

2. THE STANDOFF OVER IRAN'S NUCLEAR PROGRAM

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Requirements of the U.N. Security Council

In its first resolution on Iran's nuclear program passed on 31 July 2006 on the basis of Art. 41 of Chapter 7 of the U.N. Charter ('Action with respect to threats to the peace, breaches of the peace, and acts of aggression'), the U.N. Security Council called for a halt to all works related to uranium enrichment and reprocessing of spent nuclear fuel (SNF)¹ in Iran until international confidence in the exclusively peaceful nature of Iran's nuclear program is restored, with the threat of sanctions in the case of non-compliance².

Originally Iran's nuclear work aroused international concern when it was revealed (in late 2002) that for a number of years Iran had been conducting undeclared activities in the nuclear field, including the covert purchase, acquisition and development of dual-purpose (civilian and military) technologies, in violation of its obligations under the Nuclear Non-Proliferation Treaty (NPT) and its Safeguards agreement with the International Atomic Energy Agency (IAEA)³.

In the beginning of 2006, Iran stopped to comply with the 1997 IAEA Additional Safeguards Protocol⁴ and its cooperation with the IAEA suffered as a result. Thus, the Agency's ability to assess the character of the Iranian nuclear activity was reduced⁵. Such behavior reinforced suspicions about objectives of the Iranian nuclear program and, ultimately, provoked confidence crisis in relations between Iran and the international community.

It should be emphasized that under the NPT the right of the parties to this treaty to develop research, production and use of nuclear energy for peaceful purposes is not limited (Art. 4 of the NPT), but the IAEA should be properly notified about nuclear facilities, such as uranium enrichment and reprocessing and these activities must be placed under the IAEA safeguards. With Iran, this was not the case.

Teheran has been censured by both the IAEA Board⁶ and the UN Security Council for failing to take the steps demanded of it. Since 2006, confronted with continued Teheran's defiance (including its refusal to halt uranium enrichment), the U.N. Security Council imposed three series of U.N. sanctions targeting certain elements of the Iranian nuclear complex – resolutions 1737 (26 December 2006), 1747 (14 March 2007) and 1803 (3 March 2008).

These resolutions require Iran to suspend uranium enrichment and other activities related to nuclear fuel cycle until all issues are removed which have been raised by the IAEA in connection with Iran's past activities in the area of nuclear and missile materials and technologies which did not comply with Iran's obligations under the NPT Safeguards Agreement.

UNSC Resolution 1803 contains a significant new feature: citing the work plan agreed on 23 August 2007 between the IAEA and Iran (IAEA GOV/2007/48), the UN Security Council welcomed the progress

¹ The most sensitive nuclear technologies are those for enriching uranium or producing plutonium, materials that can be made into reactor fuel or, if refined, into the fissile core of a bomb.

² U.N. document S/RES 1696 (2006). 31 July 2006.

³ Iran ratified the NPT in 1970, bringing its nuclear program under the inspection regime of the IAEA. The NPT entered into force in Iran in 1974 followed by the Safeguards agreement. In its resolution of 24 September 2005, the IAEA Board pointed out that Iran's policy of concealment has resulted in many breaches of its obligation to comply with its NPT Safeguards agreement.

⁴ The 1997 IAEA Additional Protocol to the existing Safeguards Agreements, ASP (IAEA INFCIRC/540) aims at strengthening safeguards agreements through increased confidence about the absence of undeclared nuclear material and activity in a state as a whole. The ASP allows broader and more intrusive inspection of nuclear facilities and includes provisions for carrying out IAEA inspections of practically any nuclear facility (including undeclared ones) in the state party to the NPT. As of March 2008 over 80 states have additional protocols in force.

⁵ After February 2006 Teheran did not allow to the IAEA inspectors to visit Iranian nuclear facilities in the absence of prior notification.

⁶ On 4 February 2006 the IAEA Board of Governors called on Iran to take a number of concrete measures to confirm the absence of undeclared nuclear activity or materials in Iran. The IAEA Board of Governors demanded that Iran returns to the system of complete and consistent suspension of activities related to enrichment and reprocessing activities subject to control by the Agency, including scientific research and design and construction work; that it reconsider the construction of a research reactor with a heavy-water moderator; that it immediately ratify and fully implement the IAEA Additional Protocol; in expectation of ratification, that it continue to act in compliance with the provisions of the Additional Protocol; that it implement transparency measures (including, in part, access to persons and documents related to the acquisition of dual-purpose equipment). Document IAEA GOV/2006/15.

in implementation of this work plan and in resolving outstanding issues relating to Iranian past nuclear activities⁷.

