



From Mutual denegation to Mutual Recognition

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ABSTRACT: Yves Schemeil, "From Mutual Denegation to Mutual Recognition: NGO/IGO Partnership in Trade and Atom"

Intergovernmental Organizations (IGO) act in a world framed by national states in which Nongovernmental Organizations (NGO) also compete by means of advocacy and implementation of norms and policies. Despite their dissimilarities and the confrontation that sometimes takes place between IGO and NGO, they also collaborate. To test this model of cooperation, this paper examines the fields of commerce (World Trade Organization) and the atom (International Atomic Energy Agency) and shows that strategic cooperation between IGO and NGO takes the shape of "mutual recognition," a form of collaboration that is implicit, informal, and asymmetric. Conditions for such successful cooperation include sufficient NGO specialization on the issues addressed by the targeted IGO and network building among NGO to facilitate joint action. Differences between the two cases are also examined, and a broader account of the possibility of cooperation between such unlike units is also proposed.

***From Mutual Denegation to Mutual Recognition: NGO / IGO partnership in
Trade and Atom¹***

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Introduction

Intergovernmental Organizations (IGO) are active in a world framed by national states – a world where their decisions and non decisions are also contested by Nongovernmental Organizations (NGO). Therefore, IGO are squeezed between two powerful stakeholders: governments may belong to the past, but they still keep a last resort capacity to validate multilateral resolutions; advocacy coalitions may have to wait to play a role in the future but they already urge international institutions to fully endorse emerging norms and duly implement adopted policy measures². That so many IGO manage to resist cross pressures of this sort in the long run is a challenge to most IR theories.

In this paper, I shall not address the relationships between states and IGO, nor the competition or cooperation between IGO themselves: I limit the discussion to the confrontation between intergovernmental organizations and their nongovernmental challengers. Assuming that collaboration between “unlike units” (Waltz) is not natural in a state of anarchy, it is nonetheless true that international bodies do collaborate in spite of their variety. Since IGO and

¹ A preliminary version of this paper was presented at the International Studies Association 49th Annual Convention, San Francisco, 25-28 March 2008.

² Jutta, Joachim, Bob Reinalda, and Bertjan Verbeek., *International organizations and Implementation*, London, Routledge 2007.

NGO are still more dissimilar than great powers and weak states are, it is worth testing the theoretical prediction that they, too, must cooperate.

To test this assumption, I shall review the softest and the hardest possible examples of such collaboration: *commerce* and *security*. Kantian and Hobbesian visions of IR – the institutional and liberal explanations on the one hand opposed to various sorts of realisms on the other hand – seem best documented, respectively, by the WTO and the IAEA. Moreover, these two agencies have achieved some degree of enforcement with little equivalent in peer institutions – the WTO through its “dispute settlement mechanism”, the IAEA via its “additional protocol”.

The exemplarity of the WTO and the IAEA also stems from the fact that despite the technicality of their mandate they address broader and sensitive issues like the opposition between the haves and the have-nots. Both are dedicated to the current redrafting of the social contract between the affluent and the deprived – i.e., the rich and the poor within the WTO; or the nuclear powers and the non-nuclear ones within the IAEA. In both agencies, there is a deep asymmetry between ordinary members and the founding fathers (the “four major trade powers”; the “ten most advanced in the technology of atomic energy”). The former are increasingly tempted to contest the original situation, and depart from the juridical obligations to which they once consented at a time they were much weaker than now. The United States of America and the European Union, as well as Japan (within the WTO) and Russia plus China (in the IAEA) are therefore pressed to relinquish some of their privileges by emerging commercial (Brazil, India, Korea) or nuclear (Iran, Pakistan, India, South Africa) states. Impatience in the South is growing since the North is years away from agriculture’s deregulation and nuclear disarmament.

There is one more similarity between the two agencies that especially matters for this paper³: contrary to the UN, they tend to accredit very few NGO. Of course, from time to time both invite some non governmental stakeholders to a “seminar” (WTO) or a “forum” (IAEA), but these events on which more will be said later are too loudly celebrated by the organizations’ websites to be considered routine. Additionally, visits to their headquarters show that going

³ Actually, they share other characteristics as well, like having been created later than most other multilateral agencies (1957 for the IAEA; 1994 for the WTO). However, their staff shows an equal reluctance to acknowledge any similarities between the two institutions.

along with NGO is not on the top of their agenda: raising the issue in face-to-face interviews generates embarrassment if not confusion. There seems to be no ready made answer on the role played by NGO in the organization's life. No list of accredited nongovernmental organizations can be produced, contrary to the UN⁴. Some NGO are even banned from the decision-making system at any level since they are perceived as hostile, not only by the IGO staff, but also by its member states that are little tolerant towards outsiders' watch⁵.

Comparing the WTO and the IAEA – a non UN and a UN agency – is therefore an appropriate way to test a global model of interaction between international actors that was designed in another context to explain cooperation and competition between IO (international organizations)⁶. The model predicts that full cooperation between the three types of stakeholders in world affairs is inevitable: national states, IGO, and NGO must collaborate on a permanent basis and should increasingly do so. Even governmental and intergovernmental agents will opt for closer relationships with specific non governmental ones when alternative strategies do not suffice to consolidate their position in the international system.

However convenient they are to explore strategic interaction between IGO and NGO, both cases have their limits, too. For instance, their perimeter of action is blurred since

⁴ A prominent staff member of IAEA recently declared that "IAEA not being a UN Agency has its own rules on NGO relations; for many years only technical or industry bodies had been accredited, but in recent years the type of NGO had been expanded (e.g. Greenpeace is now accredited)." [CONGO Board meeting, Vienna, August 22-23, 2006, available at http://www.ngocongo.org/files/minutes_of_congoboard_vienna_aug_2006doc.doc].

⁵ Although these two organizations have similar privileges that distinguish them from other international institutions, we must keep in mind that their scope of action is not similar. The WTO imposes change in trade policies because its *internal* Appellate Body is a supreme court that can authorize major retaliatory measures against members that are reluctant to comply with its verdicts. On the contrary, prior to any sanction the IAEA must rely on an *external* institution, the UN Security Council, for possible endorsement and follow-up of its recommendations. In spite of this, few organizations are as influential. The only examples that come to mind are: the WIPO arbitration system whose decisions on domain name assignments are uncontested; the Wassenaar agreement against chemicals dual-use and light weapons that achieved some success in a comprehensive ban of both; the recently established tribunals, like the International Criminal Court – but all have their shortcomings.

