The Bomb: Nuclear Shell Game
Fix the nonproliferation regime--with Iran first

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VIENNA--On Nov. 14, the United Kingdom, Germany and France announced that Tehran had agreed to temporarily freeze its uranium-enrichment program, which could otherwise quickly give Iran a nuclear bomb. Three days later, the Iranian dissidents who first exposed Tehran's uranium-enrichment program back in 2002 claimed Iran had a detailed, missile-deliverable Chinese nuclear warhead design and was enriching uranium at an undeclared military site. Pressed on these points, Secretary of State Colin Powell lent credence to the report by revealing that he'd seen intelligence that Iran was modifying its missiles to carry nuclear warheads.

Is Iran's deal with the European Three simply a bluff to buy more time to push a covert bomb program? If we want to prevent Iran's nuclear shenanigans from becoming a new international norm, we had better find out--and soon. The best way to do this is to get the European Three to hold off locking themselves into promised open-end talks next month on what to give Iran to maintain the freeze until the International Atomic Energy Agency can certify that Iran has no undeclared enrichment facilities.

Beyond this, the U.S., its partners and the IAEA board of governors need to challenge Iran and other nations' claims that they have a legal right to enrich uranium under the Nuclear Nonproliferation Treaty. This claim, unfortunately, is something the European Three deal explicitly concedes in its text. Challenge this and Iran will have to choose between staying in the NPT or bolting. Finally, against this and other proliferation contingencies, the U.S. and its partners need to toughen the nuclear rules in a country-neutral way that will restrain Tehran and other future Irans. A critical part of this effort would be for the U.S. to work with the IAEA to upgrade its outdated nuclear safeguards criteria, authorities and capabilities to cope with the post-9/11 world. Certainly, we've tried or discussed every other idea. All of them seem likely to fail.

Consider the latest idea that's now making the rounds: We should pull out all the stops to find out if Iran actually has a bomb before we act. The IAEA seems to be itching for this job. In his report to the upcoming board of governors meeting on Iran, Director General Mohamed El-Baradei noted that although the agency had no smoking gun, the agency was "not yet in a position to conclude that there are
no undeclared nuclear materials or activities in Iran." He made it clear why: The agency, he noted, only had the authority to ferret out material discrepancies in declared civilian nuclear facilities; it lacked the authority to snoop for bombs.

Getting the members of the IAEA explicitly to have the agency spy for weapons though, seems an odd way to address nuclear proliferation. The whole idea behind the NPT and the IAEA, after all, was to inspect members’ peaceful nuclear activities so that if the agency found discrepancies at declared facilities, appropriate action could be taken well before any bomb might be built. Certainly, if the IAEA board of governors holds off until clear evidence of a bomb project can be found, any hope of stemming the bomb's further spread will be even dimmer than it already is.

Another alternative that should be put aside is trying to bomb our way out of the problem set. Although this option has its proponents, neither we nor the Israelis can do it without making our current Middle East headaches much, much worse. We simply don't know where all of Iran's nuclear activities are. Nor can we target every Iranian nuclear engineer who surely will rebuild whatever might be bombed. With Iraq and the war on terrorism still at issue, waging war now with 69 million Iranians without clear legal cause would risk strategic failure.

If these options don't make sense and waiting on Iran to behave makes even less, what should we do? The simple answer is to start enforcing the rules.

A good place to begin would be to get the IAEA simply to undertake what it's already authorized and obligated to do—certify that Iran is not engaged in any undeclared uranium enrichment. Given that the latest accusations about Iran having a secret nuclear military enrichment facility came from the very group responsible for getting the IAEA into the business of investigating Iran's enrichment program, the lead demands investigation. This certification is one the IAEA board of governors should agree on before the European Three begin negotiations in December with Iran over what inducements the Europeans might give Tehran to restrain its nuclear activities.

Second, the U.S., its partners and the IAEA board of governors need to challenge, as the European Three have not, Iran's outrageous claim that it has an "inalienable right" to come within days of having a large arsenal's worth of nuclear-weapons materials. Certainly, the only right any non-weapons state has to develop nuclear energy under the NPT is if it is for "peaceful purposes" and such nuclear activities must be conducted "in conformity" with the treaty's clear prohibitions against directly or "indirectly" acquiring nuclear weapons. In addition, all such activities must be able to be safeguarded to verify against possible diversions to make nuclear weapons. If the IAEA and the NPT are to have any future in preventing proliferation, these qualifications need to be amplified and explicated starting with Iran.
Third, the U.S. and all other like-mined nations need to start arguing publicly, as several European governments already have, that no country, Iran included, can threaten to leave the NPT--and do so after accumulating the fruits of nuclear peaceful cooperation under false pretenses--without becoming an international outlaw. We let North Korea get away with this; we should not let Iran or any other nation do likewise.

Finally, the U.S. and the IAEA need to work much more closely in upgrading the agency's current safeguards criteria, authorities and capabilities, which are woefully out of date. With the spread of modern uranium-enrichment centrifuges, and highly detailed, tested missile-deliverable warhead designs (from Pakistani proliferator A.Q. Khan's transfers to Libya and beyond), the safeguards assumptions of 30 or more years ago no longer apply. It simply takes less material, time, money and overt activity to use peaceful nuclear activities to help make a bomb. We need to work closely with the IAEA to help it catch up. This will require money, technology and much firmer diplomacy. Clearly, the best place to begin is Iran.

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