

Experts and NGOs Tell Congress the U.S.-Indian Nuclear Trade Agreement is a "Bad Deal"

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(Washington, D.C.): In a letter sent to all 535 members of Congress, a group of independent nonproliferation experts, former U.S. ambassadors, faith groups, and international security and disarmament organizations urged the rejection of an unprecedented agreement for nuclear cooperation sent Sept. 10 to the Hill.

The letter urges members of Congress "to actively support measures that would help address the numerous flaws and ambiguities in this proposal," and "resist overtures to rush toward a vote without carefully considering the far-reaching nuclear nonproliferation and security implications of this unprecedented and complex arrangement."

A hearing on the agreement is scheduled for Sept. 18 and it is possible that the Congress may vote on a resolution or bill of approval this month.

The letter states that: "... the energy, trade, and nonproliferation advantages of the proposal are vastly overstated by its proponents and the potential damage to the global nonproliferation system would be severe. Contrary to assertions by the administration, the proposal would not bring India sufficiently into conformance with nonproliferation behavior expected of responsible nuclear-armed states."

As mandated by the 2006 Henry J. Hyde Act, the administration obtained an India-specific waiver from longstanding Nuclear Suppliers Group (NSG) guidelines restricting trade with states, such as India, that are not members of the nuclear Nonproliferation Treaty (NPT) and do not allow comprehensive safeguards.

"Paradoxically, the administration on Sept. 6 jammed through the NSG a waiver that does not incorporate the same common sense restrictions and conditions on nuclear trade with India that are required for U.S. nuclear trade with India," the letter states.

Among other requirements, the Hyde Act mandates a ban on the transfer of enrichment or reprocessing technologies to Indian national facilities (unless they are part of a safeguarded bilateral or multilateral research program) and a requirement to cut off nuclear trade if India resumes nuclear testing.

The letter urges that "before Congress acts on the agreement, U.S. and Indian officials must resolve their differences on key issues including safeguards and the possible termination of the agreement in the event that India resumes nuclear testing."

The Sept. 17 letter also explains that:

- India is one of only three states never to have signed the NPT, meaning it has not made a legally-binding commitment to achieve nuclear disarmament. Yet the arrangement would give India rights and privileges of civil nuclear trade that are more favorable than even for countries that are in good

standing under the NPT.

- The agreement would indirectly assist India's nuclear weapons program, which will likely worsen nuclear arms competition in Asia.
- IAEA safeguards on a few additional Indian civil power reactors provide little nonproliferation value.
- India has not publicly acknowledged safeguards would last indefinitely.
- India has not filed its declaration of facilities to be safeguarded with the IAEA as required before Congress considers the agreement.
- The Bush administration claims that no other nuclear supplier intends to transfer sensitive bomb material production technologies to India. However, until such time as there are new international guidelines barring enrichment and reprocessing technologies to non-NPT members, other states may engage in such trade with India.
- Congress should affirm that if India breaks its political pledge not to resume testing, U.S. nuclear trade shall be terminated and the U.S. will urge all other suppliers to follow suit.

The letter was organized by the Arms Control Association and the Campaign for Responsibility in Nuclear Trade.

Attachment



[Letter to Hill on Indian Nuclear Agreement, Sept. 17, 2008](#)

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