

PROJECT ON MANAGING THE ATOM

BEYOND NUCLEAR SUMMITRY: THE ROLE OF THE IAEA IN NUCLEAR SECURITY DIPLOMACY AFTER 2016

BY TREVOR FINDLAY



HARVARD Kennedy School

BELFER CENTER for Science and International Affairs

MARCH 2014

Report by The Project on Managing the Atom

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Paper #2014-02
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Trevor Findlay. “Beyond Nuclear Summitry: The Role of the IAEA in Nuclear Security Diplomacy After 2016” (Cambridge, Mass.: The Project on Managing the Atom, Belfer Center for Science and International Affairs, Harvard University, March 2014).

Cover Photos

Left: Representatives from 46 countries attended President Obama’s Nuclear Security Summit April 12–13, 2010 in Washington, D.C. Credit: America.gov Blog

Right: IAEA Director General Yukiya Amano delivers his opening statement at the first day of the International Conference on Nuclear Security: Enhancing Global Efforts. IAEA Headquarters, Vienna, Austria. 1 July 2013. Credit: Dean Calma / IAEA

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Acknowledgments

The author is indebted to Matthew Bunn, Kenneth Brill, and Ken Luongo for their invaluable comments on drafts of this paper. Research for this paper was supported by grants from the Carnegie Corporation of New York and the John D. and Catherine T. MacArthur Foundation.

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Introduction

A signature contribution of US President Barack Obama to enhancing global nuclear security¹ diplomacy has been the biennial nuclear security summits held since 2010. Nuclear security diplomacy refers to communications, discussions, and negotiations between states on the subject of nuclear security, including through the convening of gatherings of state representatives and other stakeholders. Summits, in international diplomatic parlance, are gatherings of states represented at the highest levels—heads of state and/or government.² Summits are typically convened to deal with international crises or novel or pressing matters that it is believed cannot be dealt with through regular diplomatic channels or standing international institutions such as the United Nations. Summits are invariably convened by a great power or powers to serve not just broad international purposes but their own.

The first nuclear security summit was held in 2010 in Washington, D.C., the second in Seoul in 2012, and the third is scheduled for 2014 in The Hague. When it appeared the Netherlands summit might be the last in the series, there was feverish concern in some quarters about what would replace them. Among the suggestions were that the International Atomic Energy Agency (IAEA), the paramount multilateral organization for nuclear matters, should assume at least some of the summits' functions. When asked about this at the April 2013 Carnegie International Nuclear Policy Conference, IAEA Director General Yukiya Amano was non-committal, pleading that it was up to the summit participants to assign the Agency any successor functions. Despite the opportunity that the end of summitry might present to the Agency to expand its nuclear security role, the IAEA Secretariat, for its part, appeared not to be seeking or preparing—at least not actively or openly—to step into the breach. He clearly felt that he did not have a mandate from the Agency's member states to do so. Yet at the same time Amano insisted in his Carnegie speech that the IAEA was “the global platform” for nuclear security, suggesting perhaps that it was the logical home for additional nuclear security responsibilities in the future.

In a speech in Berlin on June 19, 2013 President Obama announced, to the relief of many, that the U.S. would host another summit in Washington, D.C. in 2016.³ Most observers assume that this will be the last, capping a presidential achievement in the final year of Obama's second term. It seems unlikely that his successor, whether Democrat or Republican, would be inclined to continue organizing summits on this topic. There is, moreover, palpable summit fatigue among many participant states and a sense that the investment of time, energy, and resources in summitry is producing diminishing returns. In any case it can be argued that while highest-level involvement

¹ The IAEA defines nuclear security as “the prevention and detection of, and response to, theft, sabotage, unauthorized access, illegal transfer, or other malicious acts involving nuclear material, or radioactive substances or their associated facilities.” IAEA, *IAEA Nuclear Security Achievements 2002–2012*, Vienna, March 2012.

² For some states, such as the United States, the head of state and government are the same person.

³ Remarks by President Obama at the Brandenburg Gate, Berlin, Germany, June 19, 2013, <http://www.whitehouse.gov/the-press-office/2013/06/19/remarks-president-obama-brandenburg-gate-berlin-germany> (accessed March 5, 2014).

at summits may produce flashy, dramatic-sounding pledges it cannot substitute for sustained, detailed attention to the problem, which in many respects is what nuclear security now needs. And after all, most if not all of the work of summits is done by senior officials and experts before and after, not by presidents and prime ministers at the summit itself.

This paper will assume, therefore, that there is no appetite for continuing biennial summit meetings dedicated to nuclear security after 2016 and that the days of nuclear security summitry, at least for the moment, are numbered. The question remains, though, whether and how the benefits of the summit process and the initiatives it has spawned might be continued beyond 2016 without the summits themselves.

Although the IAEA has never held a summit on any subject in its history and therefore is not a ready-made candidate to simply take over the summits wholesale, even if there was a general will among its member states and summiteers for it to do so, the Agency in July 2013 successfully hosted its first ministerial-level conference on nuclear security. This added credibility to its longstanding claim to play a central role in nuclear security and demonstrated, at least to some extent, its credentials for carrying forward some of the political and technical momentum of the summits beyond 2016. Agreement was reached that another IAEA nuclear security conference would be held in three years, the same year as the final summit.

The purpose of this paper is to examine whether and to what extent the IAEA could and should assume the mantle of the nuclear security summit process after 2016, what form that might take, and what the Agency would need to do to prepare itself for such an eventuality. The paper begins by examining the evolving roles of both the summit process and the IAEA in nuclear security diplomacy. It then investigates the extent to which the IAEA could, given its current resources and approaches, emulate the innovative approaches of the summits, or take over at least some of its functions. The paper concludes with recommendations for how the summiteers and the IAEA might prepare for such outcomes.⁴

The Nuclear Security Summits

The nuclear security summit idea was first aired internationally⁵ by President Obama in a speech in Prague in April 2009 when announcing a “new international effort to secure all vulnerable nuclear material around the world within four years” with the aim of preventing nuclear terrorism.⁶ “And we should start,” the President said, “by having a Global Summit on Nuclear Security

⁴ The paper will not cover in detail the work of the IAEA in nuclear security, the progress made in improving nuclear security as a result of the summits, nor the global nuclear security framework in all its aspects. For details on the IAEA role generally see Trevor Findlay, “The IAEA’s nuclear security role,” *Nuclear Threat Initiative Discussion Paper*; NTI, Washington, D.C., June 2013, https://www.nti.org/media/pdfs/IAEA_Nuclear_Security_Role_3.pdf (accessed March 5, 2014).

⁵ Obama raised the idea domestically in July 2008 during his election campaign in 2008. See <http://www.presidency.ucsb.edu/ws/?pid=93199#axzz2gOg4n57B> (accessed March 5, 2014).

⁶ Remarks by President Barack Obama, Hradcany Square, Prague, Czech Republic, April 5, 2009, <http://www.>

that the United States will host within the next year.” While the Prague speech seemed to imply the institutionalization of nuclear security efforts in new and different ways, in fact the only “institution” to emerge was the summits themselves.

The 2010 Summit, Washington, D.C.

True to President Obama’s word, the first nuclear security summit was held in April 2010 in Washington, D.C. It was the largest gathering of heads of government or state convened by a US president since the 1945 Conference on International Organization in San Francisco which established the United Nations.⁷ Still, as is the way with many summits, the invitations were selective, limited to just 47 states. According to Laura Holgate, then senior White House director for WMD Terrorism, “We couldn’t invite every single country that has any nuclear connectivity, and so we were looking for countries that represented regional diversity where we had states that had weapons, states that don’t have weapons, states with large nuclear programs, and those with small nuclear programs.”⁸ Attendance by India, Israel, and Pakistan was particularly important. Unspoken was an understandable reluctance to invite potential spoilers like Iran, North Korea, and Syria, all of which have high nuclear “connectivity”. The administration was also keen to avoid replicating the fraught proceedings of the multilateral bodies dealing with non-proliferation and disarmament matters.⁹ From the outset, then, nuclear security summits were intended to be an exclusive multilateral club, by invitation only. There was some disgruntlement among those not invited.

The invitees attended enthusiastically, despite puzzlement on the part of some about the agenda (hidden or otherwise). Of the 47 states invited, 38 (81 percent) were represented by their head of state or government.¹⁰ The three international organizations invited, the United Nations (UN), the European Union (EU)¹¹ and the IAEA, were also represented by their heads.

The American agenda that emerged for the meeting was clear, concise, and narrow, and thus “marketable”: within four years there was to be, to the extent possible, a “global cleanout” of the most dangerous nuclear materials, notably by repatriating high enriched uranium (HEU) from non-nuclear weapon states to the U.S. and Russia; and by converting research reactors from HEU to low enriched uranium (or closing them).¹² This was to be accompanied by strengthened mea-

whitehouse.gov/the_press_office/Remarks-By-President-Barack-Obama-In-Prague-As-Delivered/ (accessed March 5, 2014).

⁷ David Sanger and William J. Broad, “Leaders Gather for Nuclear Talks as New Threat Is Seen,” *New York Times*, April 11, 2010.

⁸ “Nuclear Security Summit: The Guest List,” The Gaggle Blog, April 12, 2010, blog.newsweek.com.

⁹ The Conference on Disarmament, the Nuclear Nonproliferation Treaty Review Conferences, or the First Committee of the UN General Assembly.

¹⁰ Notable absences from the Washington summit were British Prime Minister Gordon Brown; Israeli Prime Minister Benjamin Netanyahu and Australian Prime Minister Julia Gillard.

¹¹ The EU was represented by both the President of the European Council and the President of the European Commission, bringing the number of participating leaders to 58.

¹² It was never expected that a complete cleanout would be accomplished within four years, although this was a common misperception. The idea was to get as much as possible done in the four years, ideally including dealing

Box 1: Participation in Nuclear Security Summits

States Participating in Nuclear Security Summits

Algeria Argentina Armenia Australia Azerbaijan* Belgium Brazil
Canada Chile China Czech Republic Denmark* Egypt Finland France
Gabon* Georgia Germany Hungary* India Indonesia Israel Italy Ja-
pan Jordan Kazakhstan Lithuania* Republic of Korea Malaysia Mexico
Morocco The Netherlands New Zealand Nigeria Norway Pakistan Phil-
ippines Poland Romania* Russia Saudi Arabia Singapore South Af-
rica Spain Sweden Switzerland Thailand Turkey United Arab Emirates
Ukraine United Kingdom United States Vietnam

Organizations Participating in Nuclear Security Summits

European Union (EU) IAEA Interpol* United Nations

**Additional participants at the Seoul and Hague summits*

asures to improve security for the remaining nuclear materials and to prevent the illicit trading of them. The overall aim was to strengthen efforts to prevent nuclear materials falling into terrorist or other unauthorized hands.¹³

In addition to keeping the invitation list exclusive, the Americans labored to keep the agenda focused strictly on nuclear security as they had defined it. This was important for two reasons. First, there is widespread misunderstanding about the meaning of nuclear security, even among so-called experts. It can be taken to mean, respectively: the physical protection of nuclear materials and facilities; the non-proliferation of nuclear weapons; nuclear safety; the security of nuclear weapons; or even the security that states purport to derive from the possession of nuclear weapons. All these subjects needed to be avoided to prevent dilution of the “cleanout” and other priority nuclear security objectives. Second, without a narrowly defined focus, leaders unfamiliar with the technicalities of nuclear security would be tempted to stray into nuclear issues with which they believe themselves to be much more familiar—namely the non-proliferation of nuclear weapons and nuclear disarmament. As it was, President Obama felt the need to personally urge the Egyptian Foreign Minister Aboul Gheit (representing then President Hosni Mubarak at the summit) not to raise the issue of a Middle East zone free of so-called weapons of mass destruction and thereby risk roiling the conference waters.¹⁴

with a number of the biggest and most dangerous stocks of HEU. The Department of Energy (DOE) developed a plan for doing so, although it was never made public (information from Matthew Bunn).