Resolution UNSC 1803 underlines the importance of Iran producing tangible results rapidly and effectively, by completing implementation of this work plan by providing answers to all the questions asked by the IAEA.

It should be noted that Iranian leaders continue to acknowledge their commitment to the NPT and the agreement with the IAEA on NPT safeguards, and willingness to continue cooperating with the Agency to resolve issues related to the implementation of the work plan between Iran and the IAEA. However, it must be also recognized that the Teheran authorities have not yet provided a sufficient level of transparency, which would allow the IAEA to offer a credible assurance about the absence of undeclared nuclear material and activities in the country. Thus, uncertainties persist.

Resolution 1803 focuses on the fact that the Iranian authorities failed to implement key provisions of previous UNSC resolutions. For example, they did not establish full and sustained suspension of all enrichment related and reprocessing activities and heavy water related projects, nor resumed its cooperation with the IAEA under the Additional Protocol, or taken the other steps required by the IAEA Board of Governors.

Teheran's non-compliance with UNSC resolutions was noted in UNSCR 1803 'with serious concern'. The Resolution expanded the circle of Iranian individuals and organizations linked to the sensitive nuclear field subject to sanctions. Their number increased from 22 in December of 2006 to 75 in March of 2008. Sanctions were also extended to cover a broad range of dual-use items (goods and technologies) controlled by the Nuclear Suppliers Group (NSG).

In addition, all states are called upon to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in Iran, in particular with Bank Melli and Bank Saderat in order to avoid such activities contributing to the proliferation of sensitive nuclear activities or to the development of nuclear weapon delivery systems. All states are also called upon to inspect the cargoes to and from Iran, of aircraft and vessels, at their airports and seaports, owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Lines, provided the aircraft or vessel is transporting prescribed goods.

Nevertheless, sanctions have preserved their targeted and restricted character. They are linked to those aspects of the nuclear activities that directly challenge the NPT regime. The sanctions do not affect the nuclear power plant in Bushehr built by Russia⁸, or assistance rendered by the IAEA to Iran⁹.

On the other hand, the Statement of the foreign ministers of the six countries (five permanent members of the UNSC plus Germany – the P5 +1 group), which was made simultaneously with the approval of UNSCR 1803 and should be considered 'in a package' with this resolution, develops a 'twin-track approach': moves to gradually expand sanctions in case of continuous defiance are supplemented with offers of international cooperation projects, which are of interest to Iran, and which will to be implemented, if Iran chooses to take steps to comply with the provisions of UNSCR 1696 (2006), 1737 (2006) and 1747 (2007).

The six foreign ministers reaffirmed the willingness of their countries to show a creative approach in a search for ways leading to a negotiation process in the course of which it would be possible to jointly outline and coordinate agreements, action procedures, and timeframes for achieving the necessary level of trust toward the nuclear effort of Teheran. The six also declared that once trust in the peaceful character of the Iranian nuclear program is restored it will be treated in the same way as the programs of the other non-nuclear-weapon states party to the NPT. The six ministers expressed their willingness to develop their previous proposals (of 6 June 2006) to the Iranians offering 'substantial opportunities' for political, security and economic benefits to Iran and the region, if Teheran agrees to take steps to comply with the provisions of UNSC Resolution 1803. The Statement also advocated innovative approaches to negotiation with Iran so that all the unresolved problems are settled in a satisfactory manner.

⁷ IAEA GOV/2007/48, see Attachment 2.4.

⁸ In December 2008 the final stages of preparing the station for launch were under way. Among the P5 + 1 there is a full understanding that the work at Bushehr poses no proliferation risk.

⁹ The IAEA has some 40 nuclear projects in Iran ranging from medical, agriculture, industry and safety of nuclear power plants.

Understanding the Iranian challenge

In June-July 2006 diplomats from the P1 + 1 group undertook further steps to encourage Teheran to enter into serious discussion of those aspects of the Iranian nuclear program that caused international concern. On 14 June Xavier Solana, the High Representative of the European Union, acting on behalf of the six members of the UNSC presented to Iran an updated incentive package. The package lists possible areas of cooperation with Iran as long as Iran verifiably suspends its enrichment-related and reprocessing activities (nuclear energy; political; economic; environment, infrastructure; civil aviation; economic, social and human development/humanitarian issues; civil engineering, agriculture and environmental studies; cooperation/technical support in education in areas of benefit to Iran, etc.)