⁶ This model has been designed in Grenoble during discussion with scholars specialized in international studies be they permanent (like Wolf-Dieter Eberwein) or just visiting (as Bob Reinalda). Several working papers have been drafted so far, and publication is pending. One is already out: Schemel, Yves, "Expertise and Political Competence: Consensus Making within the World Trade and the World Meteorological Organizations", pp. 77-89, in Bob Reinalda and Bertjan Verbeek, *Decision-Making Within International Organizations*, London, Routledge, 2004.

commerce is confused with *finance*, whereas *non-proliferation* is mistaken for *disarmament*. Therefore, more NGO are involved in the public debate launched by the WTO and the IAEA than should be normally the case in terms of actual expertise, a fact that complicates data finding. To the opposite, usual caveats are not as problematic here as they may be elsewhere: interviews are easy to organize, discussions are long and lively, questions are answered sincerely and exhaustively, and censorship is nonexistent.

This paper is organized as follows: first, I present a theoretical model of cooperation with three hypotheses: (HYP 1) cooperation between IGO and NGO is possible in spite of the theoretical problems raised by such possibility, and despite mutual denegation that it happens at all at both ends; (HYP 2) strategic cooperation between IGO and NGO is of limited scope, and it takes the shape of “mutual recognition” – a form of collaboration which is not explicit but implicit, not formalized but informal, and not symmetric but asymmetric; (HYP 3) conditions for a successful cooperation between IGO and NGO are: firstly, sufficient NGO *specialization* on the issues addressed by the targeted IGO; secondly, *network building* among NGO to facilitate joint action. In the second part of the paper, I test and probe these hypotheses on the World Trade Organization and the International Atomic Energy Agency: each is actually surrounded by a cob-webbed sort of partnership with the NGO active in its field, but only the WTO managed to establish a partnership with them. I close the section with a brief review of factors that may account for the differences between the two partnerships. In a third part, I try to give a broader account of the possibility of cooperation between unlike units.

Part 1. Towards a new look at cooperation and institutionalization in world politics

In international studies, cooperation is an enigma. It is difficult to tell why states should cooperate, and even more difficult to explain why they establish international institutions and consolidate them once the initial conditions that led to their creation disappear. The perfect example of such resilience is NATO, operating in Afghanistan against the Taliban after the fall of the Berlin Wall and the correlate dismantling of the Warsaw Pact. For a counter example, the UN Human Rights Commission in Geneva is permanently contested and could not only be reformed, as was recently the case, but shut down, as periodically demanded by human rights activists. However, even though states have more leeway in international politics than on the

domestic stage to close an agency, they rarely do it: Germany, Japan, and Italy did leave the League of Nations, but the US and the UK pulled out temporarily from UNESCO.

Inertia may be attributed to resilient bureaucracy⁷, or to adaptive strategy. Since each organization's legitimacy is reinforced by the gains in reputation of neighboring institutions with which it collaborates, cooperation between organizations is a better guarantee of their survival than routinely servicing their members' cause in international negotiations. For IGO, obsolescence, irrelevance, or dereliction are major threats; and the most appropriate way to avoid such a bleak perspective is to generate new assignments. The problem stems from the simultaneity of such moves: since every IGO tends to enhance the scope of its activities, they inevitably interfere with each other. Do they have options? They do not: if they enlarge their mandate, they create redundancy; if they don't, they risk obsolescence. At any rate, they must willy-nilly associate with their very competitors, at the risk of empowering their rivals, and enhancing their competitors' relative relevance.

This sort of collaboration is strategic because it is both calculated, and kept to a minimum⁸: it is rational, and not emotional; instrumental, and not expressive; cautious, and not bold; discrete, and not public. As such, it is better depicted by rational choice than functionalism: the cooperative trend is also a cognitive turn. Stakeholders learn how to adjust to globalization, and build up cognitive skills to resist its subversive effects on institutions that were designed nearly (or more than) a century ago. This does not validate RC (rational choice) as the best possible paradigm in IR, since, as already said, IGO strategists have actually no choice: they must "cooperate or perish" (which, in that particular case, means being *dismantled* or *merged* with rivals). Moreover, organizational constraints are so strong that they tend to convert rational calculation into a collective, diffuse, and bounded rationality: our hypothesis is that the interactivity and mutual adjustment at the root of IGO external decision-making cannot be fully utilitarian, individual, and egoistic. By referring to "rational" choice, we simply point out the "logic of consequentiality" and its impact on the emergence of cooperative attitudes,

⁷ As in Michael Barnett and Martha Finnemore, *Rules for the World: International Organizations in Global Politics*, Ithaca, Cornell University Press, 2004, 226 p.

⁸ As in William H. Riker, *Theory of Political Coalitions*, Yale University Press, 1962.

whereas the “logic of appropriateness” is still effective when opting for going it alone instead of going along is at stake⁹.

Finally, strategic cooperation is also multifold: four cooperative styles can be identified, that may be adopted separately, or simultaneously: *mandate enlargement* and its derivatives: *uncontrolled overlap*, *controlled overlap*, *nesting*, and *mutual recognition*¹⁰.

The rationale behind mandate enlargement is trivial: to fight irrelevance, secretariats are always looking for new ventures. Most just trim the aging parts of their mandate and define more fashionable goals: the WMO, for instance, progressively added to its core activity – weather forecast –, the conservation of rare water and the mitigation of climate change (it is now the “Weather, Water, and Climate” section of the UN). In this process, IGO’s staff members display a tremendously imaginative propensity to endorse emerging norms and apply them to their field. Examples abound, from the “precautionary principle” to “education for all”, “food security”, “traditional, knowledge” or “creative heritage”. This language is not only weird; it also pre-empts a realm of competence, evincing the contestants that cannot catch up with the pace of change, and disclaiming future competition. However, “parametric” overlap¹¹ resulting from simultaneous and contradictory initiatives with no consideration for the impact of one’s decisions on the other, and with no coordination whatsoever leads to duplication and waste. To avoid this undesirable outcome, it must be controlled. In this case, mandate enlargement stops at the doorsteps of potential partners’ benchmark activities. The WMO race to enlargement, for instance, includes water management but leaves apart river basins’ issues as well as depletion of non-hydraulic environmental resources since powerful institutions or regional organizations claim responsibility in these realms¹².

In this race to the enlargement of their initial mandate, IGO increase the likelihood that they may face new challengers coming from the nongovernmental sector. It raises new

⁹ Both concepts are discussed in James G. March and Johan P. Olsen, *Rediscovering Institutions: The Organizational Basis of Politics*, New York, Free Press, 1989, 227 p.

¹⁰ Since this theoretical design was elaborated during an empirical survey of dozens of organizations – that are counted by the hundreds – the possibility to find several additional strategies when other IGO are reviewed cannot be discarded.

¹¹ To quote Charles Lindblom, *The Intelligence of Democracy*, New York, The Free Press, 1965, 352 p.