¹³ “Key facts about the nuclear security summit,” US State Department, Washington, D.C., April 13, 2010, <http://fpc.state.gov/documents/organization/140352.pdf> (accessed March 5, 2014).

¹⁴ Personal communication with Gary Samore, US Sherpa for the 2010 and 2012 summits.

The US administration deployed several other creative diplomatic approaches in organizing the Washington summit. First was the novelty, unheard of at a large international summit, of a US president personally chairing meetings and enjoining the participants not to make set speeches but to engage with him in genuine dialogue. The idea was clearly to force the high-level attendees to involve themselves personally in the nuclear security challenge. This approach reflected President Obama's own personal style: he has been described as being both an "academic" and a "policy wonk." Given the relatively contained nature of the agenda and the handpicked attendees, the technique was also relatively safe, especially given the global honeymoon period that the president was still basking in (he had won the Nobel Peace Prize in 2009) and not least because the summit's outcome documents had been negotiated in advance.

A second feature of the summit diplomacy was the intensive use of "sherpas," senior officials designated by each government to prepare for the meeting.¹⁵ All of the conference outcomes were pre-negotiated by sherpas and below them "sous-sherpas," leaving heads of state or government to deliver national statements and put their final stamp of approval on what their subordinates had agreed.¹⁶ While not uncommon in preparing for international gatherings, the intensity of the process and the publicity given to it was unusual. This suggested some nervousness on the part of the Obama administration about organizing a summit on a nuclear issue, albeit one less controversial than nuclear proliferation, and a determination to demonstrate publicly that it had done everything possible to avoid a failure.

US sherpa Gary Samore has reported that there were three sherpa meetings to prepare for the Washington summit and "a number of meetings of the sous-sherpas who get into the real details."¹⁷ Preparatory meetings were hosted not just by the Americans, but by other summit participants, including Japan and the Netherlands.¹⁸ Some observers have remarked that the sherpa process preceding the Washington summit was almost as important as the summit itself (as is often the case).¹⁹ One reported benefit was that it often forced the several agencies involved in nuclear security in each country to collaborate closely, sometimes for the first time, in producing a credible national policy for their leaders to announce at the summit. Participants in a Stanley Foundation meeting after the summit noted that the sherpa meetings also helped create an "inclusive and cooperative environment" for developing country invitees, something that is not always

¹⁵ In the way that Nepalese and Tibetan Sherpas assist climbers to reach the peaks of the Himalayas. The use of the term sherpa originated in the diplomatic practice of the EU and was later adopted by the Group of Seven and Group of Eight meetings in the 1980s and 1990s.

¹⁶ Perhaps taking the mountain-climbing metaphor too far, officials below the sous-sherpas were called "yaks."

¹⁷ "Press Briefing to Preview the Nuclear Security Summit by Gary Samore, White House Coordinator for WMD Counter-Terrorism and Arms Control, and Ben Rhodes, Deputy National Security Advisor for Strategic Communications," The White House, April 9, 2010, www.whitehouse.gov (accessed March 5, 2014).

¹⁸ Sarah Diehl and Paula Humphrey, "The April 2010 Nuclear Security Summit: One More Step Toward the Mountaintop," Nuclear Threat Initiative, April 20, 2010, <http://www.nti.org/analysis/articles/april-2010-nuclear-security-summit/> (accessed March 5, 2014).

¹⁹ See Stanley Foundation, "The Road to Korea 2012: Nuclear Security Summits and Global Efforts to Prevent Nuclear Terrorism," *Policy Dialogue Brief*, October 2010, <http://www.stanleyfoundation.org/publications/pdb/Road-toKorea111PDB.pdf> (accessed March 5, 2014).

a feature of large international gatherings where greater polarization may occur.²⁰ It also put leaders on notice that they should arrive at the summit prepared to make tangible commitments to enhancing nuclear security rather than delivering “sound and fury signifying nothing.”

A third diplomatic technique deployed for the summit was the offering of what were quaintly dubbed by the Americans as “house gifts”—pledges by participating states to undertake voluntary measures to improve nuclear security, either nationally or globally. Sixty-seven were issued in Washington,²¹ ranging from pledges by states to repatriate HEU from their territory to undertakings to expedite signature of the 2005 Amendment to the 1980 Convention on the Physical Protection of Nuclear Material (CPPNM) to help bring it into force.

After two days of discussions on 12–13 April 2010 the summit concluded by issuing the Washington Communiqué, which embraced the Obama goal of securing the world’s vulnerable weapons-usable material within four years. Accompanying the communiqué was a Work Plan which identified steps for realizing its goals, including ratification and implementation of international treaties; support for Security Council resolution 1540;²² support for the IAEA; conversion of civilian facilities from HEU to non-weapons-useable materials; research on new nuclear fuels; improvement of detection methods and forensic technologies; strengthening of national regulatory regimes; development of corporate and institutional nuclear security cultures; and education and training.

The Washington summit was widely judged a success in attracting the highest level of political and diplomatic attention ever devoted to nuclear security and in forging consensus on key global policy directions. It also avoided political controversy, in part by focusing on the specific, readily understandable (if not readily achievable) goal of “locking down” dangerous nuclear materials within four years and by firewalling the relatively uncontroversial issue of nuclear security from other nuclear tinderboxes. Although the invitees were geographically and politically diverse, the United States was able to use its considerable influence to forge a consensus. The attempt to elicit informal exchanges of views across the conference table was only partially successful. Many heads of state and government, unlike President Obama, are not fascinated or familiar enough with the details of nuclear security to engage in a free-flowing debate on the subject. For some, cultural inhibitions would have precluded spontaneous participation in a situation fraught with multiple possibilities for losing face. Some leaders were presumably only attending because of the potential opportunity for discussing with Obama and others the many matters on their agendas that they considered more pressing than nuclear security. Yet overall, as Stephen Walt noted at the time,

²⁰ Stanley Foundation, “The Road to Korea 2012: Nuclear Security Summits and Global Efforts to Prevent Nuclear Terrorism.”

²¹ US State Department, “Highlights of National Commitments, Nuclear Security Summit, April 12–13, 2010,” <http://fpc.state.gov/documents/organization/140356.pdf> (accessed March 5, 2014).

²² Security Council resolution 1540 requires all UN member states to take measures to prevent terrorists acquiring materials or technologies for all “weapons of mass destruction,” including nuclear or radiological weapons.

Obama's team deserves credit for this initial effort, and for managing to pull off a meeting of 47 presidents, prime ministers, and other world leaders with virtually no visible rifts, fireworks, or gaffes. On a first reading, I'd give 'em an A—. ²³

Although a complete analysis of the substantive outcomes of the Washington summit is beyond the scope of this paper, the meeting demonstrably made a difference to nuclear security: according to a report by the Arms Control Association and the Partnership for Global Security, approximately 80 percent of the voluntary national pledges were fulfilled by the second summit in 2012. ²⁴ According to William Tobey, since then at least six more commitments have been fulfilled, raising the success rate to over 90 percent. ²⁵ Clearly the gathering had stimulated participating states to take action faster than they would have done otherwise and set in train a "virtuous cycle" of healthy competition between them. Naturally, the ambitious agreed Work Plan, often couched in sweeping terms, remained largely unfulfilled after two years, necessitating the follow-up summit envisaged in the Washington Communiqué.

The 2012 Summit, Seoul

The Seoul summit in 2012 was intended to renew the commitments made in Washington, D.C. and to identify further steps to strengthen nuclear security. The agenda was expanded beyond nuclear material to encompass the interface between nuclear safety and nuclear security at nuclear facilities and the security of radiological material, which can be used in so-called radiological dispersal devices (RDDs) or radiological weapons. Although hosted by South Korea, the US government provided significant assistance and support, notably in helping draft the outcome documents, drawing on lessons learned from the Washington summit and leveraging President Obama's continuing interest in the subject. Again the summit was preceded by intensive meetings of sherpas and sous-sherpas. An additional mixed bag of six states, some with no apparent special relevance to nuclear security, was invited (see Box 1), bringing the total to 53. An additional, highly pertinent, international organization, Interpol, was also invited. As in the case of the first summit, 81 percent of the states invited were represented by a head of state or government. But taking into account the increased number of invitees, William Tobey notes, however, that the Seoul summit saw a 50 percent increase in the number of representatives below the level of head of government or state compared with the Washington summit. ²⁶

The South Koreans, like the Americans, sought to avoid controversial nuclear issues intruding onto the agenda, notably the North Korean nuclear issue (North Korea was somewhat half-

²³ Stephen Walt, "A solid first effort", *Foreign Policy*, April 14, 2010, http://walt.foreignpolicy.com/posts/2010/04/14/a_solid_first_effort (accessed March 5, 2014).

²⁴ "The Nuclear Security Summit: Assessment of National Commitments," Arms Control Association, Washington, D.C., March 2012, http://www.armscontrol.org/files/ACA_NSS_Report_2012.pdf (accessed March 5, 2014).

²⁵ William Tobey, "Planning for success at the 2014 Nuclear Security Summit," *Policy Analysis Brief*, Stanley Foundation, December 2013, p. 3.

²⁶ William Tobey, "Planning for success at the 2014 Nuclear Security Summit," p. 8.

heartedly invited with stringent conditions and declined).²⁷ Although it proved impossible following the nuclear disaster in Fukushima in March 2011 to completely exclude the issue of nuclear safety, it was treated strictly as secondary and only in its relationship to nuclear security. While the Seoul Communiqué mentioned the “shared goals” of nuclear disarmament and nuclear non-proliferation that had been scrupulously avoided in Washington, nothing more was heard of these in the conference proceedings or documentation.

