

CENTER FOR SECURITY POLICY | OCCASIONAL PAPER SERIES

Iran Defies IAEA Investigation of Past Nuclear Weapons Work

A Center for Security Policy Analysis

May 3, 2018



CENTER FOR SECURITY POLICY

A note from Frank Gaffney, President, Center for Security Policy:

On April 30, 2018, Israeli Prime Minister Benjamin Netanyahu gave a compelling briefing indicating that Iran lied about its nuclear weapons program to the International Atomic Energy Agency (IAEA) and to parties to the 2015 nuclear deal with Iran, the Joint Comprehensive Plan of Action (JCPOA). Netanyahu explained in detail, based on “a half a ton” of Iranian documents and hundreds of CDs, that Iran failed to fully cooperate with the IAEA’s efforts to investigate weapons-related Iranian nuclear activities – a key requirement to implement the JCPOA and for Iran to receive billions of dollars in sanctions relief. Netanyahu put it bluntly and correctly: “Iran lied.”

As Washington and the world review Prime Minister Netanyahu’s presentation and the Trump administration assesses how it may impact the decision that President Trump must make by May 12, 2018 on whether to withdraw from the JCPOA, the Center for Security Policy is reissuing this chapter from a 2016 book by Senior Vice President Fred Fleitz *Obamabomb: A Dangerous and Growing National Security Fraud* titled “Iran Defies IAEA Investigation of Past Nuclear Weapons Work.”

Fleitz was one of a small number of experts who called this major instance of Iran failing to meet its JCPOA obligations in 2015. Fleitz discusses Iran’s refusal to cooperate with the IAEA’s investigation of its covert nuclear weapons program and cites other leading experts who came to the same conclusion. Fleitz also explains how the Obama administration, in its desperation to negotiate a legacy nuclear deal with Iran for President Obama, ignored clear evidence of Iran’s failure to cooperate with the IAEA investigation as well as evidence uncovered by the IAEA that indicated likely Iranian nuclear weapons work that should have been further investigated.

I’m pleased to say that *Obamabomb* has aged well since it was published by the Center for Security Policy press in 2016 and been has proven right on the fraudulent nature of the JCPOA. This book also confirms what President Trump has said many times: that the nuclear deal with Iran is “the worst deal ever.”

Obamabomb: A Dangerous and Growing National Security Fraud is available as a [free PDF download](#) on the Center for Security Policy website and for sale on [Amazon.com](#)

Frank J. Gaffney, Jr.
President and CEO
Center for Security Policy
May 1, 2018

Except from *“Obamabomb: A Growing and Dangerous National Security Fraud”* by Fred Fleitz, Center for Security Policy Press, second edition, September 25, 2016, pp. 151-160.

Chapter 18: Iran Defies IAEA Investigation of Past Nuclear Weapons Work

However, whether Iran actually has closed down all of its nuclear weapons related activities remains uncertain, given its poor level of cooperation with the IAEA, including the absence of any official admission of its past efforts. Some of its activities may continue in highly secret facilities or be actively retained for later use. When a country lies so often, as Iran has done on the nuclear issues, prudence requires continued pressure to reveal what it did and assessments that must assume the worst about its capabilities.

- David Albright, Andrea Stricker, and Serena Kelleher-Vergantini *“Analysis of the IAEA’s Report on the PMD of Iran’s Nuclear Program”* Institute for Science and International Security, December 8, 2015.

The most important unresolved issue for the JCPOA the after the September 2015 congressional votes concerned the IAEA investigation of Iran’s past nuclear weapons-related work (the possible military dimensions of Iran’s nuclear program or PMDs). As explained in chapter 5, resolving PMD issues is important for establishing a meaningful nuclear agreement with Iran for two reasons. First, resolving PMD issues would give the international community confidence that Iran actually ceased all nuclear weapons related activities. Second, PMD-related information is important to establishing a baseline for verification of the nuclear accord since it will help IAEA inspectors understand what types of nuclear activities in which Iran was engaged and where they were conducted.

I explained in chapter 5 the seriousness of the 2011 IAEA PMD report which discussed disturbing information the agency had acquired on covert Iranian nuclear activities, including that Iran was developing a nuclear warhead, a reentry vehicle for a nuclear warhead, and researching how a Shahab missile could be modified to carry a nuclear warhead. A December 2015 IAEA PMD report was even more disturbing.