¹² In Sub-Saharan Africa, the NEPAD, the African Union, the International Commission on Large Dams and the World Commission on Dams are expected to keep control of such schemes, although they lack the hydraulic expertise provided by the WMO.

opportunities for NGO that gained reputation in very specialized fields to coalesce and address broader issues together – and this is precisely what these organizations themselves need to survive. Since size is of the essence, to make the grade with IGO despite differences in purpose, status, scope, and funding, large NGO networks must be built. Once established, they hold “international partners’ conferences” whose statements are endorsed by dozens of participant organizations, then disseminated via each NGO’s website (with links to each other’s publications). The network puts tremendous pressure on a targeted IGO, until it releases classified information about sensitive issues, or amends its decisions. Conversely, IGO adapt to this new context, they learn how to control the information that they let circulate among NGO, and to pay lip service to their cause without changing the substance or their resolutions.

According to this explanatory model of collaboration between international stakeholders, the WTO and the IAEA are each flanked by a constellation of NGO working closely together on a series of related issues (intellectual property and access to drugs; nuclear safety and access to radiotherapy). In this process, NGO specialize, and division of labour eventually brings about a powerful advocacy coalition made of policy networks, activist groups, and epistemic communities. The multi-positioning of prominent scientists, experts, jurists, economists, physicians, is a guarantee that demands will be heard and recommendations examined. Time after time solid connections are established on a piecemeal basis between NGO and IGO, even though a full organizational partnership is not yet reached. The relationships between these strategic “partners” are both positive and negative, and critics are frequently exchanged at the two ends. However, the overall legitimacy of the spokespersons, if not the legitimacy of the entire organization on behalf of which they issue statements and make recommendations, is greatly increased. This is a sort of cross-validation of each organization’s claims, within the constraints that must be accepted by both partners: respect for the other and open-mindedness towards the opinions expressed provided they are conveyed with a minimum honesty on the IGO side, and with sufficient professionalism, on the NGO side. Furthermore, mutual recognition is an additional instance of the “strength of weak ties”, or an example of loose ties that complement stronger links between IGO, and between their member states when it is not possible to adopt a more cooperative and more enduring strategy.

I shall now focus on this IGO/NGO’s empowerment strategy in the two selected cases.

Part 2. Mutual recognition: the ultimate resource in strategic cooperation?

The WTO and the IAEA became really prominent after the end of the Cold War, as if both came to the fore simultaneously and promised a brighter future to the peoples of the world. Actually, each puts “peace” at the heart of its activities: “*commerce helps to keep the peace*” is the first of the ten benefits expected from the WTO; “*atoms for peace*” are the IAEA *raison d’être*.

From its creation, the WTO came under severe critics from which its predecessor, the GATT, was exempt. This difference is probably due to a coincidence between the birth of the new trade organization and the emergence of a so-called “international civil society”. It may also stems from the capitalist nature of commerce once communism lost the last war: the newborn organization emerged just in time to be the scapegoat of an unfair distribution of economic resources between North and South. As for the IAEA, although it existed for nearly four decades when the Marrakech agreements were signed, the agency was less exposed to criticism since its very existence remained somewhat hidden. In spite of its dealing with the most threatening issues for the planet – until ozone layer depletion and greenhouse effect became known – the IAEA lived a discreet life in Vienna, far from the seats of most IGO headquarters. Fame came with the Gulf war, when inspections of possible nuclear sites in Iraq were under the spotlights.

In recent years, addressing NGO assessments of IGO activities became nonetheless normatively correct within the two IGO themselves. Moreover, NGO in the field became depicted as “allies in the fight”, actors whose “usefulness” had been proved by their own achievements in the realm of disarmament¹³. The sudden popularity of references to NGO within IGO does not imply that the latter are fully open to cooperation with the former: it simply means that talking cooperation and trying to organize or to contain it is now considered inevitable at both ends.

The World Trade Organization. Due to lack of space, I shall now give a closer look at one of the countless WTO’s activities only, intellectual property (IP)¹⁴. Within the organization, the

¹³ Rhianna Tyson, “Reframing the Debate against Nuclear Weapons”, *IAEA Bulletin*, 46/2, 2004.

¹⁴ Most empirical data were collected by Rachel Polaud during the completion of her Ph.D. thesis on this topic, under my supervision. I am grateful to her for authorizing me to use her findings. I made additional interviews

TRIPS committee is in charge of this dimension of commerce; it is beyond doubt the more contested body of the organization. According to the texts, contradictory principles apply to IP: the “special and differentiate treatment” clause, plus the “biodiversity/sociodiversity” clause on the one hand; and the “one size fits all” clause as well as “free trade first”, on the other hand. Simply put, this is a permanent source of strife for member states trying, say, to provide citizens with pharmaceutical drugs at an affordable price; and to authorize or ban GMO in agriculture. This is exactly where NGO have a wedge: before consenting to free trade policies they call for full respect of every principle embodied in a statute. They demand a preliminary review of all possible impacts of free trade on populations. They want to find out how and to which extent commerce can affect health, creativity, and income in the poorest countries. They reject the so-called “harmonization of patents” and support to the opposite policy “flexibility” – interpreting legal documents and treatises according to particular contexts.

The only way to make sure that freedom and justice are compatible is for NGO representatives to escape plenary sessions and frequent “working groups” that are allegedly more responsive to advocacy. A couple of articles of the TRIPS (trade-related aspects of intellectual property rights) agreements have therefore been discussed, then reinterpreted by such groups – like article 27 (on the protection of recent inventions and the not yet grandfathered “discoveries”, that may result from traditional use or new use of the same drug). Others have been amended, like articles 30 (listing exemptions to patent rules) and 31 (framing the right to issue “compulsory licenses” and legalizing the use of generic drugs). This is clearly a vindication of NGO claims: since 1999, several organizations had launched a worldwide information campaign on both topics. The CP Tech website and the Quakers’ training Center were inaugurated that very year. As a consequence, eight years later the WTO could express its pride to organize the third workshop for delegates “aimed to *ensure that the participants have the information necessary so that their countries can make use of the TRIPS Agreement’s flexibilities* for public health purposes”¹⁵.

How was such an achievement possible? Since NGO spokespersons are or were also

between 2000 and 2007 that helped me draw a broader depiction of the issue.

¹⁵ WTO website, 7 December 2007 (emphasis mine).

