

Will Diplomacy Stop Iran?

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February 2, 2006



The decision on Jan. 30 by the Permanent 5 members of the UN Security Council to “report” Iran’s nuclear dossier to the United Nations is a victory for patient diplomacy by the Bush administration, and a sign that the administration has learned important lessons from the run up to the war in Iraq. This victory, however, may be very short-lived and by no means guarantees that Iran will now re-freeze its nuclear program and resume international negotiations. Though the show of solidarity is helpful, it does not fundamentally alter the strategic realities that currently suggest Iran will be successful in its development of nuclear technology capable of producing nuclear weapons.

The wording of the P-5 agreement, worked out in London on Jan. 30 now forms the basis for a draft International Atomic Energy Agency (IAEA) Board of Governors resolution. The document has Chinese and Russian support, even though the two had previously opposed referring Iran’s non-compliance with its nonproliferation obligations to the Security Council. In short, the move, if approved by the IAEA Board on February 2, puts Iran on notice that unless steps are taken in the next month to re-freeze its uranium enrichment program and comply with IAEA inspection requirements, the matter may become the basis for further action by the UN Security Council.

After the January agreement was reached in London, Secretary of State Condoleezza Rice told reporters that “this is the report or referral that we’ve been seeking.” Yet it is by no means clear how much support further moves by the UN Security Council will receive from Russia or China, both of whom possess a veto in the UN Security Council. If approved by the IAEA Board, previous IAEA resolutions including a Sept. 24, 2005, document finding Iran in “non-compliance” with its obligations would be forwarded to the UN. The Security Council would then wait to take any action pending the outcome of the next regularly scheduled IAEA Board meeting. But even Secretary Rice acknowledged that the UN is not required to take any action after the IAEA meeting on March 6. Given the lack of leverage over Iran’s decision making, it may not be possible, even with Security Council action and Russian and Chinese support to convince Iran to abandon its current nuclear activities.

Russia and China remain reluctant to support strong measures against Iran by the Security Council for a number of reasons, including China’s long-standing concern about Security Council action in what it considers “internal” affairs. Moscow and Beijing have stated their belief that punitive actions not only might be counterproductive in seeking a solution, but also both are concerned that strong measures would disrupt important economic and strategic relations with Tehran. But the political support for the new resolution makes it harder for those two states to oppose referral should Iran fail to comply with IAEA requests.

The recent flurry of diplomacy was sparked by the Jan. 9 decision by Iran to resume uranium enrichment activities. Iran’s move is now widely seen as a test of the international community’s resolve and ability to prevent the further spread of nuclear weapons. An inadequate response could leave Iran’s pathway to a nuclear weapon wide-open and could be a further, potentially fatal blow to the norm of nonproliferation. This, in turn, opens the prospect of future nuclear nations in the years to come.

Despite its resumption of nuclear research, it is important to remember that Tehran is not yet at the point where it can actually enrich uranium or produce nuclear weapons. That capability might still be years away. If and when Iran masters the enrichment process, it will still take Iran a number of years to produce enough enriched uranium for a nuclear weapon. There should be no question that Iran’s mastery of uranium enrichment – regardless of their stated intentions – would also give Iran the ability to produce nuclear weapons. The presence of international inspectors, while not a guarantee against diversion, will provide an important resource in tracking Iran’s nuclear progress.

History

Iran’s interest in nuclear technology predates the Islamic revolution of 1979. Iran’s revolutionaries forced most western-trained scientists, engineers and managers out of Iran, greatly slowing Tehran’s nuclear ambitions. In the late 1980s, Iran turned to the Soviet Union to restart its civil nuclear program, which at the time centered on the West German designed, but never completed

Bushehr nuclear power reactor. Unknown at the time was that in 1985, Iran secretly tapped into the nuclear black market run by the father of Pakistan's nuclear program – A.Q. Khan. Khan had established a robust network of front companies and clandestine shipments to fuel Pakistan's own nuclear weapons program. For 18 years, Iran successfully hid – in violation of international law and its solemn treaty commitments to the IAEA – its clandestine nuclear procurement and development program. This technology was used to design and begin construction on the Natanz uranium enrichment facility where work resumed Jan. 9.

To be used in many nuclear applications, uranium ore mined from the ground must be purified and “enriched” in a specific isotope of uranium. Uranium enriched to a low percentage (3-7 percent Uranium 235) can be used in modern nuclear reactors to produce electricity. The very same enrichment processes can be used to enrich uranium over 20 percent, which then makes it usable in nuclear weapons. By mastering the peaceful enrichment process, a country automatically gains the ability to produce weapons-grade uranium.