The Korean style of diplomacy was much less spontaneous and more formal than the Americans’ at the summit in Washington, D.C., with informal exchanges across the table giving way to set national speeches. One exception to the pre-programmed proceedings was a speech by Australian Prime Minister Julia Gillard, who according to her officials unexpectedly and apparently spontaneously made a proposal for international nuclear security “assurances,” even though such a concept had not been agreed in the Sherpa process.²⁸

In addition to individual national “house gifts,” an innovation at Seoul was the grouping of some individual national pledges into “gift baskets,” involving multiple states making commitments as a group. For example, 24 states pledged to collaborate with emerging Centers of Excellence on nuclear security. 100 pledges, including “gift baskets,” were made. A July 2013 report by the Arms Control Association and the Partnership for Global Security recorded that since the Seoul summit 18 out of 22 participating states that possessed at least a kilogram of HEU had either announced plans or taken action to minimize HEU use, repatriate fuel, or convert research reactors.²⁹ As of January 2014 seven states—Austria, Czech Republic, Hungary, Sweden, Mexico, Ukraine, and Vietnam—have entirely or almost entirely divested themselves of HEU.³⁰ This continuing progress is at least in part due to continuous inter-sessional US pressure on, collaboration with and assistance to states that made pledges.

Although hailed by the United States and South Korea as a success, critics like Joe Cirincione, president of the Ploughshares Fund, called Seoul an “underperforming summit” with a “minimalist agenda.”³¹ Sharon Squassoni of the Center for Strategic and International Studies noted that in the six page final document the word “encourage” appeared 28 times. Critics also noted that

²⁷ North Korea called the summit, somewhat incongruously, both a “childish farce” and a “grave provocation”, *National Post*, February 22, 2012, <http://news.nationalpost.com/2012/02/22/north-korea-seoul-nuclear-summit-a-childish-farce-grave-provocation/> (accessed March 5, 2014).

²⁸ The U.S. had included such a concept in its proposed amendment to the CPPNM in 1998 and had raised various suggestions along these lines in the sherpa meetings preceding both the Washington and Seoul summits but they were generally rejected. The word “assurances” itself had apparently been mentioned among the sherpas before 2012 (communication with Matthew Bunn, September 2013).

²⁹ Michelle Cann, Kelsey Davenport, and Sarah Williams, “The Nuclear Security Summit: Progress Report”, Arms Control Association and Partnership for Global Security, Washington, D.C., July 2013, p. 1.

³⁰ Nuclear Threat Initiative, Nuclear Materials Security Index: Building a Framework for Assurance, Accountability, and Action, January 2014, <http://ntiindex.org/wp-content/uploads/2014/01/2014-NTI-Index-Report1.pdf> (accessed March 5, 2014).

³¹ “Summit success over-Seouled”, Arms Control NOW, Arms Control Association blog, April 11, 2012, <http://arm-scontrolnow.org/2012/04/11/summit-successes-over-seoul-ed/> (accessed March 5, 2014).

about half of the “global cleanout” of 480 kilograms of civilian use HEU between the Washington and Seoul summits came from one country—Ukraine.³²

The 2014 Summit, The Hague

A third nuclear security summit is to be hosted by the Netherlands from 24–25 March 2014 in The Hague. The goal is to “chart the accomplishments of the past two years, identifying which of the objectives set out in the Washington Work Plan and the Seoul Communiqué have not been met and proposing ways to achieve them.”³³ Dutch sherpa Piet de Klerk, who is leading the preparations for the summit, has said that it will be the “right moment for looking at results from the previous two summits in their ‘core business’ of reducing the quantities of vulnerable material or providing better protection for it.”³⁴ Closer cooperation between governments and the nuclear industry is another priority, in addition to increased sharing of “training, knowledge, and expertise” to be “better prepared against nuclear terrorism.” The same group of countries and international organizations that attended the Seoul summit have been invited to The Hague. A series of sherpa and sous-sherpa meetings has paved the way. New “gift baskets” are being pursued. The agenda is likely to be more expansive than that at Seoul, although the precise details are unclear at the time of writing.

However, the Dutch have encountered a certain amount of “summit fatigue” in their preparatory consultations and a reluctance by participating states to keep committing themselves to further action on nuclear security, given their achievements so far and their other national priorities.³⁵

Achievements (and Shortcomings) of the Summits

The major achievement of the summits have been at least four-fold. First, they have brought nuclear security to the highest possible diplomatic and political attention in key states—at head of state and/or government level—often for the first time. Second, because heads of state or government were involved, the summits have tended to force unity of purpose and policy on participating governments, producing in many cases more ambitious outcomes at the widely publicized gatherings than would otherwise have been the case.³⁶ Such high-level attention has been sustained between summits, potentially leading to permanent structural changes in the way that governments tackle the issue. This has been especially helpful where national responsibil-

³² “Summit success over-Seouled”, Arms Control NOW, Arms Control Association blog, April 11, 2012, <http://armscontrolnow.org/2012/04/11/summit-successes-over-seoul-ed/> (accessed March 5, 2014).

³³ Official website for the 2014 Nuclear Security Summit: <https://www.nss2014.com/en/nss-2014/about-the-nss> (accessed March 7, 2014).

³⁴ Kelsey Davenport, “U.S. says nuclear security work remains,” Arms Control Today, September 2013, http://www.armscontrol.org/act/2013_09/US-Says-Nuclear-Security-Work-Remains%20 (accessed March 5, 2014).

³⁵ The G20 summits are experiencing the same problems. See Thomas A. Bernes, “Ho Hum... On to Brisbane,” Centre for International Governance Innovation, September 9, 2013, <http://www.cigionline.org/publications/2013/9/ho-hum%E2%80%A6on-brisbane> (accessed March 5, 2014).

³⁶ Stanley Foundation, *Policy memo: Effective and Sustainable Global Nuclear Security: Looking Beyond the Horizon*, October 26, 2012, p. 5.

ity for nuclear security is spread across several competing ministries and agencies. Third, the pressure from the summit hosts and the summiteers collectively to make and keep unilateral pledges has resulted in tangible improvements in nuclear security in a wide variety of areas. The exclusive membership of the meetings has enhanced the degree of cohesion and the possibility of consensus on nuclear security issues, while facilitating the application of peer pressure to constantly improve performance. Fourth, the series of meetings and attendant publicity have engendered substantial activity and support outside governments, where little or none existed before, among civil society organizations, research institutes, and among funders.³⁷ This includes creating awareness of and increased political and material support for the IAEA's work in nuclear security.

The main weaknesses of the summits are that they have not resulted in binding international obligations to tackle the nuclear security challenge—especially the threat of nuclear terrorism which for some states, including the United States, is regarded as of the first order. Rather the summits have produced exhortatory declarations that are not even described as politically binding, much less legally binding. The substantive outcomes are based entirely on voluntary national pledges. Nor is the process nested in a standing organization that can, among other tasks, monitor or assist in implementation. All of the substantive work to improve nuclear security boomerangs back onto individual states or is delegated to the IAEA without firm commitments of financial or other support. The country hosting the summit (with some help from previous summit hosts) is tasked with organizing the meeting, encouraging the highest-level representation and cajoling participants to make ever more ambitious pledges of unilateral action.

While the “global cleanout” goal has a certain dramatic cachet that has commanded attention at the highest levels of state and diplomacy and has certainly achieved results,³⁸ it has tended to represent the “low-hanging fruit” of nuclear security—the removal of HEU—most of which is being plucked. This means that the Dutch in 2014 and especially the Americans in 2016 will be seeking other types of “house gifts” and “gift baskets” that are less amenable to snappy pledges and precise measurement and assessment. Fulfillment of such pledges will be more difficult to monitor and verify. From the perspective of public diplomacy—one of the key functions of a summit meeting—the more mundane but still important issues of education and training, peer review, collaboration with industry, and the safety-security interface are not matters of high politics or of media or public interest. Progress is incremental and fascinates only the cognoscenti, making the delivery of a public message about the importance of nuclear security more challenging than it already is.

³⁷ Including the Nuclear Threat Initiative (NTI), the Fissile Material Working Group (FMWG) and the Nuclear Security Governance Experts Group (NSGEG), the Stanley Foundation, the ASAN Institute of South Korea, and the Carnegie Corporation of New York.

³⁸ For instance by October 2014, 18 months before the 2016 summit, the US Global Threat Reduction Initiative (GTRI) plans to complete the repatriation of all but 16 percent of the total of 5,244 kilograms of civilian use nuclear materials that it has targeted. This includes 85 percent of all Russian-origin removals, 80 percent of all US-origin removals and 89 percent of other (so-called “gap material”) removals. Cited in Anya Loukianova, “An HEU milestone means a new challenge ahead,” *Bulletin of the Atomic Scientists*, September 2013, <http://thebulletin.org/heu-milestone-means-new-challenge-ahead>; (accessed March 5, 2014).

Hanging over the whole summit process, meanwhile, has been uncertainty about whether it could continue beyond the next meeting. The project is clearly an American one and while interest in strengthening nuclear security has undoubtedly flourished globally as a result, there has been a pervasive sense that if the United States lost interest the project would wither. This presumably has an affect on the way participating states perceive the pressure to act from now on. Faced with difficult decisions about whether to invest further in nuclear security there will be a natural temptation to suffer the political opprobrium and simply wait the process out.

Nonetheless, despite its shortcomings, the summit process has clearly been beneficial in enhancing nuclear security, not just in terms of awareness and political momentum, but on the ground, where it matters most. The question is whether these benefits can be perpetuated beyond 2016 by some other mechanism, institution, or process, or a combination thereof.

The IAEA and Nuclear Security

The IAEA is one obvious candidate for such a role. Unlike the inevitably ephemeral nuclear security summit process, the IAEA is a 57-year old standing international body, part of the United Nations “family” of organizations. It has wide-ranging responsibilities for global nuclear governance, including verification of nuclear non-proliferation, nuclear safety, and the promotion of the peaceful uses of nuclear energy. Nuclear security is thus just one of its mandates, the most recently acquired and the least developed. It is also in some quarters still the most contested (notably by Russia and some of the radical member states of the Nonaligned Movement). In contrast to the summits, its emphasis to date has not been on “locking down” and minimizing sensitive nuclear materials (although it has been involved in HEU repatriation efforts and in tracking illicit nuclear trade). Rather it has focused on promulgating nuclear security recommendations and assisting its member states in strengthening their national nuclear security arrangements and capacities.

One perceived limitation on the IAEA’s role in nuclear security that in theory differentiates it from the summits is the requirement in its 1956 Statute that the Agency concern itself with nuclear and radiological materials and facilities for peaceful purposes, not those devoted to military purposes.³⁹ However the differences between the summits and the Agency on this score may be more apparent than real. Although the summits have called in passing for improved security for nuclear weapons materials and even for nuclear weapons themselves, they have never specified how this should be done. In the case of the IAEA, while affirming that its main concern is with civilian, peaceful uses, it points out to its member states that they are free to apply its nuclear security guidelines to nuclear weapons materials and facilities if they so choose.

³⁹ About half of the world’s plutonium and approximately 98 percent of the world’s HEU is in military stocks, both for nuclear weapons and naval propulsion.

