

# Strengthening the IAEA: the double track.

Sonia Drobysz

Phd candidate, Paris I Panthéon Sorbonne University;  
associate research fellow, CESIM.

*PONI 2011 Spring Conference.*

*Session:* EXPANDING THE REACH OF NONPROLIFERATION AND NUCLEAR SECURITY EFFORTS

# Challenges: central role within the non-proliferation regime

- Current IAEA verification obligations
  - NPT , regional treaties
  - Bilateral agreements
- Future verification roles
  - PMDA, Article VII. 3.
  - Disarmament: discussion on legal basis and potential new verification missions for the IAEA.
- Nuclear security.
- IAEA's unique expertise
  - 2338 professional and support staff from over 90 countries
  - 350 inspectors; 250 in the field
  - Safeguards applied in 171 States
  - 1125 facilities under safeguards
- **→'The Agency's safeguards are a fundamental component of the nuclear non-proliferation regime' 'The Conference emphasizes the important role of IAEA in fostering international cooperation in nuclear security'**  
(Final document, 2010 NPT Review conference)

(\* 2009 Annual report)



# Challenges: persistent difficulties


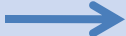
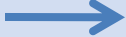

- Legal authority
  - Non universality of Additional protocol.
  - No full use of existing legal authority: case of special inspections. Ambiguity of existing legal authority: non-compliance.
- Institutional aspects
  - Politicization : bipolarization of the Board of governors; introduction of political items.
  - Compartmentalization : need to know vs. need to share.
  - Continuity of expertise at stake.
- Proliferation of non institutional mechanisms within the regime.
- Resources
  - Budget: extraordinary bargain' (UN High level panel).
  - 2 international laboratories
  - 2 regional safeguards offices

# Strengthening the IAEA

## - Objectives:

- Preserving the institutional legitimacy and the consensual nature of the system.
- Engaging States in the strengthened process: developing a verification incentive.
- Effectiveness: measure of the extent to which the Agency is able to achieve its objective.
- Efficiency: measure of the productivity of the Agency, i.e., how well the available resources (staff, equipment, money) are used to fulfil the Agency's part in the implementation of its function

## - Double track approach.

- **Internal level:** Agency's actions  internal process (Secretariat)  
 internal process (member States)
- **External level:** Agency's actions  External actors  
External actors  Agency

# Internal actions (1)

- Enhancing verification attractiveness.
  - Optimization
    - Problem with quantitative verification: Agency's biggest customers: Canada, Japan.
    - *'There is always a debate about whether the Agency should focus its limited resources on states with large nuclear power industries or those believed to present higher proliferation risks' (James Acton)*
    - Solution: targeting and tailoring verification.
  - ↓
  - Transparency dividend
    - Maximize the interrelation between transparency and verification.
    - Develop State specific factors determining the 'proliferation risk', without breaching sovereign equality (differentiation without discrimination).
    - Enhance cooperation with State (SSAC, RSAC): tension between non-duplication of verification efforts and the independence of Agency's verification.
- Enhancing deterrence.
  - Full use of existing authority: more intrusive verification in case of non-transparency.
  - Special inspections; case of Syria.

## Internal actions (2)

- Improving institutional transparency.
  - Within the department of Safeguards → Long-term Strategic Plan.
    - Collaborative analysis in safeguards evaluation.
    - Better communication between inspectors and analysts; from inspectors to investigators?
    - Constant assessment of the Agency's independence and credibility.
  - Within the Secretariat.
    - Past tensions between EXPO and the Department of Safeguards.
    - Need for all actors within the Secretariat to go in the same direction: 'one-house' approach.
- Depoliticizing political organs.
  - To what extent do political organs influence the technical work of the Secretariat?
  - Need for Member States to focus on what falls within the mandate of the Agency.
  - Need to promote a balanced functional approach: support for peaceful uses.
  - Necessary resources.

# External actions (1)

- Furthering cooperation and communication: external transparency.
  - With other verification organizations
    - Sharing best practices.
    - Avoiding duplication of activities.
  - With the industry.
  - With the public = NGOs, think tanks.
    - Objectives of the Rules on the consultative status of non-governmental organizations within the
    - Access to information and meetings.
      - Visibility of information (Safeguards implementation report; illicit trafficking).
      - Confidentiality regime.

## External actions (2).

- Engaging other mechanisms within the non-proliferation regime: external actions of external mechanisms.

→ PSI, NSG, 123 agreement, WINS, and UN Security Council.

- Risks:
  - from mutual trust to mutual defiance
  - undermining multilateralism
- Solutions:
  - Coordinating and central role of the Agency
  - Democratization
  - Institutionalization ? (ICNND recommendations)
  - Generic UNSC resolutions?



STRINGER/AFP/Getty Images



# Conclusion

- **Strengthening the IAEA requires a collaborative approach from all actors involved : technical and political organs of the Agency (including member states), other mechanisms of cooperation within the regime, non-governmental organizations.**
- **Strengthening the IAEA will benefit to all actors and will ultimately strengthen the regime itself.**