“consultants” for IGO – and had the opportunity to be at least once closely associated with the WTO, the UNCTAD, the WHO, or the WIPO – they knew how to frame their claims in acceptable terms for IGO staff members and governments’ representatives. For instance, as soon as the year 2000, James Love (on behalf of the Transatlantic Consumer Dialogue) expressed unexpected concerns for drug developers’ financial losses, and suggested compensatory measures much beyond the conditions that should be met before authorizing compulsory licenses as they are listed in the TRIPS agreements themselves. The same year, Carlos Correa from South Center tried to assess the innovatory threshold beyond which a new patent had to be registered, and argued in favor of differentiated regimes: if a product is not “truly” new, then it cannot be protected by a patent, and consumers have a right to produce it at no legal cost. The next year, Graham Dutfield from *Bridges* advocated a precautionary policy of patenting plants, living organisms, and their traditional uses, in spite of the reluctance to “patent life” in Southern countries, and contrary to a trend towards broad rejection of the TRIPS with no discrimination between their positive and negative effects. Such a policy would bring several advantages, e.g. limiting bio piracy in the South without raising legitimate fears among Western firms that research and development would eventually be stopped. In July 2000, a hundred NGO attended the joint Oxfam, MSF, and TWN press conference on patents and medicines, recommending a global agreement between North and South. They deliberately put it as a trade off between respectful applications of the TRIPS against recognition of specific contexts by the WTO. Again, the outcome of such mobilization came as a surprise in Doha, 2001, when a joint declaration on patents and drugs was agreed upon by WTO member states. Further surprise was raised in 2003 on the eve of the Cancun conference, when the agreement reached on a compulsory patent framework was altogether sponsored by states, the WHO, the WTO and pharmaceutical firms¹⁶.

¹⁶ Expert advocacy may be found in various texts, among which: Frederick Abbott, “The Doha declaration on the TRIPS agreement and public health: lighting a dark corner at the WTO”, *Journal of International Economic Law*, 2002, volume 5, 469-505; “Toward a new area of objective assessment in the field of TRIPS and variable geometry for the preservation of multilateralism”, *Journal of International Economic Law*, 8(1), 2005, 77-100; Carlos Correa, “Implementing national public health policies in the framework of WTO agreements”, *Journal of World Trade*, 34(5), 2000, 89-121; “Implication of the Doha Declaration on the TRIPS Agreement and public health”, *WHO Economics and Drugs*, EDM series n°12, CID working paper n°92, 2002; “Formulating effective pro-development national intellectual property policies”, in Christophe Bellmann, Graham

This brief review of the road to Doha shows that dialogue, mutual understanding, and inner knowledge of the negotiations frames allowed experts and scientists well helped by sophisticated information networks and cascade discussions among NGO and IGO, to reframe the perceptions of the TRIPS by both Southern and Northern countries.

The International Atomic Energy Agency. The IAEA operates in a field where “idealistic” and “realistic” views compete to frame the future. Consequently, heads of NGO dedicated to peace speak out their fears about proliferation, nuclear armament, and atomic weapons use. Their voice, however, does not strike a chord in an agency that must work within the limits of its mandate, according to a constraining statute, equipped with a precise legal apparatus, and that is permanently under surveillance of its member states. When there is little room for interpretation – a point repeatedly made by interviewed staff members of the agency – few opportunities are open to express dissenting opinions. In spite of this, there are moments when outsiders are invited to discuss the agency’s agenda; furthermore, an “NGO turn” is observable within the agency, even in such sensitive issues as nuclear containment¹⁷. As said by a high ranking IAEA agent, “*over the years we have enhanced our interactions with NGO, even when their goals are in contradiction with our mandate*”¹⁸. It might be a long road to full recognition, since the first resolution on IAEA/NGO relationships was adopted a long time ago – only two years after the establishment of the agency¹⁹. At that time, there was a list of five restrictive criteria that framed the granting of a “consultative” status – a legal regime that was short of full accreditation. The crux of the matter is that now, there is some follow-up on NGO statements, recognized as a possible source of information, whereas during decades

Dutfield, Ricardo Melendez-Ortiz, eds., *Trading in knowledge, development perspectives on TRIPS, trade and sustainability*, Earthscan Publications, London, 2004, 209-217; Graham Dutfield, “Commission on intellectual property rights urges rethinking of IPR regimes”, *Bridges*, n°6, September 2002, 1 p; “Promoting local innovation as a development strategy”, *Innovations*, summer 2006, 67-77; Tim Hubbard and James Love, “Make drugs affordable : replace TRIPS+ by R&D+”, *Bridges*, n°6, 2004, 3-4.

¹⁷ For instance, on the IAEA website, a full-size section is devoted to an IAEA-NGO forum held in February 2004 in Vienna on “Nuclear Verification and Nuclear Fuel Cycle”.

¹⁸ Interview, head, external relations, 14 February 2008, Vienna.

¹⁹ INFCIRC/14, 7 November 1959, IEAE, Vienna.

member states had the monopoly of intelligence²⁰. In comparison, cooperation with “certain categories of intergovernmental organizations” was agreed upon at the very inception of the organization²¹. However, such agreements were signed separately with each partner organization, and as a consequence, duties and commitments vary from one to another. Moreover, nongovernmental organizations could not benefit from the privileged treatment reserved to IGO which had no cooperation agreement with the IAEA until that date, but were later integrated into the broad process of consultation²², since NGO were too small to be treated separately; and too heterogeneous to be dealt with globally.

Actually, the dissociation made within the IAEA mandate between the *military*, *industrial*, and *welfare* uses of atomic science paved the way to the specialization of the NGO that contested the agency’s decisions in each of these three sectors. Since it seems rather contradictory to promote nuclear energy on the one hand and verify its use on the other hand, building up a coalition of NGO in this realm is more difficult than in intellectual property. To be successful, each NGO must focus on and mobilize experts of that particular issue. The topics of debate and action are more diverse than in commonsensical views describing the agency as “disarming rogue states trying to produce nuclear weapons”. Actually, the IAEA is active in every field that has some connection with atoms, however thin this connection may be. It is not only involved in search for possible arms, it also checks the safety of nuclear plants producing civil energy; intervenes in disputes about uranium extraction; disseminates scientific knowledge about atoms; fights uranium trafficking; gives legal advice and contributes to the drafting of legal documents in the nuclear sector. Moreover, it cooperates with experts in agriculture, museums, and hospitals to help them master the use of isotopes. For instance, the agency has recently been involved in selecting the most appropriate seeds to be planted in saline or sterile fields, and increase crops in developing countries; contributing to research against cancer; authenticating stolen paintings, etc. Actually such ubiquity is engrained in its mandate: atoms have a dual use; the IAEA has a double mission (with a pun

²⁰ Interviews, policy officer, division of information management, 14 February 2006, Vienna.

²¹ See the 26 September 1958 agreement with UNESCO; the 21 November 1958 agreement with the ILO; the 228 May 1959 agreement with the WHO; the 12 August 1959 agreement with the WMO; the 1st October 1959 agreement with the International Civil Aviation Agency; the 18 November 1959 agreement with the FAO (INFCIRC/20/23 September 1960). Later on, the agency signed agreements with major regional organizations.