The IAEA's Role in Nuclear Security

The IAEA's role in nuclear security dates from 1970, when it began developing guidelines for the physical protection of nuclear material which eventually became known as INFCIRC/225. The guidelines have been periodically updated.⁴⁰ The Agency subsequently played a part in bringing to fruition the 1980 Convention on the Physical Protection of Nuclear Material. After the collapse of the Soviet Union the Agency began providing ad hoc nuclear security assistance to former Soviet states. Such assistance was formalized into International Physical Protection Advisory Service (IPPAS) peer review missions, the first of which was conducted in 1996. Following the terrorist attacks on the U.S. of September 2001 the Agency adopted a much higher profile in nuclear security, notably by establishing an Office of Nuclear Security (in the Department of Nuclear Safety and Security), launching its first four-year Nuclear Security Plan and setting up a Nuclear Security Fund.

Although it is the least-well resourced of the IAEA's major programs, the Agency's nuclear security activities, personnel, and budgets have all been increasing steadily since 2001 and member states are increasingly availing themselves of its advice, services, and assistance, especially through IPPAS and the development of Integrated Nuclear Security Support Plans (INSSPs). The Agency also works to increase the number of states parties to nuclear security treaties for which it is the depositary, notably the CPPNM and its 2005 Amendment. In 2012 the Agency marked its first decade of increased involvement in nuclear security.⁴¹ In 2013 the bureaucratic status of nuclear security within the Agency was enhanced when the Office of Nuclear Security was upgraded to a division (one rung below a department).

The IAEA's Role in Nuclear Security Diplomacy

In terms of nuclear security diplomacy, the IAEA has multiple forums for consideration of nuclear security issues: the annual General Conference comprising all of its members, the 35-member Board of Governors and various subsidiary bodies. The latter include the Advisory Group on Nuclear Security (AdSec) and the newly established Nuclear Security Guidance Committee (NSGC). Any member state is free to raise nuclear security issues in the General Conference and can do so in the Board of Governors either as a quasi-permanent member or when elected. In contrast to the limited participation in the summit meetings, IAEA membership is currently 159 and is open to all states, giving the Agency potentially universal coverage and reach.

The Agency, as in other areas of its mandate, also participates in nuclear diplomacy by engineering support for treaty-making, hosting and assisting in treaty negotiations, and in convening review and amendment conferences for existing treaties. In the nuclear security realm the Agency

⁴⁰ For the latest version, see IAEA, *The Physical Protection of Nuclear Material and Nuclear Facilities* (INFCIRC/225/Rev. 5), Vienna, January 2011.

⁴¹ See *IAEA Nuclear Security: Achievements 2002–2012*, <http://www.iaea.org/Publications/Booklets/NuclearSecurity/nsachievements0512.pdf> (Accessed March 7, 2014).

as early as 1974 began studying and quietly advocating for a binding international convention on physical protection.⁴² In 1977 an Advisory Group set up by the Director General concluded that there was a need for such a treaty and that it should cover the protection of nuclear material in international transport. The U.S. provided the IAEA with a draft text and in 1978 and 1979 the Agency hosted meetings of government representatives to work on the draft. The resulting CPNNM opened for signature in 1980. The IAEA was designated the treaty depositary. The Agency hosted a review conference for the treaty in September 1992.

In the mid-1990s the IAEA convened a Group of Legal and Technical Experts to discern whether the CPPNM should be amended to close an obvious lacuna—the domestic use, storage, and transport of nuclear materials.⁴³ Taking advantage of the shock of the terrorist attacks of September 2001 Director General Mohamed ElBaradei strongly urged the parties to amend the treaty in view of the demonstrable new threat. The Agency reconvened the experts group in October 2001, but it took further arduous negotiations and a diplomatic conference hosted by the Agency in 2005 before agreement on the Amendment was reached. When the Amendment enters into force the IAEA will be involved in organizing the CPNNM review conference that many states parties are expected to press for (such a meeting could, incidentally, help fill the attention deficit caused by the demise of the summit process).⁴⁴

A final Agency role in nuclear security diplomacy is represented by its increasingly popular and elaborate conferences on the subject. These began in the late 1970s with a focus on the narrower issue of physical protection, but were later broadened to encompass the entire range of nuclear security issues.⁴⁵ In 1997 more than 200 experts from 48 countries and organizations attended the IAEA's first International Conference on the Physical Protection of Nuclear Materials. In 2001 the periodic IAEA Safeguards Symposium included, for the first time, specific sessions on physical protection and illicit trafficking.⁴⁶ When the events of 9/11 occurred just before the conference the Agency added an additional day to discuss "Combating nuclear terrorism."⁴⁷ In March 2005 the Agency organized its first conference specifically devoted to the broad subject of nuclear security, in London, in cooperation with the British government.⁴⁸ The two most recent

⁴² David Fischer, *History of the International Atomic Energy Agency: The First Forty Years* (Vienna, 1997: IAEA), p. 230.

⁴³ Fabrizio Nocera, *The Legal Regime of Nuclear Energy: A Comprehensive Guide to International and European Union Law*, (Antwerp, 2005: Intersentia), pp. 646–647.

⁴⁴ Unlike other treaties CPPNM review conferences are not mandatory but may be called not less than every five years at the request of a majority of states parties (Art. 16.2, CPPNM).

⁴⁵ The term nuclear security appears to have become widely used, including by the IAEA, by the early 2000s, encompassing the narrower "physical protection of nuclear materials" but also including the security of nuclear facilities and efforts to counter nuclear smuggling.

⁴⁶ Thomas Shea, "Timely, topical, and dynamic," *IAEA Bulletin*, 43/3/2001, p. 1.

⁴⁷ Thomas Shea, "Timely, topical, and dynamic," p. 4. Subsequent Safeguards Symposia, in 2006 and 2010, reverted to a purely safeguards agenda.

⁴⁸ International Conference on Nuclear Security: Global Directions for the Future, London, March 16–18, 2005. It also involved collaboration with the European Union (EU), the European Police Office (Europol), the International Criminal Police Organization (ICPO-Interpol), the Organization for Security and Co-operation in Europe (OSCE)

IAEA nuclear security gatherings have been a symposium held in 2009 and the first IAEA ministerial conference on nuclear security, held in 2013. The two meetings are considered below as a point of comparison with the nuclear security summits.

The 2009 IAEA Nuclear Security Symposium

Held just a year before the Washington nuclear security summit, the Agency convened a five-day International Symposium on Nuclear Security at its Vienna headquarters in 2009 (the Agency claims, somewhat unusually, not to distinguish between a symposium and a conference, so the nomenclature is apparently not, at least to them, significant).⁴⁹ It was convened in cooperation with several other international organizations and non-governmental organizations (NGOs).⁵⁰ Five hundred participants from 76 countries attended,⁵¹ mostly Vienna-based delegations and their national experts, as well as academics and NGOs experts sponsored by governments. Some officials from capitals also attended, but no ministers.

The objective of the symposium was to “consider advancements and achievements in global efforts to enhance the security of nuclear and other radioactive material since 2002 and to identify areas and efforts for further improvements.”⁵² The year 2002 was chosen as a baseline to mark the adoption of the first IAEA Nuclear Security Plan. Policymakers and experts attending the symposium were expected to share knowledge and information in implementing the “nuclear security framework” and to identify “the best way forward to achieve a sustainable, enhanced global nuclear security regime.” Specific proposals were to be entertained for inclusion in the 2010–2013 Nuclear Security Plan. At least 87 technical papers were presented, with topics ranging from “The challenges of safety and security of radioactive sources in Albania” to “Nuclear security and the 2008 Olympic Games.”⁵³

and the World Customs Organization (WCO). In October 2003 the Agency had already collaborated with the Argonne National Laboratory in hosting a limited invitation International Seminar on Nuclear Security (for Managers and Decision Makers) in Illinois, US.

⁴⁹ It is inevitable that others view them as different in character and stature. Symposia are commonly thought to be technical or educative meetings, whereas the purposes of conferences can range from exchanges of information and views to negotiations with legally-binding outcomes.

⁵⁰ The European Police Office, Interpol, the Joint Research Centre, the European Commission, the Nuclear Threat Initiative, the OSCE in Europe, the UN Counter Terrorism Task Force, the United Nations Office on Drugs and Crime, the World Customs Organization, the World Institute for Nuclear Security, and the World Nuclear Transport Institute.

⁵¹ “Implementation of the IAEA Nuclear Security Plan, 2005–2009,” IAEA, Vienna, 2010, <http://www.iaea.org/Publications/Booklets/NuclearSecurity/nsplan0911.pdf>; (accessed March 5, 2014).

⁵² “Announcement and call for papers,” International Symposium on Nuclear Security, March 30–April 3, 2009, Vienna, Austria, http://www-pub.iaea.org/MTCD/Meetings/PDFplus/2009/cn166/cn166_Announcement.pdf; (accessed March 5, 2014).

⁵³ See Book of Extended Synopses, International Symposium on Nuclear Security, March 30–April 3, 2009, Vienna, Austria, IAEA, document IAEA-CN-166, March 2009.

A “President’s Findings” document⁵⁴ was released at the conclusion of the symposium. This was not a negotiated document, nor was it adopted either by vote or consensus. It was therefore non-binding in character and purported to reflect only the findings of the conference president. Nonetheless it was still a useful bellwether of the state of the field and of the views of the participants. The event revealed the green shoots of an emerging multilateral nuclear security community—along much the same lines that the IAEA had been nurturing in the fields of nuclear safeguards and safety for decades.

The 2013 IAEA International Nuclear Security Conference

The Agency styled its next meeting dedicated specifically to nuclear security a “conference.” Convened at its Vienna headquarters in July 2013, the “International Conference on Nuclear Security: Enhancing Global Efforts” promised to “provide a timely global forum in which the progress made in strengthening nuclear security worldwide could be reviewed and future developments discussed.”⁵⁵ It was modelled on the 2009 symposium but with the addition of a Ministerial Meeting on the first day, designed to secure high-level participation by IAEA member states. Director General Yukiya Amano wrote to all of them to encourage maximum ministerial participation. As in the case of the 2009 symposium, the conference was intended, in part, to serve as “important input” in preparing the next IAEA Nuclear Security Plan, that for 2014–2017, to be adopted by the Agency’s Board of Governors in September 2013.

The conference was, naturally, open to all IAEA member states and state-approved NGOs. The media was able to observe but not participate (a bone of contention among some of them). More than 1,300 participants registered, from 125 states, as well as 21 governmental organizations and NGOs.⁵⁶ Attendance thus almost tripled compared to 2009—49 more countries participated. Thirty-four ministers attended the one-day ministerial meeting and some stayed for subsequent conference sessions.

