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Arab Center for Research & Policy Studies

ASSESSMENT REPORT

The Iranian Nuclear Program: a Final Agreement

Policy Analysis Unit - ACRPS | July 2015

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Table of Contents

Introduction	1
The Context of the Agreement	1
Mechanisms to Prevent Iran from Obtaining a Nuclear Weapon	3
Conclusion	6

Introduction

After 21 months of strenuous deliberations since the approval of a Joint Plan of Action in Geneva in November 2013, including several last-minute deadline extensions, Iran and the P5+1 group of nations (Germany and the UN Security Council's five permanent members) finally reached a negotiated resolution to Tehran's nuclear program on July 15, 2015. In broad terms, the final agreement, formally known as "The Joint Comprehensive Plan of Action", will see the sanctions placed on the Islamic Republic of Iran lifted in exchange for Iran's curtailment of any military aspects to its nuclear program. International reactions to the agreement were mixed: while many welcomed it as a positive development, Israeli Prime Minister Benjamin Netanyahu described the agreement as a "historic mistake"¹.

The Context of the Agreement

The agreement concluded in July 2015 is the third and final stage of the deliberations between Iran and the P5+1, following the JPA signed in November of 2013 and the Framework Agreement announced on April 2, 2015, in Lausanne. Just as with the Framework Agreement, the final deal—which runs to 159 pages, including the five technical appendices²--envisions limits placed on the Iran nuclear program. Contrary to Iran's insistence that their program is purely intended for peaceful aims, the West continues to believe that the program has military aspects. Once Iran verifies that this is not the case, sanctions placed on the Islamic Republic's financial and economic systems will be lifted, but always in line with stringent observation and verification

¹ Isabel Kershner, "Iran Deal Denounced by Netanyahu as 'Historic Mistake'", *The New York Times*, July 14, 2015, at:

² See: "Joint Comprehensive Plan of Action", Vienna, July 14, 2015, at:

procedures designed to ensure that Iran's production of plutonium and enriched uranium, and the numbers of its centrifuges, all remain within certain bounds³.

Western powers believe that this new deal increases the amount of time that it would take Iran to build a nuclear warhead, should it choose to violate the terms of the agreement, from an estimated 2-3 three months at present, to 12 months⁴. The added time will give the US and its allies the opportunities they need to prevent such an eventuality. The agreement arrived at in July, 2015 also stipulates an immediate return of sanctions on Iran in the event of non-compliance⁵.

The Joint Comprehensive Plan of Action—and specifically, the articles within it which deal with a lifting of the sanctions regime—will not come into force before IAEA verification that Iran is fulfilling its obligations. This will come in the form of visits to nuclear technology facilities, including military facilities, by IAEA inspectors⁶. Once this step is confirmed, a UN Security Council (UNSC) vote on the formal lifting of sanctions will take place, a development expected in the coming few weeks⁷. This sequence of events was also a critical point of disagreement throughout the talks; while the Iranians had demanded that the sanctions, imposed separately by both the UNSC and the United States, should be lifted as soon as the final agreement was approved, the United States and its western allies insisted that the lifting of sanctions could only be formally discussed once IAEA inspectors were assured of Iranian compliance. The sale of

³ Carol Morello and Karen De Young, "Historic deal reached with Iran to limit nuclear program", *The Washington Post*, July 14, 2015, at: https://www.washingtonpost.com/world/historic-nuclear-deal-with-iran-expected-to-be-announced/2015/07/14/5f8dddb2-29ea-11e5-a5ea-cf74396e59ec_story.html

⁴ "The Historic Deal will prevent Iran from Acquiring a Nuclear Weapon", The White House, July 14, 2015, at: <https://www.whitehouse.gov/issues/foreign-policy/iran-deal>

⁵ Morello and De Young

⁶ Ibid

⁷ "The Historic Deal will Prevent Iran from Acquiring a Nuclear Weapon"

conventional weapons, as well as ballistic missiles and allied technology, was another contentious issue covered by the agreement, with Iran's demand that these bans be lifted receiving support from Moscow and Beijing. As a compromise, the parties concluded that the ban on the sale of most types of conventional weapon to Tehran should continue for five years from the effective date of the agreement, with the ban on the sale of ballistic missiles and allied technologies remaining in place for eight years from the agreement going into effect⁸.

Yet this seems to be where the limits of the agreement lie. President Barack Obama has made it explicitly clear that the Americans do not view the agreement as extending to cover what they deem to be "Iran's support for terrorism" nor to the country's human rights violations. Additionally, the US president affirmed that his country would continue to support its allies in the region—specifically Israel and the Arab Gulf states—in the face of any Iranian actions that might destabilize the region or threaten its security⁹.

Mechanisms to Prevent Iran from Obtaining a Nuclear Weapon

Neither the final agreement nor the framework agreement achieved in April require Iran to dismantle the infrastructure of its nuclear program. In effect, this means that Iran will have the capability to become a nuclear power once the terms of the agreement expire. The Obama administration also acquiesced to Iranian demands that its stockpile of fissile uranium be reduced, and not necessarily moved abroad as the Americans had previously demanded. Iran's ability to maintain its nuclear capabilities and know-how is the most worrying aspect of the agreement for its detractors.

