

# The Iran Deal and Future Arms Control Processes

By Ariane M. Tabatabai, PhD

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The Iranian nuclear program became topical in the United States in the early 2000s, but Tehran's nuclear ambitions go back to the 1950s. The Shah Mohammad Reza Pahlavi, whose country was thriving, was determined to invest petroleum and gas revenues to diversify Iranian energy sources as part of his program of modernization. At the time, the Shah was officially pursuing a nuclear program for peaceful purposes. In reality, however, the Shah's policy was one of hedging: Developing Iran's nuclear capabilities for energy use, with the ability and intent to weaponize if the strategic context changed to challenge Tehran's conventional superiority relative to its neighbors.<sup>1</sup> The nuclear program was put on hold during the revolution. The revolutionaries deemed it to be a waste and against Islamic principles, a Western imposition to the nation.<sup>2</sup>

During the Iran-Iraq War (1980-88), the Islamic Republic changed its position on the nuclear program, resuming it and reverting back to the Shah's hedging policy.<sup>3</sup> At the same time, Iran's nascent Revolutionary Guards (hereafter the Guards or IRGC) began its journey toward self-sufficiency in the acquisition of defense systems and weapons. Hence, the Guards undertook a number of projects intended to support their efforts in various operational domains. As such, the Guards took charge of the Iranian air and space program, developing its ballistic missiles, rockets, and later drones.<sup>4</sup> Much of the Revolutionary Guards' work is now focused

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<sup>1</sup> Author interview with Akbar Etemad, Skype conversation, October 6, 2014.

<sup>2</sup> Author interview with Aliakbar Soltanieh, Tehran, Iran, June 9, 2014.

<sup>3</sup> Bruno Tertrais, *The Black Market for the Bomb: Investigation on Nuclear Proliferation* (Paris : Buchet/Chastel, 2009), pp. 14, 67; David Albright and Corey Hinderstein, "Unraveling A.Q. Khan and Future Proliferation Networks," *The Washington Quarterly*, Vol. 28, No. 2 (2005), p. 5; David Albright and Corey Hinderstein, "The A.Q. Khan Illicit Nuclear Trade Network and Implications for Non-Proliferation Efforts," in *Globalization and WMD Proliferation*, ed. James A. Russel and James J. Wirtz (London: Routledge, 2008), p. 50.

<sup>4</sup> "The Aerospace Documentary," The Islamic Republic of Iran Broadcasting (IRIB), September 26, 2015, <https://www.youtube.com/watch?v=c50w8W80-sQ>.

on reverse engineering. At the same time, Iran began its plans to acquire fissile materials. To this end, it started a uranium enrichment program based on elements of the Pakistani nuclear weapons program procured from the A.Q. Khan Network.<sup>5</sup> It also began to work on a heavy water reactor, which would produce plutonium. Because Iran's suppliers from before the revolution had deserted the Iranian market, and the country struggled to receive the money it had invested in the Eurodif enrichment consortium for years, Tehran was handed an excuse to proceed with work on its program.<sup>6</sup>

In 2002, the Natanz and Arak facilities were revealed.<sup>7</sup> Shortly after the revelations, Iran began to negotiate the future of its nuclear program with France, Germany, and the United Kingdom, known as the E3, later joined by the remaining permanent members of the UN Security Council, China, Russia, and the United States, referred to as the P5+1. The negotiations ended in 2005. The two sides did not find common ground, as the key Iranian red line was the recognition of its "right to enrich," while the US position was the so-called "zero-enrichment."<sup>8</sup>

In 2005 Reformist President Mohammad Khatami, who had been interested in engaging with the West, was replaced by hardline President Mahmoud Ahmadinejad, whose inflammatory rhetoric made headlines in the United States and elsewhere. Tehran doubled its efforts to develop its nuclear program – even though it had given up its cohesive efforts to acquire a nuclear weapon by 2003, according to the International Atomic Energy Agency (IAEA) report shedding light on the Possible Military Dimensions (PMD) of the Iranian nuclear program.<sup>9</sup> The international community responded to Iran's refusal to cooperate with the IAEA to clarify the nature and scope of its activities, and to suspend its enrichment activities

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<sup>5</sup> Author interview with Akbar Etemad; Tertrais, Bruno (2009), 70.

<sup>6</sup> Oliver Meier, "Iran and Foreign Enrichment: A Troubled Model," *Arms Control Today*, January 2006; Paul Kerr, "Russia, Iran Sign Deal to Fuel Bushehr Reactor," *Arms Control Today*, November 2006.

<sup>7</sup> A History of Iran's Nuclear Program," Iran Watch; "Country Profiles: Iran: Nuclear," Nuclear Threat Initiative.

<sup>8</sup> Interview with Iranian officials, Vienna, June 2015.

<sup>9</sup> IAEA Board of Governors, "Final Assessment on Past and Present Outstanding Issues Regarding Iran's Nuclear Programme," December 2, 2015, GOV/2015/68.

and construction of its heavy water reactor, and the UN Security Council issued a number resolution imposing backbreaking sanctions on the country.<sup>10</sup>

By 2012, Tehran had made the decision to return to the negotiating table. But it did not do so in good faith. Instead, the negotiating team led by hardline chief negotiator Saeed Jalili wasted time, without any clear indication that he was going to try to reach a negotiated solution. A few months later, Ahmadinejad's second term ended, and he was replaced by the moderate President Hassan Rouhani, who had led the negotiations in 2003-05. He appointed the skilled diplomat Javad Zarif as his foreign minister and chief negotiator. The negotiations resumed and a deal (the Joint Comprehensive Plan of Action – or JCPOA) was reached on July 14, 2015.<sup>11</sup>

The Iranian nuclear crisis and the deal provide a number of lessons for future non-proliferation efforts.

