

FAQs on Civil Nuclear Cooperation Agreements.

Question 1. India will lose its right to further nuclear tests.

Answer This is not true. Neither the Indo-US 123 agreement, nor the IAEA safeguards agreement makes any reference to nuclear tests. These agreements therefore do not constrain us in any way as far as testing is concerned. We are free to conduct tests if we feel we have to. Obviously, a decision to test or not has to be taken in the light of other considerations.

It is relevant to note in this context that the NDA government had announced a unilateral moratorium on nuclear tests. The present Government has continued that policy. PM Vajpayee had gone even further and stated in the UN in a formal speech that his Government was willing to sign the Comprehensive Test Ban Treaty (CTBT) if the US Congress ratifies it. The US Congress has not ratified it so the commitment remains untested, but in view of commitment, it is odd to raise this issue now.

Q-2. We are still not recognized as a Nuclear Weapon State.

Ans. Presumably, the reference is to the fact that India is not being included as a Nuclear weapon state under the NPT. This is true, but we must keep in mind that we have consistently opposed the NPT as an unequal treaty. Is it now suggested that we should try to get into the NPT as a nuclear weapons state? This would be completely inconsistent with our principles.

What we have negotiated is a unique arrangement which allows us to retain our military nuclear capacity while freeing the flow of nuclear fuel and technology for civilian nuclear energy use. In effect, we achieve *de facto* the legitimisation of our weapons capacity, since no restriction is placed on what we do in our military reactors.

Q-3 The U.S. would be able to influence our foreign policy, as was the case when we voted against Iran at the U.N.

Ans. The two agreements do not impose any constraints on our policy or restrict our right to vote in any UN forum as we wish. The foreign policy issue is probably being raised because the US Hyde Act, which is the enabling legislation in the US which contains references to what the US Government should do to persuade India to support its position.

The Hyde Act is in no way binding on us. It is a US legislation which prescribes what the US President should do. The US President has said that most of the requirements are not mandatory, and the Administration is not bound by them. Of course we can expect the US to lobby us to support them. That is their right, and they do it all the time as do all governments. However, we are under no obligation to do what they want.

We have made it clear to the US that we do not support their policy on Iraq. It may be noted that the then government at one stage even considered sending troops to Iraq to support restoration of peace after the US invasion. The present government have not done anything of the kind.

We have also made it clear to the US that we do not support them on many aspects of their Iran policy. Our vote on Iran only reflected our view that as an NPT signatory, Iran must fulfill her obligation. What those obligations are is for Iran to determine. In general nuclear proliferation is not in our interest. That is the unique feature of India's nuclear capability – it was developed purely indigenously. This is different for other countries in our neighbourhood who have done it by obtaining technology from others in contravention of existing restrictions.

Q-4 Nuclear energy is very expensive hence our reliance on coal and oil would continue.

Ans. Nuclear energy has higher capital costs than coal based electricity but much lower running costs. Per unit of electricity produced nuclear energy is actually quite competitive with coal. Besides, over time the relative cost of nuclear energy will improve further as oil prices are expected to rise and coal prices rise with them. At present we rely on nuclear energy for 2% of our electricity needs. France is at 70% and Japan 40%. Any reasonable energy security scenario involves a very significant increase in nuclear energy.

This cannot be achieved without access to imported fuel. In the long run we can become self sufficient by using thorium, but the technology for a thorium based reactor has yet to be developed on industrial scale. In any case, to exploit thorium effectively 40 years from now, we need a rapid expansion in conventional nuclear capacity which requires imported fuel. Domestically available uranium can support 10,000 MW of nuclear capacity. Department of Atomic Energy estimate that if we want to optimise nuclear generation to meet the energy gap by 2050 we should aim at an extra 40,000 MW of conventional nuclear capacity for which imported fuel is essential. This is not possible without the initiative.

Q-5 US can stop further supplies of fuel at will, i.e., if we go against their foreign policy interests .

Ans. The US is not the only fuel supplier. The nuclear deal is not just a deal with the US. The India-US civil nuclear cooperation agreement is the key to open the door for dealing with the Nuclear Suppliers Group of 45 countries including France and Russia, many of whom are fuel suppliers. Once the NSG approves the deal we can then contract with any of them for fuel and indeed we should develop multiple sources.

Moreover, the agreement allows India to build a strategic reserve of fuel to meet the lifetime requirement of civil reactors under safeguards. This gives us a mechanism to insure ourselves against interruptions.

Incidentally, some people's concern about independence from US pressure is a little inconsistent with their claim that they want a strategic relationship with the US. If the US's interests are sufficiently aligned with us to think of a strategic relationship why do we fear pressure on this issue?

Q-6 We cannot go to international courts if U S violates terms of the treaty.

Ans. This is true of any treaty. International courts are recourse only when both parties agree. However, as pointed out above our nuclear diplomacy is aimed at opening the doors of all NSG countries. We can safeguard our interests by ensuring that we do not deal only with one country.

Q-7 We will have to put 2/3rd (14 out of 22) of our nuclear plants for inspection by IAEA. All nuclear plants producing more than 60 Kg of nuclear material would be exposed to IAEA access at all times.

Ans. The essence of the deal is that we separate military from civil reactors and it is upto us to retain as many reactors as we need outside inspection. Of the 14 plants being put under safeguards - six are already under safeguards. In any case the reactors not covered by safeguards are more than sufficient for our strategic requirement.

The provision relating to 60Kg relates not to all plants but only to facilities already safeguarded where the inventory exceeds 60 Kgs. In such cases inspection can take place at any time. There is no reason to object to this proVIsION.

Q- 8 R & D facilities will also have to be put up for inspection.

Ans. There is no such provision.