In the field of nuclear energy, the P5 + 1 package includes provision of technological and financial assistance necessary for Iran's peaceful use of nuclear energy, support for the resumption of technical cooperation projects in Iran by the IAEA; support for construction of light-water reactors (LWR) based on state-of-the-art technology; support for R&D in nuclear energy as international confidence is gradually restored; provision of legally binding nuclear fuel supply guarantees; cooperation with regard to management of spent fuel and radioactive waste.

In the political field the incentives package includes: promotion of dialogue and cooperation on non-proliferation, regional security and stabilization issues; work with Iran and others in the region to encourage confidence-building measures and regional security; establishment of appropriate consultation and cooperation mechanisms; support for a conference on regional security issues¹⁰.

The meeting of the P5 + 1 partners with the Iranian delegation representative, held in Geneva in July 2008, did not achieve any breakthroughs. Teheran refused to make any concessions on the suspension of its enrichment-related and reprocessing activities. In their turn, the Six continued to insist that Teheran should manifest restraint in this field of uranium enrichment prior to the start of the negotiations (according to the principle: Iran does not install new centrifuges and the UN Security Council refrains from imposing additional sanctions¹¹). Subsequent contacts between Solana and Iranian high officials failed to produce a breakthrough leading to the start of negotiations¹². However, both sides signaled their commitment to the dialogue as a means of resolving controversies.

Teheran displayed evident interest in discussing the incentive package but refused to accept any limitations on its nuclear activities, to which it is entitled as a party to the NPT.

Following the opening of the 63d session of the U.N. General Assembly on 16 September 2008, new discussions of the Iranian nuclear dossier took place in the U.N.O. and other forums but they did not lead to a breakthrough.

Neither the impact of sanctions, nor the temptation of foreign assistance, including in the peaceful uses of nuclear energy, have yet been sufficiently persuasive to prompt Teheran to significantly change its negative stance on the steps demanded from it by the international community. Multiple series of sanctions imposed against Iran over its nuclear program have had no visible effect on Iranian policy: Iran has continued to advance its nuclear program, increased enrichment activities, despite four resolutions adopted by UNSC (including three resolutions which imposed sanctions on Iran).

According to the official data, by the end of August 2008 the number of (fully or partially) operating centrifuges at the underground enrichment facility at Natanz grew to some 4000 (from 3000 in September 2007). Gholamreza Aghazadeh, President of the Atomic Energy Organization of Iran, claimed late November 2008 that Iran has 5000 working uranium enrichment centrifuges. New centrifuges are planned to be installed in 2009.

In 2008 Iranian nuclear engineers began testing a new generation of centrifuges capable of enriching uranium five times faster. Three new cascades (each comprising 164 centrifuges) had been installed at the Natanz fuel enrichment plant (FEP). Thus, the potential for enriching uranium has been augmented. This development increased international concern over enhanced Teheran's capability to divert nuclear material for military purposes and undermine the NPT regime. Correspondingly, IAEA existing and possible additional measures of control, confidence-building and transparency became more important.

¹⁰ <www.consilium.europa.eu>

¹¹ The 'freeze for freeze' offer of the P5 + 1 group foresees that Iran refrains from installing new centrifuges while the six members of the group refrain from further Security Council action for the same period, initially for six weeks. This period was to be used to calm fears and continue talks.

¹² On 2 October 2008 Ali Soltanieh, Iran's ambassador to the IAEA, said Iran would consider suspending uranium enrichment if the country were guaranteed a supply of nuclear fuel for its power stations.

The report of the IAEA General Director Mohamed ElBaradei (issued on 15 September 2008)¹³ notes that The Agency has been able to continue to verify the non-diversion of declared nuclear material in Iran. Iran has provided the Agency with access to declared nuclear material and has provided the required nuclear material accounting reports in connection with declared nuclear material and activities. The Agency cited progress in its investigation of the Teheran's past nuclear activities.

All nuclear material at the fuel enrichment plant (FEP), as well as all installed cascades, remains under Agency conservation and surveillance. All nuclear material declared by Iran had been accounted for and remained in peaceful activities.

