

Iran's Quest for Nuclear Power Facts, Allegations and Challenges

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Because of its special geo-strategic position in the Middle East, Iran has always been keen to assume a pivotal role in the region. However, as opposed to the old regime, the Islamic government while pursuing the same vision is facing unbearable challenges in its ambitions. Iran's nuclear undertaking, if ever directed toward unconventional aims and objectives, should be viewed from this perspective. The main argument of this paper is that Iran's endeavor to buildup a credible force structure is mainly devised to ensure its very existence and to deter any potential contender to encroach against its territorial integrity and the survival of the revolutionary regime, and to prove the capacity of Islamic governance to run effectively the business of a nation-state.

Keywords: Iran's geo-strategic position; Nuclear proliferation; Additional Protocol to the NPT; Iran's military build-up, New strategic environment; US strategy in the Middle East, The Persian Gulf.

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PROLOGUE

Ever since the revelation of Iran's secret nuclear activities by opposition groups in 2003, this country has been the center of much attention and tension in the world. In an attempt to demonstrate the peaceful nature of the endeavor, the previous reformist government (under President Khatami) opted for a policy of cooperation and confidence building by initiating a number of actions in order to avoid crisis escalation.

In the midst of the dialogue with the IAEA and West (EU), the new hard-line conservative government came into power and suddenly

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the whole scheme fell apart. Only six months after the coming into power of the new president (Ahmadi Nejad), Iran's nuclear case was referred to the U.N. Security Council.¹ This means paving the way for a number of ominous events such as sanctions, military intervention and perhaps ultimately toppling a defying regime which has been listed on the "axis of evil" for quite sometimes. This whole trouble was prompted by a number of unwise statements made by the new inexperienced president, who out of naïve political beliefs or pure religious zeal, provided a fertile ground for the international community to reach a consensus against Iran's danger for world peace and security.

Thus, the IAEA Board of Governors adopted a resolution on February 4, 2006 to report the long awaited Iran's nuclear activities to the U.N. Security Council.² The resolution urged Iran to extend "indispensable and overdue" co-operation to the IAEA and help it "clarify possible activities which could have a military dimension". But it decided to put off any action until the report of the agency's Director General is submitted at the next IAEA meeting on 6 March.³

1. Due to the dynamic nature of the subject and the fact that Iran's nuclear case is currently undergoing changes daily and even by hours, the author has decided to follow the issue only up to mid April 2006. This date falls short of the deadline given by the U.N. Security Council to Iran to halt all its nuclear activities, i.e. the end of April. Indeed the development of the case after this date will be very decisive; since with the intransigence of Iranian leaders to continue their enrichment process, it is probable that the Council goes for sanctions under Chapter VII of the U.N. Charter.

2. The vote had been expected on Friday February 3, 2006, but was delayed by an attempt by NAM (developing countries of the Non-Aligned Movement) to soften the resolution, which was rejected by EU3 (Germany, France and the UK,) who had drafted it. Egypt made a proposal to include a reference to making the Middle East a nuclear weapon free zone. This was rejected by the US, which saw it as an attack on Israel's nuclear arsenal. But it was finally accepted the clause after it received overwhelming backing from European allies. BBC NEWS World Middle East Iran reported to Security Council.htm

3. Russia and China agreed to support the resolution on condition it did not contain any immediate threat of sanctions against Iran. Only Venezuela, Cuba and Syria voted against it. India voted in favor of the motion in spite of the government coming under intense domestic pressure to stand by Iran. US ambassador to the IAEA Gregory Schulte said the vote sent a "very powerful signal" and the ball was now in Iran's court. He further said. "Iran, rather than threatening the world, should listen to the world and take steps to regain its confidence."

The U. N. Security Council president issued a statement on March 29, 2006 giving Iran a 30 days deadline to halt all nuclear activities and report its past endeavor to the IAEA in a transparent manner.¹

Immediately after the adoption of the resolution, Iran announced that it would resume all voluntary suspended operations on uranium enrichment. Upon the resumption of the activities, on April 11, 2006 Iran's president announced the full access to nuclear fuel enrichment. This happened at a critical time amid the nuclear crisis, while the world was counting down the time limit set by the U.N. Security Council to the Islamic government to halt all its nuclear activities. On that day, the controversial hard-line president solemnly revealed Iran's enrichment capability on industrial scale and declared the date as a "national day of pride and prestige." This rather bold and provocative attitude vis-à-vis the international community and the IAEA may leave the impression that the Islamic government is seeking to challenge the rule of the game in world politics.

What are the real objectives of the Islamic regime in engaging in this rather confrontational and challenging strategy? How far Iran's access to the nuclear technology is a credible threat to regional and international peace and order?

The main argument of this paper is that Iran's option of a strategy of hegemonistic power in the region aims at a dual purposes: a) to

1. The Statement contains inter-alia the following points:

-“The Security Council notes with serious concern Iran's decision to resume enrichment-related activities, including research and development, and to suspend cooperation with the IAEA under the Additional Protocol.

-“The Security Council calls upon Iran to take the steps required by the IAEA Board of Governors, notably in the first operative paragraph of its resolution GOV/2006/14, which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions, and underlines, in this regard, the particular importance of re-establishing full and sustained suspension of all enrichment-related and reprocessing activities, including research and development, to be verified by the IAEA.

“The Security Council requests in 30 days a report from the Director General of the IAEA on the process of Iranian compliance with the steps required by the IAEA Board, to the IAEA Board of Governors and in parallel to the Security Council for its consideration.”

counter any eventual threat and challenge to the very existence and survival of the Islamic regime and, b) to show the efficiency and viability of the Islamic governance to respond to the needs of 21st century, as a successful model to be followed in the region.