It was a creditable turnout, attracting more ministers than the 2011 IAEA Ministerial Meeting on Nuclear Safety and the 2012 Fukushima Ministerial Meeting, organized jointly by the IAEA and Japan.⁵⁷ The popularity of the event undoubtedly signals the growth of the nuclear security “community” since the turn of the millennium, perhaps the result of a dawning realization that nuclear security is an issue for all states. It surely must also be attributable to the success of the nuclear security summits in drawing attention to the issue.

⁵⁴ See IAEA website: <http://www-pub.iaea.org/MTCD/Meetings/Announcements.asp?ConfID=36576> (accessed March 5, 2014).

⁵⁵ IAEA document IAEA-CN-203, International Conference on Nuclear Security: Enhancing Global Efforts, IAEA Headquarters, Vienna, Austria, July 1–5, 2013: Announcement and Call for Papers, http://www-pub.iaea.org/MTCD/Meetings/PDFplus/2013/cn203/cn203_Announcement.pdf (accessed March 5, 2014).

⁵⁶ “IAEA Ministerial Meeting concludes with stronger focus on nuclear security,” <http://www.iaea.org/newscenter/news/2013/nsfocusconcludes.html> (accessed March 5, 2014).

⁵⁷ Yukiya Amano, Director General, IAEA. Speech at International Conference on Nuclear Security: Enhancing Global Efforts, Vienna, July 1, 2013.

Director General Amano's opening statement on July 1 was brief and unremarkable except for his unprecedented call for all states to invite peer reviews of their nuclear security arrangements by international experts. At a press conference the previous day he had called such reviews, in uncharacteristically bold language, a "no brainer." This is quite a shift in outlook from the days when IPPAS missions were viewed as designed principally for developing countries or states with an identifiable problem needing rectification.

The main documentary achievement of the conference was the adoption by ministers of an agreed Ministerial Declaration, the first in IAEA history to deal with nuclear security. While unexceptional in its content and tone, it nonetheless acknowledged that the IAEA should play a major role in nuclear security, something unachievable only a few years ago. The declaration mentioned all of the areas in which the IAEA's role in nuclear security could be expanded, lauded the Agency's performance to date and called for additional resources to be applied. It also enjoined member states to increase their involvement with the IAEA in the nuclear security realm and to avail themselves of its services.

Even though the Declaration was based on a consensus that Russia had putatively joined, Ambassador-At-Large Grigory Berdennikov took the floor immediately after its adoption to complain about the references to nuclear disarmament (inappropriate for this forum) and nuclear material for military purposes (allegedly outside the IAEA's mandate) and to emphasize that nuclear security was primarily the responsibility of states (which is actually a consensus view).⁵⁸ Russian behavior indicates one of the challenges currently facing the IAEA in expanding its role in nuclear security diplomacy: as in other areas of multilateral endeavor President Vladimir Putin seems determined that Russia play the role of spoiler, perhaps in a desperate effort to assert Russian strength and relevance. Aside from this incident the ministerial portion of the conference proceeded without political ructions. Even the Iranian delegation, led by the normally rambunctious ambassador, Ali Asghar Soltanieh, was quiescent, although he could not resist bemoaning the fact that Iran was not invited to the nuclear security summits.⁵⁹

Despite the urging of the U.S. and other member states for a more creative, interactive approach the Agency ran the conference on standard UN lines. The ministerial session was followed by six substantive main sessions addressing broad areas of nuclear security, while 12 parallel technical sessions witnessed more detailed discussions. Various governments, companies, and organizations had booths touting their accomplishments or products—including the Pakistan Nuclear Regulatory Authority which handed out folders promisingly detailing "Pakistan's Efforts

⁵⁸ Statement by the Head of Delegation of the Russian Federation Ambassador-at-large Grigory Berdennikov at the IAEA International Conference on Nuclear Security: Enhancing Global Efforts, Reservation at the Adoption of the Outcome Document, July 1, 2013, <http://www-pub.iaea.org/iaemeetings/cn203p/RussianFederation-PDF.pdf> (accessed March 5, 2014).

⁵⁹ Statement by H.E. Ambassador Soltanieh, Resident Representative of the Islamic Republic of Iran to the IAEA before the International Ministerial Conference on Nuclear Security: Enhancing Global Efforts, Vienna, July 1–5, 2013: <http://www-pub.iaea.org/iaemeetings/cn203p/Iran.pdf> (accessed March 5, 2014).

Towards Nuclear Security.” Academics and others displayed posters. The World Institute for Nuclear Security (WINS) hosted a spell-binding “Night at the Theatre with WINS” to demonstrate its pioneering theatre-based techniques for nuclear security training.⁶⁰

The conference, like the IAEA symposium before it, adopted a President’s Summary of the week’s proceedings at the end of the meeting. In tabling it the President, Hungarian Minister of Foreign Affairs J. Martonyi, rightly noted that the conference signalled that the subject of nuclear security had “come of age.” Yet the conference outcome documents did not commit any particular member state to do anything in particular. Unlike the nuclear security summits there was no “Work Plan” and there were no formal commitments announced by states, although Vietnam and the U.S. did announce that the repatriation of HEU, one of the pledges made at the nuclear security summits, had just been completed. Indonesia announced that it would produce a National Legislation Implementation Kit on nuclear security. The conference also provided numerous ideas and set the stage for finalizing the IAEA’s 2014–2017 Nuclear Security Plan (the President’s document claimed, somewhat implausibly, that all ideas that had been put forward would be considered). But the conference itself did not decide on the Plan, which is drafted by the IAEA Secretariat and approved by the Board of Governors.⁶¹

One jarring note was that despite the IAEA’s claim to be “central” and a “platform” for global nuclear security governance its myopia about non-IAEA activities was clearly on display. Neither the Director General, the Ministerial Statement nor the Presidential Statement made any mention of even the existence of the nuclear security summits. Nor was there mention of other inter-governmental processes, like the Global Initiative to Combat Nuclear Terrorism (GCINT), much less the non-governmental organization WINS. They even failed to mention UN initiatives such as UN Security Council resolution 1540. Nor was there mention of treaties, notably the International Convention for the Suppression of Acts of Nuclear Terrorism (ICSANT), for which the Agency is not directly responsible. While there may be political sensitivities among some states about mentioning non-IAEA activities in agreed statements, there was nothing to stop Director General Amano from doing so; the summits in particular regularly endorse the IAEA role and call for increased resources for the Agency. Moreover, he himself has attended the summits, so the IAEA is arguably itself part of the summit process.

Despite these self-imposed limitations and the usual frustrations of multilateral conference diplomacy, there was a strong sense by the end of the event that it had been a success. In particular the meeting had demonstrated that a genuine, self-sustaining nuclear security community had begun to emerge and mature. Across a variety of states, organizations, and regional and other arrangements there now exists a critical mass of interest, expertise in and commitment to nuclear security, forged in part by the summit process, but also by the meetings and work of the IAEA itself. It was, for example, almost startling to hear presentations on “Current challenges of nuclear security in Tanzania,” “Indonesia’s experience and good practices in implementing physical

⁶⁰ For many present this was the highlight of an otherwise determinedly technical conference.

⁶¹ See Nuclear Security Plan 2014–2017, IAEA document GOV/2013/42-GC(57)/19, August 2, 2013.

protection” and “Experience of the Republic of Tajikistan in implementing the Code of Conduct [on Radioactive Sources].” As US National Nuclear Security Administration deputy head Anne Harrington told the *National Journal*:⁶²

I think the general assessment of the conference was that it was very successful. It was not an easy undertaking to do something like this at the ministerial level ... and it was designed to bring policy and technical communities together which is not the way things normally run in the IAEA ... It was fascinating to see senior policy people huddled around poster sessions, eagerly talking to scientists about the work they were doing and this is countries across the whole scale of development ... I think the IAEA may have struck a real chord here ...

Naturally US assessments in private are likely to be less sanguine.

The IAEA conference also reinforced the multilateral character of nuclear security. All IAEA member states (in fact all UN member states) were able to attend, along with any international organizations so inclined and any NGOs, experts, and academics who were able to convince a government to sponsor them.⁶³ Along with the emergence of something that can be described as a global nuclear security community, this growing multilateralism should over time attenuate charges that nuclear security is purely a Western concern.⁶⁴ Such allegations have in the past inhibited the IAEA from seeking increased regular budgetary support for nuclear security. An indication of the meeting’s success is that the Ministerial Declaration called for another conference in three years. This could be the beginning of a regular pattern.

The Future of Nuclear Security Diplomacy After 2016

The notion that the IAEA should take over at least some of the functions of the nuclear security summits after 2016 is presumably predicated on the idea that those gatherings are of value in advancing nuclear security and that the benefits ascribed to them should be carried forward—but without convening summit meetings (whether by the IAEA or anyone else). The benefits of nuclear security summitry, as detailed above, may be summarized as:

- 1) High-level, sustained attention and participation at head of state and government level
- 2) Exclusive membership that permits greater unity of purpose, more focused discussions, and avoids the pitfalls of UN-style multilateralism
- 3) An intense preparatory process which may lead to structural improvements in the way governments tackle the issue

⁶² “Q&A: changes coming for U.S. effort to stop nuclear smuggling,” *Global Security Newswire*, August 23, 2013, <http://www.nti.org/gsn/article/q-changes-coming-us-effort-stop-nuclear-smuggling/> (accessed March 5, 2014).

⁶³ US-based NGOs and individuals were exempt from even this restriction and could attend without US government endorsement.

⁶⁴ A further indicator is the increasing popularity of IPPAS missions among developing countries.

- 4) Host and peer pressure to make and keep unilateral pledges, resulting in tangible improvements in nuclear security, and
- 5) The stimulation of substantial activity and support outside governments.

Could the IAEA conferences be made to replicate some of the summits' advantages?

High-Level Attention and Participation

Clearly the IAEA does not have the equivalent convening power of the US government (especially of US President Barack Obama personally), or even of medium powers like South Korea and the Netherlands. Heads of state or government are unlikely to attend an IAEA nuclear security ministerial meeting and even ministerial attendance has in the past been hard to obtain. Yet without the competition of the summit process after 2016 an IAEA conference on a biennial or triennial basis would presumably, if only by default, assume greater importance for governments. If the drivers of the summit process were to put their political weight and convening power behind IAEA ministerial conferences, more high-level attendance and participation is likely. Attendance by the US Secretary of State alone would boost interest by other foreign ministers. Although the IAEA cannot replicate the high-level diplomacy of the nuclear summit process, it can engender greater ministerial-level interest if it organizes itself to do so.

Other means will be required to attract highest-level attention to nuclear security if this is considered necessary after 2016. If a nuclear security emergency should unfortunately arise, the UN Security Council should obviously be convened. Short of that, one plausible suggestion for sustaining high-level focus on nuclear security is the Group of 20 (G20), which meets at head of state or government levels. While it has the world economy as its main focus, this would presumably not preclude periodic attention to nuclear security as a special agenda item. The group includes the world's most powerful economies, all of which are nuclear security summiteers. However they represent just half of the nuclear security summit participants and do not include significant interlocutors, such as Israel and Pakistan. Disgruntlement about being left out would have to somehow be successfully handled.

