

## **The Path towards Strengthened Safeguards: Experiences in Iraq, South Africa, and North Korea**

This video series is a collection of dialogues centered on the immense role played by the IAEA, and in particular how the Agency supports nuclear nonproliferation through the practice of safeguards. This current update is a chronicle of events during the 1990s, Iraq, South Africa, and North Korea, that led to the development of the Additional Protocol.

### **7.8 Contrasting IAEA Action Team Inspections in Iraq with Safeguards<sup>1</sup>**

**Keywords: development of additional safeguards, access to information, monitoring and verification, correctness vs. completeness**

Rich: Maybe it would be helpful to preface this discussion with the description of the kinds of authorities that the agency had to conduct its work in Iraq, and to contrast those that more typically accompany the comprehensive safeguards.

Jacques: Yes, it's certainly a very important parameter. I've been used to, for years now, to call the conditions we had in Iraq as dream conditions for verification. The basis was a cease fire resolution, 687, passed by the Security Council in April of 1991. As far as the verification regime was concerned, we had tremendous access rights. We could go anywhere in the country, we could do it at any time, in other words, as far as implementation was concerned, being able to systematically conduct unannounced inspections. We had the right of access to any individual necessary to talk to. We had access to all documents that the country would have to provide us if we requested. And we could also use any technology that we felt was useful to cope with our mandate. Our mandate was first to identify what was Iraq's past program. Second phase was to destroy any remnant of that program that existed. Destroy, remove or render harmless. And third was to implement an ongoing monitoring and verification regime, to ensure that Iraq did not resume activities prohibited by the Security Council. This access right was definitely something that was specific to Iraq, and I believe that unless we return to a situation where a country is forced to agree to such rights, for instance in the context of a cease fire resolution, it can never be the type of right that would result from an agreement or a treaty. And this is the difference – we usually access as along traditional safeguards, declared facilities. The improvement with the Additional Protocol has given us far more access, both in terms of locations, in terms of information, in other words coming from declarations, but we will still remain far away from the 687 conditions. I sometimes worry when I read in the press for instance, the translation of the Additional Protocol as being access anytime, anywhere. I think it may mislead the layman in terms of understanding what are the limitations of the Agency in an agreed regime like Safeguards.

Rich: If a person stands back a little bit and looks over time, and you contrast the very broad rights that the Agency had under UNSCR resolution 687 with the inspection possibilities that the Agency had prior to the Gulf War, because Iraq had signed the NPT, had a CSA with the Agency, under that agreement there were certain points of access that were made available to Agency inspectors. There were actually four locations at the Tuwaitha Research Center. And the declarations that the Iraqis were required to provide were limited to information regarding the design of facilities, that inspectors had access, as well

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<sup>1</sup> <http://www.globalsecurity.org/wmd/world/iraq/nuke-program.htm>

as any material subject to safeguards, at those locations. That's a far different situation than you describe under 687.

Jacques: I think when we look back in the 80's and the way safeguards was defined and implemented, I was not here, I was too young in the business at the time, but the main flow was the assumption that a country that would have committed itself through signing the NPT would by definition respect its commitment. So all the verification regimes was based on verifying declared material, be sure the material would not be diverted, verifying the function of declared facilities, but there is no emphasis at all or no effort put into making sure that the country remained committed. In other words, did not develop a pilot program. I often react strongly when I hear, that was the agency's approach. I don't think so. I think that was the international community understanding of what needed to be done, not only the weakness of its technical R&D agency. So its clear that Iraq used that limitation of the approach to have a full blown pilot program, from mine to weapon, extracting uranium from phosphate mine, down to having a laboratory producing the nuclear weapon, and all the intermediary stages, in an organizational structure in locations that were not actually subject to inspections, and which we had at the time no reach. Even at declared sites like Tuwaitha, Iraq was capable to conduct activities because most buildings were not under inspection, and even in the buildings that were under inspection, the criteria approach that there would be 2 inspections a year, such that inspections were taking place in April and November, and in between, they could use these buildings to do something else. That's the main difference in my view that has been very seriously addressed with the Additional Protocol.

Laura: You know, we've heard over the years many people criticize the Agency's safeguard system as failing to detect Iraq. Can you say a few words about that?

Jacques: It's always easy to find a scapegoat, thank you for making me react again to that. I don't think it was a failure of the Agency as such. It was a global misunderstanding translated into these limitations of the technical implementation. Its clear that if we had looked beyond considering the additional rights that were needed to go to all the places, for instance, if the Agency had looked at open sources in the late 80's there were clear indications that Iraq was interested in centrifuge enrichment for instance, so that was something that could have been done, if only someone had the idea to push the Agency to do it. I would say they were also in the intel community a certain knowledge in certain countries that Iraq was doing something, and again, centrifuge enrichment interest was something that had left lots of footprints, so if member states had helped the Agency to push the Iraqis answering some questions, would have probably been capable not to wait for the Gulf War and the SC Resolution, and the resulting regime, to find what was happening there. Among the footprints, of course, there were ones were those left by the procurement attempts by Iraq to have an accelerated centrifuge program through buying everywhere whatever they could buy. That was a big difference in their approach from the EMIS (the electromagnetic isotope separation) where actually security and confidentiality was their priority and pretty much it seemed that nobody knew except the core group in Iraq that were working on it, what was going on. We could have even without additional rights put the finger on the fact that something was happening, but it would have only been partial. Only a change in the rights could have made the difference.

Rich: Yeah, EMIS<sup>2</sup> program was almost totally indigenous. Where the higher technology requirements of centrifuge enrichment required them to go shopping.

Jacques: Absolutely.

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<sup>2</sup> Electromagnetic isotope separation