



Secretary of State Hillary Clinton has already announced that so long as Tehran fulfills its corresponding NPT and IAEA duties, Washington does not deny Iran the right to enrichment as enshrined in Article 4 of the NPT Treaty.

The Current Stalemate On The Iranian Nuclear Crisis: Is There A Way Out Of This Impasse?

İran Nükleer Krizine İlişkin Mevcut Çıkamaz: Bu Kördüğümünden Kurtulmanın Bir Yolu Var mı?

Nurşin ATEŞOĞLU GÜNEY

Özet

P5+1 Görüşmelerinin toplantıları İstanbul, Bağdat ve Moskova gibi şehirlerde düzenlenince, İran nükleer anlaşmazlığına taraf olan ülkeler Şubat 2013'te varılması planlanan karar öncesinde bir başka girişim arifesindedir. Ne var ki, bu toplantının akıbeti hâlâ belirsizliğini korumaktadır. Diplomatik cephede kayda değer bir ilerleme olmadıkça ve güce başvurma seçeneği varlığını sürdürdüğü müddetçe bu kördüğümün çözülmesi pek mümkün görünmemektedir. Söz konusu çalışma, Emanuel Adler'in de belirttiği gibi "Aşağı tükürsen sakal, yukarı tükürsen bıyık" durumunda her iki taraf için de mümkün görünen seçenekleri analiz etmeye çalışacaktır. Bu anlamda, tek taraflı İsrail hareketi veya ABD-İsrail ortak girişimi ile Tahran rejiminin nükleer silah edinme kararını içeren riskler incelenecek, sonrasında ise diplomatik yaklaşımın başarı şansları değerlendirilebilecektir. Son olarak, Türkiye'nin İran nükleer krizindeki tutumunun altını çizerek Ankara'nın öncelikleri, tercihleri ve seçeneklerini değerlendirmeyi amaçlıyoruz.

This new re-ordering of the relationship strategy between the six world powers and Iran via confidence-building methods is now needed more than ever to improve relations that have been deteriorating for some time.

Abstract

Since the last meeting of the P5+1 Talks convened at venues like Istanbul, Baghdad and Moscow, the parties to the Iranian nuclear conflict are on the eve of another attempt at resolution scheduled for February 2013. However, the possible outcome of this meeting remains uncertain. Without a substantial progress on the diplomatic front and the continued presence of the option of force, deadlock remains a distinct possibility. This paper will try to analyze the options available to the two sides, in a situation described by Emanuel Adler as “damned if you do, damned if you don’t.” In this regard, the risks involved in a unilateral Israeli action or a joint US-Israeli initiative against Iran and the Tehran regime’s decision of to acquire nuclear weaponry will be examined, after which the chances of success for the diplomatic approach shall be assessed. Finally, in stressing Turkey’s stance in the Iranian nuclear crisis, we aim to provide an evaluation of Ankara’s priorities, preferences and options.

Keywords: *Iran, NPT, IAEA, P5+1, Turkey, US, CBMs*

Introduction

It is true that, except for a brief period – between 2003 and 2005 – the two camps in the highly controversial Iranian nuclear affair have failed to create measures that could help resolve the issue. The situation reached a real deadlock in 2005 after Tehran’s proclamation that it was determined to continue with its uranium enrichment program. This decision by Iran came despite the continuing allegations since 2002

regarding the refusal to fulfill the obligations of the NPT and IAEA safeguard agreements. Little progress was reported until the announcement of a policy of engagement with Iran by US President Obama in his first term in office. With this new approach, Obama sent out a firm message to Iran that they were now ready to use diplomacy and dialogue in their approach to the regime’s nuclear program. However, by 2008, this rapprochement policy had not been reciprocated by the Iranians. On the contrary, Tehran continued to view the new US position with traditional suspicion.¹

Though the Obama administration made it clear in 2008 that Washington, in line with its new engagement policy, had now decided to dismiss the use of coercion as an option, Iranian supreme leader Ayatollah Ali Khamenei did not see this new move as any different from previous initiatives and defiance, as per the dictates of the Iranian revolutionary regime’s identity, persisted. In fact, when Khamenei declared in 2009 that “the US continues to want a regime change in Iran but not a behavior change about its nuclear program”, he was reflecting the rigid anti-Western mindset prevalent in Iran.²