⁸ Morello and De Young

⁹ "The Historic Deal will prevent Iran from Acquiring a Nuclear Weapon"

The Obama Administration argues, in contrast, that the dismantling of Iran's entire nuclear infrastructure would be unfeasible, and that going down that route could make any future agreement on Iran's nuclear program impossible. Given that the nuclear program has become a symbol of national pride and enjoys an Iranian domestic consensus, any military attack on the country's nuclear facilities would be out of the question, with the long-term results of any such military action impossible to guarantee. In the best case scenario, a military strike would only delay Iran's capability to build a nuclear weapon by several years, and could have the result of accelerating the country's push to construct a nuclear weapon as a means of self-defense¹⁰. As an alternative, the Obama Administration did manage to extract concessions from Iran over four major points which, it believes, will prevent the country from obtaining nuclear weapons. These four points include¹¹:

- 1) Limiting the production of highly enriched uranium at the Natanz nuclear reactor facility;
- 2) Similar limits on the production of highly enriched uranium at the Fordo nuclear reactor facility;
- 3) A ban on the production of highly enriched plutonium at the Arak nuclear reactor facility;
- 4) A guaranteed right for IAEA inspectors to visit any facility they wish, including military facilities, in order to verify that Iran does not have a covert program to militarize nuclear weapons.

The first three of these stipulations were agreed to during the meetings surrounding the Framework Agreement in April. In order to fulfill the first two, Iran had accepted a reduction in the number of centrifuges which it operates at the two facilities in

¹⁰ "Statement by the President on the Framework to Prevent Iran from Obtaining a Nuclear Weapon", The White House, Office of the Press Secretary, April 02, 2015, at:

¹¹ Ibid

question, from the current total of 20,000, down to 6,104 – of which only 5,060 will be operational for the 10-year lifetime of the Joint Comprehensive Plan of Action¹². These operational centrifuges will all be first generation centrifuges. Iran will also be prevented from carrying out any uranium enrichment activities at the Fordo facility for a full 15 years¹³. The 1,000 second generation centrifuges which Iran possesses and houses at the Natanz facility will also be placed under the auspices of the IAEA for 10 years.

Iran will also undertake not to exceed enrichment levels of 3.67% for a full 15 years, and has agreed to reduce its stockpile of low-enriched uranium (with less than 20% being composed of U-235, the most fissile isotope) from 10,000 kilograms to 300, a 97% reduction¹⁴. To prevent these stockpiles from being rebuilt, Iran has agreed not to build any new enrichment facilities for the next 15 years, while IAEA inspections will continue to monitor the full production chain, from the mining of uranium to its enrichment, for 25 years¹⁵. According to the United States, such procedures will prevent Iran from its present capability to create a nuclear warhead within two to three months¹⁶. As for the restrictions on Arak, the final agreement calls for a complete redesign of the heavy water facility, such that it would no longer be a site for the production of plutonium. The re-designed Arak facility would, instead, be used purely for research purposes and for the production of radioactive byproducts to be used for nuclear medicine¹⁷.

¹² Ibid

¹³ "Joint Comprehensive Plan of Action"

¹⁴ Greg Botelho, "Iran nuclear deal full of complex issues and moving parts", *CNN*, July 14, 2015, at:

¹⁵ "Joint Comprehensive Plan of Action"

¹⁶ "The Historic Deal will prevent Iran from Acquiring a Nuclear Weapon"

¹⁷ Botelho

The stipulations related to IAEA inspections imply Iranian acceptance of a further protocol within the Nuclear Non-Proliferation Treaty. In line with the agreement, Iran will have 14 days during which it can respond to an IAEA request to visit any facility in the country. Any Iranian denial of a request to visit a specific site can be referred by the IAEA to a joint committee formed by the seven parties to the negotiations in addition to the European Union (EU). This committee will be asked to give its verdict on specific matters within a maximum of seven days. Voting within that joint oversight committee, however, can be decided by a simple majority—meaning that, even in situations where Russia and China side with Iran, it will be a group of Western countries which have the final say on the inspections¹⁸. According to Obama, this 24-day period between an IAEA inspection request and an eventual ruling by the oversight committee would not give Iran sufficient time to remove evidence of any wrongdoing¹⁹.

Conclusion

The Joint Comprehensive Plan of Action provides a lesson in the art of compromise and achieving solutions that meet at least some of the aims of both sides of a conflict. It is also an indictment of the previous modus operandi which the United States and Iran adopted with respect to each other over the previous 30 years. Tehran has acknowledged, albeit tacitly, that it can no longer sustain itself under the strains of the current sanctions regime, which was intensified after 2012 to unprecedented levels by both the Obama administration and the EU. Combined with Iranian losses through battles of attrition in Syria, Yemen and Iraq, and the authorities in Tehran were persuaded to allow pragmatic considerations to take precedent over ideology, and even to cooperate with “the Great Satan”.

¹⁸ Ibid

¹⁹ Morello and De Young

For the US, too, this agreement is an acknowledgement that it has failed in its policy of containing Iran. This failure was compounded by the Americans' disastrous failings in the Middle East, including and especially Iraq, which it pushed into an Iranian orbit, and its equivocation over the crises in Syria and Yemen, both of which served to further Iranian aims. These instances are evidence of the Obama Administration's approach to the pursuit of American foreign policy aims. In sharp contrast to the policies of his predecessor, Obama has successfully used diplomacy to defuse confrontations in hotspots with traditional foes: with Cuba and Iran out of the way, Venezuela might be next.

It seems that, in the final reckoning, the only regional players not to gain anything from the massive transformations in US foreign policy are the Arab regimes. Instead of, for example, capitalizing on such changes to make inroads on American policy on Palestine, they are preoccupied with persuading Washington to support them in the face of their people's spontaneous rebellions, which they have turned into civil wars through tyranny. Indeed, far from winning US concessions on Palestine, the Arab governments now find themselves in the same trench as Israel in the wake of the final agreement on Iran's nuclear program.