

THE IRANIAN NUCLEAR PROGRAMME

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Abstract: Since 2003 the European Union, in the first phase, and the P5+1 group (comprising US, UK, France, China and Russia plus Germany), in the second phase, have constantly tried to reach a comprehensive and long-term arrangement with the authorities in Tehran regarding the nuclear programme. The last in a long road of agreements has been signed in January 2016 by Iran and the P5+1 group, and it leads to the lifting of the crippling economic sanctions imposed on Iran by the international community. While the members of the P5+1 group prefer to stress that the deal will prevent Iran from obtaining a nuclear weapon, Iran underlines that it has the right to a peaceful nuclear programme for energy purposes. In these circumstances, it remains to be seen whether this is the long-term comprehensive arrangement that the entire international community was waiting for and how easy its implementation shall prove.

Keywords: Iran, nuclear programme, sanctions, EU, United Nations

1. The Iranian nuclear programme - a chronology

Iran made the first steps towards developing an indigenous nuclear programme in the 1970s, with the support and assistance offered by Western states. The theocratic revolution in Iran in 1979 brought a new leader but also a new vision on the future of the country, a vision in which nuclear arms were considered to be immoral and contrary to the basic norms and values of Islam. In the middle of the 1980s this vision changed and the nuclear programme was revived and continued with small experiments, procurements of technology and nuclear material from different sources.

All these evolutions came to surface in 2002, when the international community was warned by a rebel organization in exile about the existence of an Iranian secret nuclear programme that included two nuclear facilities: one in Natanz for enrichment and one in Arak for heavy water production. The International Atomic Energy Agency (IAEA) started its own investigations which revealed that Iran developed the capacity to enrich uranium and produce plutonium.

There are numerous motivations that determined Iran to start developing a national nuclear programme. The first of these is the right of any state to develop a nuclear peaceful programme, because as the Nuclear Non-proliferation Treaty states in article IV: "Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop, research, produce and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty"¹. To these legal stipulations, we add the support of the population and of the entire Iranian leading class for developing and maintaining a nuclear programme despite the opposition of the international community.

¹ United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1970.

A second motivation is related to the energy needs of Iran and the desire to ensure energy for future generations through the diversification of energy sources. The statistical data reveal that natural resources represent indeed an asset of the Iranian state, including the third world's largest oil reserve (around 10%) and the world's second largest natural gas reserve (around 15%)², but it is not the only state rich in natural resources that would use nuclear energy for producing electricity.

These pragmatic motivations are supplemented by national pride and prestige of the Iranian state, as the nuclear programme is considered "a matter of honor, a sign of progress and a symbol of the scientific evolutions"³. In this context, nuclear arms do not represent an end but also a mean for attaining other foreign policy objectives on the international arena and becoming the hegemonic power of the region, but also for ensuring the support of the population at the national level and the survival of the Islamic regime.

To all of these motivations, we add the moment of opportunity, having in mind the international context. The beginning of the new millennium was considered by the Iranian leaders as being a favourable moment to start a nuclear programme. The international community was well too preoccupied with Iraq and hesitant to accuse any state of having nuclear arms before a thorough international investigation took place. This moment of opportunity was seized by Iran in order to develop a nuclear programme which would contribute heavily to ensuring the national state security in its unstable and conflicting regional.

In the first comprehensive report issued by the IAEA in June 2003, Iran was accused of failing to respect its obligations from the Nuclear Non-Proliferation Treaty by not reporting the construction of the nuclear facilities in Natanz and Arak, not declaring the import of uranium in 1991 and for denying the access of the nuclear inspectors to the Kalaye Electric Company⁴. By August 2003, when the IAEA issued its next report on Iran, the Agency's inspectors have already made new discoveries on the evolution of the Iranian nuclear programme consisting in the presence at the nuclear facility in Natanz of highly enrich uranium, the testing of the first centrifuges at the pilot plant in Natanz and proofs on the existence of an uranium enrichment programme since 1980s for which it benefitted from external support⁵.

Since these first discoveries, more than ten years have passed and the most significant evolutions in the Iranian nuclear programme can be summarized as being: the continuous production of P2 type centrifuges, finalization of the nuclear plant in Busher in 2004, enrichment of uranium up to 5% and the testing of new centrifuges in 2006, the inauguration in August 2006 of the first heavy water plant at Arak, the start in 2007 of the construction of a new enrichment facility near Qom announced only in 2009, the start of uranium enrichment up to 20% in 2010, the start in 2011 of uranium enrichment up to 20% at the nuclear plant in Qom, in 2013 start of the activities at two uranium mines and a plant for processing uranium, continuous works at the military complex in

² William R. Polk, *Understanding Iran*, New York: Palgrave MacMillan, 2009, p. 154.