OLD NUCLEAR AMBITIONS

The fact that the nuclear dream in Iran goes well back to the Shah regime is no secret to anybody. The Shah of Iran too had grandiose projects in his mind when he suggested that by the end of twentieth century his country would reach at the doorway of what he naively labeled “The Great Civilization.” Of course, he never meant to emerge as a nuclear power, since in those days, i.e. the cold war period, Iran like other countries outside the iron curtain and the sphere of communism, were supposed to be under the U.S. nuclear umbrella. The project had a dual objective; first and perhaps the foremost, it was considered as a “national prestige,” and second, it was conceived for peaceful use of nuclear technology in the Bushehr nuclear power plant, which was contracted to Germany, of course with the explicit consent of the United States and other interested states. In those days nobody objected to Shah’s nuclear ambition and no one questioned the economic or political rationale behind such project.

The advent of the 1979 revolution in Iran quite naturally paved the way for a number of vital changes, not only in this country but also in the region and the wider world. Many projects and contracts, especially in the field of defense and infrastructure developments were initially canceled on various grounds. Bushehr nuclear plant was one of those, which along other defense contracts were annulled with huge losses due to legal proceedings and court orders on compensation of damages for breach of contracts. Soon after the Iran-Iraq war started, the needs for acquiring weapons and new defense technologies led Iranian decision-makers to revive some of the project initiated during

the Shah. But, afterward the West was not quite ready to do business with a revolutionary religious state that contemplated to export its fundamentalist values and dared to hold American diplomats as hostages for 444 days, contrary to all international rules and standards. That was the beginning of a long confrontation between Iran and the United States.

NEW STRATEGIC ENVIRONMENT

Iran's geo-strategic position in the Middle East and the Persian Gulf region has always dictated its political and security posture *vis-à-vis* its neighbors and outside powers. Throughout the long history of this ancient country, from the Old Persian empires to the present time, Iran has always identified itself differently from other nations of the region, in spite of religious binds, which presumably should narrow the gap between the Persian and Arab civilizations. The geopolitical necessities have remained almost untouched and even more sagacious after the revolution and the Iraq-Iran war, which lasted near a decade. The end of cold war has strengthen Iran's strategic position, and as a consequence, pushed the Islamic government in power to continue the same path and political vision and aspirations in the region as the old regime.

More than a quarter of a century has elapsed since the Shah's regime has been toppled through a series of unprecedented events, stemming from internal social unrests and, as some prefer to believe, external political games and conspiracy that led to the 1979 revolution. During the final years of the old regime, Iran was on the verge of becoming a virtual superpower of the region, thanks to the God-given oil revenues, Shah's ambition for power, and of course, western technological and political support, without which it was impossible to think of such ostentatious venture. In those days, the Shah was given almost a *carte blanche* for all kinds of state of art weapon systems and major defense hardware to build-up a very sophisticated and efficient

military power. Ships, aircrafts, tanks and other components of the latest production of the West, swiftly appeared in the inventory of the Iranian Navy, Army and the Air Force, backed by all-out logistical and training support, from all over the world.¹

Iran-Iraq armed hostilities left many thousands of casualties and extensive material and moral damages from both sides. But the war was a blessing for the fragile revolutionary regime to solidify itself by containing people's demand for social and political development. Instead, the war induced earnest attempt to rely more than ever on indigenous initiatives and schemes to tackle with Iraq military threats. Since the Islamic regime had no other choice than to get on alternative ways during the war to procuring and producing the much needed weapon systems and equipments to sustain combat capability.

Thus, in setting up its defense and security goals and interests, we witness that many of the old projects in various domains are being pursued even with more fervor than before. Once the Shah had the ambition to assume the role of *gendarme* in the Persian Gulf region; but he did not survive to achieve his dreams. Now, the Islamic Republic is putting its feet in the same shoes, of course with a big difference. That is, while the old regime had access almost to all and every kind of Western weapons and technology, the new revolutionary regime is banned from such sources and is compelled to rely on international black markets to procure what it believes necessary for building a credible power to be reckoned with. Iran's nuclear ambition, that has created so much attention in the past months in the world, seems to fit this grandiose objective.

1. See for example, Amy Truesdell, "Iran plans Gulf trip, projecting a Powerful Military Force." In this paper it is suggested that "The Iranian government's key objective in building up its armed forces is the same now as it was before the revolution in 1979: to secure regional military superiority." A:\Global Defence Review Iran plans Gulf trip.htm

SPECULATIONS ON IRAN'S INTENTIONS

Is Iran's desire to acquire nuclear technology potentially harmful to world order and peace? It depends on whose lens we use to view the issue. The IAEA Board of Governor's has not so far reached the conclusion that Iran has deviated from its legal obligations under the NPT. The decision to pass a resolution on 12 September 2003 for the implementation of the NPT Safeguards has been interpreted differently inside Iran from at the international level.¹ Iran's decision to start negotiations for the conclusion of the Additional Protocol, and the IAEA request that Iran should promptly and unconditionally sign and implement it while stopping all nuclear enrichment programs, was temporarily a modicum of relief to all those who had concerns with Iran's undertaking.