As of 30 August 2008, 5930 kg of UF₆ had been fed into the operating cascades since 12 December 2007, the date of the last physical inventory verification (PIV) carried out by the Agency at FEP. This brings the total amount of UF₆ fed into the cascades since the beginning of operations in February 2007 to 7600 kg. Based on Iran's daily operating records, as of 30 August 2008, Iran had produced approximately 480 kg of low enriched UF₆ (enrichment levels at FEP are up to 4.9 % U-235)¹⁴.

All enrichment is subject to IAEA inspection – all nuclear material at FEP, as well as all installed cascades, remains under Agency conservation and surveillance, as well as all uranium in the form of UF₆ (342 t), produced since March 2004 at the uranium conversion facility (UCF). (Since March 2007, seventeen unannounced inspections have been conducted at FEP.) The Agency's inspectors have found no indications of reprocessing related research and development (R&D) activities in Iran.

Iran's leaders do not appear to have taken a decision to acquire nuclear weapons (as opposed to the capacity to produce fissile materials which could be weaponized into a nuclear bomb).

Ayatollah Ali Khomeini, Iran's supreme leader and head of the armed forces issued a «fatwa» (ban) against the production and use of nuclear weapons. Iranian officials affirm that Iran intends to produce only low enriched uranium to make reactor fuel for its projected nuclear power plants.

As a great and proud nation of some 70 million people, Iranians aspire to scientific progress, including nuclear technology and expertise to enrich uranium. The Iranian Government announced plans to build 25 atomic power stations with a total capacity amounting to 25 000 megawatt in the course of 10–15 years. (It is estimated that at the current rate of production the country's oil reserves will be depleted within decades).

The Iranian regime continues to disavow nuclear military ambitions and declares its willingness to resolve the concerns of the international community with regard to its nuclear program. From the Iranian authorities perspective the row over the suspension of uranium enrichment is a political game where Iran is being forced to forfeit its right to peaceful nuclear energy. One should also not overlook the impact on policy debates in Teheran of genuine feelings of insecurity (Iran is virtually surrounded by U.S. forces and allies).

Ambiguities about Iranian nuclear activities in the past and present remain. Between the IAEA and Iran continue to exist disputes over reporting requirements.

Moreover, intentions and plans of Iran's mullahs may change (especially if the country is faced with growing threats to destroy its nuclear infrastructure by air strikes and attempts of extra-regional forces to undermine its internal political system).

Besides, one cannot also ignore the fact that there are forces in Iran eager to rely on dual-use technologies to build up a dedicated nuclear military capability. Contrary to the decisions of the Security Council, Iran has not suspended its enrichment related activities, having continued the operation of new generation centrifuges for test purposes.

It remains a matter of serious concern that the IAEA has not been yet in a position to verify that Iran is not engaged in any secret nuclear activities. Teheran continues to refuse to carry out a number of steps necessary for the restoration of the international confidence in the exclusively peaceful character of its nuclear program.

The Agency has accused Iran of refusing access to the Arak (heavy water) reactor construction site, failing to provide timely design information relating to its plans for reactors and associated plant, failing to clear up unanswered questions around previous alleged nuclear weapon studies, and refusing to implement the Additional Protocol (though this last is not legally required). Iran is continuing to develop its centrifuges and expand the number in operation.

¹³ IAEA GOV/2008/38. 'Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007) and 1803 (2008) in the Islamic Republic of Iran'. Report by the Director General.

¹⁴ Over 1500 kg would be needed to manufacture a nuclear explosive device. In addition the low-enriched uranium should be refined to make it suitable for the fissile core of a bomb.

The IAEA has not been able to make any substantial progress on the alleged studies and associated questions – a set of documents¹⁵ smuggled out of Iran that purport to show that up to and until 2003, the Islamic Republic of Iran conducted nuclear experiments and considered bomb designs consistent with an illicit nuclear weapons program. (Iran says that the documents are forgeries and has demanded to see original copies, which the IAEA says it can not provide). The IAEA noted that Iran had not appeared to use nuclear material in relation to these studies, nor had it seemed to attempt to design or manufacture a nuclear weapon. According to the IAEA, Iran is to clarify the extent to which information contained in the relevant documentation is factually correct and where, in its view, such information may have been modified or relates to alternative, non-nuclear purposes.