Legitimacy, Efficiency, and Effectiveness

As Ramesh Thakur has noted of the G20 summits, but which could equally apply to the nuclear security summits, they represent “the best crossover point between legitimacy (based on inclusiveness and representation), efficiency (which requires a compact executive decision-making body), and effectiveness (where those who make the decisions have the greatest ability to implement or thwart them).”⁶⁵ Multilateral organizations open to all states have great global legitimacy: exclusive groups like the nuclear security summits trade legitimacy for efficiency and effectiveness. Nuclear security summits have sought legitimacy through inclusivity but only up to a point—by inviting major states and international organizations with “nuclear connectivity.” As a

⁶⁵ Ramesh Thakur, *The North-South Divide, Global Governance and the G20*, New Zealand Institute of International Affairs, Wellington, 2010.

universalist multilateral organization the IAEA must, in contrast to the summits, be all-inclusive and invite all member states to participate in its conferences. A major advantage of this is that the nuclear security “message” is received by all, reinforcing the notion that nuclear security is a concern of all states. It also renders the IAEA and its activities more legitimate in the eyes of the broader international community.

Universal participation can, however, have a significant effect on the effectiveness and efficiency of international diplomacy. One downside is the sheer number of national positions that have to be reconciled if agreement is to be achieved. This tends to be attenuated at the U.N. by the adoption of group and or regional positions, notably in the case of the Western states and the non-aligned states respectively, which significantly reduces the number of different stances that have to be accommodated.

With regard to the nuclear security issue the summits and IAEA conferences face the same challenges in forging consensus on even slightly radical nuclear security advances—if their respective documentary outcomes are any indication. The Seoul summiteers, for example, lamely “urge[d] states in a position to do so to accelerate their domestic approval of the 2005 Amendment to the CPPNM, seeking to bring the Amendment into force by 2014,”⁶⁶ while IAEA Ministers only slightly more timidly “encourage[d] the IAEA and States to continue efforts to promote the entry into force of the 2005 Amendment to the CPPNM at the earliest possible date.” In both cases the exhortations are only politically binding, if that, have no legal force, and commit no state to do anything in particular.⁶⁷ While the Washington summiteers agreed in broad terms to “join” Obama’s call to secure all vulnerable nuclear material in four years, when it came to the details they pledged themselves only to “to promote measures to secure, account for, and consolidate these materials, as appropriate.”⁶⁸ For their part, IAEA ministers “recognized” their “fundamental responsibility” to “maintain effective security of all nuclear material under their control.”

One drawback of universalism is that multilateral conferences, like those convened by the IAEA, are unavoidably attended by some of the “spoilers” that the U.S. studiously avoided with its restricted summit guest list. However, the July 2013 IAEA conference did not itself encounter any difficulties from the “usual suspects.” The most difficult delegation was that of a nuclear summiteers Russia, and it was notable that no delegation took the floor in support of its theatrics. IAEA member states like India and Pakistan that are often unhelpful in the non-proliferation area of the IAEA’s work appear keen to burnish their credentials in the nuclear security realm (for different reasons) so, as in the case of the summits, are unlikely to cause difficulties. Since North Korea is no longer an IAEA member state it would not have to be involved. Iran will be present at any IAEA gathering of course, but resolution of the Iranian non-compliance impasse would make Iranian mischief-making much less likely.

⁶⁶ Seoul Communiqué, para. 1.

⁶⁷ IAEA Ministerial Declaration, para. 9.

⁶⁸ Washington Communiqué, para. 3.

As both the summits and the IAEA conferences have demonstrated, it is in fact possible to treat nuclear security in rather splendid isolation from other nuclear issues. While there is no guarantee that this will continue, the growth of a nuclear security community that is genuinely wedded to and benefits from global governance in this field will bolster the chances that political mischief-making will be frowned upon. This may suggest that there would be benefit in the IAEA partnering with a state to host its nuclear security conferences. There is ample IAEA precedent for this. The first conference it held on nuclear security broadly defined was co-hosted with the UK in London. On other nuclear issues too the Agency has co-hosted with a member state. In 2012 the Fukushima Ministerial Meeting was organized jointly by the IAEA and Japan.⁶⁹ In June 2013 the Agency organized a two-day International Ministerial Conference on Nuclear Power in the 21st Century in St Petersburg in cooperation with the Organisation for Economic Development's Nuclear Energy Agency and the Russian government. What IAEA meetings do not have—and the nuclear security summits do have—is an influential host country that can pressure participants to fall into line (although such power is not unlimited).

States seeking nuclear energy for the first time, and keen to burnish their nuclear governance credentials, would be ideal candidates to jointly host a nuclear security ministerial with the IAEA, among them the United Arab Emirates, Indonesia, and Turkey. States with existing nuclear power programs and ambitious future plans might also be willing to co-host: these include Brazil, China, India, South Africa, and the United Kingdom. Strong supporters of strengthening nuclear security, such as Australia, Canada and Finland, might also volunteer.

With regard to effectiveness, one of the presumed advantages of small, exclusive international gatherings is that they encourage genuine dialogue. But even President Obama struggled to achieve this and the South Koreans largely reverted to Asian-style formality. The U.S. and other member states had apparently urged the IAEA Secretariat to try to move away from the standard rather rigid UN conference format in organizing its July 2013 conference, but without success. The G20 summits are more suited to intense interaction among participants than either the summits or IAEA gatherings, in part because its membership has been deliberately kept relatively small, but it remains to be seen whether this would apply if they adopted nuclear security as an agenda item. Whatever the nature of the international gathering, state representatives have strong incentives to give set speeches since they are rarely experts in the area under discussion.

In any event, informal interaction between ministers is not the best way to tackle the technical details of nuclear security, which must necessarily be done at the expert level. The technical sessions included in IAEA symposia/conferences are well suited to this role, although they could be more creatively organized to produce genuine interaction across the floor.

⁶⁹ Speech at International Conference on Nuclear Security: Enhancing Global Efforts, Vienna, July 1 2013, Yukiya Amano, Director General, IAEA.

Intense Intra-Sessional Preparations and Follow-Up: An IAEA-Led Sherpa Process?

One of the beauties of the nuclear security summit process has been the intense preparations wrought by sherpas and sous-sherpas, which has kept the issue diplomatically alive between summits and contributed to their consensus outcomes and to the cornucopia of house gifts and gift baskets. It is unusual, but not without precedent, for multilateral organizations, including those in the UN “family” of organizations, to prepare for meetings using sherpas and/or sous-sherpas so intensively. Multilateral negotiations like those under the 1997 Kyoto Protocol to the 1992 UN Framework Convention on Climate Change employ what in effect are sherpa-led processes between summits. Sherpa-led preparations for the 2001 UN Millennial Summit, at which a politically binding consensus final declaration was to be issued, were intense, contentious, and ultimately successful.⁷⁰

It would behoove the IAEA to consider exploiting the existence of the summits’ ready-made sherpa network in the nuclear security field to help it prepare for its next nuclear security conference and to assist it in emulating other successful aspects of the summit process—especially encouraging unilateral or joint pledges of action. To this end the Director General could establish a select advisory group of state’ representatives to advise him on how to prepare for and conduct future nuclear security conferences, especially to take advantage of the sherpa network established by the summits. Some of these representatives will invariably be those who helped their governments prepare for the summits and assisted ministers in preparing for the 2013 IAEA Conference. The diplomatic community involved in such matters is relatively compact.

Making Commitments: Trolling for House Gifts?

There would seem to be no *a priori* reason why a conference convened by the IAEA could not encourage and utilize a “house gift”/“gift basket” approach. Many UN specialized agencies organize pledging conferences in the wake of natural or human-induced disasters, usually for funding, but also for substantive contributions. The Preparatory Commission for the CTBTO organizes biannual conferences solely for the purpose of applying pressure to all states to pledge to sign and ratify the CTBT.⁷¹ The IAEA itself routinely seeks from its member states unilateral pledges of assistance in advance for use under the 1986 Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (CACNARE), which applies both to accidents and deliberate nuclear events.

Why could the IAEA not explicitly “frame” its nuclear security conferences as being, at least in part, “pledging” events at which states would announce individual or group commitments to take action? To do this the Director General and Secretariat would have to set expectations in the

⁷⁰ See “John Bolton’s nuclear strategy,” chapter 22, in James Traub, *The Best Intentions: Kofi Annan and the U.N. in the Era of American Power* (New York, 2006: Farrar, Strauss and Giroux).

⁷¹ The IAEA held a Treaty Event during the 56th General Conference in September 2013, but this was to promote universal adherence to all treaties for which the IAEA is responsible, not just those relating to nuclear security.

same way that organizers of UN pledging conferences do and the way the United States did in the case of the summits. By itself the Agency is unlikely to be wholly persuasive in encouraging its members to make such pledges, but it could succeed with the support of the United States and other summiteers and Board of Governors members, especially if these states were to set an example and thus begin a virtuous cycle. With some informal pledges communicated to the Agency in advance it could, for instance, announce that half a day of the conference would be devoted to pledging. The Agency could start modestly, identifying areas for which it has responsibility. Examples would include pledging funds to the Nuclear Security Fund; offers of assistance in case of nuclear emergencies; offers to accept IPPAS missions; and voluntary national reports under the existing and amended CPPNM.⁷² More adventurously, the Director General could encourage member states to provide unilateral assurances to others of their commitment to improving nuclear security.

Without summits at which to parade their unilateral initiatives, and unless the G20 takes up the nuclear security issue, the IAEA ministerial conferences would be the obvious venue for states to do so. Indeed it is unlikely that all pledges made at all the summits will be fulfilled by 2016. IAEA ministerial conferences will be a ready-made venue to announce progress made. Ministers in any case have a natural tendency to want substantive announcements to make when speaking at international meetings and not appear empty handed. The IAEA should exploit this tendency.

Ensuring Commitments are Kept

A critical advantage that the summits have had is that Washington can marshal its unparalleled diplomatic influence and resources to ensure that summit pledges are kept—in a way that the IAEA Director General and Secretariat cannot. The United States clearly uses its almost universal bilateral and multilateral diplomatic contacts to press for advances in nuclear security either as a discrete objective or as part of a larger agenda involving trade-offs and concessions. The United States can also provide large-scale, often expensive practical assistance in implementation. Only the United States could have engineered the type of initiative that saw Ukraine repatriate its HEU to Russia. More specifically the United States uses another exclusive “club” of allies and like-minded states, the Global Initiative to Combat Nuclear Terrorism (GICNT) to keep the momentum going. Technically, it employs its Global Threat Reduction Initiative (GTRI) and International Nuclear Materials Protection and Cooperation program (INMPC) in securing and reducing vulnerable nuclear material, in part to help states implement their summit pledges.

