset in the larger game of tethering China

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THE JULY 18 nuclear agreement between India and the United States represented a dramatic reversal of Washington's proliferation policies towards New Delhi. Dropping its insistence on India capping or reversing its nuclear weapons programme, the Bush administration declared itself willing to engage in nuclear commerce with a nation whose growing strategic significance it was keen to harness. In the neocon worldview, India's nuclear weapons are not a problem for American power but an asset in the larger game of tethering China and preventing the emergence of an Asian security architecture that might exclude the U.S. Central to this project is the prevention of pan-Asian energy arrangements built around pipelines linking Central Asia, Iran, Pakistan, India, Myanmar, and China. Allowing India access to international civil nuclear technology and supplies flows directly from these imperatives.

In exchange, India committed itself to a number of "voluntary" steps aimed at bringing its nuclear industry under some measure of international scrutiny. Its nuclear weapons programme was excluded from the purview of the July 18 agreement. At the same time, the U.S. was confident that the separation of military and civil nuclear facilities and the placing of the latter under International Atomic Energy Agency safeguards would help keep the Indian arsenal within the limits needed to 'balance' China and ensure it did not develop into a more open-ended enterprise with global implications. Ideally, the U.S. would also like to influence India's choice of civilian nuclear technology, moving it away from its indigenous plutonium-thorium based three-stage programme towards light water reactors running on "proliferation-risk free" low enriched uranium.

Though the Government insists no hidden conditions were attached to the agreement, India was left in no doubt that its strategic instincts and plans must henceforth be curbed or, at the very least, dovetailed to suit the logic of its alliance with America. The shift in Indian behaviour this has induced is palpable. The Manmohan Singh Government's imprudent decision to support the European-U.S. resolution against Iran at the IAEA is the most visible marker of this change but there are other straws in the wind. All plans of looking at Iran as a land and energy bridge to Central Asia and Afghanistan are on hold; officials (and analysts) who once were excited by the prospect of an Iran-India pipeline have since turned turtle; the India-Brazil-South Africa forum is being seen as a distraction rather than a grouping with tremendous political and economic significance; relations with China are on a steady course but the more India gets sucked into the vortex it is entering, there will be dissonance here too.

If this is the political price India is paying for American nuclear assistance, there are also

significant technological and financial costs to be borne as the country moves to implement the commitments made in the July 18 agreement. This weekend, the working group headed by Foreign Secretary Shyam Saran and Undersecretary of State Nicholas Burns will meet in New Delhi to evolve the timeframe and specific contours of the commitments to be implemented. The U.S. is committed to changing its domestic laws governing nuclear exports and working to bring the Nuclear Suppliers Group on board. India's commitments are mainly to effect a civil-military separation and accept the IAEA safeguards. However, the first question that has to be resolved in the Saran-Burns meeting is sequencing.

The American side has already spelt out its views. By the time President George W. Bush comes to Delhi in February 2006, "India should have identified the facilities in terms of the separation of civilian and military facilities and activities," Undersecretary of State for Nonproliferation Robert Joseph told a Congressional hearing on September 8. "It should have begun in-depth consultations with the IAEA for the application of safeguards on the civilian side. It should have also begun in-depth discussions with the IAEA on the Additional Protocol." Mr. Burns added that India had been told that the U.S. wanted "a date by which some of the actions will be taken ... And in turn, the Government of India will expect that we will be working in the NSG and with Congress to identify a way forward." (emphasis added)

In other words, by the time India has come up with a plan for separation and is already having "in-depth discussions" with the IAEA, the U.S. would still only be working on identifying a way forward. Assuming that way forward is identified promptly, will U.S. law be changed before India's safeguards agreement with the IAEA comes into force? Prime Minister Manmohan Singh told Parliament on July 29 that before India subjects itself to international scrutiny "we will ensure that all restrictions have been lifted." Careful calibration is required to ensure that India's safeguards obligations kick in after Congress amends the U.S. Atomic Energy Act without riders. The ease with which a handful of Congressmen were able to dragoon India on the Iran issue has given confidence to the nonproliferation lobby on and around the Hill, which is still seeking to make U.S. nuclear cooperation conditional on additional concessions.

Apart from sequencing, separation too is likely to be a complicated affair and one in which the U.S. will try and push the envelope as far as it can. Though India insists the identification and separation of military and civilian nuclear facilities is its decision alone, the U.S. is insisting on having a say. The Bush administration is keen to ensure that the separation is "both credible and defensible from a non-proliferation perspective," Mr. Burns told the Congressional panel last month. "The U.S. government has to be able to see it happen and understand what is happening and agree on what is happening." (emphasis added)

The issue is not an academic one. Though the Indian atomic establishment believes there is little difficulty in accepting safeguards at many facilities, there are some non-military facilities and activities where it would not like to let the IAEA in. Anil Kakodkar, chairman of the Atomic Energy Commission, has been quite blunt about this. [In an interview to Frontline in August](#) he said, "We are not going to put under safeguards any research and development programme." Asked explicitly about safeguards for the Prototype Fast Breeder Reactor (PFBR) under construction at Kalpakkam and other FBRs, Dr. Kakodkar replied: "No, the PFBR will not come. The PFBR is a prototype. Why should it go under safeguards? When technology becomes mature, it is a different story." He added that the IGCAR at Kalpakkam was an R&D centre, implying that it too would remain unsafeguarded. Dr. Kakodkar also emphasised that costs would be another factor in identifying what is civilian.

It is reasonable to infer that the State Department and the DAE have a vastly different view of the civil-military separation. What stand the Ministry of External Affairs takes remains to be seen. Apart from the PFBR, which Washington would ideally like to see on the civilian facilities list, U.S. experts are also believed to be keen to ensure India's present and future detritiation facilities — where heavy water is processed and tritium gas produced — are safeguarded since tritium is the hydrogen that gives a lethal boost to the explosive force of 'hydrogen' bombs.

The irony here is that the U.S. produces its tritium at civilian facilities. For decades, the U.S. has been the only nuclear weapon state to have effected a civil-military separation more or less successfully thanks to billions of dollars spent in developing extensive stand-alone facilities to service its nuclear stockpile. However, in 2003 formal separation in the U.S. came to an end when the Tennessee Valley Authority's commercial Watts Bar Nuclear Plant [started producing both tritium for nuclear weapons and electricity for civilians](#). The Department of Energy (which oversees the U.S. military nuclear programme) stopped making tritium in 1988 when its reactors at Savannah River were shut down for safety reasons. Since the gas has a short lifespan, the U.S. administration authorised the use of civilian facilities as a cheaper option to the establishment of a DoE-run dedicated extraction facility.

In other words, even as it expects India to separate its civilian and military nuclear activities, the U.S. is turning its back on separation because of the costs involved. In any case, apart from the U.S. and to a lesser extent Britain, none of the other recognised nuclear weapons states practise any serious separation. French civilian power reactors like the Chinon, Bugey and St-Laurent series are believed to have produced as much as 2000 kg of military plutonium for France's nuclear weapon stockpile over the years. In China, the China National Nuclear Corporation oversees military and civilian nuclear activities and tends to run them as an integrated whole. In Russia, Oleg Bukharin tells us in *Science and Global Security*, 1994, "the military and civilian nuclear fuel cycles are highly integrated ... at the level of both uranium flows and individual facilities."

The Manmohan Singh Government may still be right in deciding separation is the best way forward for India. Unfortunately, no serious attempt was made to work out the financial and ecological costs that might be involved before the July 18 commitment to separate was made. Now it must not allow itself to be railroaded into a separation plan drawn up to address Washington's concerns and interests.

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