Controversies between Iranian authorities and the IAEA on the one hand and the rest of the world, especially the United States and the EU, on the true intention of Iran's nuclear activities have been at its height during the past months. The IAEA resolution adopted after lengthily negotiation in mid June 2004, gave Iran one last chance to cooperate fully and in a transparent manner with this world body in charge of nuclear activities of member states.²

Iran claims that it is merely using the basic and inalienable right of

1. The IAEA stated that Iran had not lived up to its reporting obligations under the terms of its Safeguard Agreement. Iran's IAEA Safeguard Agreement requires the country to provide the agency with information "concerning nuclear material subject to safeguards under the Agreement and the features of facilities relevant to safeguarding such material." Technically, Iran is still in compliance with its Non-Proliferation Treaty (NPT) obligations, but as the IAEA stated, "it is the number of failures of Iran to report the material facilities and activities in question" that is "a matter of concern." Going back over a ten-year period, Iran has followed a pattern of obfuscation that raises well-founded international suspicions about Iran's nuclear program.

2. It is worthwhile to note that the new resolution has been prepared and sponsored by three leading EU powers; France, Germany and the United Kingdom, who initiated an accord with Iran last year on the issue of nuclear project. For detail see my paper: "Iran Nuclear Venture, Legal Obligation and Political Temptation." May 2004, Presented to *the Regional Security Conference*, UCLA Burkle Center for International Relations, www.MENL.org.

all NPT member states to develop atomic energy for peaceful purposes and is ready to assure the international community that it has no intention to produce nuclear weapons. Some critics would argue that the Treaty on Non-Proliferation of Nuclear Weapons of 1 July 1968 is not really an endeavor designed to protect mankind from the danger of devastation and annihilation, but rather to preserve the monopoly status of a handful of powers in possession of such technology.

Iran claims that its undertaking is legitimate and just. We know well that justice, equity, and fairness have never been highest aim of dealings between states, yet they have served as useful caveats in political discourse for the promotion of national interests. In fact, one of the causes of war and hostility is the frustration of the less fortunate over unsatisfactory conditions allegedly created by the powerful nations. To them, slogans such as rendering justice to the powerless, saving humanity from the plague of hunger and disease, securing the world from the threat of terrorism, nuclear proliferation, atomic bombs and so on are wonderful words that only tickle ears and minds. Indeed, international norms and principles are always coated with some kind of noble and human overtone that merely serves as ground to promote one's own policy or interests.

Some contend that the main objectives of owning nuclear weapons have always been their deterrent capabilities and use as leverage in political dealings. The argument against this is that nuclear capability in the hands of undemocratic and irresponsible regimes is too dangerous and should be contained at any cost. There seems to be a consensus on this latter point between the United States and many European powers. Realistically looking at the matter, even if we assume that Iran is trying to acquire a handful of nuclear weapons, it would have little operational or deterrent value. On the contrary, such an endeavor would increase Iran's vulnerability vis-à-vis its potential adversaries.¹

1. This fact has been even recognized by two important personalities directly

Digging into the intention of political leaders is a difficult task. Iranian leaders are no exception to this. Therefore one has to make a number of assumptions at different levels of strategic planning and decision-making process.

On doctrinal level, it is safe to suggest that Iran's national interests, objectives and strategies are shaped by its regional political aspirations, threat perceptions, and the need to preserve the Islamic government.¹ But, the problem is that most of the time the term "national interests" is not quite lucid and those who decide about them are not quite apt for such vital task. Thus, in seeking to explain the behavior of a State, such as Iran, in the international or regional scene, we have to read into the minds of men and individuals at the higher echelon of decision making apparatus. This indeed is not an easy job and requires some imagination and speculation.

Assuming that men are rather deliberate and self-conscious about what they do, thus, they should know their own motives and give reasons for their behavior. But this doesn't seem to be often true. Because, sometimes people do not want to confess their real motives, or at least not all of them, and so they may knowingly lie or distort or

responsible for Iran's national defense and security. The leader of Iran, Ayatollah Khamenei, once said to his followers that the Islamic Republic's strength does not lie in obtaining or the domestic manufacture of an atomic bomb, but it is "the power of the faith that can deter our enemy" (*Washington Post*, 17 November 1992). More recently, Iran's Defense minister, Vice Admiral Ali Shamkhani, recognized in a February 2002 statement: "The existence of nuclear weapons will turn us into a threat to others that could be exploited in a dangerous way to harm our relations with the countries of the region." See the *Guardian*, 6 Feb. 2002. See also George Perkovich, "Dealing With Iran's Nuclear Challenge," Carnegie Endowment for International Peace, 28 April 2003.

1. According to the analysis presented in the *Global Security*, "Tehran strives to be a leader in the Islamic world and seeks to be the dominant power in the Persian Gulf. The latter goal brings it into conflict with the United States. Tehran would like to diminish Washington's political and military influence in the region. Within the framework of its national goals, Iran continues to give high priority to expanding its NBC weapons and missile programs." See: <http://www.globalsecurity.org/wmd/world/iran/doctrine.htm> - Last updated, December 13, 2002

conceal the facts. Sometimes even, they may base their motives and behavior on false assumptions about themselves, their true aims and objectives, their threats, their capabilities and opportunities, or their political and strategic environment. This may prove to be very dangerous, not only for them but also for others who interact with them.

One may argue safely that in present day Iran, we are facing with this latter kind of decision-making, that is, we are concerned with factors affecting choice other than the entirely conscious and rational criteria that usually come into play in the determination of “national interests.” Political or ideological expediencies sometimes overshadow factors related with optimum and rational choices. Perhaps, the reason behind the very risky and high political costs of Iran’s nuclear venture, may find its rationale in such argument which goes beyond the regular calculation of risk or cost-benefit analysis.

