

Viewpoints
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Confrontation Over Iran's Nuclear Program

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Michael Adler has been covering the Geneva talks on Iran's nuclear program. The confrontation over Iran's nuclear work contains contradictions that will be difficult to resolve, even with the better atmosphere brought in by President Hassan Rouhani and Foreign Minister Javad Zarif. The mixture of Iran reining in its nuclear work and the United States and its allies letting go of sanctions requires sacrifices that neither side is yet willing to make.

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GENEVA: Journalists watched as workers changed the set-up twice for a press conference to mark the end of talks in Geneva between Iran and six major powers. At first there had been a table on the stage, which spiked speculation that there would be an agreement on winning guarantees that Iran would not seek nuclear weapons. The table was taken away and two podiums were put in. This was taken as a sign that there would be no signing between EU representative Catherine Ashton and Iranian Foreign Minister Javad Zarif. Then as midnight rolled by and word came that the three days of marathon talks were ending, the table was put back. Was this now a good sign?

No, it wasn't. News wires were already flashing before the two leaders arrived that no agreement was reached. The three long days from November 7 to 9 had come to an end. The closely watched negotiations, taking place amid a new spirit of conciliatory rhetoric and attitude from the new Iranian administration of President Hassan Rouhani, had failed to produce the hoped-for breakthrough to end the more than decade-long confrontation over Iran's suspect nuclear work.

Both Ashton and Zarif, as well as U.S. Secretary of State John Kerry, who followed the two with a press conference of his own (at a podium, once the EU and Iranian flags had been replaced by a single U.S. flag), put a hopeful spin on what clearly was a setback. They said the two sides were closer and that the right pieces were in place for an agreement that Kerry said would come "over the next few weeks."

The Iranian nuclear crisis has been a long and frustrating affair. It started in 2002 when an Iranian resistance group revealed that Iran was hiding construction work on two key facilities, one at Natanz to produce enriched uranium and one at Arak where plutonium could be produced. Uranium and plutonium are used in civilian nuclear materials, but they are also the explosive materials for the most common two ways of making atom bombs. Diplomatic efforts to defuse the crisis began in 2003 and have failed since then to win permanent limits on Iran's nuclear work. From 2003 to 2005, three European nations – Britain, France, and Germany – led the diplomacy. In 2006, the United States, which had been on the sidelines, joined directly in an effort to negotiate. The so-called EU3 plus 3 joined Britain, China, France, Germany, Russia, and the United States. But their efforts reached a dead end in dealing with a polarized Iran under the administration of hardline President Mahmoud Ahmadinejad.

All this changed, at least in tone, with the surprise election of Rouhani last June. Rouhani was a regime insider who also had the support of reformers who had challenged the government and were then suppressed after massive demonstrations to protest alleged fraud in the previous presidential election in 2009. Rouhani came to office in August pledging to fix the Iranian economy and to get U.S.-led sanctions against Iran's nuclear program lifted. The sanctions have devastated the Iranian economy, hindering both oil sales and the country's ability to do international banking, and trade. Rouhani appointed a foreign policy team, led by former UN ambassador Javad Zarif, of people with experience in negotiating with the United States and other Western countries.

The emphasis on calm, businesslike talk, rather than confrontation, bore fruit in a resumption of high-level contacts between Iran and the United States. In September, on the sidelines of a

UN General Assembly meeting in New York, Zarif sat down for a talk with Kerry, the first such foreign ministers' meeting between the two states since the Islamic Revolution in 1979. This was followed by a phone conversation between Rouhani and U.S. President Barack Obama, as Rouhani was en route to the airport for his trip back home. Both of these contacts were major diplomatic breakthroughs.

The next step was expected to be a breakthrough in the nuclear dossier. The United States defined this as concrete and verifiable steps on the way to making sure that Iran's nuclear work was strictly civilian and peaceful. At a meeting in Geneva in October, the two sides agreed on an informal framework for talks. The next meeting, in November in Geneva, was to move forward from this.

This is how things looked on November 7 when the meeting in Geneva began. It was held at the senior foreign ministry level, not ministerial, even though Zarif was there in his role as Iran's nuclear negotiator. The meeting opened with a plenary session joining the seven nations at the Palais des Nations, the UN headquarters in Geneva. It then broke for lunch and smaller meetings. Soon there were rumors, and eventually confirmation, that Kerry would be coming on November 8. This of course was taken to mean only one thing – that an agreement was imminent despite U.S. caution that Kerry was taking part since he was good at “bridging gaps,” said one official. Confirmation then came that France, Britain, and Germany would also be sending their foreign ministers, and by November 8 it was announced that Russia and China were also sending ministers, although for China it would be a deputy foreign minister. The fix seemed to be in for a historic event, an agreement that would mark the beginning of the end of the Iranian nuclear crisis and that would eliminate the need for military action, as Israel and the United States have threatened if necessary to keep Iran from getting the bomb.