However, US influence and capacities should not be exaggerated. It was unable to convince Canada to pledge to move quickly to give up the use of HEU for radionuclide production. Sweden’s decision to give up HEU would likely have been its own: US pressure could have been counter-productive. In other cases, like Australia, its allies are willing partners in nuclear secu-

⁷² For a bigger list of possibilities see Matthew Bunn, Kuznetsov Valentin, Martin B. Malin, Yuri Morozov, Simon Saradzhyan, William H. Tobey, Viktor I. Yesin, and Pavel S. Zolotarev, *Steps to Prevent Nuclear Terrorism: Recommendations Based on the U.S.-Russia Joint Threat Assessment*, Project on Managing the Atom, Harvard University, October 2013.

rity anyway. While the U.S. can in theory bring the full weight of its influence to bear, it is also constrained by competing priorities (both its own and those of others) in its bilateral relations with individual states. Pakistan and Russia are cases in point. In some cases its influence in the nuclear security area is minimal to zero (for example Cuba, Iran, and North Korea).

Presumably, when the summits end the United States will continue its bilateral and multilateral efforts to secure and minimize holdings of HEU and assist states otherwise in improving nuclear security. GICNT is one obvious continuing venue. It has also been suggested as a forum for pursuing at least some of the summits' functions. GICNT has more "partner nations" (85) than the summits and four observers, including the IAEA, but is also missing significant summiteers (Brazil, Egypt, Indonesia, Nigeria, South Africa, and Ukraine).⁷³ GICNT's membership would have to be expanded and its current focus on mutual assistance and facilitating joint exercises would need to be broadened to accommodate a more ambitious agenda.

While not on the same scale as US activity, it is worth reiterating that the IAEA does have its own capabilities for encouraging and helping states in the nuclear security realm, including through its Technical Cooperation program and, unlike the United States, is required to provide this to any member state in good standing with the Agency. It has also partnered with the United States in ensuring the repatriation of HEU from several countries to Russia. The European Union, through its Strategy against Proliferation of Weapons of Mass Destruction, is also able to provide significant support to states in following through on their commitments. Since 2004 it has pursued a series of so-called Joint Actions in support of the IAEA's Nuclear Security Plan. Regional initiatives are also burgeoning.

In neither the case of the summits nor the IAEA is there provision for international monitoring or verifying implementation of either the collective or individual undertakings made by states. Monitoring is largely done by US non-governmental organizations and academic researchers.⁷⁴ However, as a standing international organization, the IAEA—if it dared—is better placed than the summits, which have no permanent institutional home, to maintain a continuing, collective watch on implementation of voluntary pledges. Many UN and UN-related bodies do so already. Voluntary confidence-building measures (CBMs), in which data are submitted for collective perusal, are common in the arms control field.⁷⁵ The UN Secretariat, for instance, collects data voluntarily submitted by states for the UN Arms Transfer Register on the basis of a non-binding UN General Assembly resolution. Another example is the CBM information voluntarily submitted to the Geneva-based Implementation Support Unit by parties to the Biological Weapons Convention, on the basis of a non-binding review conference decision.

⁷³ US Department of State, "Global Initiative to Combat Nuclear Terrorism," <http://www.state.gov/t/isn/c37083.htm> (accessed March 5, 2014).

⁷⁴ See Matthew Bunn, Eben Harrell, and Martin B. Malin, *Progress on Securing Weapons and Materials: The Four-Year Effort and Beyond*, Project on Managing the Atom, Harvard University, March 2012; and NTI, *Nuclear Materials Security Index: Building a Framework for Assurance, Accountability, and Action*, January 2012.

⁷⁵ The Comprehensive Nuclear Test Ban Treaty, otherwise legally binding, even has provision for voluntary notification of large conventional explosions to the Comprehensive Nuclear Test Ban Treaty Organization.

The IAEA itself collects and disseminates data on plutonium holdings submitted voluntarily by a select group of states, on the basis of a non-binding accord among member states.⁷⁶ In addition the Agency collects data on the completion of activities in states' Integrated Nuclear Security Plans. In the area of radiological sources, the IAEA reportedly rates states with a color coding system. Precedents exist outside the nuclear security field: the Agency manages state party periodic reports under the 1994 Convention on Nuclear Safety and issues a summary of Safeguards Implementation Reports. The Agency has a “dashboard” on its website which details progress in fulfilling the post-Fukushima Action Plan on Nuclear Safety.⁷⁷ There would seem to be no reason why it could not have a similar device for nuclear security—were the Secretariat simply to dare to take the initiative. One of the parting gifts that the summiteers could give to the Agency in 2016 (or even 2014) would be to propose that the IAEA set up a Nuclear Security Register to keep track of states' voluntary commitments and their subsequent reports on implementation.

Interaction with the Broader Nuclear Security Community

As to interaction with the broader nuclear security community and the engendering of increased interest in nuclear security generally, in the case of the summits such interaction has varied. The Washington summit was essentially a high-level diplomatic meeting in security lock-down mode in the heart of Washington. There was an NGO Nuclear Security Summit organized by the Fissile Materials Working Group in parallel with the official summit and some US government and other officials did attend some of those sessions, but interaction before, during, and after the summit was limited. Preceding the Seoul summit a Nuclear Security Symposium was organized by the Korea Institute of Nuclear Nonproliferation and Control and the Institute of Foreign Affairs and National Security, but again interaction was limited. For the Netherlands summit the Dutch government is engaging in unprecedented advance consultation with NGOs and academics to float ideas and garner proposals. A Nuclear Knowledge Summit for civil society and academic participants and a Nuclear Industry Summit are also being organized prior to the summit. As in previous cases, though, the summit meeting itself is for heads of state and government and supporting officials only.

The IAEA conferences, on the other hand, have from the outset involved the broader nuclear community, in particular technical experts from a wide range of IAEA member states, but also NGOs and academics (provided they are sponsored by a member state). Unlike the summits, the ministerial sessions of its 2013 nuclear security conference were open to all participants, not just states' representatives. They were hardly interactive, mostly comprising a series of national statements. Negotiations on the final documents of the IAEA conference, as in the case of the summits, took place between states behind closed doors.

One hurdle that the Agency needs to overcome if it is to have the broadest possible impact on and interaction with the global nuclear security community, is its seeming reluctance to publicly

⁷⁶ IAEA, ‘Guidelines for the Management of Plutonium’, INFCIRC/549, April 1, 2004 (revised August 16, 2005).

⁷⁷ IAEA, ‘Action Plan on Nuclear Safety’, 2011, <http://www-ns.iaea.org/actionplan/> (accessed March 5, 2014).

acknowledge the existence of non-Agency efforts and activities—even though the Agency is almost without exception a partner or participant in such endeavors. The Director General is invited to the summits, the Agency is a “partner” in GICNT and it works with (although not closely enough in the view of some) the UN Security Council’s 1540 Committee). None of the 2013 Conference outcome documents mention non-IAEA initiatives. The Director General’s 2013 Nuclear Security Report does mention IAEA participation in GICNT and the @TOMIC 2012 international exercise sponsored by the Netherlands, but fails to mention cooperation with WINS or the 1540 Committee. Adding insult to injury is the fact that the non-IAEA initiatives often graciously and sometimes fulsomely acknowledge the IAEA’s work and centrality in the nuclear security business.⁷⁸

The IAEA General Conference has specifically encouraged the Secretariat to “continue, in coordination with Member States, to play a constructive and coordinated role with other nuclear security related initiatives.”⁷⁹ The Agency has done so, holding working-level discussions with intergovernmental and non-governmental organizations and initiatives involved in nuclear security, notably through the convening of information exchange meetings. Gatherings in November 2012 and May 2013, each attended by more than 10 organizations and initiatives, agreed to continue “exchange of views and information to ensure effective use of limited resources and eliminate duplication of efforts.”⁸⁰ However, one would never know this from the Director General’s statement to the 2013 Nuclear Security Conference, the Ministerial Statement, or the final document, or the IAEA’s website, none of which contain references to other initiatives. The IAEA needs to get over its myopia about non-Agency activities and pursue a more open policy towards its partners and collaborators.

Public and Media Attention

As to broader public and media attention, summits certainly are more likely to bring better results simply because of the US role. The national and international media is unlikely to treat a Vienna-based event run by the IAEA with the degree of attention that it treats the summits—even after the summits are gone. (Even the *New York Times* demeaningly insists on calling the IAEA a “group” rather than an organization).

Yet it is difficult to measure the impact of any type of international meeting on nuclear security. Attracting press and public interest in the subject is a constant challenge: arousing concern while avoiding sensationalism is problematic whatever the venue. While the possibility of nuclear ter-

⁷⁸ GICNT participants for instance in their Statement of Principles “...recognize the role of the IAEA in the fields of safety and security ... All participants commend the IAEA for its action in the field of nuclear security. Participants intend for the IAEA to contribute to the Initiative through its ongoing activities and technical expertise” (GICNT Statement of Principles, US Department of State, “Global Initiative to Combat Nuclear Terrorism”, <http://www.state.gov/t/isn/c37083.htm>; March 5, 2014).

⁷⁹ IAEA General Conference resolution GC(56)/RES/10, 2012.

⁸⁰ IAEA “Nuclear Security Report 2013,” GOV/2013/36-GC(57)/16, August 6, 2013, p. 3.

rorism is alarming, the idea of securing nuclear material is largely uncontroversial and therefore does not stimulate media debate. In most countries there is bipartisan support for nuclear security measures. Nuclear trafficking does attract sensationalist coverage but improvements to border patrols and customs does not. The details of the solutions to the challenges of nuclear security, whether discussed at summits or the IAEA, are mostly beyond public interest or understanding.

In the US case, while Americans view nuclear terrorism as one of the biggest threats and the objective of securing nuclear materials is strongly supported by voters across political parties, support for the summit process is limited and breaks down along partisan lines.⁸¹ Fifty-six percent of those polled were not confident that the 2010 Washington summit would result in better controls on nuclear materials. In 2012 a three-month audit of US media coverage of nuclear issues in the lead up to and during the Seoul summit showed that nuclear security received less than two percent of the coverage of nuclear weapons issues. Unfortunately media coverage of nuclear security issues at Seoul was overshadowed by North Korea and President Obama's open mic missile defense gaffe. Needless to say the 2013 Nuclear Security Conference received little media attention beyond a couple of Vienna-based correspondents.

How Would the Summit Bequeath Functions to the IAEA?

If the IAEA is to inherit any of the roles of the nuclear summits the summiteers will need to find a way, beginning in The Hague but most importantly in 2016 to signal more explicitly the expanded role that they want the Agency to have and to pledge the necessary resources. At present no one seems to have any idea of how this might happen. When asked about this issue in October 2013, Dutch Sherpa Piet de Klerk, who is charged with organizing the Hague summit, noted that “not all parts of the nuclear security summit process fit in the IAEA,” but admitted that “I’m not sure where the missing dimension is.”⁸² US officials are at this stage unclear about what the post-2016 arrangements should be. There is no summit institution, personnel, or finances to hand over. Essentially, what would be bequeathed is process rather than substance.

