

Iran and the IAEA

Michael Adler

- Iran is a charter member of the Nuclear Non-Proliferation Treaty (NPT), the guide for the global fight against the spread of atomic weapons. Iran insists its nuclear program is for energy, not a bomb.
- Iran cites the NPT to justify its nuclear work, including uranium enrichment, which can be used to generate electricity or to make a bomb. Article IV guarantees “the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination.”
- Iran claims to honor the NPT obligations for monitoring its atomic program. It has been careful not to break the safeguards agreement that allows U.N. inspectors from the International Atomic Energy Agency to verify compliance with the NPT.
- But Iran has cut back on voluntary measures – such as inspecting its manufacture of centrifuges, the machines used for enriching uranium – that gave the IAEA more access to Tehran’s nuclear work.
- The IAEA cited Iran for breach of safeguards, saying the Islamic Republic hid parts of its nuclear program and failed to answer questions on possible military work. This led the U.N. Security Council to impose sanctions to get Iran to provide data and to suspend enrichment to allay fears it seeks nuclear weapons.

Overview

Iran has been the subject of one of the most intensive investigations in the history of the International Atomic Energy Agency (IAEA). It was not always this way. Iran was an original signatory of the Nuclear Non-Proliferation (NPT) Treaty in 1968. The shah concluded an IAEA safeguards agreement in 1974.

After the 1979 revolution, revolutionary leader Ayatollah Ruhollah Khomeini initially opposed a nuclear program as a Western-oriented relic of the monarchy. But Iran and Iraq both did secret nuclear work during their 1980 to 1988 war. In August 2002, an Iranian resistance group revealed that Tehran was hiding two key nuclear plants – one in Natanz to enrich uranium, the other in Arak to produce plutonium. These fissile materials can be fuel for civilian power reactors, but also the raw material for atom bombs. The disclosure set off the current Iranian nuclear crisis.

Iran has since become a special focus for the IAEA. The U.N. agency, which is based in Vienna, issued 30 reports between June 2003 and September 2010 on Iran’s nuclear program and its covert activities dating back to the 1980s. Tehran initially

provided cooperation over and above regular safeguards, allowing inspections of non-nuclear sites, for instance. But on September 24, 2005, the IAEA's executive board found Iran in non-compliance with the NPT due to "failures and breaches of its obligations to comply with its NPT Safeguards Agreement," namely for hiding a wide range of strategic nuclear work. The board gave Iran time to answer crucial IAEA questions and to make key scientists available for interviews. It also called on the Islamic Republic to suspend uranium enrichment.

But with Iran moving to enrich, the board decided on February 4, 2006 to take the matter to the U.N. Security Council for possible punitive action. The Security Council has since imposed four rounds of sanctions to pressure Iran to suspend uranium enrichment, allow tougher inspections and cooperate fully with the IAEA. But as of September 2010, Iran continued to enrich uranium and defy the Security Council on grounds that it has the right to the full range of civilian nuclear work under the NPT.

The IAEA role

The IAEA was founded in 1957 as the U.N. branch of the "Atoms for Peace" program proposed by President Dwight Eisenhower. The idea was to make civilian atomic power accessible, in return for nations forswearing the pursuit of nuclear weapons. When the NPT went into effect in 1970, the IAEA became its verification arm. Headquartered in Vienna, Austria, the U.N. watchdog agency investigates national nuclear programs worldwide in order to guarantee that nuclear material is not being diverted for military use.

The IAEA is an essential player in the Iranian nuclear crisis, as it is the international community's eyes and ears monitoring the machines and scientists of the Iranian program. Its role has increased with the growing concern about Iran's atomic ambitions. Treating Iran as a special case, the IAEA has upped its inspections in the country, carrying out frequent visits to dozens of sites. It has an almost constant presence at key sites, such as the enrichment plant at Natanz. It uses remote cameras, as well as regular and unannounced inspections to verify that nuclear material being used and produced is not diverted for military purposes. Despite this, key questions about Iran's program remain, namely whether there was weapons work.

The IAEA has several tasks – and issues – with Iran:

- The IAEA is empowered to monitor all sites where there is nuclear material. But it is clashing with Iran over access to sites where nuclear material has not yet been introduced, such as at a reactor being built in Arak that could eventually make plutonium.
- The IAEA is particularly frustrated about Iran blocking access to key Iranian scientists, including Mohsen Fakhrizadeh, who has allegedly led Iran's atomic weapons work.
- The IAEA monitors Tehran's compliance with U.N. Security Council resolutions.
- It is also overseeing attempts to supply fuel to a research reactor in Tehran.

- In an attempt to better carry out an increasingly demanding verification agenda, the IAEA may seek to have its mandate expanded from its traditional focus on nuclear material to have the explicit authority to look into weaponization activities.

The IAEA investigation

In response to revelations about Iran's secret sites, IAEA chief Mohamed ElBaradei led an inspection of the Natanz enrichment site in February 2003. He issued his first special report on Iran in June 2003. The report gave a glimpse into 18 years of covert Iranian nuclear work. It found that Iran had "failed to meet its obligations under its [NPT] Safeguards Agreement with respect to the reporting of nuclear material, the subsequent processing and use of that material and the declaration of facilities where the material was stored and processed." These included "failure to declare the import of natural uranium in 1991."

More followed. The next report in August 2003 revealed that IAEA inspectors had found traces of enriched uranium on centrifuge machines in Natanz. Iran had told the agency, however, that it had not yet introduced nuclear material at this site, which was still under construction. The finding of the uranium particles raised suspicion that Iran was hiding yet more nuclear work. The IAEA called on Iran to make a complete disclosure of its nuclear activities by the end of October 2003.