Opponents of the Iran deal strongly criticized Secretary Kerry in June 2015 when he dismissed the need to resolve PMD issues. Opponents also charged that language in the

JCPOA appeared to indicate that Iran would suffer no penalties if it failed to provide honest and forthcoming answers to the IAEA's PMD inquiry and that it was unrealistic for the IAEA to investigate and resolve the remaining PMD questions in only five months.

Kerry seemed to reverse himself on his June 2015 comments on the need for Iran to resolve PMD issues when he said in a July 24, 2015 speech:

PMD has to be resolved – before they get one ounce of sanctions relief. Now that could take six months, it could take a year. I don't know how long. But the IAEA has to certify that all of that has been done and we have received our one-year breakout before they get a dime.¹

The State Department backed away from this position in October 2015. An unnamed senior U.S. official said during a State Department briefing on October 17, 2015 that Iran only had to perform a series of procedural steps to demonstrate its cooperation with the IAEA's PMD investigation.² The official said that the quality of the data Iran provides to the IAEA was not important because “the U.S. Government has already made its assessment on Iran's past [nuclear] programs.” This official also said the PMD investigation is not part of the nuclear agreement text and thus has no bearing on whether sanctions against Iran will be lifted.

This statement confirmed the worst fears of critics of the JCPOA and confirmed the June 11, 2015 Middle East Media Research Institute report cited in Chapter 9: the Obama administration caved on the PMD issue in response to last minute demands by Iran. Meanwhile, Iran continued to insist if the IAEA did not close its file on the PMD issue, it would pull out of the nuclear agreement.

Per the secret IAEA-Iran side deal to the JCPOA, Iranians collected samples at the Parchin military base without IAEA officials present on September 20, 2015. Further muddying the waters, IAEA director general Yukiya Amano made a ceremonial visit to Parchin over the same weekend that Iranians conducted inspections for the IAEA. According to Amano, “We entered a building which the agency had previously only been able to observe using satellite imagery. Inside the building, we saw indications of recent renovation work. There was no equipment in the building.” Predictably, supporters of the JCPOA tried to portray Amano's visit to Parchin as an inspection by IAEA officials.

The IAEA issued a statement on October 15 that Iran had provided sufficient cooperation for it to issue a report by a December 15, 2015 deadline with its final assessment on outstanding PMD issues. However, Amano hinted at problems with his

upcoming PMD report in a November 26, 2015 speech when he indicated that Iran's failure to fully cooperate with the PMD investigation would prevent him from concluding that all of Iran's nuclear materials were being used for peaceful purposes:

As my latest report on safeguards implementation in Iran shows, the Agency continues to verify the non-diversion of nuclear material declared by Iran under its Safeguards Agreement. But we are not in a position to provide credible assurance about the absence of undeclared nuclear material and activities in Iran, and therefore to conclude that all nuclear material in Iran is being used for peaceful activities.³

Amano also told reporters that his PMD report “won't be black and white” and described it as a jigsaw puzzle for which the IAEA has gathered “pieces.”

The IAEA Issues a “Final Report” on PMD Issues

The IAEA issued its report on the possible military dimensions of Iran’s nuclear program on December 2, 2015.⁴ This report, carried out in response to a “roadmap” agreement reached between Iran and the IAEA in July 2015, was intended to address 12 unresolved PMD issues raised in the November 2011 IAEA PMD “dossier.” This report’s title, “Final Assessment on Past and Present Outstanding Issues regarding Iran’s Nuclear Programme,” appeared to reflect Iran’s demand that the IAEA must close its Iran PMD “file” for the JCPOA to proceed.

The short time the IAEA was given to investigate and resolve so many complex PMD issues and the refusal by Iran to allow the IAEA to interview Iranian nuclear scientists was criticized by opponents of the JCPOA. Former IAEA Chief Inspector Olli Heinonen questioned the investigation’s scope in Senate testimony in July 2015 by noting it was limited to PMD issues raised in the IAEA’s November 2011 PMD report.⁵ Heinonen said in his testimony that IAEA Director General Amano “has stated on several occasions that there is information that some [Iranian PMD] activities have continued in recent years that may not be identical to those in the 2011 report.”