The Obama administration’s efforts of to put Tehran’s nuclear program back on track via the use of new engagement instruments – such as the swap deal of 2009 – has not had the intended results. Unfortunately, Iran’s defiant stand, coinciding with the discovery of a clandestine Fardow nuclear enrichment facility outside the city of Qom, led the Obama administration to rapidly abandon its engagement policy in favor of coercive diplomacy, including the option of



In the aftermath of the meeting in Moscow in June 2012, both sides have felt obliged to move their talks to the technical level.

force together with that of sanctions.³ In adopting the coercive diplomacy mindset, the Obama administration, together with other members of the UNSC – due to its overwhelming suspicions about the pace of Iran’s nuclear program – missed the chance to use the Turkish-Brazilian swap agreement which would have been an important confidence-building measure (CBMs) in terms of laying the groundwork for a future non-proliferation agreement between the two sides. Unfortunately, the situation has not improved, especially after the revelation that the Tehran regime has succeeded in enriching uranium at 20 percent. The two sides have subsequently found themselves in a stalemate which Adler describes as, “if you do you are damned, but if you don’t you are also damned.”⁴

Just before the convening of three new rounds of the P 5+1 meetings with Iran in Istanbul, Baghdad and Moscow in the spring and summer of 2012, there were two approaches in American political circles concerning the deadlock. Af-

ter evaluating these two American approaches, this paper shall emphasize the possibility of an alternative strategy which takes the realities on the ground into account. In light of the fact that the Iranian regime has yet to acquire a nuclear capability and that it currently has no intention either to develop one, there is still time to generate ideas that could boost diplomatic negotiations and that can focus on ‘win-win’ proposals. Moreover, even if Iran does now decide to develop a military nuclear capability, the international community is well aware of the fact that it would take several years for that intention to become a reality. Thus, after analyzing a third approach to the crisis, the second part of the paper will explore the possibility of using CBMs in preparing a deal between the Tehran regime and the six world powers that would aim to keep Iran within the framework of the NPT. This deal would require two primary condition; the first being the P5+1 group’s recognition of Iran’s legitimate right to enrichment, and the second being a guarantee of Iran’s ratification of its duties

under the NPT and its safeguard agreement via legally binding mechanisms. With any luck, if the six global powers at the end of the negotiations set for February 2013 can somehow reach, if not a comprehensive agreement, but a precedent or decision that would ensure a cap on the Iranian nuclear program, this would both help free Iran of the allegations against it as well as help the two sides create an atmosphere of mutual trust that has been lacking for quite some time. This new re-ordering of the relationship strategy between the six world powers and Iran via confidence-building methods is now needed more than ever to improve relations that have been deteriorating for some time. In this way, both the P5 states and the Tehran regime can eventually be expected to overcome the existing impediments to Tehran's nuclear program and hopefully, at the end of the process, when the required conditions of mutual trust have finally been reached, then Iran can be expected to fully engage with the world community on many crucial issues, not just the nuclear issue. Finally, the paper shall take a brief look at the traditional stand taken by Turkey on this delicate issue.

From Engagement to Coercion: Isn't there any alternative way of dealing with Iran?

Currently, there exist two conflicting views in American political circles about how the US administration should approach Iran, especially after the discovery of a secret uranium enrichment facility at Fordow outside the holy Shia city of Qom in 2009. According to the first school of thought, Iran, due to its defiance regarding its nuclear duties, cannot be trusted. Proponent of this viewpoint are thus of the belief that Tehran should not be allowed to continue with its enrichment program and therefore do not hesitate in confirming the legitimacy of the six UNSC resolutions that call on Iran to suspend all enrichment-related activity. However, in this approach, the risk of waging war against Iran outweighs the possibility of living with a nuclear Iran. The advocates of this approach dismiss the threat of a future nuclear Iran as they are confident that US military supremacy, which rests on the twin axes of deterrence and containment, could not pos-

sibly be challenged by any future Iranian regime. On the contrary, according to this framework of analysis, an Israeli or American attack on Iran would make Tehran more, rather than less, likely to produce and deploy nuclear weapons. In this regard, Kenneth Waltz claims⁵ that an Iranian bomb, in reducing the current military imbalances in the volatile Middle East, would not be a threat but would in fact be a regional or even global stabilizer.⁶