²² GC (XVI)/RES/291, November 10, 1972, Vienna.

game, it could be said that it opposes “atoms for peace”, its actual motto, to “arms for peace”, its present task).

There are two consequences from such an enlargement of the agency’s mandate: firstly, in the domains covered by the IAEA scientific and professional cultures are many if not contradictory, a trend that facilitates the multiplication of nongovernmental networks: to take but a single example, cultures certainly differ from physicians to physicists. Secondly, nongovernmental coalitions addressing these issues are dichotomized – according to the dimension they privilege, “peace now”, or “cancer therapy”.

A certain degree of fragmentation in goals is inevitably conducive to fragmentation in partnerships: each IAEA department has its own list of accredited NGO according to its own selection criteria, and this is also depending on the goodwill of those member states that are the most active in this department²³. The Board of Governors only intervenes to grant “observer” status. Viewed from within the agency, the fragmentation is also impacting on NGO, divided between “*militant/political*” NGO and “*scientific think tanks*” (like “*those Institutes that deal with radioactive sources*”). Whereas the latter are regularly consulted, subcontracted, and even co-sponsored, contacts with the former are avoided as often as possible. Periodical Forums (every two or three years) are but rare occasions to invite both sorts of NGO to Vienna, but the nominated organizations are selected to guarantee a conclusive debate, and to respect geographical representation. In other terms, some NGO are privileged as “friends of the chair”, like NTI and INMM – two well known advocates of a pacific use of nuclear energy.

Lack of resources and personnel also explains why IAEA staff members are not opening the doors to more nongovernmental actors. Although this restrictive policy leaves behind a number of contenders, it has one merit: it really associates on a temporarily basis those NGO that may “*have an impact on decision making*” and upgrade its outcomes²⁴. To the

²³ 19 non-governmental organizations have formal consultative status with the IAEA. Twenty others have been invited by the IAEA Board of Governors as observers to the General Conference or to undertake specific tasks.

²⁴ Interviews, policy officer, external relations and department of safeguards, 14 February 2006, Vienna. According to a note by B. Andemicael (18 April 2001, IAEA website), the NGO role is described as follows: “The distinction between facts and opinions, awareness building and advocacy should be recognized in any outreach activities. Learning should aim at a full understanding of the problems and possibilities and at constructive action. Thus dialogue based on

opposite, it also has side effects: part of the IAEA predicament is due to a protectionist attitude towards non-proliferation. Admittedly, avoiding proliferation is the core job of its inspectors. As a consequence, NGO experts who could arguably be helpful in related areas like the violation of the NPT by the bilateral Treaty between the USA and India tend to be barred from access to the agency²⁵.

Nonetheless, even when knocking at the doors of the agency NGO find ways to have leverage. Dealing with every possible threat, and particularly with the most dangerous risks (*“as long as nuclear weapons exist, they will one day be used”*), NGO operating in the field have (or may have) a considerable leeway on public opinion. Even though atomic science is complex, the demands addressed to states and IGO are both moderate – which governmental actor could turn down suggestions that *“great changes in history have come through concerted political action”*? – and popular – who will be opposed to *“ensuing the continued moratorium of nuclear testing”*, and to a *“complete prohibition on the deployment and use of state weapons”*?²⁶. Calls for a *“responsible science”* are consonant with Mohammed el-Baradei’s concerns about the future of a jeopardized world, a fear he periodically express in international seminars with academics and NGO representatives. Experienced physicists and diplomats are the most able to fear any loss of control on nuclear industry. Memories of the past (Hiroshima and Nagasaki) and a long exposure to science fiction scenarios (a nuclear winter) give them the strength to act in spite of age (a concern expressed at several occasions by el-Baradei when he was campaigning for a renewed mandate, as well as aging NGO militants whose mobility is diminishing). As time passes on, concerns grow, and people feel an increasing need to share their experience and give back to the world community part of the privileged knowledge they reached in their professional life (working in atomic or particle physics; or drafting comprehensive bans on nuclear weapons). Again, the more responsible they feel towards future generations, the more responsive they are to calls for disarmament, and the less their proposals are endorsed by state leaders or their permanent representatives

accurate information should be encouraged between the providers and recipients of the ‘education’ and public information. The constructive role of well informed and concerned NGO’s as interlocutors in reaching the wider NGO community should be fostered..” Source: UN-NGLS (Non Governmental Liaison Service) website <http://www.un-ngls.org>.

²⁵ Interview, director, division of information management, 14 February 2008; Swiss Pugwash, 18 March 2008.

²⁶ Both quotes from Pugwash *Newsletter*, July 2007.

to whom security issues are sovereignty issues.

In spite of this, there is at least one sector in which the asymmetry between the IAEA and its partner NGO could become more equilibrated soon: the environment. The arch-debated problems of nuclear waste and a possible multiplication of on-site nuclear incidents may both be conducive to more intervention from an increasing number of organizations. Whereas the security sector is tightly controlled by member states, with little counterweight since expertise on atomic issues is rare, the environmental impact of nuclear activity is precisely the realm where NGO can empower themselves in their relationships with the agency. Instead of being kept away from the security issues, if only because they claim competence in “disarmament” – a goal which is *not* assigned to the IAEA although it is the most attractive for NGO’ members – they will be better competitors to the agency as norm-setters and rules implementers in environmental and climatic issues²⁷.

Be it as it may, this is not yet the case. For the moment, NGO working with or against the IAEA are mostly focusing on security issues. An example of this tendency is the inclusion of one NGO only (International Crisis Group) within the “High-Level Panel of Experts to Recommend Future Course for IAEA”²⁸. As long as specific nuclear issues will be considered as broader disarmament issues, NGO access to the IAEA will remain limited. Therefore, the potential benefits from the agency’s regulation process are concealed behind its limited success in disarmament. This is particularly obvious when reviewing NGO statements about the IAEA.

Comparison between the two partnerships

A comparison between the two cases under review shows that some conditions must be met for an IGO/NGO partnership to succeed. The first condition is the focalization of the IGO. That the relationships between the atomic agency and NGO are less structured than is the case in commerce may be due to the larger range of problems discussed in the WTO compared to the specificity of the issues raised within the IAEA. Whereas experts involved in trade deregulation, intellectual property, drug patents, agricultural exports, and access to domestic services are

²⁷ Interview, safeguards information analyst, 14 February 2006, Vienna.

²⁸ IAEA Press Release, Vienna, 25 February 2008.

countless, few scientists are able to understand atom. This discrepancy in topic may explain why the eldest organization of the two was the latest to be targeted by NGO.

The second condition is that contradictions in IGO mandate must be addressed fully and openly. For instance, the dual aspect of IAEA's activities – the military and civilian uses of atoms – has its equivalent in commerce where free trade brings peace and growth, but also tears down obsolete economic enterprises and accentuates gaps in development. In commerce, however, this duality was accepted by states, and made visible when the WTO was created – and located – next to UNCTAD. No such division of labor is debated in the realm of atom, to the great lament of most NGO spokespersons.