With respect to the true intention and objective of Iran’s nuclear activities, the official answer is that this country is merely using its basic and inalienable right of all member States of the NPT to develop atomic energy for peaceful purpose. To this end, Iran claims that it is ready to ensure the international community that it has no intention to produce nuclear weapons. Furthermore, the upper echelon decision-making ladder in Iran has rightfully and in several occasions recognized that Iran does not consider nuclear weapon as a viable and rational useful strategy for defense purposes.

The official reading of such statement is that nuclear option may render the country more vulnerable to risk outside threats.¹ But, most critiques and specialists in the field believe that these claims are mere rhetoric that is neither supported by factual evidence, nor accepted by

1. Cf. my paper presented December 2003 to the Regional Security Conference in Athens-Greece, on “The Shifting U.S. Threat Perception after September 11 and Fear of Iran’s Nuclear Threat.”

the IAEA and the international community as a whole. They refer to (February 2004) revelations about international nuclear black market and specific findings of the IAEA during one of its inspection in Iran.¹

How then shall we explain the present situation and the earnest attempt by Iran to pursue its long-standing nuclear policy? In fact, as we know, the project goes back to the 1980s, that is the period in which Iran was engaged in an all out war with its neighboring hostile State, Iraq. The optimistic view would go along with the argument advanced by Iran about its peaceful intention of developing nuclear technology. The pessimists however, have more ground to argue against the peaceful aims of such undertaking. They would eventually base their argument on the following facts and factors:

1) Iran as an important and rich country in oil and gas, having extensive reserves of fossil fuel inland and offshore, does not need to embark on a more costly and risky nuclear project in order to produce energy,

2) Enrichment facilities and related components that are being used or developed by Iranians, do not seem to be for support of civilian nuclear energy plants in Bushehr (considering the fact that the Russians are supposed to supply the necessary fuel for Bushehr plants and the Iranian party is obligated to return the depleted uranium that could be used in nuclear bomb),

3) Iran may be enthusiastic in obtaining nuclear capability with the objective of deterring any potential aggressor that might threaten the very existence of the Islamic regime,

4) Iran may contend that the West is using a double-standard policy with respect to the nuclear proliferation (Pakistan, India and Israel are the ones who have been left out of the black list),

5) Iran might be tempted to acquire nuclear technology for the

1. See my paper of last May 2004, presented to the Regional Security Conference in Amman-Jordan.

mere sake of national pride and prestige with a view to boost its regional position vis-a-vis its potential opponents and contenders,

6) Being a nuclear power for a revolutionary Islamic State may be an indication of the regime efficiency and viability despite the mounting pressure from the world political environment,

Pessimists have a tendency to believe that Iran is pursuing the North Korean tactics by lingering the legal process of ratifying the safeguard measures related to the NPT additional Protocol. In other words, Iran is trying to buy time for enrichment of enough uranium to build a number of nukes before it officially declares to withdraw from the NPT obligations. This will put the IAEA and the world as a whole before a *fait accompli*. For them, Iranian leaders would prefer running the risk of being target of an eventual preemptive strike than to give up the power altogether. Since, they believe they can capitalize on such event to consolidate the people while tightening the rope around the opposition neck.

Optimists and pessimists would both admit that strategic thinking; rationality, national interests and optimum choice do not have the same meanings among the Iranian leaders and the Western political thought. This indeed makes a lot of difference when the two sides face each other in a peaceful dialogue or in a hostile confrontation.¹

PROBLEM OF CONFIDENCE

First of all we should recognize that the main challenge against Iran's nuclear ambitions comes from the United States. Other Western powers are more influenced by the U.S. preoccupation than their own

1. Mr. Hassan Rohani, secretary of Iran's National Security Council, who was in charge of nuclear issue negotiation with the three EU foreign ministers last year, in an interview with the media, after the adoption of the new resolution in June 2004 by the IAEA, said that Iran will revise its position with respect to the uranium enrichment, which it had voluntarily suspended upon the signing of the accord with the EU states (France, Germany and UK). He argued that since these latter countries have not lived up to their commitment, Iran sees itself relief of the obligation created by the agreement.

true perception of a possible nuclear threat. More than a quarter of a century has elapsed since Iran's revolution driven out this country from the Western camp to what can be characterized as swinging between East and West, Islamism and nationalism, radicalism and leniency. While many European states did not mind to deal with the Islamic regime in time of peace and war, the United States has never digested the existence of a religious ideology to run the affairs of a strategically important oil-rich country in the 21st century Middle East.

Several attempts to disperse the clouds of animosity and misperception between the two states, on various occasions and under different Iranian and U.S. presidents, proved to be ineffective and futile. The last of these was under the Iranian reformist President Khatami, whose "dialogue of civilization" brought him eye-to-eye with U.S. president Bill Clinton, during a United Nations General Assembly session in New York, without the expected melting ice result.¹ In his earlier statement addressing to Americans in an interview with CNN, Khatami had alluded to the "tall walls of distrust" between the two states, which needed to be crossed in order to eliminate the seemingly inherent mutual hostility that created an atmosphere of doubt, suspicion and intolerance.

Thus, it should not surprise anybody that the squabble over the nuclear issue is just a tiny portion of a wider and deeper range of problems overshadowing Iran-U.S. long-term relations. Whether we like it or not, the already gloomy situation between Iran and the United States, which for several years has been put in the shade by the unfortunate hostage taking affaire at the very beginning of the revolution in Iran, has jumped to its critical stage after the American military interventions in Iran's two neighboring countries,

1. An earlier attempt by the late president Reagan, better known as "Iran-Contra" affaire, ended up with a scandal in American foreign policy and was a complete failure to establish normal relations with Iran.

