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**AFTER THE IAEA RESOLUTION:
IRAN'S ROAD TO NUCLEAR WEAPONS REMAINS OPEN****Ephraim Asculai
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On Saturday, February 4, 2006, the International Atomic Energy Agency (IAEA) Board of Governors finally adopted an action resolution on the issue of Iran's nuclear development. The resolution "...requests the Director General to report to the Security Council of the United Nations that [confidence-building] steps are required of Iran by the Board and to report to the Security Council all IAEA reports and resolutions, as adopted, relating to this issue..." The steps specifically mentioned in the resolution include the necessity to:

- re-establish full and sustained suspension of all enrichment-related and reprocessing activities, including research and development, to be verified by the Agency;
- reconsider the construction of a research reactor moderated by heavy water;
- ratify promptly and implement in full the Additional Protocol;
- ...continue, pending ratification, to act in accordance with the provisions of the Additional Protocol..."

Just as significantly, the resolution, though vaguely worded, included a reference to the existence in Iran of a design of uranium metal

"hemispheres." Two of these, if made of highly enriched uranium, comprise the core of a nuclear bomb. Thus, the IAEA Secretariat has finally had to admit that there are indications that Iran's nuclear program includes military aspects.

For years, the IAEA let Iran get away with violations of its obligations, including some uranium enrichment and small-scale plutonium separation. The larger uranium enrichment program will become feasible once Iran completes the testing of its gas-centrifuge machines and the running-in of the first enrichment cascade, composed of 164 gas-centrifuges. Once it surmounts this difficult hurdle, Iran will then need to duplicate this cascade manifold, but that will not depend on any major breakthroughs, only time. Although there was substantial evidence even before then that Iran was not complying with its NPT and safeguards obligations, August 2002 was a watershed because that was when the existence of a large-scale, concealed facility designed for uranium enrichment and of a heavy-water production plant became known. That revelation might be seen as the first trigger of possible international action. But even after Iran was forced to admit that it had carried out undeclared

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activities and had concealed materials and equipment, the IAEA still refrained from indicting Iran. In its periodic reports, it indicated that Iran had "breached" its obligations, but the Agency studiously refrained from concluding that Iran was in "non-compliance" because according to the IAEA Statute, the use of that term would have required immediate referral of the issue to the UN Security Council. More assertive action only came about after the European Union reluctantly concluded that Iran was not negotiating in good faith and after even Russia had to admit to the possibility that Iran was seeking nuclear weapons.

Until then, everything the IAEA did was too little, too late. And even now, the IAEA still seems bent on avoiding a confrontation and pursuing a peaceful resolution of the problem, perhaps to justify the Nobel Peace Prize it recently won. Thus, even the watered-down resolution it did pass included an extraneous and irrelevant reference to a weapons of mass destruction-free zone in the Middle-East, and the authoritative report it requested the Director General to convey to the Security Council will not be conveyed until after the March 2006 Board meeting.

However, there is little reason to expect that the IAEA's hope of constraining Iran by peaceful means will be fulfilled. Iran has already denounced the resolution and declared that it will immediately resume full enrichment activities. It has also announced that it will end the IAEA verification activities stipulated in the Additional Protocol. This reaction is entirely consistent with Iran's posture, particularly since the election of its new president. But even before Mahmoud Ahmadinejad's election, Iran had always played for time, and there is nothing to suggest that this game will not go on.

After all, given the difficult birth pangs of the IAEA resolution and in light of Iran's growing oil revenues – the result, in some part, of its own actions – there is no reason to expect that the Security Council will take any prompt and truly effective action against Iran's nuclear program. And if the Security Council does nothing but issue reprimands or toothless warnings, Iran may well conclude that it can simply forge ahead with its nuclear weapons development program. This program will probably continue to be partially and ineffectively monitored by IAEA inspectors, constrained by the demonstrably ineffective "full-scope" safeguards agreement -- the same agreement that let Iraq get away with its extensive uranium enrichment program and let others get away with failures to declare materials, equipment and activities. But even if Iran does nothing which inspectors can describe as contradicting its legal obligations, there is no way that the IAEA can effectively verify Iran's declared activities, much less its undeclared ones. The IAEA can, of course, ask for "special inspections" (provided that the Board itself agrees on such a demand), but Iran – like North Korea -- will never accede to this request.

Absent strong Security Council measures, the only alternative left to prevent Iran's eventual emergence as a nuclear weapons state will therefore be determined action by a coalition of like-minded states. In other words, the IAEA's record of procrastination has not only weakened the nuclear non-proliferation regime as a whole; it will also eventually exact a high price from the world by forcing it to resort to more aggressive actions in order to prevent Iran from achieving the military nuclear capability it so ardently desires.

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