A third condition is that obstacles to advocacy may be overcome by prominent intellectuals. In this aspect, the WTO is privileged: contrary to commerce and intellectual property, few NGO spokespersons have the capacity to force the IAEA head to take their statements on nuclear use into consideration. Save for the Nobel Prize winner Joseph Rotblat – not to speak of Einstein and Russell, who aroused physicists' consciences about atoms – big names are rare in this realm. The field is actually populated by hundreds of physicians and physicists, plus some legal advisors contributing to the creation of norms with “papers” presented in a very academic style to local workshops and world congresses audiences²⁹. The anti-nuclear advocacy network is therefore looser than its equivalent in commerce.

To sum up our findings, the strategic partnership between IGO and NGO actually brings mutual recognition and is helpful to both when: 1) NGO become more instrumental than expressive; (2) they find proper access to the decision making process via personal connections, or member-states support; (3) they are considered as positively contributing to the improvement of such outcomes instead of “politicizing the debate”, if not turning it into a “UN way” of negotiating; (4) they find allies and coalesce in an impressive NGO network instead of remaining weak and isolated.

Part 3. Discussion, comparison and concluding remarks

NGO emerged in the last decade of the 20th century as global dissenters of the new international order. They expressed repeated demands to reach a more participatory

²⁹ Interviews, Swiss Pugwash, 18 March 2008.

democracy at world level, and even claimed that they could express the voice of the people in an international representative regime to come. Success of this project was conditioned on two facts: first, a switch from NGO activist repertoires to more conventional sorts of protest; second, the opening up of IGO and their capacity to accommodate and integrate new stakeholders' demands. In the process, a couple of trade-offs were negotiated: NGO promised less vociferation to obtain more consideration; they became less militant and more professional in order to be accredited. Conversely, IGO released more classified information to get some rest from their critics, and diminish the normative harassment to which they were confronted.

As time passed on, NGO leaders became more conscious of the limitations of such bargaining. The communication battle was not as easy to win as expected: IGO responded to critics with particularly well designed websites, a new complicity with journalists, an increasing pace of publication of their reports, and a successful mobilization of their own experts. The real balance of power between individual NGO and the specific IGO whose mandate was questioned would remain asymmetric whatever the efforts made to get public attention in the media and on the Internet.

Moreover, although NGO obtained some IGO toleration towards their critics, they could not get access to every institution: most IGO simply co-sponsored joint meetings; some granted NGO a permanent observatory status; others accredited them in special occasions; and a few reminded blind to their demands. The tough response made to NGO claims did not come from IGO secretariats, but from member states all very much attached to their privacy when bargaining in closed sessions.

There was only one optimal solution to these problems: joining a network of NGO and hoping that the combined power of its membership would equate the power of their intergovernmental partners in negotiation. Consequently, after a decentralization period during which NGO mushroomed with no coordination, a centralization phase was launched by some pioneering organizations: "NGO forums" and "NGO coalitions" (see for instance the IAEA/NGO "Global Cancer partnership" launched in 2004) were the outcome of a snowballing effect. Eventually, the NGO snowball got big enough to be considered as a possible partner by the IGO snowman.

This broad albeit sketchy narrative fits well the history of the relationships between NGO and the WTO or the IAEA, as cursorily told in this paper. At the present stage, they are far from establishing a representative kind of democracy, let alone a participatory one. However, they got closer to a deliberative sort of “international democratic regime”: by now, critics and doubts are more legitimate than ever; to have a chance to be considered, self-justifications must be documented. In spite of their resemblance with ordinary lobbies, NGO are not “interest groups” acting discretely and separately in Geneva or Vienna with the hope to be sooner or later recognized in these two international cities as they are in Brussels. The kind of domestic and international regime in which NGO focusing on intellectual property and genetically modified organisms on the one hand, nuclear safety and non proliferation on the other, will probably not be an “associative democracy” as is already the case with current European issues³⁰. The WTO and the IAEA tumultuous partnership with NGO will long differ from the smoother alliance between interest groups and the European Commission.

However, asymmetrical bargaining also brings benefits to every negotiator: they gain in saliency and legitimacy. Contesting decisions and statements is already validating the other as a partner. Both parties suffer but gain consolidation in this process. Therefore, they also become less vulnerable to member states pressures and threats. Reviewing the two possibly hardest cases shows that in the long run, this coalition in the offing is a promising format for all international organizations, be they intergovernmental or nongovernmental. Ally or lose, compromise or perish: there is little choice but to go along even when going alone seems more comfortable in the short term.

Our initial hypotheses were (1) that cooperation between IGO and NGO was possible; (2) that the form taken by any strategic cooperation when both IGO and NGO are possible partners would be of a limited scope and shape: it would be “mutual recognition” rather than full cooperation. These two hypotheses seem corroborated so far by our preliminary inquiry. Theoretically, NGO should pursue their own interest within national states: first, because governments are more accessible than multilateral institutions; second, because IGO cannot

³⁰ Cf. Saurugger (Sabine) *Européaniser les intérêts ? Les groupes d'intérêt économiques et l'élargissement de l'Union européenne*, Paris, Budapest, Torino, l'Harmattan, 2004.

easily open access to NGO. For IGO, the only source of capacity, legality, and legitimacy officially comes from their member states: they are not accountable to supranational organizations like the UN or the EU, let alone to nongovernmental associations. Conversely, states constitute a danger for IGO, since they may block their planned operations (as Germany did within the IAEA with satellite imagery) or complain from time to time about their poor management. For instance, some states criticized the IAEA for having long ignored nuclear military activities in rogue nations, in spite of repeated on-site inspections. When in Libya classified papers attesting that the so-called A.Q Khan Pakistani network had successfully exported technology and nuclear materials to Iraq were found out, this late discovery irritated nuclear powers to such an extent that doubts about the future of the organization were for the first time voiced³¹.

Cross-pressured between governments and social movements, IGO may sincerely welcome NGO help instead of paying lip service to a recently praised convergence between the two types of stakeholders. Actually, because they both confront the same “principal” – the states –, IGO and NGO share a common objective: “*speaking the truth to power*”³². As IGO discretely do behind the doors, NGO make a frequent use of “naming and shaming” tactics: since their “militants” are dedicated to, respectively, development and disarmament, they single out those members that behave inconsistently with the ratified treaties. NGO militants’ harassment helps IGO heads urge non-conformist member states to stick to their commitments³³. In this sense, NGO are objective allies of IGO bureaucracies. On one condition: they must contribute to intergovernmental decision-making. That is, they must lessen their advocacy stance, keep a low-profile, develop their epistemic capacities and become more contributive to multilateral outcomes than ideologically opposed to them.