This rosy scenario quickly turned more somber. First to arrive was French Foreign Minister Laurent Fabius who strode up to journalists assembled behind metal barriers just outside the Intercontinental Hotel, where most of the delegates were staying, to warn that there was no agreement. In fact, “rien n'est acquis” (nothing is settled), said Fabius, speaking in French. In a radio interview later that day, Fabius said France was concerned that not enough was being done about Arak, a heavy water reactor that the Iranians have said could be ready to go online in 2014. He also revealed that there were problems with what to do about stockpiles of 20 percent, or medium-enriched, uranium and with the big question of whether Iran would get to continue enriching in any final settlement. His comments were shocking because they changed the whole nature of the meeting. They also broke the secrecy about meeting details, which the seven nations had kept to throughout the talks. A Western diplomat accused Fabius of grandstanding and said, “The Americans, the EU, and the Iranians have been working intensively together for months on this proposal, and this is nothing more than an attempt by Fabius to insert himself into relevance late in the negotiations.”

By November 9, the talks had moved from the Palais des Nations to the Intercontinental Hotel, where in a room in a first-floor, mezzanine-type area, meetings alternated among trilaterals joining Zarif, Ashton (who as EU foreign policy representative headed the six powers group), and a delegate from one of the six nations, and with some meetings of the EU3 plus 3 and various bilaterals. These talks went well past midnight as the Iranian and six power sides tried to hammer out the text of an agreement. The six nations, with France closing ranks, finally came

up with a text late on the evening of November 9. Iran rejected this text, bringing up several major issues of its own, according to one diplomat, and this is how the meeting ended.

The lesson is clearly that, beyond the fireworks set off by France, there is the fundamental issue of the long-standing confrontation over Iran's nuclear work. This confrontation contains contradictions that will be difficult to resolve, even with the better atmosphere brought in by Rouhani and Zarif. The mixture of Iran reining in its nuclear work and the United States and its allies letting go of sanctions requires sacrifices that neither side is yet willing to make. Making a first step is almost as difficult as resolving the entire crisis.

Iran wants significant sanctions relief in return for ending the production of 20 percent enriched uranium, which it says it needs for a research reactor in Tehran that produces isotopes used in medical diagnosis. But the Obama administration, under pressure from a U.S. Congress that wants to increase sanctions, has little room to cut punitive measures in a first step. It has come up with the idea of releasing some of the billions of dollars of Iranian money that have been frozen in foreign accounts. It is not clear if Iran is still demanding more.

Meanwhile, Iran's primary goal in the talks is to have its right to enrich recognized. While Iran has the right to a civilian nuclear program under the nuclear Non-Proliferation Treaty, the right to enrich is not specified. Iran will want to keep at least part of the industrial scale enrichment facilities it has built. How much and how advanced the centrifuge machines that do the enrichment will be could be sticking points in any settlement.

And of course how and when work on Arak should be limited are other contentious points, as well as the question of how intrusive nuclear inspections will be according to a final agreement.

If the French did anything, they brought these issues forward, echoing Israeli concerns that the United States is ready to give Iran too much in the so-called first phase of a deal. The U.S. approach is to take a first step, lasting some six months, designed to stop the Iranians from expanding their program even as they continue it. This "freeze" would be followed by six months of working toward a comprehensive, final agreement that would deal fully with all issues and nail down what the Iranian program would look like for the future. But Iran would get some sanctions relief in a first phase. Israel and France felt the first phase was letting Iran off the hook, and would stop the second, final phase from being effective. Israeli Prime Minister Netanyahu complained that Iran was getting "the deal of the century."

These concerns surely contributed to the deadlock, rather than breakthrough, with which the Geneva meeting ended. Kerry said at his closing press conference in those early hours on November 10: "There's no question in my mind that we are closer now" to an agreement. "Diplomacy takes time," he said, especially "between countries that have really been at odds with each other for a long time now—in the case of Iran, since 1979." The problem is that as Iran continues its nuclear work and hardliners in both the United States and Iran snipe at diplomacy, the clock is ticking and time is running out. Perhaps this is why talks are set to resume almost immediately, in Geneva on November 20 at the senior foreign ministry level.



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