Per the July 2015 roadmap agreement, Iran provided answers to the IAEA’s PMD questions by August 15, 2015. The IAEA then met with IAEA officials to discuss its follow-up questions between September 15 and October 15, 2015.

Critics of the nuclear agreement considered the IAEA PMD report to be a bombshell since it indicated Iran had not fully cooperated with the IAEA investigation and provided some answers that were false. The Institute for Science and International Security gave this blistering overview of the IAEA PMD report in an initial assessment it issued on December 2, 2015:

- Despite obfuscation and stonewalling by Iran, the IAEA confirmed that Iran had a coordinated nuclear weapons development program until the end of 2003 and conducted some weapons development activities after 2003.
- Overall, Iran provided little real cooperation. Denials and lack of truthfulness should not be confused with cooperation in the context of the JCPOA, any more than such “cooperation” by a defendant in a criminal investigation would be construed as real cooperation.
- Faced with such outright Iranian efforts to deceive the inspectors, the IAEA broke relatively little new ground.

- The truth of Iran's work on nuclear weapons is probably far more extensive than outlined by the IAEA in this report.
- The IAEA drew conclusions where it was able to. The bottom line is that the IAEA's investigation into the possible military dimensions of Iran's nuclear programs cannot be understood to be concluded, certainly it cannot be closed.⁶

The Obama administration endorsed the PMD report, saying Iran's cooperation was sufficient for the nuclear deal to stand and that it enabled the removal of sanctions from Iran as early as January 2016. Obama officials also said they never expected Iran to admit engaging in nuclear weapons work and stressed that the JCPOA was a forward looking document.⁷

In an article on a government-controlled Iranian news service, Iranian Deputy Foreign Minister Abbas Araghchi was cited as saying the IAEA report closed the IAEA's Iran PMD file:

Therefore, all measures over the past issues have been completely concluded and PMD has been left behind. No phrase denoting Iran's diversion from its commitments regarding NPT is seen in the report, he said, the agency has also verified Iran's nuclear program in its report.

Araqchi claimed the IAEA report endorsed the peaceful nature of Iran's nuclear program and paved the way for closing the file of PMD in Board of Governors.⁸

On December 8, the Institute for Science and International Security provided an even harsher assessment of the IAEA PMD report.

Iran's answers and explanations for many of the IAEA's concerns were, at best, partial, but overall, obfuscating and stonewalling. Faced with evidence, Iran offered largely civilian or conventional (non-nuclear) military justifications for many of the outstanding issues of concern, denied the activities' relation to nuclear weapons work, or denied the activities or evidence outright. In many cases its answers appeared contrived. In no single case did Iran admit to the central conclusion reached by the IAEA in the report or by the United States and several other governments – that it had a structured nuclear weapons program prior to 2003 and a limited effort afterwards. It did not explain how the activities of concern related to this program. It also did not allow the IAEA to interview key scientists and other people of interest associated with the program. Needed access to sites was either denied or tightly controlled as to preclude adequate inspections.

In a new revelation, the IAEA stated that its evidence of nuclear weapons efforts extended to 2009. On one side, it stated that it had no credible evidence of nuclear weapons-related work

after that year, but on the other, the IAEA was also unable to conclude with certainty that the program ended in 2009. Thus, the best that can be said is that the program continued to at least 2009. This revelation refutes the unclassified 2007 U.S. National Intelligence Estimate (NIE) which assessed that Iran's nuclear weapons program was halted in the fall of 2003, and that Iran had not restarted this program as of mid-2007. The IAEA's finding is more in line with the assessments of Britain, France, Germany, and Israel, which stated that nuclear weapons related activities continued after 2003. This IAEA finding also shows that Iranian government claims of a fatwa against nuclear weapons is more for outward show.⁹

Given the Institute's steadfast opposition to the Bush administration's Iran policy, it was significant to see it finally admit that the 2007 Iran NIE had been refuted. I took a similar line in an December 21, 2015 *Town Hall* article titled "James Schlesinger and Alan Dershowitz Were Right About 'Stupid' Iran Intelligence" in which I explained how Schlesinger and Dershowitz were right when they slammed the 2007 NIE.¹⁰

The Obama administration took a different view. State Department spokesman Mark Toner said after the release of the PMD report that it was "consistent" with the 2007 Iran NIE.¹¹

Iran's Nuclear Program May Have Continued After 2009

In a December 2, 2015 *National Review Online* article, I discussed the PMD report's language suggesting that Iran's nuclear weapon research efforts may not have ended in 2009.