Afghanistan and Iraq, following the September 11th events. In fact, the main source of Iranian leaders' anxiety is seen as the U.S. threat to their very existence.

As we said earlier, Iran, along with Iraq and North Korea, has been characterized as the "axis of evil" by U.S. president, essentially for their quest of becoming a nuclear actor in international scene. Iraq's Baath regime and Saddam Hussein were overthrown essentially for possessing weapons of mass destruction (WMD), although such things were never found. North Korea is under severe international pressure to abandon its nuclear project. As to Iran, it was quite clear from the beginning that the United States would never allow a regime flagrantly hostile to Israel and challenging the established rules of the game in international political arena and power structure, to ascend to the rank of a nuclear actor. This hypothesis is especially true after the end of the cold war, the unfortunate events of September 11, and the emergence of terrorism as a non-state phenomenon, capable of using WMD and threatening peace and order of the whole world.

Unfortunately, Iranian religious leaders have done nothing much substantive to alleviate the perplexity of this hostile environment in order to persuade the IAEA and the international community that they are not really in pursuit of acquiring nuclear weapons. Even some of them deliberately hinted others to believe that they indeed have the capacity, potential and technical know-how to build a deterrent nuclear capability. They even referred in several occasions to Israel as an illegitimate entity possessing hundreds of nuclear warheads, with the backing of the United States.¹ Along the same line, they have

1. One such declaration came at an unusual circumstance in a "sermon" delivered at Tehran University on 14 December 2002, by the former Iranian president Akbar Hashemi-Rafsanjani who said, "If one day...the world of Islam is mutually equipped with the kind of weapons which Israel presently possesses, the world's arrogant [colonialist] strategy will then come to a dead end, because the use of an atomic bomb on Israel won't leave anything; however, in the world of Islam [use of a bomb]

raised serious doubts about the double-standards rules and regulations with respect to nuclear proliferation. Quite naturally, Israel, as the main target of these attacks, benefited most from antagonistic statements and did not hesitate to launch a widespread campaign against the Islamic regime, while getting prepared for tactical preemptive strikes on Iranian nuclear sites.¹

One further element of suspicion raised by the Americans on the question of Iran's nuclear oriented secret plans, despite its obligation as a member of the NPT, is the fact that this country had never reported anything to the IAEA nuclear watchdog about its activities until Iranian dissidents revealed it the year before.² It was only after such revelation that Iran acknowledged it has been developing for 18 years, a uranium centrifuge enrichment plan, and, for 12 years, a laser enrichment program.³ Iranian officials argue in their defense, that they have in fact conducted some nuclear activities secretly because they were under economic embargo and subject to preemptive strikes from hostile countries like Israel and the United States. In response to the IAEA's intrusive queries over tiny quantities of suspect materials, they have consistently insisted that their activities are merely oriented toward self-sufficiency with the production of fuel for a 1000-megawatt power reactor being built with Russian assistance at Bushehr.⁴

will just cause harm, and this scenario is not far-fetched."

1. It was reported by international media that Israel is ready to use F-15 Jets using bunker-busting bombs to penetrate Iran's nuclear facilities and plants (Natanz) supposed to be underground. Apparently the Israeli forces have been simulating attacks on a mock-up of Iran's Natanz uranium enrichment plants in the last few months.

2. **The IAEA key findings** about Iran are in reports released in March 2004 and November 2003. In November, the IAEA concluded that Iran's nuclear program consists of practically everything needed to fuel a reactor or in effect to produce materials for bombs, "including uranium mining and milling, conversion, enrichment, fuel fabrication, and heavy water production." See **Iran's Nuclear Program Reaches Critical Juncture**, *IEEE Spectrum online*, June, 2004

3. *Ibid.* The director general told the IAEA board, summarizing the agency's findings, "It is clear that Iran has failed in a number of instances over an extended period of time to meet its obligations [under the NPT]."

4. **The critical elements** of Iran's nuclear program include not just the enrichment plants at

In another new development with respect to Iran’s secret dealings that relates to its nuclear ambitions, it was revealed (April 1,2005) by the pro-Western Ukrainian president (Victor Yushenko), that Iran had acquired ten long-range missiles (X55), with an effective range of about 3500 km, with the capacity of carrying nuclear warhead.¹ Indeed, such revelations about the Islamic regime’s undertaking did not help the negotiations with EU3 in a positive way and further escalated the distrust about Iran’s credibility.

FAILED NUCLEAR NEGOTIATIONS

When Iran signed the Additional Protocol to the Treaty of Non Proliferation, with the official mitigation of three important EU foreign ministers (UK, France and Germany), nobody had a clear picture of the future development of the . At the time of the conclusion of the agreement with EU members, both sides appeared happy from the outcome and both claimed victory. Each side appraised its stance and in its mind, stuck firm to its position.

Even then, Iran claimed that it would never forego its inalienable right to acquire nuclear technology for “peaceful purpose.” In the final Statement by the Iranian Government and visiting EU Foreign Ministers of 21 October 2003 in Tehran, to promote mutual confidence with a view to removing barriers for cooperation in the nuclear field, Iran agreed that “it has decided *voluntarily to suspend* all Uranium enrichment and processing activities as defined by the IAEA.”²

Natanz but also plans to start building a 30—40—MW natural-uranium-fueled, heavy-water research reactor, with all associated equipment. According to experts, the reactor could potentially produce weapons-grade plutonium, although Iranian officials insist it will be used only to produce isotopes for medical and industrial purposes. Cf. Ibid.

