

Tariq Rauf  
Director, Arms Control, Disarmament and Non-Proliferation Programme  
Stockholm International Peace Research Institute (SIPRI)  
Working group «Iran in Regional and Global Perspective» at the Strategic Studies Summit,  
Bangkok, Thailand  
Feb. 23-25, 2014



## **Policy memo**

Tariq Rauf, Director, Arms Control, Disarmament and Non-Proliferation Programme,  
Stockholm International Peace Research Institute (SIPRI)

## **Summary**

Following the agreement in Geneva on a “Joint Plan of Action”, on 24 November 2013, between the E3/EU+3 and Iran on ‘initial measures’ as part of a step-by-step approach to reaching a ‘comprehensive solution’, negotiations begin in Vienna today on the additional steps in between the initial measures and the final step of a comprehensive solution. For these negotiations to succeed, both sides will need to compromise and settle on pragmatic measures, which assure the international community of the exclusively peaceful nature of the Iranian nuclear programme and the removal of all sanctions against Iran by the UN Security Council. Maximalist demands can lead to only one result: stalemate and failure.

## **Vienna Negotiations**

Negotiations began in Vienna on 18 February between representatives of the European Union (EU), France, Germany, and the United Kingdom (EU/E3), China, the Russian Federation and the United States (+3), and Iran, on the follow-up to a Joint Plan of Action (JPA), agreed in Geneva last November. The objective of these negotiations is two-fold: (1) to agree on additional interim steps beyond those in the JPA, for Iran to verifiably demonstrate the exclusively peaceful nature of its nuclear

Tariq Rauf  
Director, Arms Control, Disarmament and Non-Proliferation Programme  
Stockholm International Peace Research Institute (SIPRI)  
Working group «Iran in Regional and Global Perspective» at the Strategic Studies Summit,  
Bangkok, Thailand  
Feb. 23-25, 2014

programme, including addressing and resolving allegations of possible military dimensions (PMD) geared towards developing a deliverable nuclear weapon, and to agree on a final comprehensive solution regarding the nature and extent of Iran's nuclear programme; and, (2) to agree on the modalities of lifting and removing all multilateral and national sanctions related to Iran's nuclear programme.

These negotiations take place against the backdrop of vehement opposition by many members of the US Congress and Israel, which argue for a complete cessation of uranium enrichment in Iran as well as the dismantling of significant elements of Iran's nuclear fuel cycle that might have the potential for use in a nuclear weapon programme. Such opponents have resorted to proclaiming very detailed and onerous conditions for Iran's nuclear activities, the closure of the enrichment plants at Natanz and Fordow, as well as the under construction heavy-water reactor at Arak, and an onerous verification and monitoring regime<sup>1</sup>.

On the other hand, the Obama Administration is taking a correct and principled approach in the negotiations to focus on resolving the outstanding issues concerning the peaceful nature of Iran's nuclear programme and furthering the IAEA's verification authority and role.

### **Implementation of the JPA**

Iran too thus far is keeping its word in implementing the JPA. The IAEA has confirmed that, as of 20 January 2014, Iran:

- had ceased enriching uranium above 5% U-235 at the two cascades at the Pilot Fuel Enrichment Plant (PFEP) and four cascades at the Fordow Fuel Enrichment Plant (FFEP) previously used for this purpose;

- had ceased operating cascades in an interconnected configuration at PFEP and FFEP;
- had begun diluting UF<sub>6</sub> enriched up to 20% U-235 at PFEP;
- was continuing the conversion of UF<sub>6</sub> enriched up to 20% U-235 into U<sub>3</sub>O<sub>8</sub> at the Fuel Plate Fabrication Plant (FPFP);
- had no process line to reconvert uranium oxides enriched up to 20% U-235 back into UF<sub>6</sub> enriched up to 20% U-235 at FPFP;
- was not conducting any further advances to its activities at the Natanz Fuel Enrichment Plant, FFEP or the Arak reactor (IR-40), including the manufacture and testing of fuel for the IR-40 reactor;
- was continuing to construct the Enriched UO<sub>2</sub> Powder Plant for the conversion of UF<sub>6</sub> enriched up to 5% U-235 into oxide;
- was continuing its safeguarded R&D practices at PFEP, including its current enrichment R&D practices, and continues not to use them for the accumulation of enriched uranium; and
- was not carrying out reprocessing related activities at the Tehran Research Reactor and the Molybdenum, Iodine and Xenon Radioisotope Production (MIX) Facility.

