

Nuclear Issue - India

US and India still in pursuit of utop



By Michael Krepon

undermine national security in favour of a treaty, but whether he will undermine both in order to accommodate India's bomb makers. Put simply, if this deal is all about helping India's economy to grow, it will receive considerable support in the US Congress. If it's also about helping India's nuclear arsenal to grow, it will face stiff questions on Capitol Hill and an even tougher challenge in the Nuclear Suppliers Group.

The norms and rules against proliferation have been erected with great difficulty by every president from John F Kennedy to George W Bush. This complex body of standards and regulations is built around the Non-Proliferation Treaty, which has two central tenets: States that do not have the bomb should not seek it, and states that have nuclear weapons should seek to get rid of them. The weaknesses, as well as the importance, of the rules designed to prevent proliferation are now evident in the cases of North Korea and Iran. This is an awkward moment, to say the least, for the Bush administration to set a high priority to relax these rules in favour of India. But the nuclear deal has become a fixed idea for President Bush, Prime Minister Manmohan Singh, and their inner circles.

The NPT was negotiated in 1968, six years before India tested its first nuclear device. The Treaty's central fault line lies between the nuclear weapon states recognised by the Treaty and nuclear abstainers. One means of relieving pressure along this divide has been to promote "peaceful uses" of the atom, particularly nuclear power plants. But "atoms for peace" have also been diverted to making bombs — a route that India took, and that North Korea and Iran are now following.

The NPT wasn't designed to accommodate special cases like India. The more previous US administrations succeeded in tightening the rules of nuclear commerce to prevent further proliferation, the more these rules constrained India's national and energy security requirements. New Delhi has long desired to be an exception to these rules, and in the Bush administration, it has finally found a champion. Working in great haste and secrecy, the state visit by Prime Minister Manmohan Singh to Washington

ability to produce a credible, defensible, and transparent plan for separating its civil and military nuclear programmes. It would be India's sovereign right to decide which nuclear facilities would be placed on the civil or military side, but a process of consultation would be required for New Delhi to learn whether its preferences could meet with success on Capitol Hill and in the Nuclear Suppliers Group. In responding to congressional questions about the nuclear initiative, Under-Secretaries of State

If the US-India deal is about helping India's economy to grow, it will receive US Congressional support. But if it is also about helping India's nuclear arsenal to grow, it will meet Capitol Hill and Nuclear Suppliers Group resistance

ESAU sold his birthright for a bowl of lentils. During the Cold War, a variation of this Biblical tale was played out whenever a president was about to engage in summitry with the Soviet Union. Back then, critics of arms control treaties warned that whoever was in the White House would sell out US national security for the momentary glow of a good news story.

Times have changed. The Bush administration doesn't think too kindly of treaties, and a rare presidential visit to India is fast approaching. There is a lively and welcome debate in India and the United States about the possibilities of a nuclear deal that would commit the Bush administration to changing US laws and the export control practices of the Nuclear Suppliers Group for India's benefit. On Capitol Hill, the key question among sceptics is not whether President Bush will

India has a good case to make for changing international nuclear safeguard rules, provided the net effect of these changes also strengthens global non-proliferation norms. But India does not have a good case if it seeks to use these changes to fuel its nuclear stockpile as well as its economy. In short, while India has the right to build up its nuclear weapon capabilities — it should not ask the US Congress of the NSG to subsidise this right

in July 2005 produced an agreement-in-principle to seek changes in US law and nuclear commerce to benefit India. This nuclear initiative, which immediately became the centrepiece of the much-heralded state visit, was undertaken without consultation on Capitol Hill or with key NPT partners.

There was one big catch, however: The Bush administration predicated its willingness to go to bat for India on New Delhi's

Nicholas Burns and Robert Joseph pledged that, for the administration to proceed further, all civil facilities must be placed under strict international safeguards in perpetuity, and that India's breeder reactor programmes belonged on the civilian side of the ledger.

Much has subsequently been made in New Delhi about how Washington "moved the goalposts" after the July 18 agreement-in-principle. This author finds it hard to believe that the Bush administration would

Indian nuclear deal

agree to support a separation plan that would be dead on arrival on Capitol Hill and the Nuclear Suppliers Group.

Common sense suggests that, if this deal would ever come to fruition, long plane rides and much private consultation would be required. The Bush administration would also need to establish criteria for securing the necessary changes in US public law.

The Bush administration-chosen criteria of credibility, defensibility, and transparency make eminent good sense from a US perspective: Nuclear suppliers have been burned before by countries that have diverted fissile material from civil to military uses. And fast breeder reactors can produce huge amounts of fissile material.

The application of the Bush administration's criteria have been opposed by a number of well-credentialed critics in India, including distinguished members of India's nuclear establishment. A separation plan was bound to create problems in these quarters, which work both on nuclear power reactors and weapons, and which has enjoyed considerable autonomy from governmental oversight. Several key figures in India's nuclear enclave have offered personal judgments that India's breeder programme, as well as several power reactors that would "feed" it, must not be placed under safeguards. To do otherwise, in this view, would constrain the growth of India's nuclear arsenal and energy independence.

These statements have reinforced opposition to the proposed deal among US non-proliferation experts, since a separation plan along these lines would severely damage safeguards and defeat the central

purpose of seeking to change the rules of nuclear commerce in India's favour. Safeguards do not constrain the growth of civil nuclear power; instead, they help prevent proliferation while countries attend to their energy needs.

And if the breeder programmes are to service the growth of India's weapon stockpile along with its energy needs, then the Bush administration has not helped New Delhi to make credible, defensible, and transparent choices that support non-proliferation as well as the growth of India's economy.

The rules governing nuclear commerce have been broadened and tightened with great effort by previous US administrations and by many other countries. These rules have been broken in the past, but they are getting tighter. They remain imperfect and yet essential to prevent further proliferation. Over 180 countries have now pledged to adhere to these rules. It will take considerable effort to change these rules to assist India's economic growth.

India has a good case to make for changing these rules — if the net effect of these changes also strengthens global norms against proliferation. India does not have a good case to make if it seeks to use these changes to grow its nuclear stockpile as well as its economy. To be sure, India also has the right to build up its nuclear weapon capabilities. But do not ask the US Congress or the Nuclear Suppliers Group to subsidise this right. COURTESY THE HINDU

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