Iran needs to provide the Agency with substantial information to support its statements and provide access to relevant documentation and individuals in this regard. The Agency argues that unless Iran provides such transparency, and implements the Additional Protocol, it will not be able to provide credible assurance about the absence of undeclared nuclear material and activities in Iran. Iran should help the IAEA to clarify intelligence reports, alleging it had previously engaged in research on how to manufacture an atomic weapon. Iran is urged by the IAEA to show full transparency and to implement all measures required to build confidence in the exclusively peaceful nature of its nuclear program at the earliest possible date.

It is estimated that at current rates Iran could be 6 months to 2 years away from acquiring sufficient stocks of low-enriched uranium to be in a position to produce highly enriched uranium for a nuclear explosive device in a matter of weeks.

In the opinion of the author, Iran's transition to the production of highly enriched (weapon-grade) uranium on an industrial scale and violation of the IAEA safeguards should be considered as 'the red line' legitimizing more coercive options under Chapter VII of the U.N. Charter.

Existing record of the consideration of the Iranian nuclear dossier in the UNSC does not provide a convincing answer to the question of which way of responding to the defiance of the Iranian authorities is more productive (sanctions, incentives, or some balance of rewards and penalties).

It should be acknowledged that both Iran's obvious underestimation of the gravity of the international community's concerns over the Iranian nuclear program and aggressive rhetoric, and the provocative calls emanating from certain Western circles to give short shrift to Iran by attacking and destroying its civilian nuclear facilities with an air strike («first shot» policy), attempts at regime change hold the potential for escalation and aggravating the nuclear crisis with unforeseen and grave consequences for regional and global security.

Approaches based on extreme assumptions are counterproductive: alarmism and alarmism-inspired provocations demanding Iran's 'isolation' or 'punishment' and attempts to introduce issues that bear no relation to the NPT problematique, or, on the other hand, self-complacency, carelessness and disregard for challenges undermining the nuclear non-proliferation regime.

A more refined handling of the Iranian challenge is needed: refocusing the international effort on improving the IAEA's access to Iranian nuclear installations; aggressive multilateral diplomacy, using smartly the leverage available to the UN Security Council and the P5 + 1 group.

Ways to resolve the impasse

Three options are being actively considered by the international expert community searching for a solution to the Iranian nuclear challenge.

The first possible course of action is for the global community to continue exerting pressure on Iran using the formulae 'no enrichment until outstanding IAEA issues are fully resolved'. In parallel, IAEA safeguards and activities should be restored in the format of Additional Protocol Plus.

An important tool for achieving these goals may become stricter sanctions imposed by UNSC and certain states in the investment, trade and other areas. At the same time, Iran should be offered a detailed list of more compelling and innovative political and economic incentives in return for compliance with the UNSC resolutions.

The alternative is to apply all the sanctions described above should Iran fail to comply with UNSC Resolution 1803 without offering any new political or economic incentives. The provision of such incen-

¹⁵ The documents accuse Iran of trying to develop a nuclear warhead, convert uranium, and test high explosives and a missile re-entry vehicle.

tives may be considered only after IAEA safeguards and activities have been restored on the basis of the Additional Protocol with enhanced inspection capabilities.

A third option to resolve the current deadlock is to abandon the formulae 'no enrichment until outstanding IAEA issues are removed' and focus instead on the unconditional restoration of IAEA safeguards and activities in the format of Additional Protocol Plus, removal of outstanding issues regarding past violations and elimination of their consequences. The abandonment or restriction of uranium enrichment program and other activities related to nuclear fuel cycle should become a subject for negotiations which may be promoted using both all available incentives and efficient sanctions¹⁶.

In the author's view, at the present stage the concerted actions by the members of the UNSC within the framework of the third option can lead to a breakthrough.

On the one hand it is necessary to bolster the sanctions regime, and, on the other hand, to increase the attractiveness of cooperation projects in case the Iranian authorities agree to heed the concerns of the international community with regard to their nuclear program.

Proposals developed below are aimed at increasing the feasibility of a diplomatic resolution of the Iran nuclear crisis.

1. A key prerequisite: closer coordination of positions of the 'P5 + 1' partners on Iran.

In this connection, of concern are deep divisions between Moscow and Washington on the U.S. plans to install elements of its global missile shield in central Europe purportedly for the purpose of countering a potential Iranian nuclear-missile threat. The plans appear to be unconvincing, as a means of pressuring Teheran to change its behaviour in the nuclear field.