The IAEA also confirmed that it had received written communications from Iran in relation to the “voluntary measures” that Iran had agreed to undertake in the first six months as part of the JPA, as follows: that for the first step time-bound (six months), there will be no new location for enrichment other than those already existing at the Fordow and Natanz sites; that during the first step time-bound (six months), Iran will not engage in stages of reprocessing activities, or construction of a facility capable of reprocessing; that during the first step of time-bound (six months), Iran declares that there is no reconversion line to reconvert uranium oxide enriched up to 20% U-235 back into UF<sub>6</sub> enriched up to 20% U-235”; and provided information on centrifuge assembly workshops, storage facilities and centrifuge rotor production workshops.

Tariq Rauf  
Director, Arms Control, Disarmament and Non-Proliferation Programme  
Stockholm International Peace Research Institute (SIPRI)  
Working group «Iran in Regional and Global Perspective» at the Strategic Studies Summit,  
Bangkok, Thailand  
Feb. 23-25, 2014

Furthermore, the IAEA and Iran also had agreed on arrangements for increased access by Agency inspectors to the uranium enrichment facilities at Natanz and Fordow, including in relation to weekends and holidays in Iran – under the additional Protocol, complementary access can be carried out only during working hours of a facility.

### **Pragmatic Way Forward**

The pragmatic way forward would be for the EU/E3+3 and Iran to agree that Iran would continue to assure the international community through IAEA safeguards and verification that Iran's nuclear programme is exclusively for peaceful purposes. In relation to this, Iran would continue its suspension of production of uranium enriched to 20%, only produce uranium enriched to under 5% and to convert it into reactor fuel on a timely basis, convert with international assistance the Arak reactor to run on 5% low enriched uranium, continue to refrain from separating plutonium, fully implement the Additional Protocol to its safeguards agreement, and cooperate proactively with the IAEA in the implementation of safeguards, verification and monitoring.

With regard to the allegations on the possible military dimensions (PMD) of Iran's nuclear programme from the 1990s to 2003 or later, the Vienna negotiations need to see agreement on working through the Joint Commission with the IAEA to facilitate resolution of all issues of concern. A key element would be to resolve the authenticity of the documentation on PMD, and the veracity of the information contained therein. An interesting question might be whether the revelations by Snowden may shed some light on the provenance of this PMD documentation, since the IAEA does not have the capacity to authenticate intelligence information. And, for Iran to conclusively demonstrate that any activities related to PMD, if they had occurred, would never be resumed, and to assure the IAEA accordingly under the provisions of its comprehensive safeguards agreement pursuant to the NPT.

Tariq Rauf  
Director, Arms Control, Disarmament and Non-Proliferation Programme  
Stockholm International Peace Research Institute (SIPRI)  
Working group «Iran in Regional and Global Perspective» at the Strategic Studies Summit,  
Bangkok, Thailand  
Feb. 23-25, 2014

Finally, pursuant to the rights and obligations of the IAEA under Iran's comprehensive safeguards agreement, and Iran's corresponding obligations, as well as the provisions of the Agency's Statute; only the IAEA and Iran can definitively and legally resolve the issues concerning the peaceful nature of Iran's nuclear programme and the PMD. Any agreement to this effect between the EU3/+3/+Iran can only serve as the basis for a technical resolution of the open issues between the IAEA and Iran.