The IAEA's contention that there are no "credible indications" of nuclear-weapons related activities in Iran after 2009 is suspicious since it is possible that the United States stopped providing intelligence to the IAEA on Iran's nuclear weapons work after Barack Obama became president. Congress must press for answers about this and determine whether the IAEA has what it considers "less than credible" indications that Iranian nuclear weapons work continued after 2009. I find it hard to believe that Iran stopped all nuclear weapons related-work the year Mr. Obama assumed the Oval Office.¹²

The Institute report also discussed whether Iran's nuclear weapons program had not been halted in 2009.

The evidence does not allow a conclusion that Iran's nuclear weapons efforts ended in 2009, but notably the year 2009 coincides with the revelation of and then confirmed re-purposing of the Fordow enrichment facility. In September 2009, the United States, France, and Britain publicly revealed the existence of the then-secret Fordow enrichment facility. IAEA

evidence supported the assessment that this enrichment site was part of an on-going secret nuclear weapons effort. The rapid modifications made at the site and its original nature (small, deeply buried, and unable to handle large natural uranium feed cylinders) pointed to a plant designed to make weapon-grade uranium. After the plant was revealed, Iran extensively modified the insides of the plant and declared that the site would produce low enriched uranium under safeguards. The revelation of the advanced construction of a secret centrifuge plant was highly embarrassing to Iran and shifted international opinion significantly against it. As in 2003, faced with the risk of further disclosures, Iran may have decided to close down any remaining nuclear weapons related work.

However, whether Iran actually has closed down all of its nuclear weapons related activities remains uncertain, given its poor level of cooperation with the IAEA, including the absence of any official admission of its past efforts. Some of its activities may continue in highly secret facilities or be actively retained for later use. When a country lies so often, as Iran has done on the nuclear issues, prudence requires continued pressure to reveal what it did and assessments that must assume the worst about its capabilities.

Former IAEA Chief Inspector Olli Heinonen drew a related conclusion in a December 8, 2015 memo.

...for the first time, the IAEA has linked various instances of previously reported clandestine activities into a coherent account of Tehran's nuclear-weapons development process. In other words, the IAEA has noted that Iran's clandestine nuclear activities represented a parallel nuclear program (from mining to uranium conversion and enrichment) carried out alongside its declared one.¹³

Iran Misled the IAEA About Nuclear Weapons Work at Parchin

Another startling revelation in the IAEA PMD report concerned the Parchin military base where Iran reportedly had engaged in explosive testing related to the development of a nuclear warhead, including installing a large cylinder for hydrodynamic experiments with high explosives. The report referenced satellite imagery showing activities at this site since 2012 to shroud building, removal of five buildings, and "significant ground scraping and landscaping." The IAEA report also mentioned uranium particles that Obama officials later said were probably evidence of a nuclear weapons program.

Despite a controversial secret side deal allowing Iranians to conduct a limited investigation of the Parchin military base, the IAEA concluded that Iran's explanation that a suspect building at Parchin was used for the storage of chemical explosives was not

consistent with environmental sampling and satellite imagery. The IAEA also reported that it found two particles of what appeared to be “chemically man-made particles of natural uranium” at the Parchin site although the Agency said this was not enough evidence to conclude the use of nuclear material at the site.

Although Obama officials did not comment on this finding when the IAEA report was released, Wall Street Journal writer Jay Solomon revealed in June 2016 that the Obama administration had concluded these particles likely were tied to Iran’s past covert nuclear weapons program.¹⁴

The report also noted that when IAEA Director General Amano paid a ceremonial visit to a suspect Parchin building in September 2015 there was no sign of the explosive chamber but there were recent signs of “internal refurbishment” of the building.

Many experts have accused Iran of trying to hide evidence of nuclear weapons-related work at Parchin. The IAEA report agreed, saying that “extensive activities” at this site seriously undermined the Agency’s ability to conduct effective verification.¹⁵

The most significant aspect of the IAEA’s findings about Parchin was not what the IAEA found, but what it was not allowed to find. The extremely limited investigation of this site using Iranian inspectors and a small number of pre-determined sampling locations was a mockery of arms control verification. One has to wonder what Iran is hiding at Parchin and what independent IAEA inspectors would have found if they had been given the freedom to inspect the Parchin base without restrictions. Given the extraordinary steps Iran has taken to remove possible evidence of nuclear or other WMD-related work from Parchin, there must be some very damning evidence at this site that Tehran is desperate to hide from the international community.