First, the plans have become a stumbling block between Moscow and Washington, increasing the number of issues of tension between the two capitals. The controversy around these plans is perceived as a new affirmation of the frailty of the anti-proliferation coalition focused on Iran. This development, of course, was noted by Teheran and did not encourage Iran to make concessions to the UNSC.

The deployment of U.S. BMD sites in Poland and the Czech Republic is perceived by Moscow as a step that infringes on Russia's deterrence ability and has no relevance to the efforts to resolve the Iranian nuclear crisis by means of multilateral diplomacy.

Second. This project sends a wrong signal to Teheran, as it assumes that the international community has in some way come to terms with the fact of Iran possessing a nuclear-missile capability, and the problem is now how to defend oneself from that country. In other words, the position takes as its starting point the failure of multilateral diplomacy, to induce Iran to observe the rules of non-proliferation. And this could even prompt Iranian leaders to take hasty steps.

However, the Bush administration was lukewarm towards a joint (together with the RF) assessment of the extent of the Iranian nuclear-missile threat and hastened to implement its unilateral GMD project in Europe highlighting the deep divisions between Moscow and Washington.

On 8 July 2008 the U.S.A. signed an agreement with the Czech Republic allowing the construction and operation of the missile defense systems radar station (an advanced radar facility known as X-band radar).

On 20 August 2008 the United States and Poland signed an agreement allowing the placement of a U.S. missile-defense base in Poland. Under the agreement the USA will station 10 missile interceptors in Poland. The interceptor site will be linked to other U.S. missile defense facilities in Europe and the United States. The system is expected to be in place by 2012.

These actions created a negative background for the joint effort to solve the Iranian nuclear problem by means of multilateral diplomacy. In fact, they tend to push the Russian leadership to review the parameters of its cooperation with the USA on the Iranian nuclear dossier.

The confidence crisis was aggravated by the events following the August Caucasian crisis. On the night of 7–8 August Georgian forces attacked Tskhinvali, the capital of Southern Ossetia, with indiscriminate artillery and rocket fire, exposing civilians, Russian peacekeepers and unarmed monitors to danger. The United States and some European powers closed their eyes to this attack. This attitude undermined Moscow's trust in the policies of the Western states on the issues of international security.

On the other hand, the speedy and efficient Russian military operation forcing Tbilisi leadership to peace was distorted in Western mass media and misinterpreted by many politicians in the U.S.A. and other NATO

¹⁶ These three options were suggested by the Working Group of the Advisory Council of the International Luxembourg Forum on Preventing a Nuclear Catastrophe. The meeting was held in Moscow on 14 April 2008. The experts addressed the situation which followed the adoption by the U.N. Security Council of Resolution 1803 on Iran's nuclear dossier on March 3 2008.

states. Relations between Russia and the West were eroded. NATO contacts with Russia were put on hold over the peace enforcement operation in Georgia.

Interaction in the nonproliferation area also suffered. NATO states froze the activities of the Russia – NATO Council (RNC), including projects on nonproliferation problematique. The invitation to Russia to participate in the naval exercise ‘Active endeavor’ was annulled. (The purpose of the exercise was to improve the ability to counter the proliferation of weapons of mass destruction or their components by terrorist groups.) On 9 September the Bush administration withdrew from the Congress the American-Russian agreement on peaceful uses of atomic energy of 5 May 2008. (The agreement is important from the nuclear nonproliferation perspective.)

It is evident that such moves are inconsistent with the common effort to bolster the global Nonproliferation regime.

As trust has disappeared from the relationship it is hard to conduct frank dialogue on issues of common concern in the security field.

In the existing circumstances the key partners in the international nonproliferation coalition are required to do their utmost to prevent the nonproliferation objectives from being made hostage to disagreements on various other issues unrelated to nuclear arms control. And above all, the decision to station BMD facilities in Poland and Czech Republic should be reconsidered in the interests of creating a more effective multilateral response to Iran’s nuclear-missile challenge.

2. To make it more difficult and costly for Iran to violate the NPT, by taking appropriate anticipatory measures. Iranian leaders persistently deny intentions to acquire nuclear weapons, considering such weapons to be immoral and contrary to the teachings of Islam. Nevertheless, in Teheran there are occasional calls to cease cooperation with the IAEA and withdraw from the NPT.

