

## Evaluating the IAEA

Perhaps because the IAEA has existed for most of the duration of controlled nuclear energy, or that it is seen as the most competent source of nuclear safety and security, breeches, disasters, and most failures of the nuclear non-proliferation regime are laid at its feet as evidence of the need for dramatic reform. When each case is examined more closely, far fewer of the failures are due to the IAEA's performance along the lines of its mandate and budget. It becomes terrifyingly clear that at best, the IAEA has a tiger by the tail. A 2011 paper by Richard Weitz opens, "The disaster at Japan's Fukushima Daiichi nuclear power plant that began on March 11th has again underscored both the importance and the limited capabilities of the International Atomic Energy Agency," (Weitz, 2011, p.56). He goes on to point to the "failure to detect" Libya's nuclear weapons activity, the "inadequate authority" the IAEA faced with respect to Iran's program, being outwitted by Iraq, and Chernobyl. The Iraq and North Korea cases are also taken up in detail by Roberts (p. 275-281), Smithson (p. 80), and many others. Weitz's criticisms are coupled with the admission that failures like those at Fukushima and Chernobyl are the product of the voluntary nature of private firms deviating from safeguards. Loopholes and weakness in the IAEA's scope were highlighted by the Iraq case.

In the popular imagination, the IAEA is expected to catch all violations of the NPT. Smithson's commentary on Iraq points not to a failure of process, but in outcome. However, at the time of the Iraq violations, the agency had no provisions for pursuing inspections beyond where Iraq claimed to be doing peaceful nuclear energy work. But the IAEA is not a spy network; as Roberts notes, "[It] often relies on state intelligence agencies to provide satellite and other sensitive data" (p. 282). If it weren't for multiple state-level intelligence agencies, the IAEA would not likely have caught programs in Iraq or Iran. Roberts claims that the IAEA was given the evidence of Iranian collaboration with a former Soviet scientist in 2011 by state-level intelligence agencies.

The argument of whether the IAEA needs to be strengthened, more intrusive, more punitive is mixed. David Fischer argues against what he calls a "false dichotomy" between the agency's regulatory and promotional roles. He states specifically that the promotional work "...has been to promote the transfer of radioisotope and radiation techniques to the developing countries rather than to promote the use of nuclear power," and that, "There is no conflict of principle or interest between helping to eradicate rinderpest and trying to stop the spread of nuclear weapons."

Another study points to a different conclusion. Robert Brown and Jeffrey Kaplow studied quantitatively the relationship between receiving IAEA technical cooperation (TC) on fuel-cycle projects and the likelihood that a country will pursue or achieve nuclear weapons production capability. Brown and Kaplow quote David Fischer, when noting that the IAEA limited its fuel-cycle assistance after 1977. They conclude that higher-levels of fuel-cycle TC correlate with the higher levels of state decisions to pursue a weapons program (Brown & Kaplow, 2014). This study suggests that the fear that proliferation of peaceful energy *is* at odds with the desire to prevent weapons proliferation, at least in the instances where that assistance is related to the fuel cycle.

The IAEA as a transnational organization is best considered technical organization; but one whose capabilities are significant enough to continually invite claims of politicization by its detractors. Their role as a control structure for nuclear energy know-how binds them to the bargain, or dilemma of the NPT, yet the most successful non-proliferation treaty to date. Because of the lure of diplomatic value of nuclear weapons, as well as the seemingly unstoppable diffusion of technology and technological prowess, the principles of the NPT keep the IAEA at the center of contested bargain.

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