Objective complicity is therefore possible. It must be based on a trade-off between recognition/legitimization (by IGO to NGO) and an effective/efficient contribution (from NGO to IGO). Once this implicit political pact is enforced, new cooperative opportunities may be

³¹ Interview, director, division of information management, 14 February 2008, Vienna.

³² Interview, head, non proliferation and policy making organs section, 14 February 2008, Vienna.

³³ As stated by NTI, “The United States should immediately begin working with the other Global Initiative participants and the IAEA to detail the essential elements of an “appropriate effective” system for nuclear security.

open. NGO cannot stimulate collaboration if the IGO they target is not specialized enough. The successes of the nongovernmental coalition will all depend on the degree of specialization achieved within the partner IGO. In commerce, the growing focus on intellectual property as such (although IP in itself is actually subdivided in several sections, like patents, rules of origin, traditional property, GMO, etc.) was conducive to a success of nongovernmental coalitions. This achievement may be envied by NGO operating in security issues, since disarmament, a multifold issue, is the only common ground between them.

By contrast, being involved in a field where the IGO concerned simultaneously address many issues is an obstacle to influence. If confidentiality and concern for misperception of an IGO public image are conducive to a manipulation of information and an excessive selection of sensitive data to be declassified, NGO may feel instrumentalized and pull out from the fragile coalition³⁴.

The optimal configuration, then, seems to be neither activist nor technocratic, but middle of the road: once an NGO can rely both on expertise and militancy, instead of being dependant on either scientists or partisans, it may find its way to the IGO decision making process and, perhaps, instill in it a flavor of global democracy.

³⁴ Interviews, policy officer, division of information management, 14 February 2006, Vienna.

Table 1. The WTO/NGO strategic partnership on intellectual property

NGO full name and acronym, date of creation, and headquarters	Type (A = activist/advocacy; E = epistemic/expert) and spokesperson	Focus/mandate (self-reporting)	Interaction with the WTO (channel, frequency)	Recommendations made to the WTO (topic, statements)
Consumer Project on Technology, CPTech (1995, Washington, Geneva, London)	E (James Love)	Production and access to knowledge (medical inventions, information and knowledge goods)	Frequent statements & memos	
International Center for Trade and Sustainable Development, ICTSD (Geneva)	E (Graham Dutfield)	Bridging trade and sustainable development communities; providing original, non-partisan reporting and facilitation services	BRIDGES, weekly periodical Accredited by the WTO (1996) Trade Knowledge network, symposium	Calls for a distinction between natural resources and human products
IP Watch (Geneva)	A (T. Gerhardsen)	Reports on interests and behind-the-scene dynamics that influence the design and implementation of international IP policies	Naming and shaming of member states	Against the “green rooms” processes?
Médecins sans frontières, MSF (Paris)	A/E (Bernard Pecoul, Ellen t’Hoen)			Apply special and differentiate treatment for drugs against pandemics in the South
NGO Energy Caucus	E		Lobbying to establish an International Sustainable Energy Fund	Support the Doha Development round
Oxfam International (Oxford, 1995)	A			
Quakers United Nations Office, QUNO (1999, Geneva)	A		Training WTO and other IGO’s representatives and NGO activists	
South Center (1995, Geneva) ³⁵	A/E (Carlos Correa)	Promotion of South solidarity, and South to South cooperation	Strategic Work Program	Make a distinction between “discoveries” and “inventions”
Transatlantic Consumer Dialogue, TACD (Washington, 2000)	A	Impact of IP rules on consumers of health care services		
Third World Network, TWN	E (Martin Khor)	Research on development and North-South issues	South North Development Monitor, SUNS (Geneva)	Press the WTO to accept compulsory patents

Table 2. The IAEA/NGO strategic partnership on nuclear safety and disarmament issues

NGO full name and acronym, headquarters	Type (A: activist/advocacy; E: epistemic/expert; I = interest)	Focus/mandate (self -reporting)	Interaction with IAEA (channel, frequency)	Recommendations made to IAEA (topic, statements)
Acronym Institute for Disarmament Diplomacy (1994, London)	E/A (Rebecca Johnson)	Promote further ratifications and the full implementation of arms control treaties	Promote talks among the nuclear weapon states and identify concrete measures for further progress in transparency, arms control and confidence building	Help the IAEA to be “implementing organization” of the NPT and empower it to oversee important aspects of the Treaty
American Physics Society	E	Arousing the conscience of science; promoting international freedom of scientists; building bridges with other NGOs	Unknown	Unknown
Bellona (1986, Oslo)	A	work on nuclear contamination in Russia	Reporting on IAEA's inspections in Russia	Unknown
CivilG8 (Russia)			During G8 summits	Nuclear Safety first (Chernobyl, Armenia)
Global Threat Initiative (GTRI)	E/A	To build and broaden international support for efforts by national authorities to identify, secure, recover, and/or facilitate the disposition of high-risk nuclear and radioactive materials that pose a potential threat to the international community	Conferences (e.g., The Global Threat Reduction Initiative (GTRI); International Partners' Conference took place in Vienna, Austria, from September 18-19, 2004. More than 590 representatives from 100 International Atomic Energy Agency (IAEA) Member States attended the GTRI	Support IAEA programs, recommendations, and codes of conduct. Encourage states to consolidate, expand, and accelerate domestic, regional, and IAEA programs that address unsecured vulnerable nuclear and radioactive materials, as deemed necessary by Member States
Global Policy Forum (1993, New York)	A	Monitors policy making at the UN, promotes accountability of global decisions, educates and mobilizes for global citizen participation, and advocates on vital issues of peace and justice	Indirect: bringing alternative interpretations into many mainstream media outlets + providing public speakers and organizes international events and conferences	Support Mohammed el-Baradei's reelection against the will of the Bush administration in the aftermath of the Iraq inspection program
Institute of Nuclear Material Management(INMM)	E/I	Advancing quality nuclear materials management practices worldwide	Reporting, lobbying	Support IAEA's activities to promote a safer energy
International Institute for Peace (Vienna)	E	Contributing to the maintenance and strengthening of peace	Research activities, and dissemination of knowledge	Unknown
International Network of Engineers and Scientists (INES, 1991, Berlin))	E/A	Promoting a more responsible science; enhance the awareness of ethical principles and the specific responsibility of scientists and to support those who have been victimized for acting upon such principles	Meetings and papers (about a hundred NGOs)	Unknown
International Peace Society (London, 1816)		Against war	Books, reports	Unknown
International Physicians for the Prevention of a Nuclear War (IPPNW,	E/A)	Fighting the undesirable effects of atomic science ; prevent the catastrophic health and environmental consequences of a nuclear war and advance	Meetings and papers International Campaign to Abolish Nuclear	Stop IAEA interference with the WHO (e.g., Chernobyl), free the WHO from its subordinate status to the IAEA