³ Herve de Carmoy, „Iran Case Study: Is There a ‚Plan B’ for Iran?“, in *Nuclear Proliferation. Risk and Responsibility*, p. 32.

⁴ International Atomic Energy Agency, *Report by the Director General on the Implementation of the NPT safeguards agreement in the Islamic Republic of Iran*, GOV/2003/40, Vienna, 19 June 2003, p. 2,

<http://www.iaea.org/Publications/Documents/Board/2003/gov2003-40.pdf>, accessed on September 5, 2016, p. 3.

⁵ International Atomic Energy Agency, *Report by the Director General on the Implementation of the NPT safeguards agreement in the Islamic Republic of Iran*, GOV/2003/63, Vienna, 26 August 2003,

<http://www.iaea.org/Publications/Documents/Board/2003/gov2003-63.pdf>, accessed on September 20, 2016.

Parchin suspected to cover illegal nuclear activities. By the end of 2015, "Iran could theoretically produce enough weapon-grade uranium to fuel a single nuclear warhead in less than 2 months"⁶ using the 9000 first generation centrifuges operating at Natanz fuel enrichment plant.

2. Efforts of the international community to stop the Iranian nuclear programme

The European Union (EU) through the UE3 group formed out of Germany, Great Britain and France was the first organization that acted as a negotiator between Iran and the international community with the aim of solving the Iranian nuclear file. Already in June 2003, the EU asked Iran to answer all questions addressed by the IAEA and to urgently conclude an Additional Protocol, steps that were considered to be essential in order to prove that the Iranian nuclear programme is indeed a civilian one.

The first agreement to be concluded in October 2003 between Iran and the EU3 group has been the Tehran Declaration. Iran agreed to sign the Additional Protocol with the IAEA and to suspend its enrichment activities, while the EU states promised in exchange to offer better access to technology and ensured supplies in a number of fields⁷. The signing of the protocol meant that the IAEA inspectors would benefit from extensive rights and access to all suspected Iranian nuclear facilities.

After intense negotiations between the EU3 group and Iran, at the end of 2004 a new agreement entitled the Paris agreement was concluded with the support of the EU's High Representative for the Common Foreign and Security Policy, Mr. Javier Solana. The agreement stipulated that Iran shall extend the suspension to include all enrichment and reprocessing activities, including the production, testing and assembly of centrifuges, any activities related to plutonium separation and all tests and production activities at the conversion uranium installations. The European states agreed to restart the negotiations with Iran for signing a Commercial and Cooperation Agreement and to offer clear security arrangement to Iran.

Despite the numerous meetings, discussions and negotiations that took place in 2005, the two parts could not sign a new agreement, due to the lack of confidence between the two parts and the absence of a real wish to get to a compromise. Iran decided in August 2005 to restart the activities at the conversion facility in Isfahan, a move which determined the international community to accuse Iran of failing to respect the provisions of the NPT Treaty. In order to avoid for the case to be deferred to the United Nations Security Council (UNSC), Russia came with a new agreement proposal which was rejected by Iran on the reason that it was too immature and incomplete.

This rejection together with Iran's decision to restart the enrichment activities determined the IAEA to send the file for analysis to the UNSC. With this step it starts a new period in the evolution of the reaction of the international community to the Iranian nuclear programme, a period dominated by multilateral as well as unilateral sanctions. As a consequence, on July 31, 2006 the

⁶ Iran Watch, *Iran's Nuclear Potential before the Implementation of the Nuclear Agreement*, November 2015, <http://www.iranwatch.org/our-publications/articles-reports/irans-nuclear-timetable>, accessed on March 15, 2016.

⁷ *Statement by the Iranian Government and visiting EU Foreign Ministers*, Tehran: 21 October 2003. http://www.iaea.org/NewsCenter/Focus/IaeaIran/statement_iran21102003.shtml, accessed on August 25, 2016.

first resolution on Iran is adopted by the Council. Although Iran was not sanctioned by the international community, this resolution expressly requested the suspension of all uranium enrichment activity as of August 31, 2006.