1. The matter was widely publicized by the mass media immediately after the announcement of the news by Ukrainian officials on April 1, 2005. At the same time it was announced that President Yushenko would soon meet with U.S. President George Bush in Washington.

2. Emphasis is mine.

Interestingly, the two key words that need a little explanation here are: First, the *voluntary* character of the agreement, that hints at rejection of any pressure or forceful demand from the other party to accede to an unfair commitment,

Second, the *temporary* nature of the enrichment activities, which is reflected in the term “suspension.” This in a way epitomized the intention of Iranian authorities that they could at any time and under any pretext resume the suspended activities.¹

As we can see, the same two reservations in Iranian declaration were maintained throughout the negotiation process at different levels between Iran and the EU3. In fact, after several round of talks and diplomatic negotiations between the two sides since the conclusion of Tehran accord of October 2003, it has become more and clearer that there was little chance that they may reach a formula that could satisfy not only the two parties, but also the United States.

While the negotiations were underway, the United States, which has backed the EU initiative for using diplomacy, ventured to offer some seemingly attractive economic incentives to Iran for its uranium enrichment suspension. But, soon Iranian leaders rejected the U.S. offers as not worthy of consideration. Iran claims that indefinite suspension is against the EU commitments. Commenting on U.S. proposal according to which, it would back Iran’s membership in WTO, provided it permanently ceases its enrichment activities, the offer was bluntly described as “ridiculous, irrelevant and contemptuous.”²

The fact is that Iran has already invested huge amount of money

1. In fact, the same day after the Statement was officially issued, Mr. Hassan Rohani, head of Iranian negotiators, asserted that Iran might resume its activities at any time, which seems suited to its national interests. He even emphasized that: within a week, a month or a year we may choose to exercise our rights to terminate the suspension. See my paper, Iran’s Nuclear Venture: Legal Obligation and Political Temptation, May 2004

2. Statement to Iranian media. by Iranian Minister of Intelligence Ali Younesi, March 2005.

in its nuclear activities during the past two decades and it appears hard to imagine that it could easily forego its supposedly legitimate claims and afford such huge loss to its national interests. The stalemate on nuclear talks reached to the point that the parties concerned decided to refer the case to the Security Council through an IAEA resolution.

THE NUCLEAR CASE IN THE SECURITY COUNCIL

As we stated earlier, for a number of reasons, thus far Iranian leadership has been very uncompromising on the matter of “perpetual cessation” or “indefinite suspension” of uranium enrichment operations, and had said all along that it would only temporarily suspend this activity on a “voluntary basis,” as a measure of confidence building. Therefore, finally a consensus has been reached to bring the case to the UN Security Council. However, there are a number of obstacles, which could hinder serious actions against Iran.

First and foremost of these impediments relates to legal matters regarding the submission of a case before the Security Council. As we know one of the functions of the Council is “to determine whether the continuance of a dispute or situation is likely to endanger the maintenance of international peace and security.” Furthermore, for acting under Chapter VII of the UN Charter, in order to pass an effective resolution under articles 41(economic sanctions) or 42 (military intervention), the Council shall determine the existence of a threat to peace, breach of the peace or act of aggression.

As we know, neither the IAEA nor any state have thus far reached the conclusions that Iran is in breach of its international obligations, either under UN Charter or the NPT and its related Protocols. Since, the mere evidence of uranium enrichment activity, which is allowed within the framework of NPT provisions to all member states, shall not be construed as a breach of the peace. The Security Council in its long history of functions has never based its decisions on hearsay,

gossip or mere intentions in the minds of states members without concrete evidence.

This may be one reason for which Iranians initially were not so much worried about their case being submitted to the Security Council. They were eventually seeking some kinds of assurance, either from a legal or procedural point of view or from the promised support of their Russia and China, as two important permanent members of this UN body, to block any eventual resolution.¹

On practical grounds, Iranian leaders do not seem to be troubled much about an eventual embargo or economic sanctions, though this surely will cause lots of difficulty and inconvenience to the overall nation. But, those who eventually wish that the people would revolt against the Islamic regime in case of an economic blockade should remember that ever since the revolution, this country has been subject to all kinds of sanctions both during the war and after, and no such thing has ever happened. On the contrary, Iranians have shown that they have a tendency to consolidate during the hard times.

Other implications of a resolution against Iran, relate to an eventual unilateral decision of this country to withdraw from the NPT altogether, which is the right of every member state in conformity with the provisions of the treaty. In such circumstances the IAEA would be devoid of legal standing to continue its supervision on Iran's nuclear activities.

Bearing in mind that the most vital objective for the Islamic regime in Iran is its very survival, and to that end it seems ready to sacrifice many things, it would not be an unrealistic postulation that in

1. The recent deal on liquefied gas with China, which amounts to an overall value of \$100 billion, is one such undertaking which would tie Iran's political fate to China's growing needs for energy over the next 25 years. Russians on the other hand, are very happy about the current nuclear plant in Bushehr and the prospective other nuclear plant deals with Iran and seem not to be ready to forego this lucrative business just for the sake of giving a hand to American plan to contain Iran's ambition to use nuclear technology, which in their view, is not harmful.

case of its withdrawal from the NPT, the regime might have a free hand to contemplate developing its own deterrent nuclear force, somehow similar to South Korea. In such circumstances the West, including the United States and all those who fear Iran's nuclear activities, would be in a much worsen situation.