The fundamental change in the Obama administration towards Iran after 2009 can be seen as a departure from engagement in favour of a more assertive diplomacy. This new policy is based on both the threat of force and the enforcement of severe economic sanctions. Via this coercive strategy, the Obama administration hopes and aims to force the Tehran regime to move towards meaningful and binding compromises regarding its suspicious nuclear program. However, as Jervis⁷ argues in *Foreign Affairs* ('Getting to Yes with Iran: The Challenges of Coercive Diplomacy'), the implication of coercive diplomacy has historically rarely yielded a successful end.⁸ The Iranian case, unfortunately, has proved to be unexceptional in this context. The reality is that Iran has so far managed to resist all kinds of coercive measures and despite sanctions and their dire consequences on the economy; it has succeeded in enriching its uranium at 20 percent. In this impasse, whereby the two parties to the conflict gauge the other's attitude before making a critical strategic move, surely Western attitudes in general and the US stance in particular will be crucial in shaping Tehran's response. According to Jervis, the history of coercive diplomacy shows that the simultaneous use of threats and promises does not always pay dividends. Hence, Jervis argues, the application of further pressure on the eve of new talks with Iran in the form of increased sanctions coupled with the threat of force may be counterproductive, in that Tehran could be led to conclude that the West does not sincerely wish to pursue a genuine agreement of partners. Although Iran knows that an escalation of its status to fully a nuclear power would be extremely costly, Tehran may yet decide to pursue weapons development if it is convinced the West is not sincere in its negotiations.⁹

Currently, there exist two conflicting views in American political circles about how the US administration should approach Iran, especially after the discovery of a secret uranium enrichment facility at Fordow outside the holy Shia city of Qom in 2009.

Under the present conditions, since Iran has not yet decided to attain nuclear weapon capability¹⁰, the Obama administration should explore alternative approaches in order to avoid the worst case scenario and should integrate and accommodate its policies with this third way. According to proponents of this view, during negotiations with Tehran the US should agree to allow Iran to continue enriching uranium up to 5 percent U-235 – the upper end of the range for most civilian uses – with the assurance that the Iranian government agrees to unrestricted IAEA inspections and various UN Security Council safeguards.¹¹ The likely negative outcomes of the use of force are primary factors behind the reasoning that shapes this approach. According to the proponents of this school of thought, it is possible to both ensure Iran limit its nuclear program to civilian use and submit to IAEA inspections by tabling ‘win-win’ proposals while there is still time and a window of opportunity to do so. However, according to the arguments put forward, the window that is temporarily and intriguingly open also, conversely, be slammed shut if the opportunity is missed.¹²

The road to negotiations: Any motivation left out there?

It is worth noting that Secretary State of Hillary Clinton, despite the presence of hawkish elements in America, has already announced that so long as Tehran fulfills its corresponding NPT and IAEA duties, Washington does not deny Iran the right to enrichment as enshrined in Article 4 of the NPT Treaty¹³. In the light of the fact that there is still time for diplomatic negotiations to yield a mutually beneficial deal and knowing

the likely negative repercussions if the option of force is made use of, it is hoped that the US and Iran will act rationally .

However, the general propensity in the West has been to commit to a new round of sanctions led by the EU and Washington exceeding that of the six original UN-led sanctions. The rationale behind this behavior was to force Tehran back to the negotiating table and reach a deal that would limit its nuclear program. This coercive diplomacy may be understood and justified under certain conditions; however the net result has been that the strategy has backfired and caused the failure of the P5+1 talks with Iran. In the aftermath of the meeting in Moscow in June 2012, both sides have felt obliged to move their talks to the technical level.