In order to make such an option unattractive and expensive, it would appear appropriate to adopt a UNSC framework resolution, targeting states that violated the nuclear nonproliferation regime prior to their breaking-out of the NPT constraints. The resolution would contain specific provisions detailing the response of the international community to the withdrawal from the NPT and outlining a set of corrective measures, which must automatically ensue. Stringent penalties should be imposed, following a special report of the IAEA Director General on the matter. Such a warning would reinforce the ability of the international community to respond to emergency situations related to proliferation and strengthen political means of deterring potential proliferators.

3. Bolster the effectiveness of the U.N. sanctions regime. To achieve this objective, Paragraph 5 of UNSC Resolution 1803 should be reinforced. This paragraph calls on all states to inspect at airports and seaports all cargoes, shipped to and from Iran, which create reasonable grounds to assume that an aircraft or sea-going vessel is transporting goods that are banned by the U.N. Security Council. In order to close down potential loopholes, it is possible to engage the operational capabilities of the Proliferation Security Initiative (PSI).

The experience accumulated within the PSI in the field of the inspection of the suspicious cargoes (interception, inspection of vessels, etc.) may offer possibilities to contribute to implementation of the corresponding provisions of Resolution 1803 which governs the inspection of cargo that are suspected from the viewpoint of nuclear non-proliferation. The PSI is an informal arrangement, in which over 80 states, including Russia, currently participate in joint measures to prevent the illegal movement of WMD or its components. Under this partnership, more than 30 exercises have been already conducted to inspect cargoes at borders, in airports and on sea-going vessels. Interaction between the U.N. Security Council and PSI partner states would also appear important, because there is not yet any formal (or, especially, operational) link between the two. Of course, a mandatory condition here would be the preservation of the unity of the permanent members of the U.N. Security Council.

4. Focusing more on improving the IAEA’s access to Iran’s nuclear work, ensuring compliance with the IAEA Additional Protocol and transparency measures. It is unrealistic to insist on the dismantlement of centrifuges as a condition for negotiations. Sanctions should be relaxed if Teheran improves the IAEA access to Iranian nuclear facilities and allows more stringent inspections.

a) In terms of psychology, it would be simpler for Iran to agree to the compliance with the Additional Protocol: Iran signed this document, and for several years (until the beginning of 2006) observed its provisions voluntarily; (currently over 80 states party to the NPT subscribe to the Protocol);

b) To a greater degree (than the suspension of uranium enrichment) this approach would remove concerns in respect of existence of undeclared nuclear materials and activities in Iran, i.e. the rebuilding of in-

ternational confidence in Iran's nuclear program, which is, incidentally, the objective of all UN Security Council resolutions on the Iranian nuclear dossier.

As regards the suspension of uranium enrichment and reprocessing, after the ratification of the Additional Protocol (1997) by the Iranian Parliament (Majlis), it would have been logical to allow Iran to carry out these activities under the control of the IAEA. A future accord should include maximum safeguards for Iran's nuclear work.

5. Increasing information support for the UN twin-trek strategy on Iran. The U.N. Security Council has fairly frequently lost skirmishes with Teheran on the information front. For example, many states participating in the Non-Aligned Movement, especially Islamic countries, tend to support the thesis, promoted by Teheran, which casts doubt on the authority of the U.N. Security Council to demand from Iran suspension of uranium enrichment activities. The participants of the XIV Conference of the states of the Non-Aligned Movement (118 countries) held in September 2006 in Havana, unanimously supported 'the Iranian program for the peaceful uses of nuclear energy'. The Final Declaration of the Conference referred to 'numerous inspections conducted in Iran', which did not detect 'any evidence of dual-purpose nuclear research'.

Intense information efforts are needed, to ensure sufficiently broad support in the world, for measures taken by the U.N. Security Council, primarily with respect to the sanctions regime.

The UNSC documents on Iran must be complemented with provisions providing information support for the actions of the Security Council: information, on a regular basis, on how states meet their obligations to implement resolution 1803, and on the work of the U.N. Security Council Committee monitoring sanctions against Iran; regular briefings and seminars for non-government organizations at the U.N. headquarters in New York and Geneva, creation of a website on these issues as part of the U.N. Secretariat web-site, etc.