With on-going IAEA verification with Iran's full cooperation and the measures proposed above, Iran will be no different than Japan, Belgium or The Netherlands, in terms of a possible 'break out' capability – namely, to make a dash to make nuclear weapons. The argument that Iran should be restricted to 3,000 operating centrifuges, and must dismantle some 16,000 machines, on the grounds of increasing the possibility of a breakout to six months or more; is not credible. A determined State with knowledge of and expertise in enrichment, could produce sufficient HEU for weapons with fewer operating machines, but any breakout would be detected by the IAEA—hence by this logic there needs to be no enrichment in Iran. However, as one author has aptly put it, “demanding zero enrichment from Iran makes zero sense”<sup>2</sup>. The only realistic course is as noted above, for Iran to enrich uranium below 5% under IAEA safeguards, as has been the case since 2005. It should be noted for the record that Natanz and Fordow are the most heavily inspected enrichment facilities in the world, with the IAEA having direct access to the cascades and machines without limitations – this is not the case in Brazil, at URENCO enrichment plants in Europe and in Japan, where though the IAEA can meet its safeguards objectives for enrichment facilities, its access to the cascades and centrifuges is circumscribed under agreed arrangements. The IAEA reports on the implementation of safeguards in Iran routinely have been reporting for nearly a decade, the exact number of operating and installed centrifuges, enrichment levels, and quantities of enriched uranium produced.

### **‘Right to Enrich’**

Tariq Rauf  
Director, Arms Control, Disarmament and Non-Proliferation Programme  
Stockholm International Peace Research Institute (SIPRI)  
Working group «Iran in Regional and Global Perspective» at the Strategic Studies Summit,  
Bangkok, Thailand  
Feb. 23-25, 2014

As regards the “recognition” by the EU3/+3 of Iran’s “right to enrich” uranium, and as regards the claim that Article IV of the NPT refers to peaceful uses of nuclear energy but that that does not include enrichment – it must be asserted that specious and false arguments, ill-considered interpretations of the NPT, and bad faith should be avoided.

Suffice it to say in this regard, that the negotiating record of the NPT is clear in that the Treaty’s reference to an “inalienable” right did not create and bestow Article IV rights on the States Parties, but merely affirmed them. The right to use and pursue atomic energy in any form was the “inalienable” right of any sovereign State and was therefore pre-existing the NPT. By acceding to the NPT as a NNWS, a State chose to limit itself to peaceful uses and undertook not to pursue nuclear weapons. The pre-NPT right to the pursuit of atomic energy for peaceful purposes was thus retained and affirmed by the Treaty in Article IV. The inalienable rights of NNWS under Article IV were not granted to States by the NPT and cannot therefore be taken away (or otherwise renegotiated). Thus, the Vienna negotiations need to focus on the real issues at hand, and not waste time and effort in raising spurious arguments.

## **Conclusion**

Opportunities for resolving the Iran nuclear file through negotiations between the EU3/+3 and Iran were missed in 2003 and in 2005 – negotiations resumed in Fall 2013 after eight lost years of recriminations and posturing by the EU3/+3, and they have reluctantly come to the logical conclusion that the only credible course is to come to the table to negotiate a comprehensive solution that address the concerns of all sides. Iran would limit its nuclear programme to a certain extent, continue with stringent IAEA safeguards and cooperate pro-actively with the IAEA in resolving open questions; while the EU3/+3 would refrain from threats of use of force and

Tariq Rauf  
Director, Arms Control, Disarmament and Non-Proliferation Programme  
Stockholm International Peace Research Institute (SIPRI)  
Working group «Iran in Regional and Global Perspective» at the Strategic Studies Summit,  
Bangkok, Thailand  
Feb. 23-25, 2014

remove all multilateral and national sanctions against Iran. There is no other rational alternative.

The EU/E3+3 and Iran negotiations, while important, are essentially political in nature but they can lay the ground work and create the conditions that would enable the resolution of the Iran nuclear file by the IAEA and Iran. The issues at stake are too important for just the politicians or think-tank experts to decide.

---

<sup>1</sup> See for example, David Albright: Testimony before Senate Foreign Relations Committee on Iran nuclear negotiations: <http://www.isis-online.org/>; David Albright: Maintaining a Six-Month Breakout Timeline.

<sup>2</sup> George Perkovich, “Demanding Zero Enrichment from Iran Makes Zero Sense”, Foreign Affairs, 15 January 2014.