

## India-US Nuclear Agreement

*[We publish below the 'Media Release' issued by the 'US-India working group' on July 27, 2007]*

The United States and India have agreed on details of an agreement (referred to as a 123 agreement after the section in the US Atomic Energy Act) that will exempt India from long-standing restrictions on nuclear trade. It is believed that the leaders of the two countries will sign the agreement in the next few weeks.

ABOLITION 2000's US-India Working Group(l) calls on the international community to reject this agreement for the reasons outlined below. In the near future it plans to contact all members of the Nuclear Suppliers' Group (NSG) to urge them not to give in to pressure from the US and India.

No details of the Indo-US nuclear agreement have been announced, but it is expected that key features will be the unusual arrangement for a dedicated reprocessing facility and U.S. fuel supply assurances to India. Such attempts to finesse concerns about compliance with US law (the Atomic Energy Act and the Hyde Act) ignore broader concerns. By exempting India from international rules governing trade in nuclear technology, the agreement threatens to undermine the nuclear non-proliferation order and thereby the prospects for global nuclear disarmament.

Since its nuclear test in 1974, India has been subject to sanctions on trade in nuclear technology. After India and Pakistan conducted nuclear tests in 1998, the United Nations Security Council responded by condemning the tests and calling on both countries to immediately stop their nuclear weapon development programs (Resolution 1172). It also encouraged all States to prevent the export of equipment, materials or technology that could in any way assist the nuclear weapons programs of India and Pakistan.

In addition to violating Security Council Resolution 1172, the agreement also risks violating the United States' NPT obligations. Article I of the NPT prohibits nuclear-weapon states from assisting non-nuclear-weapon states in any way to acquire nuclear weapons. However, the US-India agreement would allow for the transfer of sensitive reprocessing under certain circumstances and would free up India's limited supply of domestic nuclear fuel, which can directly or indirectly help its unsafeguarded nuclear weapons program. (Note that India is not recognized as a nuclear weapons state under the NPT.)

Despite developing and testing nuclear weapons outside the framework of the NPT, India is getting more favorable treatment than any NPT state with which the United States has a nuclear cooperation agreement. This is in part because the agreement would grant India consent to reprocess U.S.-origin nuclear fuel without ensuring that its entire nuclear fuel cycle complex is under safeguards.

One might expect that, in return for this favorable treatment, India would agree to take meaningful steps towards nuclear disarmament. For example, it could agree to stop producing fissile materials and join the Comprehensive Test Ban Treaty. But the agreement offers nothing of the sort. It represents a hasty

attempt to cobble together something before the end of President Bush's term in office.

ABOLITION 2000 is a network of over 2000 organizations in more than 90 countries worldwide working for a global treaty to eliminate nuclear weapons. The US-India Working Group was established at ABOLITION 2000's Annual General Meeting held during the May 2007 NPT PrepCom in Vienna.

ABOLITION 2000 lobbied governments at the NPT PrepCom. Since then, the Working Group has been lobbying members of the NSG, all of which must accept the US-India Agreement in order for it to proceed. The Working Group includes members from 7 of the 45 NSG countries, plus members from India. □□□