First, punishing countries that have been found in noncompliance with their international obligations by denying them access to equipment and fuel is not always a good idea. In this case, Tehran was not initially punished by its suppliers because of noncompliance. Instead, in the 1980s, Tehran was unable to procure equipment and fuel for its nuclear facilities because of the change in its strategic paradigm. Its revolutionary establishment had soured Iran's relations with its great ally, the United States, with the hostage crisis. But once the nuclear program resumed, Iran found it difficult at times to find partners to work with. This allowed Iran to undertake a number of activities it would not have been able to pursue had suppliers worked with Tehran. In particular, a key Iranian concern was that it would not be able to meet the "practical needs" of its nuclear program. Likewise, the Iranian negotiators did not want to completely convert the heavy water reactor at Arak into a light water reactor, because their country did not possess the know-how

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<sup>10</sup> Aaron Arnold, "Just How Vulnerable Is Iran to Sanctions?" *The National Interest*, August 3, 2015.

<sup>11</sup> "Joint Comprehensive Plan of Action," US Department of State, <http://www.state.gov/e/eb/tfs/spi/iran/jcpoa/>.

to operate it. In short, suppliers can provide fewer incentives to a country to pursue certain sensitive activities and can provide some level of control and oversight, which would be difficult if they entirely leave that market.<sup>12</sup>

Second, suppliers cannot merely remain in a market, they must also take responsibility for it. Suppliers can play a big part in making sure sensitive technology, including the front and back-ends of the fuel cycle do not proliferate. Their ability to do so is also linked to their place in that market. In other words, the greater the role of a supplier in a country's nuclear endeavors, the higher its ability to effectively influence nuclear decision-making in that country.

Third, sanctions can work, but only if they meet certain requirements. While the international community has put a lot of effort into making sure that the stick of sanctions becomes and stays an effective tool, it has not paid as much attention to the carrots, or a sanctioned country's ability to recover economically. If we make it difficult for Iran to see benefit of sanctions relief, we're making it much harder for JCPOA to be sustained.<sup>13</sup> Yet, the ability of the international community to make sure the JCPOA moves smoothly ahead and effectively stops Tehran from acquiring a nuclear weapon, while maintaining the efficacy of sanctions as a tool of arms control and non-proliferation in future processes, depends on precisely this point. It is not enough to lift sanctions, it is also important to limit the external obstacles to the Iranian economy's recovery.

Fourth, understanding the internal dynamics within countries is key to understanding their willingness and ability to conclude an arms control or non-proliferation agreement and to execute it. This entails several elements, including

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<sup>12</sup> For more information on Iran's "practical needs" and their place in the negotiations see: Dina Esfandiary and Ariane Tabatabai, "Meeting Iran's Nuclear Fuel Supply Needs," *The Bulletin of the Atomic Scientists*, June 5, 2014, <http://thebulletin.org/meeting-irans-nuclear-fuel-supply-needs7224>.

<sup>13</sup> For more information on the link between sanctions relief and the future of the JCPOA and arms control and non-proliferation processes see: Minsu Crowder-Han and Ariane Tabatabai "How the United States Benefits If Iran's Economy Booms," *The Bulletin of the Atomic Scientists*, February 19, 2016. <http://thebulletin.org/how-united-states-benefits-if-irans-economy-booms9172>.

the nature of the regime in question (the levels of checks and balances, transparency, accountability, and centralization of power), the levels of education, openness, and involvement of the civil society, and the degree to which the country is inward or outward-looking politically, socially, culturally, and economically. Iran isn't an inward looking state economically. In the case of Iran, the regime has a number of checks and balances, the regime has a number of centers of power, the country is fairly outward-looking, and the civil society is young, educated, open, and dynamic. Hence, political and economic isolation are not sustainable for Tehran.

Fifth, nuclear decision-making and the nature of the program at hand also matter.

Sixth, it is crucial to establishing an effective diplomatic channel to sustain the process both during the negotiating and implementation phases. This allows the parties to communicate and de-escalate as domestic opponents put hurdles on the way.<sup>14</sup>

Seventh, the process can only succeed if the parties are able to work with all partners involved in the process regardless of ongoing crises and disagreements. For instance, during the Iran talks, the United States and Russia had a number of disagreements on various issues. Their ability to sustain their efforts and cooperate despite them in the context of the negotiations (even though they were unable to do so on other fronts) was critical in reaching a deal.

Eight, understanding the concerns of the different parties and their political constraints domestically is important and will help the various negotiating parties tailor language that facilitates the process of selling the deal both in the negotiated text and in the political discourse surrounding the process. Likewise, being able to

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<sup>14</sup> For more information about the nature and importance of the direct diplomatic channel established between the United States and Iran see: Ariane Tabatabai, "Keep Up the Diplomatic Momentum With Iran," *The Bulletin of the Atomic Scientists*, January 19, 2016, <http://thebulletin.org/keep-diplomatic-momentum-iran9092>.

communicate using the same frameworks, concepts, and ideas is important in building trust and understanding these concerns.

Lastly, while domestic discussion is a vital part of the democratic process, it must not impede upon the United States' official position in an international process. It is crucial for the parties not to appear disorganized and not to send contradictory messages and signals to the partners and other parties, as critics of the process did in the United States during the Iran talks.<sup>15</sup>

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<sup>15</sup> For more information about the balance between the domestic democratic process and US leadership on arms control and non-proliferation see: Ariane Tabatabai, "After Iran, Can the US Lead On Arms Control?" *The Bulletin of the Atomic Scientists*, September 11, 2016, <http://thebulletin.org/after-iran-can-us-lead-arms-control8739>.