



INSS Insight No. 533, March 26, 2014

Verification in Iran: No Substitute for Prevention

Ephraim Asculai and Emily B. Landau

Arriving in Israel after the first round of talks with Iran on a comprehensive nuclear deal, US negotiator Wendy Sherman said, “There is only one measure of success of a comprehensive agreement with Iran, and that is if an agreement means that Iran will never obtain a nuclear weapon.” While this sounds all very well and good, she also noted that the key element in ensuring that the Iranian nuclear program is and remains completely peaceful is “verification.” Sherman’s remarks on verification are only the latest in a string of US statements in the same vein, aimed to reassure skeptics that the United States will be able to detect and deal in a timely manner with an Iranian breakout to nuclear weapons. The administration has been keen on insisting that it will be in total control of any ominous development in the Iranian nuclear project. From President Obama’s assertion that the US will detect Iran in time if it moves to break out, to statements by other White House and State Department officials as well as Director of National Intelligence James Clapper, this theme has dominated the US approach to any agreement with Iran.

While verification is no doubt an essential component of any comprehensive deal with Iran, it should not be regarded as the linchpin of a successful agreement.

Placing so much weight on successful verification is a dangerous proposition, and raises the concern that the P5+1 may be willing to entertain a deal that does not dismantle all the key components of Tehran’s program that support Iran’s military ambitions. Indeed, why insist on dismantling if the nature of all activities can be verified? In fact, however, the true key to a successful deal with Iran is not verification; it is, rather, clear indication that Iran has opted to abandon its military nuclear ambitions. If Iran decides to do so, the problematic aspects of its program would be rendered unnecessary. Moreover, verification, while helpful, is not guaranteed to stop Iran in time. The history of intelligence in general, and of verification in particular, is replete with instances of failure. The limitations inherent in verification attempts as well as past experience in actual verification missions demand extreme caution in this regard.

The role of verification is to ensure that Iran upholds its commitment to remain non-nuclear, but verification is no substitute for the commitment itself. In order to convince Iran to back away from its military intentions, the leverage that accrues from strong international pressure is critical. In addition, it must be made fully clear that for decades Iran has been working on a military nuclear program while cheating on its NPT commitment. Iran's current and consistent narrative is that it does not have, and never had, military nuclear ambitions. Yet Iran cannot be allowed to hold onto the claim that it has done no wrong; otherwise it can say that it is being required to back away from something that does not exist. As such, clarifying what is known as the Possible Military Dimensions (PMD) of Iran's nuclear program must be an integral part of any comprehensive deal.

On this critical PMD issue, Sherman has not communicated a determined, unequivocal US stance. She reportedly said that "the more" Iran works with the IAEA on the PMD, "the better chance" of getting a comprehensive deal. That is not the same as saying that the PMD are an essential (*sine qua non*) component of any final comprehensive deal. And in another report, an unnamed US official (likely Sherman herself) diluted this less-than-resolute message even further by adding (to a statement almost identical to that attributed to Sherman above) that "we don't want to do the job that belongs to the IAEA." This should go without saying. Does this mean, then, that it is not certain that the P5+1 will demand that Iran provide answers to the IAEA? As the leading entity confronting Iran, the P5+1 should make it clear that while the IAEA will handle the PMD investigation, the interest of the P5+1 in getting those answers is identical to that of the IAEA. Ironically, in 2013 the P5+1 actually weakened (at least implicitly) the hand of the IAEA: according to recent reports, the Agency inexplicably scrapped a new report on Iran's PMD – with additional information corroborating its previous conclusions regarding Iranian military activities – due to the election of Rouhani and a new round of negotiations between the P5+1 and Iran.

IAEA verification is based on the Agency's own verification mechanism, conducted by its inspectors, supplemented by information provided by IAEA member states, and carried out according to agreements concluded with the inspected state. With Iran, this is still based on the outdated "Full Scope" mechanism. In the 1990s this mechanism was superseded by the more advanced Additional Protocol (AP); however, while Iran signed the AP in late 2003, it still does not adhere to its requirements. Moreover, even the AP lacks two major conditions: it does not permit the IAEA to conduct general searches for undeclared facilities, activities, and materials, nor does it cover the weaponization and delivery aspects of the development of nuclear weapons.

These shortcomings serve Iran's interests quite well. For example, Iran did not declare concealed facilities until it was forced to admit their existence, and Iran has indeed been consistent in not acknowledging or revealing any details of its military-related nuclear

project, even after evidence to this effect was disclosed by the IAEA in an open report in late 2011. Iran has admitted to falsifying facts and misleading the IAEA inspectorate because of allegations that the IAEA does not keep essential information secure.¹ There can be no doubt that this kind of behavior will continue even if a permanent agreement is signed. Vital information could be withheld by the Iranians, causing the world to be complacent when the agreement is actually breached.

IAEA verification activities are carried out only with the goodwill of the inspected state and with its consent. Moreover, consent can be withdrawn, including in cases where verification is part of a binding international treaty. The inspectors must be accepted by the inspected state, and are subject to visa requirements that can be withdrawn, or denied in the first place. There have been cases in which Iran (ab)used its privileges and accused inspectors of wrongdoings, including withdrawing their accreditation. In short, if goodwill and cooperation are lacking, verification suffers.

Acting in a timely manner on the basis of information received is another thorny issue for effective verification, especially if the information is provided by an international organization, which necessitates ascertaining the facts, their correct interpretation, and the agreement of many partners to the discussion. All of the shortcomings, loopholes, and imperfections of IAEA verification mechanisms, as well as their dependence on intelligence information, mean that putting one's confidence in these mechanisms to provide timely warning of an Iranian nuclear breakout is highly problematic.

Exaggerated and unwarranted expectations regarding the ability of the IAEA to verify Iranian compliance with a nuclear deal could end in disaster. The only true basis for a comprehensive deal with Iran is if it owns up to its military program and agrees to dismantle – as Assad did in the chemical realm last summer. Excessive reliance on verification as the key to a successful deal is an illusion. There is no basis in reality for the expectation that verification and intelligence – which are not actions in and of themselves, but only the basis upon which international actors can then take action – will enable these actors to coordinate and respond to an Iranian breakout in time.



¹ See Steven Ditto, “Iranian Suspicions About the IAEA,” *PolicyWatch* 2227, Washington Institute for Near East Policy, March 21, 2014, <http://www.washingtoninstitute.org/policy-analysis/view/iranian-suspicions-about-the-iaea>.