Conclusions

The current impasse – Iran's standoff with the UNSC and IAEA—is fraught with the danger of escalation. Nevertheless, the diplomatic and political means of resolving the deadlock are not exhausted. It should be stressed that both incentives proposed by the «P5 + 1» group and collective pressure exercised through the UNSC play an important role in political deterrence of nuclear adventurism.

The Iranian regime has already been persuaded to comply with some requirements of the IAEA, as regards the transparency of its nuclear activities. One should mention some positive developments in the implementation of the NPT safeguards in Iran. The Islamic Republic of Iran extended to the IAEA cooperation including voluntary CBMs undertaken with a view of resolving all remaining outstanding issues. It does not have a nuclear capacity yet. Teheran can be persuaded to accept tighter (expanded) IAEA inspections (above those already in operation) to bolster guarantees (safeguards) against the diversion of nuclear material to military purposes and allay concerns felt by the international community. The ratification and implementation by Iran of the IAEA Additional Protocol will provide sufficient security that the country is not pursuing a nuclear weapon option.

The achievement of an agreement, according to which Iran would continue its civilian nuclear activities consistent with the effective IAEA safeguards regime, does appear feasible. With the restoration of confidence on the part of the international community in the Iranian nuclear program (and this can be achieved in different ways), there would no longer be any need to ban uranium enrichment in Iran and this country could engage fully in developing nuclear power, including the nuclear fuel cycle.

At this stage the main focus of the multilateral diplomacy should be made on obtaining Iran's compliance with the IAEA Additional Protocol and appropriate supplementary transparency measures, as suggested in this paper. The abandonment or restriction of the uranium enrichment program and other activities related to nuclear fuel cycle should become a subject for negotiations which may be promoted by using meaningful incentives. The condition that Iran suspends enrichment before the start of negotiations should be dropped, to move this process forward.

In accordance with the new Conception of the foreign policy of the Russian Federation approved by President Dmitry Medvedev on 12 July 2008, Russia is advocating a political-diplomatic resolution of the crisis around the Iranian nuclear program on the basis of collective action by the international community, proceeding from the assumption that such conflicts can not be resolved by force. Their solution should be

sought through engagement of all parties in a dialogue and negotiations rather than isolation of any parties. Russia supports diplomatic engagement with Iran.

In 2008 the prospects for the solution of the Iranian nuclear problem were dimmed by the fact that confidence within the P5 + 1 group was undercut by divergences in the opinions on the Caucasian conflict.

Nevertheless, the unity of the U.N. Security Council on the Iranian nuclear dossier has been preserved.

Having considered this matter on 27 September 2008 (in connection with the 15 September 2008 Report by the Director General of the IAEA), the UNSC adopted Resolution 1835, in which the Council reaffirmed its commitment to an early negotiated solution to the Iranian nuclear issue and called upon Iran to comply fully and without delay with its obligations under the relevant resolutions of the Security Council, and to meet the requirements of the IAEA Board of Governors¹⁷. Resolution 1835 does not provide for additional penalties but it reaffirms the twin-track approach of dialogue and sanctions with Teheran on the Iranian nuclear issue. In essence, the Security Council has maintained that diplomacy will be the method in dealing with Iran.

The fulfillment of the option based on reasonable concessions will depend in many ways on the positive developments in the domestic political process in Iran, in particular, on the marginalization of hardliners and on the evolution of the official Iranian position in the direction of greater openness in the nuclear sphere and willingness to face realities and take into consideration the concerns of the international community.

An Angus Reid poll has shown that 66 % of Iranians questioned in February 2008 felt Iran should have a full and domestic fuel cycle as part of their nuclear energy program but should not develop nuclear weapons¹⁸. Since then, a sharp fall in oil prices, 30 percent inflation and 11 percent unemployment in Iran tend to strengthen the position of those factions in the country that are willing to engage meaningfully with the international community and embrace full and transparent cooperation between Iran and the IAEA to clear up the remaining outstanding issues on the Iranian nuclear dossier. This task is feasible if means available to multilateral diplomacy are used efficiently and the international effort is focused properly.

This would make it possible not only to remedy the current impasse on the Iranian nuclear dossier, but to stabilize the global NPT regime, promote multilateralism in the area of nuclear arms control and enhance the international reputation of the U.N. Security Council.

¹⁷ U.N. document S/RES/1835 (2008).

¹⁸ British American Security Information Council. Iran Update. No. 117 - 24 April 2008, available at <<http://www.basicint.org/updates/iran.htm>>