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The nuclear deal

T P Sreenivasan | July 20, 2005 | 19:05 IST

By assuming the same responsibilities and practices as leading countries with nuclear technologies 'such as the United States', in the expectation of receiving the same benefits and advantages, India has joined the big league.

At least in the eyes of the United States, India is now a nuclear weapons state. The gamble of 1998 has finally paid off. The concessions made in return are not inconsistent with our new status, even though some of them were unthinkable till very recently. The US has matched India's boldness with far-reaching commitments.

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Foreign Secretary Shyam Saran [reflected](#) the public rather than his own perception when he said the outcome exceeded expectations. He himself must have seen the evolving pattern of the new arrangements right through the negotiations on NSSP.

The elements of the agreement on both sides have been tossed about for a number of years, but neither side had the political will to take the plunge. On the Indian side, there was extreme reluctance to give any signal that we were moving towards the NPT, while on the US side, the constraints of US domestic laws and its obligations under international arrangements, some of which were formulated to counter Indian nuclear ambitions, were considered irremovable.

The willingness of the US to 'work for' adjusting US laws and to persuade friends and allies to alter international regimes is a major step indeed. Whether the proposal will have smooth sailing in the US Congress, which has many non-proliferation fiends and in the Nuclear Suppliers Group and the Zanggar Committee, which have some extremist adherents to the NPT, is to be seen.

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Another imponderable is the approach that the US will adopt to the demands of Pakistan and Israel, which will also claim to be responsible nuclear states with impeccable record in non-proliferation. Even after A Q Khan was caught red-handed, the US literature has been praising India and Pakistan together for enforcing export controls.

One intriguing point is that the list of US commitments mentions the removal of only 'certain Indian organisations' from the dreaded 'Entity List', which was drawn up outside the non-proliferation laws after our nuclear weapon tests. The abolition of the list as an instrument of technology denial is one of the easier things that the Bush Administration can remove without seeking legislative sanction.

For those of us who have witnessed the controversies that the supply of Tarapur fuel generated since 1974, the agreement to supply enriched uranium directly or through allies is nothing short of a revolutionary change. This was naturally on top of Department of atomic Energy's wish list.

The IAEA has been gearing up for years for the anticipated reprocessing of the Tarapur fuel as its inspection will require additional budgeting for the Agency. The details of 'full civilian nuclear energy co-operation and trade with India' are yet to be elaborated, but if they include supply of natural uranium fuel for our reactors, the new deal will have significant implications for our nuclear programme.

Our involvement with ITER (Fusion power) project and Generation IV International Forum may be marginal, but its symbolic value is significant. India has so far pinned its hopes on the IAEA project for the development of economical and proliferation resistant reactors, which is in a nascent stage. The US has been skeptical about this project.

Among the commitments undertaken by India in the nuclear deal, the step that was considered impossible till now is the separation and identification of civilian nuclear facilities and submitting them to IAEA safeguards.

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India had offered to subject some additional facilities to safeguards even earlier, but we had not considered it feasible to separate the civilian and military ("vegetarian and non-vegetarian" in DAE parlance) facilities because of the interlinkages between the two. The Department of Atomic Energy must have resisted this move till the end, in view of the massive effort involved in this separation.

Moreover, IAEA inspections will also entail considerable additional attention and investment. Conclusion of an Additional Protocol with the IAEA on the lines of those signed by nuclear weapon states is within the realm of possibility, but the intrusive inspections envisaged in the Protocol will impose heavy responsibilities on DAE.

Continuation of our unilateral moratorium and our commitment to negotiate and sign a Fissile Material Cut-off Treaty are not new concessions. But the FMCT negotiations are stalled in Geneva and we have so far resisted moves for a fissile material cut off agreement among a few selected countries. We are likely to continue our insistence on a non-discriminatory regime.

As for MTCR and NSG guidelines, the US observers are already on record as having expressed satisfaction over our following their spirit. Hopefully, the US will also favour India's formal admission to these groups. Russia had suggested associate membership for India in the NSG, which was turned down by the US and others earlier.

The deal is as yet only a deal and the Working Group, which has been established to undertake the envisaged steps, will have a hard time to reconcile the many differences in perceptions, which have persisted for half a century. There is a view that the light at the end of the tunnel may well be a mirage as the diverse paths that India and the US have taken in pursuit of their respective nuclear programmes may have little to offer each other.

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Dr A Gopalakrishnan, a former chairman of the Atomic Energy Regulatory Board, who recently examined the complementarities of the two programmes, came to the conclusion that the US had no worthwhile current expertise in the design, construction and operation of any of the reactors we have in India.

In his view, the areas in which the US can help are in the procuring of natural uranium fuel for our reactors, enriched uranium fuel supply for Tarapur and facilitating NSG clearance for our Fast Breeder Reactor. His wishlist is very much a part of the deal and additional avenues may open up, if there is political will on both sides.

The significance of the nuclear deal goes beyond the concrete benefits that may accrue to India and the US. It means not only a real transformation in bilateral relations; it is the legitimisation of India's nuclear assets and recognition of India as a nuclear weapons state.

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