This first resolution was followed by a second one in December 2006. Despite the divergences within the P5+1 group (the five permanent members of the UNSC plus Germany), with the United States and Great Britain opting for harder sanctions, on one side, and with France, Germany, Russia and China preferring in the beginning to adopt milder sanctions, on the other side, they reached in the end an agreement foreseeing the adoption of multilateral sanctions.

Up to now the international community adopted four more resolutions which either reiterate the existing sanctions or completed them. The sanctions adopted through these resolutions can be resumed as being: a ban on the transfer to Iran of dual use nuclear and ballistic goods and equipments, with the exception of light water reactors; a ban on the exports consisting in arms and technology useful for developing weapons of mass destruction; a ban on the investments in the uranium mining industry, nuclear technology; a freeze on the assets of individuals and entities suspected of being involved in nuclear activities.

However, the sanctions against Iran were not only weak but they also cover a range of areas of little importance for Iran, a state of fact which cannot but prove the lack of unity of the great powers in adopting harder sanctions. Apart from these sanctions, some members of the international community decided to impose tougher unilateral sanctions on Iran. For example, the European Union imposed an oil and gas embargo starting with 2012. In the meantime the EU, supported from 2006 also by the international community under the formula P5+1, did not lose its faith in negotiations. Proposals for agreement have continued to be presented to Iran every year starting with 2006 but without any notable success.

The election of Hassan Rouhani in June 2013 as president of Iran brought significant changes in the evolution of the nuclear programme and in the negotiations process. The new president pleaded for a policy of reciprocal detente with the Western states. In this new atmosphere the negotiations between Iran and the international community continued and led to the conclusion on November 2013 of an interim agreement entitled the Common Action Plan. The text of the agreement reveals that it represents an interim solution until the adoption of a comprehensive long-term solution between the parts, a comprehensive solution which will have at its basis a process of step by step reciprocal concessions⁸.

The plan stipulates expressly the voluntary measures that shall be undertaken by Iran and the big powers in this transition period and the principles that shall stay at the basis of adopting a long-term comprehensive agreement. While Iran agreed to restrict its nuclear activities and cooperate intensely with the IAEA, the permanent members of the UNSC and Germany shall partially eliminate the sanctions applied to Iran and abstain from adopting further multilateral and unilateral sanctions.

It is sufficient to mention that while the United States of America declared that this is only a first step for concluding a comprehensive agreement which shall decide the faith of the nuclear

⁸ European External Action Service, *Joint Plan of Action*, 2013.

http://eeas.europa.eu/statements/docs/2013/131124_03_en.pdf, accessed on August 26, 2016.

programme, Iran preferred to underline that once this agreement is signed the right of Iran to enrich uranium is recognized. Despite these different views, the agreement represented a novelty having in mind that for almost a decade, since the signing of the Paris Agreement in 2004, the parts could not get to a compromise.

3. The new deal with Iran: long-term comprehensive agreement?

The Common Action Plan was initially concluded for six months, period in which the parts should negotiate a long-term comprehensive agreement. Negotiators from the P5+1 and Iran announced on July 14, 2015, after 20 months of negotiations, that a comprehensive agreement aimed at limiting Iran's nuclear capabilities had been reached, known as the Joint Comprehensive Plan of Action (JCPOA).

Under the agreement, Iran agreed to eliminate its stockpile of medium-enriched uranium, cut its stockpile of low-enriched uranium by 98%, and reduce by about two-thirds the number of its gas centrifuges for 13 years. For the next 15 years, Iran will only enrich uranium up to 3.67%. Iran also agreed not to build any new heavy-water facilities for the same period of time. Uranium-enrichment activities will be limited to a single facility using first-generation centrifuges for 10 years. Other facilities will be converted to avoid proliferation risks. To monitor and verify Iran's compliance with the agreement, the International Atomic Energy Agency (IAEA) will have regular access to all Iranian nuclear facilities. The agreement provides that in return for verifiably abiding by its commitments, Iran will receive relief from U.S., European Union, and United Nations Security Council nuclear-related sanctions⁹.

There are several reasons why Iran would sign this agreement considered to be historical, and most of these reasons are related to Iran's economy. According to the Economist, Iran is a regional power with an industrial economy and lots of educated people and the mismanagement of the former president combined with the effects of the unilateral and multilateral sanctions have severely affected the country's economy. Iran is in much need for economic investments, especially in the gas and oil industry¹⁰.