The summits have to date had an arms-length relationship with the IAEA; this distance will have to be attended to if there were to be a smooth handover of summit processes. The Director General has been invited to all the summits and was able to participate fully—although international organizations are invariably marginalized at such meetings of states. The Washington, D.C. communiqué affirmed the “essential role of the IAEA in the international security framework,” which is not quite the “central” role that the Agency sees itself as having. While summiteers pledged to “work to ensure that [the IAEA] continues to have the appropriate structure, resources, and expertise needed,” this was notably to be for its “mandated nuclear security activities in accordance with its Statute, relevant [IAEA] General Conference resolutions, and its Nuclear Security Plans,” but apparently nothing more. The Washington Work Plan gave rather more detailed atten-

⁸¹ “Post-Nuclear Security Summit 2012 Analysis,” Rethink Media Solutions, Washington, D.C., May 2012.

⁸² “Securing the 2014 Summit: An Interview with Dutch Nuclear Security ‘Sherpa’ Piet de Klerk, *Arms Control Today*, December 2013, p. 18.

tion to the IAEA, but essentially enjoined the Agency to carry on with its current efforts without providing any firmer guarantees of financial or other support.⁸³ A luncheon session during the summit devoted to specifically discussing the role of the IAEA in nuclear security was a welcome initiative, but there was no formal session devoted to the Agency.⁸⁴ The summit did not collectively assign any new tasks to the IAEA or commit additional funding or resources (although several individual participants pledged additional funds for the IAEA's Nuclear Security Fund and announced they would host IPPAS missions).

The Seoul summit was more fulsome about the Agency, reaffirming “the essential responsibility *and central role of the IAEA in strengthening* [emphasis added] the international nuclear security framework.”⁸⁵ It also “recognized the value of the IAEA Nuclear Security Plan 2010–2013” and welcomed the convening of a nuclear security conference by the Agency in 2013 to “coordinate nuclear security activities.” The summiteers again did not assign any new tasks to the Agency, although it is remarkable how often the Agency was mentioned in connection with strengthening various elements of the global nuclear security regime.⁸⁶ Again the summiteers did not collectively marshal any new funding or other resources for the Agency's apparent “central role,” limiting themselves to encouraging individual voluntary contributions to the Nuclear Security Fund (some of which occurred).

Given that the summits and the IAEA are different entities with different sources of legitimacy and legality it is in theory difficult to see how the 2016 summit could “instruct” rather than simply encourage the Agency to adopt summit processes. In reality, since all of the summiteers are IAEA member states they could collectively ensure, through the Board of Governors and/or General Conference, that the Agency did indeed receive the summits’ “baton.”

⁸³ The Work Plan did helpfully enjoin participating states to work together, but only as “as appropriate,” to ensure that non-IAEA nuclear security activities were consistent with IAEA activities (Work Plan of the Washington Nuclear Security Summit, Washington, D.C., April 13, 2010).

⁸⁴ Press Briefing to Preview The Nuclear Security Summit by Gary Samore, White House Coordinator for WMD Counter-Terrorism and Arms Control, and Ben Rhodes, Deputy National Security Advisor for Strategic Communications, The White House, April 9, 2010, <http://www.whitehouse.gov/the-press-office/press-briefing-preview-nuclear-security-summit-gary-samore-white-house-coordinator-> (accessed March 5, 2014).

⁸⁵ Seoul Communiqué at 2012 Nuclear Security Summit, Seoul, South Korea, March 27, 2012, para. 3.

⁸⁶ This included: a call for developing options for national policies on HEU management “within the framework of the IAEA”; lauding the Agency's Nuclear Security Series documents and Code of Conduct and guidance on radioactive sources; pledging cooperation with the Agency on advanced technologies and systems, best practice, and technical assistance in the area of radiological sources; approval of the IAEA's meetings on the safety-security interface; encouraging states to participate in the IAEA Illicit Trafficking Database program; encouraging the IAEA's work on nuclear forensics; welcoming the Agency's promotion of cooperation between Centres of Excellence; supporting the IAEA role in producing and disseminating improved guidance on physical protection information, and finally welcoming the IAEA's intention to continue to lead efforts to assist states “upon request” See Seoul Communiqué at 2012 Nuclear Security Summit, Seoul, South Korea, March 27, 2012).

Conclusions and Recommendations

The nuclear summit process initiated by President Obama has had demonstrable benefits in raising the profile of nuclear security as a global governance challenge at the highest levels of many governments, in advancing nuclear security diplomacy generally, and in actually improving nuclear security. To have the summits simply disappear without trace would be lamentable. Yet it is not entirely clear how the summiteers would go about preserving the benefits of the summits via the IAEA, especially seeing what is being bequeathed is process rather than substance. To establish a completely new forum would appear pointless and duplicative, while none of the other US-led, limited membership mechanisms is entirely suitable.

On the other hand, using the extant global governance body for nuclear matters, the IAEA, has both logic and economy on its side. Encouraging the IAEA to fold the best of the summit processes into its existing nuclear diplomacy role would certainly boost its standing and truly put it at the hub of global nuclear security governance. The main risk would come from seeking to do so without bolstering the Agency's capacity to handle such new responsibilities. Two requirements seem necessary. First, the summiteers must signal as soon as possible the extent to which they envisage the Agency taking an expanded role in nuclear security diplomacy, carefully choreograph the passing of the baton to the IAEA and assist the Agency in advance to prepare itself. This does not mean that all future nuclear security activity should take place under the Agency's rubric, but rather that the principal international forum for addressing nuclear security would be recognized as the IAEA. Second, the Agency should itself begin immediately to bolster its credentials and capacity for answering such a call—in some respects it can do this without waiting to be asked, on the grounds that it is worth doing anyway and the summiteers may never find the political wherewithal to sign off the functions to anyone, leaving an unfortunate vacuum.

Action by the Summiteers

The three nuclear summit host countries should work closely with the IAEA to help it prepare for an expanded role in nuclear security diplomacy generally, beginning with bolstering the Agency's capacities to host the proposed 2016 IAEA Nuclear Security Conference. The Netherlands summit should begin considering successor arrangements post-2016 as it will be too late to put anything into place if the summiteers wait until the final summit. One initiative would be a contact group to be established by three summit host countries and the IAEA to explore the possibilities.

The summiteers should also bolster the IAEA's authority and resources by:

- Agreeing to strengthen and encourage implementation of the IAEA's nuclear security guidelines by transforming them into standards (which imply more of a baseline that states should at a minimum meet)

- Providing specific financial, technical and personnel support for universal peer reviews of nuclear security through a strengthened and expanded IPPAS program (still voluntary but increasingly expected as part of best practice)
- Proposing that the IAEA establish a Nuclear Security Register on which member states could record their achievements—this could include periodic voluntary national reports on implementation of the Amended CPPNM (these are not mandated under the Amendment but could emulate those provided by states under the 1994 Convention on Nuclear Safety)
- Pledge actual moneys to the Nuclear Security Fund as a parting “gift basket” by all of the summiteers
- Agree to support increased funding for nuclear security in the IAEA regular budget to beef up the new Nuclear Security Division, which would also reinforce the Agency’s credibility in managing new convening responsibilities.

IAEA Action

For its part the Secretariat should:

- Convene a task force to consider creative ways of organizing its conferences on nuclear security, beginning with the 2016 event. The mix of diplomatic and technical expertise at the 2013 ministerial conference was a useful beginning but more focused working groups designed to produce real recommendations on particularly vexing issues would be helpful.
- If and when the CPPNM Amendment comes into force the Agency should convene the long overdue review conference for the treaty back-to-back with its nuclear security conference. This could create helpful synergies between the meetings (in the same way that convening meetings of nuclear regulators during review meetings for the Convention on Nuclear Safety does) and attract higher-level participation.
- The Agency should move as swiftly as possible to equip its new Nuclear Security Division with the necessary personnel and resources for an expanded role.
- The Agency’s website should aim to be a “one stop shop” for information about global nuclear security efforts. To promote a Nuclear Security Register it could set up a “dash-board” on its website to track member states’ nuclear security achievements, as it has done in the case of nuclear safety. Initially this could simply be based on public announcements by states and information provided to the Agency. The Agency should also use its website to publicize its collaboration with other organizations and initiatives, with links to their websites.

Overall the IAEA should begin acting more like a real “platform” for nuclear security by playing the role that it claims for itself and by becoming less diffident about and ramp up its already significant collaboration with other initiatives. As the Director General’s Nuclear Security Plan 2014–2017 puts it:⁸⁷

Sustained political attention has been paid to nuclear security. Nuclear security has continued to take a prominent position in global diplomatic activity. Statements in several fora have steadily confirmed, *inter alia* that the responsibility for nuclear security within a State rests entirely with that State and that the Agency has a central role in strengthening the nuclear security framework globally, in particular through providing assistance to States, on request, and in leading the coordination of international activities in the field of nuclear security.

It is clear that the IAEA cannot and should not seek to replicate the nuclear security summits, along with all their functions and benefits. Given that summits and standing universalist multilateral organizations have different goals and functions it would be illogical to do so. The Agency is beholden to its much wider membership and must act within the constraints the membership imposes. Still, international organizations are more than the sum of their members and are able to carve out elements of autonomy, often increasingly so as they mature and grow. In fact international organizations are established for the very reason that states cannot carry out certain functions and need to devolve them to a collective agency if they are to be accomplished at all. This necessarily involves giving them a certain degree of autonomy. The IAEA itself used its autonomy wisely in the past, notably in strengthening nuclear safeguards and in responding to the Chernobyl and (belatedly) Fukushima disasters.

To have the benefits of the summits simply disappear due to inadequate preparation and consideration of the options would be both illogical and detrimental to nuclear security and to the IAEA itself. Often the trick in international diplomacy is to seize the initiative early enough to shape the desired outcome. While the final nuclear security summit in 2016 may seem distant, in diplomatic terms it is a blink of an eye. As the third summit approaches the time is ripe for all parties involved to begin consideration of the longer term future of nuclear security diplomacy and the role that the IAEA should play in that future.

⁸⁷ See Nuclear Security Plan 2014–2017, IAEA document GOV/2013/42-GC(57)/19, August 2, 2013, p. 2, para. 4.

About the Project on Managing the Atom

The Project on Managing the Atom (MTA) is the Harvard Kennedy School's principal research group on nuclear policy issues. Established in 1996, the purpose of the MTA project is to provide leadership in advancing policy-relevant ideas and analysis for reducing the risks from nuclear and radiological terrorism; stopping nuclear proliferation and reducing nuclear arsenals; lowering the barriers to safe, secure, and peaceful nuclear-energy use; and addressing the connections among these problems. Through its fellows program, the MTA project also helps to prepare the next generation of leaders for work on nuclear policy problems. The MTA project provides its research, analysis, and commentary to policy makers, scholars, journalists, and the public.

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