



INSTITUTE FOR ENERGY AND ENVIRONMENTAL RESEARCH

6935 Laurel Avenue, Suite 201
Takoma Park, MD 20912

Phone: (301) 270-5500
FAX: (301) 270-3029
e-mail: ieer@ieer.org
<http://www.ieer.org>

**Press Statement of Arjun Makhijani
on the U.S.-India Nuclear Deal**

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The U.S.-India nuclear deal is not good for either country. It could also create problems in other areas of the world.

United States

The U.S.-India Nuclear Deal is the latest in a series of U.S. actions in the past few years that undermine the Nuclear Nonproliferation Treaty (NPT). First it was an attack on Article VI of the NPT, on disarmament: The United States Senate rejected ratification of the test ban treaty and the Bush administration has rejected it altogether (though a test moratorium continues). The United States has also renounced obligations that it and other nuclear weapons states made to non-nuclear parties at the 1995 and 2000 Review Conferences.

Now, with India and Iran in different ways, it is NPT's Article IV that is being cast aside. Iran, a party to the NPT unlike India, is being asked to permanently forgo its "inalienable right" to nuclear energy under Article IV, despite the fact that its violations were not nearly as severe as North Korea. Iran did not make weapons usable material, so far as is known, while North Korea did and withdrew from the NPT. It is unclear how the United States will now deal with demands for nuclear energy and even reprocessing from countries like Egypt or Morocco. Venezuela has announced its desire for nuclear energy.

If allowed to go forward by the U.S. Congress, the India-U.S. agreement would be a unilateral modification of the NPT. This would be very corrosive of the rule of law internationally in an area that is crucial for global security. Also, the India-U.S. agreement fits in with the Global Nuclear Energy Partnership in which the Bush administration seeks to create fuel cycle countries that can reprocess and nuclear reactor countries that would not be allowed to do so, which would also unilaterally modify Article IV without going through the amendment procedure specified in the NPT.

The deal is politically risky. If the U.S. Congress rejects it, as is quite possible given that India would be allowed to add to its nuclear weapons infrastructure for the indefinite future, or if the U.S. Congress attaches additional constraints to the agreement, the reaction in India is likely to be vigorous and negative, potentially disrupting the growing India-U.S. relationship. It is also not clear that the deal faces smooth sailing in India.

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India

India is not a party to the NPT and thus is not guaranteed nuclear power technology and enriched fuel. India has never joined the NPT because it is discriminatory; spokespersons often referred to the treaty's division of nuclear-weapon haves and have-nots as "nuclear apartheid." But that rhetoric faded after the Indian nuclear tests of 1998, when India began to seek entry into the club that it once said it wanted to dismantle via universal elimination of nuclear weapons. Now, India is part of the nuclear weapons club, since the agreement allows India to expand its nuclear weapons program at will. The U.S. position that India has not proliferated its weapons technology to other countries is true enough. However, India's seeking a "unique" position with the United States at a time when the latter seeks to extend the two-tier structure to civilian nuclear energy puts India in the position of being aligned with the creation of "nuclear apartheid" in the nuclear power realm as well as with nuclear weapons. It is noteworthy that universal nuclear disarmament, a long-held Indian goal, was not a part of the U.S.-Indian negotiations.

Nuclear power plants, even at the officially projected level of 20,000 megawatts for the year 2020, are not going to significantly contribute to solving India's energy problems. The United States has expressed an opinion that India should not proceed with the India-Pakistan-Iran natural gas pipeline deal. The nuclear deal may undermine the pipeline project if India gave a quid pro quo to the United States on this question. The pipeline project is not only much more important to Indian energy supply than nuclear power, but it is also important to peace in the region. (See Arjun Makhijani's interview on this issue at <http://www.ieer.org/latest/indiairan.html>). While President Bush was careful not to make an explicit linkage between U.S. policy on Iran and the U.S. India nuclear deal, he did mention Iran very prominently in the context of U.S.-India collaboration on security issues. An Indian vote with the United States on Iran will now look more like a quid pro quo than the two earlier Indian votes at the IAEA.

Pakistan

The deal could also upset U.S. relations with Pakistan, as the United States has announced that there will be no similar deal for Pakistan. China is currently building a reactor in Pakistan, which may turn even more to China for civilian nuclear technology. How that nuclear relationship will evolve in view of the U.S. approach to nuclear power globally remains to be seen.

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Arjun Makhijani, Ph.D., is president of the Institute for Energy and Environmental Research and an expert on nuclear related energy and security issues.

Bio: <http://www.ieer.org/ieerstaf.html>

Dr. Makhijani is available for interviews. Call IEER at 1-301-270-5500.