



**James Martin Center for
Nonproliferation Studies**
Monterey Institute of International Studies
An Affiliate of Middlebury College

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CNS Experts Comment on Recent Iran Developments

During the last few days, the already tense standoff between Iran, the United States and other members of the international community has become even more charged. On November 27, the International Atomic Energy Agency (IAEA) Board of Governors approved by a 25-3-6 vote a resolution demanding that Iran halt construction of a newly exposed uranium enrichment facility at Qom and referring the issue to the UN Security Council. The IAEA resolution came soon after Iran rejected a deal under which it would have shipped the bulk of its low enriched uranium – potentially upgradable to be usable in nuclear weapons -- overseas to be turned into fuel for an Iranian research reactor used to produce medical isotopes. Iran replied to the IAEA resolution by announcing not only would it not halt its enrichment efforts, but would construct 10 more such facilities.

Experts at the James Martin Center for Nonproliferation Studies (CNS) provided the following comments on these developments:

Leonard Spector, CNS Deputy Director and Director of Washington D.C. Office

The IAEA Board of Governors' November 27 censure of Iran represented a strong victory for those seeking to bring additional pressure on Tehran to comply with IAEA and Security Council demands that it disclose the totality of its nuclear activities and end its most sensitive nuclear programs. There is more to the story, however. While dissents by outsider states Cuba, Venezuela, and Malaysia could be anticipated by IAEA-watchers and carried little weight, the abstentions by Afghanistan, Brazil, Egypt, Pakistan, South Africa, and Turkey may be signs of trouble ahead.

Afghanistan and Pakistan, after all, are close regional U.S. allies, but did not support the U.S. -initiated censure resolution. One would think that the latter, in particular, would take a tough line against Iran to make amends for the misdeeds of Pakistani scientist A.Q. Khan, the man who supplied Tehran with the technology that has given it the potential to build nuclear arms. Turkey, the NATO ally most at risk from a future Iranian bomb would also be expected to support strong action to curtail the Iranian nuclear program, but held back. Egypt, another U.S. security partner and the only Arab state on the IAEA Board, and South Africa similarly refrained from joining the resolution, preferring to

underscore their concerns about interpretations of the nuclear Nonproliferation Treaty (NPT) that appear to curtail parties rights to exploit nuclear energy for peaceful purposes. As for Brazil, an important U.S. trading partner, its abstention can be explained by the fact that two days before the vote it had welcomed Iranian President Mahmoud Ahmadinejad on a state visit, a clear sign of Brasilia's wavering commitment to constraining the Iranian nuclear program.

The censure vote, with its substantial margin of support, may indeed be an overall victory for nonproliferation. But the abstentions by these six important regional actors also exposed significant fissures in the international nonproliferation enterprise that could widen dangerously in the future.

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Hon. Nabil Fahmy, former Ambassador of Egypt to the United States and Chair of the CNS Middle East Nonproliferation Project

Iran's foot dragging in responding to IAEA requests for cooperation on the Iranian nuclear file; its disagreement with the IAEA regarding when it is obliged to report nuclear activities, such as construction of the Qom enrichment plant; its provocative missile tests, and its bombastic and politically posturing statements about building 10 more enrichment plants are all reasons for concern, in particular because they indicate that Iran does not feel threatened or take seriously the political pressure from the P3+3 (France, Germany, United Kingdom + China, Russia, and the United States) or the P5 (the same countries except Germany).

That being said it is clear that by not withdrawing from the NPT or demanding that the IAEA inspectors leave the country, Iran is very carefully choosing its steps in order not to generate an international consensus against it.

Also significant is the fact that a large number of important nonnuclear weapon states from different regions chose to abstain rather than support the recent IAEA resolution, even though several, such as Egypt, had previously supported the original 2006 IAEA resolution transferring the Iranian issue to the Security Council. The abstentions indicate the concern of these states about setting precedents of increasingly restrictive interpretations of their rights within the NPT to enjoy peaceful nuclear technology and /or concern that these resolutions may be used to justify the use of force against Iran.