Massachusetts + regional branches)		understanding of the causes of armed conflict from a public health perspective; produce a new research study on health aspects of both vertical and horizontal proliferation	Weapons (ICAN) Send birthday e-cards to the IAEA for its 50 th anniversary	Substitute a new NWC Agency to the IAEA: “unlike the IAEA, it would not have the task of promoting nuclear energy.”
NGO Committee on Disarmament	E	to inform NGOs worldwide of the status of the disarmament negotiations, country positions, major obstacles and opportunities	conference organizer, network clearing house, newspaper publisher, international networking	Support IAEA’s inspections in Iran
Nuclear Age Peace Foundation	A/E	Pressure on states (and US candidates to the presidency)	Networking e.g., “think outside the bomb network”	unknown
Nuclear Energy Institute (Washington)	I	promoting a clean source of energy	Lobbying	
Nuclear Threat initiative (NTI)	E (Sam Nunn)	Towards a nuclear-free world Galvanize global action to reduce urgent nuclear dangers + build support for reducing reliance on nuclear weapons, ultimately ending them as a threat to the world	Consulting	Agreement with IAEA on Yugoslavia in 2002 Expanding the mission, personnel, and funding of the IAEA’s Office of Nuclear Security, as there are many steps the widely-respected international organization can take more effectively than the United States can unilaterally
Peace and Security				
Pugwash (1957, Nova Scotia)	E/A [(Joseph Goldblat, then Paolo Cotta-Ramusino (SG). Jeffrey Boutwell (Director)]	Action to mount a global campaign to eliminate weapons of mass destruction Promoting a pacific use of atoms	Framing issues “academically”: meetings, Journals (e.g., the International Student/Young Pugwash <i>ISYP Journal on Science and World Affairs</i> , No. 1, 2005)	Extending current IAEA prohibitions (signing a Fissile Material Cut-Off Treaty, FMCT); better NPT governance (associating IAEA and the UN Office for Disarmament Affairs) Suggesting financial compensations to Iran to help this country sign the Additional protocol and stop enriching uranium
Women’s International league for Peace and Freedom (WILPF)	(Rhianna Tyson)	Strengthening the NPT	Reporting	The completion and implementation of the Trilateral Initiative among the USA, the Russian Federation, and the IAEA. The placement of excess military fissile materials under IAEA or other international verification and the disposition of such material for peaceful purposes.
NGO full name and acronym, headquarters	Type (A = activist/advocacy; E = epistemic/expert; I = interest)	Focus/mandate (self -reporting)	Interaction with IAEA (channel, frequency)	Recommendations made to IAEA (topic, statements)

TABLE 3: Selected NGOs' statements on IAEA's field and activities

Source	Statement
http://www.nuclearfiles.org	<p>"Article IV of the NPT, the mandate of the IAEA and agreements made between the IAEA and the World Health Organization are documents of their time and reflect historically specific moments in science and in politics. Assumptions made in 1945, or 1968 about nuclear technology have to be reevaluated in a world that has experienced Chernobyl and Three Mile Island. When the Non-Proliferation Treaty was negotiated, nuclear power was still a relatively new technology. There were high hopes and indeed some assumptions that it would be safe, clean and cheap and that its proliferation risks could be contained. Experience has now given us the data to say that these assessments cannot be supported. Indeed the risks were gravely underestimated."</p> <p>"Agreements such as the 1994 Convention on Nuclear Safety go to the heart of the contradiction inherent in the mandate of the IAEA in recognising the difficulty of simultaneously promoting and controlling an industry. Article 8 paragraph 2 of this agreement states that, "each contracting party shall take the appropriate steps to ensure an effective separation between the functions of the regulatory body and those of any other body or organization concerned with the promotion or utilisation of nuclear energy." This article of the 1994 Convention makes visible the need to structurally alter the mandate of the IAEA on the understanding that history has proved the promotion and controlling function unworkable. If the International Atomic Energy Agency promoted the support of the development of sustainable and environmentally safe energy sources, it would be a mandate that fitted better with the role of safeguarding nuclear."</p>
<p>PSR (Switzerland), WHO working group on Chernobyl, 25 March 2001 http://www.aerztekomitee.ch/content/fr/index_fr.htm</p>	<p>The IAEA Conference on Chernobyl accident acknowledged only 27 to 31 deaths directly attributable to it; plus several hundred irradiations that had to be cared, and thyroid cancers that were considered benign and easy to prevent (see the "Proceedings of an International Conference, Vienna, 6-12 April, 1996"). Therefore, the IAEA was able to make 9 millions victims disappear from the statistics, although "numbers are consistently increasing until now", according to Martin Griffith, Head, U.N. Department of Humanitarian Affairs (WHO Conference, 1995).</p> <p>Representing the nuclear lobby in the U.N. the IAEA, whose status principally assigns to "speeding and increasing the contribution of atomic energy to peace, health, and prosperity in the whole world", sees itself as a very victim of Chernobyl since no nuclear energy plants have been built in the West in the past 15 years. The nuclear lobby throws discredit on, or even eliminate scientists who tell the truth about Chernobyl. Conversely, it supports those academics who are prepared to contradict research revealing the scope of the medical disaster due to Chernobyl radioactive rains and fallouts. PSR/IPPNW tries to assist researchers when they are under arrests (Bandazhevsky), since they are sidelined, ruined or destroyed by such interventions, noteworthy when they come from persons who are close to the nuclear lobby.</p>
<p>ICAN: "An SOS for the Human Race: Securing Our Survival (SOS) The Case for a Nuclear Weapons Convention http://www.icanw.org/files/SOSSummaryIntlFin.pdf</p>	<p>Governments are the principal actors but civil society plays an important role. The experience of many international and intergovernmental bodies will be useful, including the UN General Assembly and Security Council; the IAEA; the Conference on Disarmament; nuclear-weapon-free zone implementation agencies; the Comprehensive Test Ban Treaty Organization; the International Court of Justice; and regional organizations such as the EU. The scientific, medical, legal, policy, and other expertise of NGOs make them key partners in the process. It appears that neither the U.S. government nor the International Atomic Energy Agency (IAEA) has a comprehensive, prioritized list assessing which facilities around the world pose the most serious risks of nuclear theft.</p> <p>The recently launched Global Initiative to Combat Nuclear Terrorism may provide the best forum to pursue some of these goals. For other goals, high-level bilateral initiatives such as the nuclear security agreement reached between President Bush and President Putin in 2005 may offer the most effective approach. For still other efforts, cooperation led by international organizations such as the IAEA may be the forum that other countries most readily accept.</p>