On the other side, many have wondered why the U.S. and the other world powers would sign this agreement. The first and most obvious reason is that this agreement shall prevent a military conflict in a regions which is already in strife for decades. Moreover, no one has identified yet a better solution to solve the Iranian nuclear issue compared to agreements. The international community has indeed used sanctions, unilateral and well as multilateral, but they have not proved to be successful in determining Iran to limit its nuclear programme. Secondly, and related to the first reason, the agreement shall lead to cooperation between the international community and Iran. In a region so affected by conflicts and wars, the international community and the U.S. need to find partners open for cooperation, while Iran is known for its desire to become the region's hegemonic power.

⁹ Politico, *Full text of the Iran deal*. <http://www.politico.com/story/2015/07/full-text-iran-deal-120080>, 2015, accessed on September 3, 2016.

¹⁰ The Economist, *Iran's nuclear deal becomes a reality*, <http://www.economist.com/blogs/graphicdetail/2016/01/graphics-iran-sanctions-and-nuclear-deal>, accessed on August 28, 2016.

Thirdly, this agreement shall guarantee that Iran's nuclear programme remains exclusively peaceful and guarantees the access of the international inspectors to Iran's nuclear sites, which means in practice that any possible diversion could be detected in time. Fourthly, the economic sanctions imposed on Iran had considerable effects not only on the Iranian economy but also on the world's economy. Thus, the agreement shall allow investments to be made in Iran and shall contribute to improving the global economic environment.

The agreement has its critics, not few, on both parts. The Iranian critics of the deal prefer to underline that the leaders have made many concessions to the Western states and that the attitude of the Western states has not softened as a consequence of the deal. The Western critics of the deal prefer to underline that the deal represents a legal cover for Iran to continue its nuclear quest, and will prevent the international community to know precisely when Iran possesses nuclear weapons unless it tests them, that the most important commitment that Iran shall not seek to develop nuclear weapons is placed in the preamble of the treaty, and that Iran will not take political commitments too serious¹¹. Even more worrying for some critics is that Western states, including Germany, France and Switzerland, have rushed to lift the sanctions and to start commercial talks with Iran, indicating that the most important element of the deal was the economic one and not the nuclear one.

Despite these and other critics, on January 16, 2016, the International Atomic Energy Agency verified that Iran has completed the necessary steps under the Iran deal that will ensure Iran's nuclear program is and remains exclusively peaceful. To be more specific, since October 2015 until January 2016, Iran has undertaken the following steps: shipped 25,000 pounds of enriched uranium out of the country, dismantled and removed two-thirds of its centrifuges, removed the calandria from its heavy water reactor and filled it with concrete, provided unprecedented access to its nuclear facilities and supply chain

Because Iran has completed these steps, the U.S. and international community can begin the next phase under the JCPOA, which means the U.S. will begin lifting its nuclear-related sanctions on Iran. However, a number of U.S. sanctions will continue to remain in place, such as sanctions on missile technology and conventional weapons, terrorist list sanctions .

The agreement does not stop here, as Iran has various obligations under the nuclear agreement: it must reduce its level of uranium enrichment, reduce the size of its stockpile of enriched uranium, reduce the number of centrifuges, and agree to free access for all types of international inspections. For those who are afraid that this deal it's all about economics, it is important to mention that not all nuclear sanctions will be lifted immediately, but rather in 10 years time. But for now, Iran Iran will be able to sell its oil again on world markets and its banks will be able to connect to the global system.

4. Conclusions

More than 10 years of negotiations, offers, rejections, discussions were needed for the Joint Comprehensive Plan of Action to be signed in July 2015 by Iran and the P5+1 group representing

¹¹ D. Jonas, *Five reasons why the Iran Nuclear Deal is still a really bad idea*, 2016, <http://warontherocks.com/2015/10/five-reasons-why-the-iran-nuclear-deal-is-still-a-really-bad-idea/>, accessed on August 3, 2016.

the international community. Is it a long-term comprehensive agreement? The length of the document and its implementations time framework supplemented by the number of concessions and commitments agreed by all parts indicate that this is indeed the case. Is it the best deal that the parties could agree on? The agreement is probably not perfect, as many critics prefer to underline, but it is the best deal that the parties could agree on at this moment and the only feasible solutions to a prolonged problem. Only time shall prove whether the international community has made the right decision when signing the Joint Comprehensive Plan of Action with Iran.

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