Iran's nuclear activities are certainly reason to be concerned, but the real problem is that the NPT is being torn at the seams by growing fears that some states are attempting to use it to impose additional obligations on parties that are external to the treaty's scope and intent.

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IAEA Resolution

The IAEA resolution is a direct outcome of Iran dragging its feet on the research reactor deal. Iran's tactics communicated to the permanent Security Council members that Iran is not committed at this point to negotiations or willing to make the necessary commitments to overcome obstacles and mistrust. We can expect this frustration over Iran's tactics to be translated into a Security Council resolution. Russia and China might agree now for stronger sanctions in order to signal to Iran that they are committed to the path of negotiations, but fresh initiatives and time are running out and Iran will have to demonstrate its commitment and interest in negotiating, if sanctions are to be deferred.

Ten New Enrichment Sites:

If constructed, the facilities could provide redundant capabilities that would make an effective military strike against its enrichment program far more difficult. It will, however, take Iran years to construct and operate these sites. More worrying are recent statements by Iranian lawmakers threatening to withdraw from the nuclear Nonproliferation Treaty, produce 20 percent-enriched nuclear fuel (a step closer to weapon grade), or further limit cooperation with the IAEA. If any of these take effect, the international community's ability to monitor the Iranian nuclear program would be seriously curtailed and warning time to respond to an Iranian effort to manufacture nuclear arms would be greatly reduced.

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The latest IAEA resolution is significant for its sharp language and the fact that it is the first IAEA resolution on Iran since February 2006, when the Iranian file was initially referred to the UN Security Council (UNSC). At the same time, the resolution does not, technically, introduce any new measures – the IAEA Director General has been reporting to UNSC on Iran's nuclear dossier since 2006, and the demand to stop construction at Qom is in line with earlier UNSC Resolutions that demand suspension of enrichment-related activities.

It seems that the Board of Governors Resolution was primarily intended to demonstrate the strong political commitment of the international community to increase pressure on Iran. As such, however, it was not entirely successful, given the six abstentions. While the abstaining states were certainly concerned with the Iranian nuclear program and lack of transparency regarding its scope, these were probably unwilling to support a strongly worded resolution at this time, since Iran had permitted the agency to conduct inspections at Qom, thereby reducing the impact of its having been built in secret. Coming on the heels of the UNSC Resolution 1887, which was adopted at the Security Council Summit

in September and which devoted considerable attention to restrictive nonproliferation measures, the new IAEA resolution might also be seen by some abstainers as another step towards increasing the role of the Security Council and limiting the rights of non-nuclear NPT members, beyond the specific Iranian problem. In addition to requesting the Director General to report the resolution to the Security Council, this is the first IAEA resolution that specifically urges Iran to comply with earlier UNSC demands.

Iranian reactions so far betray the lack of domestic consensus on recent nuclear developments, the resolution seems to benefit the most hard-line elements of the elite by once again drawing attention to external threats and pressure and away from internal problems. Statements from Tehran that there is now no difference between being in or outside the NPT are intended for a domestic audience. but also represent a stab at the nuclear-weapon states and the preferential treatment that India, a non-NPT member has been receiving. Such statements, therefore, should not be perceived as reflecting a serious threat by Iran to withdraw from the NPT in the near future.

Finally, more active Russian cooperation on enhancing sanctions is not necessarily going to be forthcoming. While the vote in favor of the latest IAEA resolution sends a clear signal to Iran about Russia's displeasure at the failure of the LEU deal, one should also note the comments of Russian Energy Minister Sergey Shmatko who visited Iran over the weekend and was upbeat about continuing nuclear cooperation between the two countries.

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The James Martin Center for Nonproliferation Studies of the Monterey Institute of International Studies is the largest nongovernmental organization in the United States devoted exclusively to research and training on nonproliferation issues. For more information please visit CNS' website at www.cns.miis.edu.