Iran Offered Misleading Information, Non-Answers and Refused to Answer IAEA PMD Questions

Of the 12 issues the IAEA pursued in its PMD investigation, Iran provided limited cooperation to nine but generally provided explanations of non-nuclear military or commercial uses. It refused to reply to three issues: “Nuclear Components for an Explosive Device” [concerning a document on the fabrication of uranium metal hemispheres Iran may have received from the A.Q. Khan Network], “Conducting a Test” [on whether Iran conducted an explosive test with explosive bridgewire detonators], and “Fuzing, Arming, and Firing System” [concerning alleged Iranian efforts to construct what was believed to be a nuclear warhead for a Shahab missile].

The IAEA report said Iran provided some cooperation to resolve the PMD issue “Integration into a Missile Delivery Vehicle” which concerned reports that Iran was engaged in an effort to construct a reentry vehicle for a nuclear warhead. However, this cooperation consisted of Iran showing the IAEA a video of two workshops where this work allegedly took place and inviting the Agency to visit two of the workshops. Iran was not required to explain the reentry vehicle information and the IAEA did not provide details on its visits to the workshops.

Bottom Line: Iran did not fully cooperate with the IAEA’s PMD investigation and went through the motions to answer questions with misleading or false responses, non-answers or refusing to answer. Former IAEA Chief Inspector Heinonen also came to this conclusion in a December 8, 2015 memo on the PMD report.

The JCPOA provided the Islamic Republic with an opportunity to clarify its past nuclear-weapons work, but it refused to come clean. Instead, Tehran yet again failed to fulfill its obligations under Security Council resolutions demanding it “cooperate fully with the Agency on all outstanding issues, particularly those which gave rise to concerns about the possible military dimensions to Iran’s nuclear programme, including by providing access without delay to all sites, equipment, persons and documents requested by the Agency.” Without Iran’s cooperation and transparency, the file simply cannot be closed.¹⁶

The IAEA Board of Governors Votes to Close the IAEA’s Iran PMD File

Ordinarily, an IAEA investigation like the Iran PMD inquiry which uncovered this level of incriminating information and encountered such poor cooperation and deceptive answers would require follow-up investigations and threats of sanctions by other IAEA members if this state continued to refuse to fully cooperate with IAEA investigators. That’s not what happened in response to the IAEA’s December 2, 2015 Iran PMD report. Instead, in mid-December 2015 the United States proposed a resolution at the IAEA Board of Governors to close the IAEA’s Iran PMD file. In a speech to the Board on the resolution, U.S. Ambassador to the IAEA Henry Ensher said the IAEA’s report was consistent with previous IAEA assessments regarding Iran’s nuclear program and noted that the report found that Iran had pursued “a coordinated program of nuclear weapons-related activities, and that certain activities relevant to nuclear weaponization remained ongoing in Iran until at least 2009.” Ensher made no reference to the unanswered questions in the PMD report or Iran’s failure to fully cooperate with the investigation.

Ambassador Ensher said in his speech that the U.S. resolution “terminates relevant IAEA Board resolutions and decisions regarding Iran” which meant it was closing the file on prior IAEA resolutions and investigations of previous Iranian weapons related activities.

The 22-member IAEA Board of Governors unanimously passed this resolution to close the IAEA’s Iran PMD file on December 15, 2015. This was one a blatant examples of the Obama administration ignoring violations of Iran’s international commitments to protect the Obamabomb Deal. This resolution was passed because Iran refused to budge on the PMD issue and insisted that it must be quickly resolved or it threatened to back out of the nuclear agreement. The Board of Governors resolution and Ambassador Ensher’s statement suggests that it was intended to permanently close the IAEA’s Iran PMD files. It is my hope that a future U.S. president will force the IAEA to reopen its Iran PMD file and require Tehran to provide truthful answers to all PMD questions as part of a new, much tougher nuclear agreement that actually halts all Iranian nuclear activities with weapons applications.