Of course, we are just speculating on various aspects of the nuclear case as it may emerge in future. We have no solid indication which of the above scenarios may come true. But, from the face value of Iran's rather bold undertakings, it is safe to suggest that the Islamic regime is actually using all the leverages at hand, economic, political and even military¹, to come clean out of this muddle.

Iran has already made very important economic and trade deals with China and Russia, as two important permanent member of the UN Security Council. It may even try to lure Europeans in giving out concessions on oil and other business of mutual interests, which could deflect American pressure. On the other hand, Europeans well know that any attempt to pass a UN Security Council resolution under chapter VII of the UN Charter, with the effect of preventing Iran's oil export, would have a disastrous impact upon the market price, already unbearable by them. Thus, they might not be ready to go along with eventual economic sanctions against Iran.

MIXED SIGNALS TO THE WEST

During the 30 days deadline given to Iran to comply with the demand of the United Nations Security Council to halt its nuclear activities, the Islamic regime has been sending mixed signals to the international

1. During the negotiation of Iranian and EU diplomats on nuclear issue, Iran's conservative media have expounded various statements from high-ranking officials, including the leader and other military authorities warning against any pressure or blackmail unto Iran. At the same time it was announced by Iran's Defense Minister that Iran is now in the process of mass production of its long-range missiles (Shahab 3). The commander of the Iranian ground forces also announced that the biggest military exercise in Iran's history would soon be carried in Iran's western frontiers bordering Iraq.

community. On the one hand Iranians took a conciliatory and cooperative stance urging the Western powers to continue their negotiating efforts within the IAEA for the benefit of world peace and order, and on the other hand they embarked on a bold and confrontational venture in the Persian Gulf.

Surprisingly, in the midst of the crisis they agreed to open direct talks with the United States on the problem of security and order in Iraq. Americans however said that this is not really a negotiating process but some kind of warning to Iran about the continued violence in Iraq and the necessity that the neighboring state should abstain from meddling in its internal affairs. The Islamic regime wished that once ices of animosity are melted they can benefit the opportunity of the new environment to de-escalate the crisis condition. This could in turn help to redirect the nuclear case from the Security Council to the IAEA Governing Council for further negotiations.

At the same time a major naval exercise was carried out in the Persian Gulf, including the Straits of Hormuz and the Sea of Oman, where an assortment of new weapons were brought into play. Among these, a new version of ballistic missiles (Shehab III) with multiple warhead or MIRV (Multiple Independently targeted Reentry Vehicle) capability and a very high speed torpedo, both of which claimed to have radar and sonar concealment ability. A number of other new weapons and platforms of rather offensive character were also demonstrated in the week-long maneuver.

The rationale behind all these efforts including the April 2006 Iranian joint forces maneuver in the Persian Gulf seems to be found in a strategy called “asymmetric warfare” carried by the Revolutionary Guards with the objective to deter the Americans from risking any adventurous plan to ultimately topple the Islamic regime as they did in neighboring Afghanistan and Iraq. At the same time Iran is taking up other long-term strategy in the region which relates to confidence

building and gradual rapprochement with the Persian Gulf littoral states pursuing the following objectives:

- Inhibiting more and more the U.S. presence in the region of the Persian Gulf;
- Making the future American interventions in the region much more difficult and costly;
- Building an anti-American shield against the United States policy of “forceful democratization” in the region;
- Narrowing down the gap between the Iranian regime and the conservative Arab States;
- Encouraging the Persian Gulf States toward Asian markets and other world great powers, such as Russia, China, India and Japan, while limiting economic interaction with the U.S.;

Making the strategic environment much more difficult for the United States force deployment in crisis situations.

All these would suggest that it would indeed be hard for the United States to bear the consequences of a serious entanglement with Iran in the near future, unless the American policy with respect to Iran and the Persian Gulf changes its contents and context. That is to say, the American objectives and therefore ways and means to reach them should be adapted to the new emerging environment. The new environment is not necessarily in favor of the American military presence in the region. It is not however quite certain that Iran’s hostile signals during the April 2006 exercise would deter in any way the neo-conservative hawks in Washington who are leaning toward the use of hard power to achieve their objectives.

Whether the Islamic regime will surrender to the demand of the U.N. Security Council in order to avoid further escalation of the nuclear issue, is a matter of threat perception of the Iranian decision makers and their capacity to manage the crisis. Indeed, if they realize that the risks of defying the U. N. demands are much too high and

beyond their endurance, they will surely come to their sense and do whatever necessary to avoid the worst to happen.

DEFIANCE THROUGH PRUDENCE

Iran's declaration of full cycle nuclear enrichment by the hard-line president on April 11, 2006 was a deliberate maneuver for the purpose of achieving a number of objectives at this point of time: a) domestic consumption for those who are becoming increasingly frustrated about the president's fulfillment of his promises to cope with poverty, corruption, inflations and other social evils; b) to encourage the IAEA Director General (expected to visit Iran on April 12) to write down his report on Iran's case to the Security Council in a manner to avoid eventual sanctions under Chapter VII (Article 41) of the U.N. Charter; c) to send a somber message to the U.N. Security Council and its permanent members that henceforth they are facing a *fait accompli* and should be careful in dealing with nuclear Iran.

Not surprisingly, upon the announcement of this declaration, all permanent members of the Security Council took position on the action and warned Iran about the negative consequences of the deed. Hours after the declaration, oil price in international market and the price of gold and dollar in domestic transactions jumped to a new record high.