Losing Confidence

International Atomic Energy Agency safeguards are used in most countries to provide confidence that peaceful facilities are not used for military purposes. This is the case in Europe and Japan, and even in the U.S. and Russia, where certain peaceful enrichment facilities are open to IAEA inspection. International confidence – albeit a subjective measure – is high that these countries will not use their peaceful enrichment facilities for the production of weapons.

Iran's now [documented](#) 18-year track record of hiding nuclear facilities, and the behavior of its leaders and security forces provide the international community with much lower confidence in its peaceful intentions. Moreover, Iran currently lacks both the nuclear plants needed to make use of enriched uranium or the domestic stocks of uranium ore to justify the expense of a domestic uranium enrichment program. The existence of a robust and economically competitive international set of enrichment providers casts even further doubt on Iran's motives for pursuing enrichment on such an accelerated and (previously) secretive basis.

Iran's violations of its IAEA safeguards agreement and the Non-Proliferation Treaty (NPT) are cause for both Security Council review and possible sanction. The United States has sought referral of Iran to the UN for over a year, since news of their violations became public. In an effort to resolve the nuclear crisis and improve Iran's relations with the outside world, the United Kingdom, France and Germany agreed to negotiate with Iran provided Iran froze all of its nuclear activities. In October 2004, Iran agreed, and after a brief crisis, fully froze its nuclear program in March 2005. Washington grudgingly agreed to support the negotiating effort and even endorsed the European attempt to offer Iran incentives to abandon its questionable nuclear activities.

Throughout its nuclear freeze, the negotiations with Europe and even to this day, Iran claims that it is entitled to pursue any peaceful nuclear activities it sees fit, provided it takes place under IAEA safeguards. The NPT states clearly that:

“1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty.”

(Author's note: article II contains the promise that all non-nuclear weapon states will not seek or accept any assistance in acquiring nuclear weapons.)

“2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.”

The NPT contains no specific clauses determining whether a state's violation of the NPT's requirements voids its right to obtain or pursue nuclear research in other areas. This is one of the issues that might be decided if the issue of Iran's past non-compliance is brought before the UN Security Council. While the term “inalienable” is used in the treaty, Iraq was restricted from pursuing certain kinds of nuclear activities in the wake of the 1991 Gulf War, setting a precedent to support the idea that the UNSC can restrict a state's rights under the NPT in response to violations of that agreement.

Sliding Toward Conflict

In October, complaining of the slow progress in negotiations with Europe, Iran announced that it was removing certain nuclear facilities from its self-imposed freeze. Specifically, Iran restarted operations at its uranium conversion plant at Isfahan. Before uranium can be enriched through the use of centrifuges, it must first be converted from ore into uranium hexafluoride gas, a process Iran has also yet to fully master. The move constituted a violation of the voluntary nuclear freeze adopted by Iran in 2004 and led the UK, France and Germany to terminate its broad trade negotiations with Tehran. The issue of Iran's activities was again referred to the IAEA Board of Governors in September and again in December. Neither Russia nor China supported referral to the UN Security Council at that time. While still not ready to support formal referral to the UN, the decision by China and Russia to

support the reporting of Iran is significant and adds their political leverage to those trying to convince Iran to change its policies.

The ability of the United States and its allies to gain support for tough action at the UN, however, is a major question. China imports a considerable percentage of oil from Iran, and its unlikely to support sanctions against Iran's oil business. China, moreover, is largely opposed to UNSC intervention except in the most extreme cases. It is also not clear what possible UN actions might be effective in persuading Iran to reverse its recent actions. Domestic political considerations are a major factor in Iran's decision to resume its nuclear activities. President Ahmadinejad has gained power on a nationalistic platform and increasingly vitriolic rhetoric, and Iran's uranium enrichment efforts are increasingly cast in terms of its national sovereignty and prestige.

Possible action that could be taken by the UN, include expanding the IAEA's inspection authority and requiring Iran to increase its cooperation with the Vienna-based nuclear inspection agency. These relatively benign steps might gain support, even with China. More extreme measures that have been suggested by outside analysis include imposing an international travel ban on Iranian officials, requiring Iran to cease operation of its nuclear facilities and explicitly stating that Iran's past noncompliance results in a forfeit of its rights to use nuclear technology under the NPT, and even political and economic sanctions related to Iran's considerable oil business. Few currently believe that such actions will gain UN Security Council support, but Iran's precipitous actions in early January suggest that further provocations are possible, making further international action hard to predict. The only thing known for sure is that Iran's actions and the international communities responses will be closely watched by other states considering nuclear programs of their own, and a failure to act effectively here will complicate all future efforts to prevent the spread of weapon-usable technologies.