As the IAEA investigation geared up and the revelations came out, the United States lobbied in Vienna to get the IAEA to declare the Islamic Republic in non-compliance with its safeguards obligations, thus clearing the way to U.N. sanctions. But leading western European states, as well as Russia, feared this could lead to an escalation of moves against Iran, and even war, as had happened in Iraq. The so-called EU-3 – Britain, France and Germany – set out to parry U.S. pressure. They maneuvered for talks with Iran, and for keeping the Iran case away from the Security Council in New York.

In a diplomatic coup de theatre, the foreign ministers of Britain, France and Germany made a dramatic, surprise visit to Tehran on October 21, 2003 to strike a deal on resolving the nuclear crisis. Iran agreed to suspend enrichment and to make the requested full declaration to the IAEA about its activities. This kept talks alive and avoided sanctions.

The deal also kept an IAEA report the following November from having the impact the United States had been seeking, namely to be the catalyst for moving towards sanctions. The process begun by the EU-3 meant that Iran would be given more time to answer the IAEA's questions rather than be referred to New York for punitive measures. In addition, ElBaradei said in his report, in a conclusion the United States blasted as exonerating Iran, that there was no "evidence" Iran was seeking nuclear weapons. Yet, the report was strong. It said, "Iran has failed in a number of instances

over an extended period of time to meet its obligations under its Safeguards Agreement with respect to the reporting of nuclear material and its processing and use, as well as the declaration of facilities where such material has been processed and stored.”

IAEA chronology

The evolution of the Iran nuclear crisis can be traced in the actions and reporting of the IAEA. Here is a brief chronology of events leading to Iran being taken to the U.N. Security Council:

- February 24, 2004: The IAEA reports that Iran is working to develop a more powerful centrifuge and on separating Polonium-210, which can be used in weapons.
- March 13, 2004: The IAEA board reprimands Iran for hiding possible weapons-related activities.
- March 17, 2004: Testifying before the U.S. Congress, IAEA chief Mohamed ElBaradei says the “jury is still out” on Iran’s nuclear program.
- November 2004: In the Paris Agreement, European negotiators, the IAEA and Iran agree on the terms to suspend uranium enrichment.
- August 8, 2005: The IAEA reports that Iran had ended suspension and begun work to convert uranium into fuel for enrichment.
- September 2, 2005: The IAEA reports that there are still unresolved issues regarding Iran’s nuclear program and says that full Iranian cooperation is “overdue.”
- September 24, 2005: The IAEA board votes 22-1, with 12 abstentions, to find Iran in “non-compliance” with the NPT’s Safeguards Agreement. This clears the way to report Iran to the Security Council for action.
- February 4, 2006: After failing to win Iran’s cooperation, the IAEA board votes 27-3, with five abstentions, to refer Iran to the Security Council, pending one more report from ElBaradei
- February 27, 2006: ElBaradei reports that the IAEA is still uncertain about both the scope and nature of Iran’s nuclear program. The report is sent to the Security Council.

Case to the U.N.

After Iran was taken to the Security Council, and especially after the first sanctions were imposed in December 2006, the Iran dossier was divided between New York and Vienna. The IAEA continued monitoring Iran’s activities, but the Security Council decided whether and how to punish the Islamic Republic. Iran reacted by reducing its cooperation with the IAEA. It followed strict safeguards measures, which verify the use of nuclear material. But it no longer allowed inspections at sites that may not have had nuclear material but that were crucial to the atomic program.

Iran and the IAEA were increasingly engaged in a cat-and-mouse game: Iran would build up credibility with concessions and cooperation, only to lose it after revelations of secret activities or failure to provide information about its activities. This

pattern continued through September 2009, when the United States and its allies reported that Tehran had been hiding work on a second enrichment site, buried in a mountain near the holy city of Qom.

Iran consistently countered that it cooperated fully with the IAEA. Tehran said it resumed enrichment because the international community backtracked on its promises to help Tehran develop a civilian nuclear energy program and to remove Iran as a “special case” at the IAEA.

Four rounds of punitive U.N. sanctions did little to change Iran’s position or its cooperation with the IAEA. In its September 2010 report, the IAEA said Iran had actively hampered its work by barring two inspectors from the country and even breaking seals on atomic material at Natanz. “Iran has not provided the necessary cooperation to permit the Agency to confirm that all nuclear material in Iran is in peaceful activities,” the report said, in unusually blunt language. Tehran insisted that it had the right to vet inspectors and turn them away.

Factoids

- The IAEA was founded in 1957 as a direct result of the U.S. “Atoms for Peace” initiative to spread peaceful nuclear technology and stop the proliferation of atomic weapons. It has 151 member states.
- Iran had no centrifuges turning in 2003, when the IAEA investigation began. As of August 2010, it had 3,772 centrifuges enriching uranium and 5,084 more installed but not yet enriching, according to an IAEA report.
- Iran has cut down on cooperation with the IAEA. Since March 2007, Tehran has not implemented a Safeguards Subsidiary Agreement to give the IAEA notice as soon as it starts building a new nuclear facility.
- Since August 2008, Iran has “declined to discuss outstanding issues related to possible military dimensions of its nuclear program,” according to an IAEA Safeguards Review.

The future

- Iran is likely to continue expanding its enrichment capabilities, even as it seeks diplomatic initiatives on its own terms, such as the Turkey and Brazil proposal on a fuel exchange deal.
- Tehran wants to maintain at least minimal cooperation with the International Atomic Energy Agency, since kicking out all inspectors could lead to a harsher international response, including more severe sanctions and even military strikes.

- But the Islamic Republic is also likely to continue to insist its nuclear program is strictly for peaceful nuclear energy, even if other secret sites or work are uncovered.

Michael Adler, a public policy scholar at the Woodrow Wilson International Center for Scholars, formerly covered the International Atomic Energy Agency for Agence France-Presse.