In the US camp too, the neo-conservative hawks seem to be determined to contain Iran's nuclear ambitions, which they believed to be a serious threat to world order. In fact, the recent provocative declaration on the full enrichment cycle is susceptible to unleash a clash between the two conservative camps. Furthermore, Iran's defiance of the Security Council Statement and the claimed breach of Paris Accord with EU3 as well as the Additional Protocol to the NPT, could pave the way for Americans to convince Russia and China that a political settlement is not possible and they should reach a consensus

on a severe resolution under Chapter VII of the Charter.

Perhaps now the United States has more persuasive evidence and justification to push members of the Security Council to undertake serious actions against Iran. Americans have warned that if they fail to get a strong resolution they might endeavor to form a separate coalition to face Iran's threats. Thus, it seems that if the two conservative opponents are not contained through some kind of mediation or direct negotiation, the situation could escalate and lead to disaster.

Whether Iran's nuclear euphoria has any rational justification other than stirring up irritation around the world and whether recent bold and provocative actions could deter the West or it may end up to disaster, we have no other choice than to wait and see how competent politicians will wisely manage the impending crisis.

Thus, the perception of the potential dangers of a resolution by the UN Security Council imposing sanctions against Iran pushed the government to move away from the rhetoric and opt for a more cautious, compromising and cooperative stance.¹ The reasons for this decision may be explained in the following considerations:

- The political system is not ready to engage in adventurous and risky situations in which the overall existence of the Islamic regime might be threatened,
- The new conservative government lacks the necessary experience and capacity to deal with the much uncertain and hazardous issue of nuclear matter,
- Those in charge of the nuclear project have not been able to convince the public at large and educated people on the rationale of the nuclear project, even for peaceful purposes,

1. In an earlier paper I had argued that the overall propensity of the high official's decision makers to conflict and confrontation is very low, especially when it comes to the matter of survival of the Islamic regime. See e.g. : Iran's New President and the Nuclear Issue, August 2005, www.aakazemi.blogspot.com

- The nation as a whole is not prepared to engage in another hostility and military engagement, or to endure severe economic sanctions, eventually imposed by the UN Security Council, particularly because of a dubious matter which is not really considered as a vital national issue,¹

- The Islamic regime is quite conscious of the resolve of the West, especially the United States, that they will not allow it to continue the nuclear project in a self-sustained and independent manner.

- This may mean that even if they fail to obtain some sort of UN Security Council resolution on the matter, because of Russian or Chinese vetoes, the Americans or their allies in the region, will not hesitate to use military option as a preventive self-defense, by direct strategic targeting on Iran's nuclear sites,

- In such case, there seem to be little chances that the international community as a whole and even the presumed friends of Iran may object or take any action against or condemn such eventual attack.

Indeed, prudence is the mother of wisdom and good governance and politics is about changing foes into friends and assuring one's interests and survival.

NEW CHALLENGES AHEAD

I have argued elsewhere in several occasions that the Islamic regime in Iran, despite its ideological and revolutionary nature, has a very low propensity to conflict and confrontation. It is now in a state that any uncalculated risk in its various domestic and international undertakings, including the nuclear project, might cost it a price unbearable by any common sense standard. Iranian leaders are quite aware of the potential threats to their very survival. They have the

1. It is necessary to note that despite some sporadic state-organized rallies in support of the nuclear project, there no scientific findings as to the overall public opinion with respect to that matter in Iran.

experience of what happened in Afghanistan and Iraq. They may not afford to challenge the supposedly unfair rule of the game in the present world order, unless they convince the people of Iran to sacrifice once again themselves for an unknown utopia. This means that despite the sporadic bullying actions by the regime, the overall system in Iran will do every thing in its power to avoid escalation of the nuclear crisis¹ and other pending issues.

Whether we like it or not, the world power structure is extremely unequal and the rule of the game unjust and unfair. Though mankind was able to change the total insecurity of “the state of nature” into “state of civility” through “social contract” and by law and order at the national level and civic institutions, at the international level this ideal is still far- reaching. This means that power is still the undisputed instrument of world politics and as one has correctly said: “right is might.” In other words, if you don’t have the power you can’t claim your rights.

In sum, the situation between Iran and the Western powers especially the United States can be termed as trapped in a “crisis of credibility,” whose management requires an ardent endeavor of confidence building for which the two sides seem not prepared. Bringing the case to the Security Council with a view to get some kind of resolution on eventual sanctions against Iran may simply be counterproductive; because: first, it lacks serious legal basis, and second, it might fail on practical grounds. Therefore we should expect heightening of tensions in relations between the states concerned, unless perhaps some fundamental changes take place in either side. These changes may include a breakthrough in Iran-U.S. mutual perceptions, gradually leading to amicable settlement of all

1. See: Ali-Asghar Kazemi, “Iran-U.S. Nuclear Wrangle: The Crisis of Credibility” and “Iran’s New President and the Nuclear Issue” in www.aakazemi.blogspot.com See also: Ali-Asghar Kazemi, “Heading for a Clash! Iran-U.S. New Conservatives’ Lineup over the Nuclear Issue.”

outstanding disputes, including the nuclear affairs.

Upon such rapprochement, the Islamic regime may soften its position on various matters that inhibit the resolution of a number of issues in the Middle East, and which are considered as pivot points for the success of American strategy in this region, such as: the Palestinian problem, the recognition of Israeli state, the disarmament of Lebanese Hezbollah, and other matters related to international terrorism, democratization process of the Greater Middle East, etc. The whole process depends on whether the United States is prepared to give some kind of assurance to Tehran that it would not endanger the survival of the Islamic regime in Iran, and whether Iran's superior position in the Middle East is recognized by Western powers. ❖