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1. Reftel (1) reports that Pakistanis considering introducing in UN Committee I disarmament debate resolution condemning development peaceful nuclear explosives by any non-nuclear weapon state. Pakistani move predicated on their concern over possibility Indians might test peaceful nuclear explosives in near future. Our views on this resolution are given in septel.

2. Department and AEC would appreciate Embassy's views on possibility that Indians have embarked on definite program for development nuclear explosives. While Prime Minister's

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DRAFTED BY: SCI/AE:JPTrevithick DRAFTING DATE: 9/25/70 TEL EXT: 22432 APPROVED BY: SCI/AE - John P. Trevithick
USAEC/DIA:HBengelndorf

CLEARANCES:
IO/OES - Mr. La Porta NEA/IND - ~~Mr. Schneider~~
L/SCI - Mr. Maurer IO/UNP - Mr. McIntyre L - Mr. Aldrich
ACDA - Mr. Van Doren

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Sarabhai's and ~~XXXXXXXXXX~~ statements reported reftels (2) and (3) appear lean strongly this direction, it not clear that program has gone beyond early study stage to concrete program for actual development explosive devices.

3. US position, which reflected in NPT, is that technology of nuclear explosives for peaceful uses indistinguishable from that of nuclear weapons and that any nuclear explosive device can be used for destructive purposes. Development such explosives therefore tantamount to development nuclear weapons. Contrary position would be inconsistent with US obligations under NPT and US Atomic Energy Act. Consequently we consider it would be incompatible with existing US-India agreements for India employ ~~XXXXXXXXXX~~ US nuclear assistance in PNE device development. ~~Word~~ Would appreciate Embassy's assessment whether Indians recognize this to be US position.

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4. In particular, would appreciate Embassy's assessment desirability high-level approach by Embassy to GOI in near future to emphasize US position that use of plutonium produced in US assisted Indian reactors as well as plutonium ~~by~~ produced therefrom for development by India of peaceful nuclear explosive devices would be considered by US contravention of terms under which US materials made available to India.

a) US interprets safeguards and guarantees provisions of Tarapur Agreement as prohibiting use US materials and equipment or materials produced ~~from~~ ^{from} such materials and equipment for research on or development of any nuclear explosive devices, regardless of ~~stated~~ ^{stated} application for reason set out para 3 above.

b) Contract of March 16, 1960, under which heavy water sold to India for Cirus reactor contains following

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statement:

"The heavy water sold hereunder shall be for use only in India by the Government in connection with research into and the use of atomic energy for peaceful purposes, and shall be retained by the Government, or by other parties authorized by the Government to receive it, and not resold or otherwise distributed."

We would not consider Indian use of plutonium produced in Cirus for peaceful nuclear explosives intended for any purpose as "research into and use of atomic energy for peaceful purposes."

IRWIN

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