- ¹ Secretary of State John Kerry speech to the Council on Foreign Relations, New York, NY, July 24, 2015. <http://www.state.gov/secretary/remarks/2015/07/245253.htm>
- ² U.S. Department of State, “Background Briefing on the JCPOA Adoption Day,” October 17, 2015. <http://m.state.gov/md248310.htm>
- ³ Francis Murphy and Shadia Nasralla, “Report on whether Iran sought nuclear bomb will not be clear cut - U.N.,” Reuters, November 26, 2015. <http://www.reuters.com/article/iran-nuclear-iaea-idUSKBN0TF1L420151126>
- ⁴ “Final Assessment on Past and Present Outstanding Issues regarding Iran’s Nuclear Programme,” International Atomic Energy Agency, Report GOV/2015/68. December 2, 2015. http://isis-online.org/uploads/isis-reports/documents/IAEA_PMD_Assessment_2Dec2015.pdf
- ⁵ Olli Heinonen testimony to the House Committee on Financial Services Task Force to Investigate Terrorism Financing, July 22, 2015. <http://financialservices.house.gov/uploadedfiles/hhrg-114-ba00-wstate-oheinonen-20150722.pdf>
- ⁶ David Albright, Andrea Stricker, and Serena Kelleher-Vergantin, “Initial Reactions to the IAEA’s PMD Report,” Institute for Science and International Security, December 2, 2015. <http://isis-online.org/isis-reports/detail/initial-reactions-to-the-iaeas-pmd-report/>
- ⁷ Jay Solomon, “Obama Administration Welcomes IAEA Report on Iran’s Nuclear-Weapons Work,” *Wall Street Journal*, December 2, 2015. <http://www.wsj.com/articles/obama-administration-welcomes-iaea-report-on-irans-nuclear-weapons-work-1449085109>
- ⁸ “Iran reacts to IAEA chief report on PMD,” Iranian Republic News Agency, December 2, 2015. <http://www.irna.ir/en/News/81863238/>
- ⁹ David Albright, Andrea Stricker, and Serena Kelleher-Vergantini, “Analysis of the IAEA’s Report on the PMD of Iran’s Nuclear Program,” Institute for Science and International Security, December 8, 2015. <http://isis-online.org/isis-reports/detail/analysis-of-the-iaeas-report-on-the-pmd-of-irans-nuclear-program/8>
- ¹⁰ Fred Fleitz, “James Schlesinger and Alan Dershowitz Were Right About ‘Stupid’ Iran Intelligence,” *TownHall.com*, December 21, 2015. <http://townhall.com/columnists/fredfleitz/2015/12/21/james-schlesinger-and-alan-dershowitz-were-right-about-stupid-iran-intelligence-n2095968>
- ¹¹ Karen Delong, “IAEA concludes Iran had active nuclear weapons program until 2003,” *Washington Post*, December 2, 2015. https://www.washingtonpost.com/world/national-security/iaea-concludes-iran-had-active-nuclear-weapons-program-until-2003/2015/12/02/e242bc68-993f-11e5-8917-653b65c809eb_story.html
- ¹² Fred Fleitz, “Report: Iran was researching nukes in 2009,” *National Review Online*, December 2, 2015. <http://www.nationalreview.com/article/427899/-iran-nuclear-weapon-research?target=author&tid=906156>
- ¹³ Olli Heinonen, “Next Steps in the Implementation of the JCPOA,” *Foundation for the Defense of Democracies*, December 8, 2015. <http://www.defenddemocracy.org/media-hit/next-steps-in-the-implementation-of-the-jcpoa/>
- ¹⁴ Jay Solomon, “Uranium Provides New Clue on Iran’s Past Nuclear Arms Work,” *Wall Street Journal*, June 19, 2016.
- ¹⁵ “Final Assessment on Past and Present Outstanding Issues regarding Iran’s Nuclear Programme,” International Atomic Energy Agency, Report GOV/2015/68, paragraphs 47-47, December 2, 2015. http://isis-online.org/uploads/isis-reports/documents/IAEA_PMD_Assessment_2Dec2015.pdf
- ¹⁶ Olli Heinonen, “Next Steps in the Implementation of the JCPOA,” *Foundation for the Defense of Democracies*, December 8, 2015. <http://www.defenddemocracy.org/media-hit/next-steps-in-the-implementation-of-the-jcpoa/>