So far, although the trajectory of these Western coercive measures – sanctions and the possible use of force, etc. – has managed to both slow the pace of Iran’s nuclear program and put pressure on Tehran to respond favorably to P5+1 overtures, these tough measures have not been able to bring Iran’s nuclear pursuit to a halt. Moreover, this more assertive Western approach has succeeded in strengthening the prevalent sense of mistrust between the sides more than ever. From the point of view of the West’s and Iran’s imminent security interests, strengthened coercive measures are likely to be counterproductive. IR scholar Alon Ben Meir¹⁴ states that, in the event of the use of force, Iran’s nuclear program would be expected to be delayed by only a few years. Additionally, it is feasible that such a military assault on the regime’s nuclear facilities will both give Iran the legitimacy it needs to pursue

a full nuclear military capability¹⁵ as well as the motivation to withdraw from the NPT mechanism. Likewise, in the aftermath of any military attack, it can be argued that the legitimacy of the existing regime and its policies would be enhanced in the eyes of the Iranian public. Those in the West who argue against the use of force augment their objections further by highlighting the reality of other risks like; (i) the danger of losing the foundation of international cooperation in isolating Iran; (ii) the likelihood of an Iranian bomb triggering a cascade of nuclear proliferation in the new Middle East, and; (iii) the possibility, owing to Tehran's likely military retaliation to any western-led military attack, of the outbreak of a regional conflict between an Iran-led axis and its rivals,¹⁶

On the other hand, if it were to reach the point whereby the Iranian regime is forced to decide between developing a bomb or reaching a deal with the P5+1, a decision to obtain a nuclear or near-nuclear military capability could very well lead to a western military attack led either by the US or Israel. Moreover, it is more likely that in the immediate aftermath of such an assault, the Tehran regime will have to accept drastically deprived domestic economic conditions that would be the likely result of its prolonged and increased international isolation.

Now that Tehran has announced the intention to use a quantity of its high-enriched uranium reserves for medical purposes¹⁷, a new window of opportunity via the use of CBM conditions should not be missed and the necessary conditions required for (re-)convening diplomatic negotiations should be utilized. As Pierre Goldschmidt emphasizes, if a deal with Iran, hopefully via new 'win-win' proposals, is realized, it would surely go some way to averting certain unwanted scenarios. However, Goldschmidt also goes on to state that certain legally binding breaks are required as a guarantee against the re-emergence of a defiant Iran in the future.¹⁸

It is true that some IR scholars, myself included, frequently emphasize the fact that in its dealing with Iran, the West has missed several chances

to utilize CBMs, such as the 2009 and 2010 swap agreements, which is why these political circles are now forced to search for more innovative ways to re-engage Iran in the hope that these measures may avert worst case scenarios. Nevertheless, more optimistic and creative IR scholars continue to come up with a number of proposals that coincide with the Turkish stand, well-known from the inception of the Iranian nuclear crisis, which emphasizes the importance of using diplomatic means in dealing with the situation.

What would be next in P5+1 Negotiations with Iran and likely reaction of Turkey?

From the very beginning of the Iranian nuclear crisis, Turkey cited diplomatic negotiations as the preferred approach. It was always Ankara's belief that coercive methods would be both counterproductive and costly. Throughout the crisis, Turkey has stressed the importance of the use of an engagement policy with Iran that guarantees non-nuclear states' right to nuclear enrichment under Article 4 but with the condition that Iran – like other non-nuclear states – provides assurances that it will restrict itself to civilian use of nuclear energy. With this framework, Ankara has supported all new non-proliferation ideas in principle but with the condition that the nuclear haves of the UNSC continue to respect the nuclear have-nots' legitimate right to enrichment for civilian purposes¹⁹. It is the Turkish authorities' conviction that a diplomacy-based approach is the only course of action that can prevent Iranian nuclear weapon acquisition. Pursuing such a course naturally presents challenges, but as Ankara emphasizes, it is the most effective and reliable option available.²⁰ Ankara therefore continues to support the pursuit of diplomatic negotiations with Iran that would ensure a halt to the accumulation of 20 percent enriched uranium and restrict its enrichment operations and stockpiles to normal power reactor-grade levels and peaceful civilian requirements. Of course, as Pierre Goldschmidt²¹ and Kelsey Davenport rightly highlight, there is a mandatory requirement for the international verification and monitoring of Iran's commitments – via extensive and possibly intrusive IAEA monitoring – in any

future deal, in order to prevent any attempts by Iran to acquire weapons-related material. However, as many IR specialists argue, these verification and monitoring efforts by the P5+1 need to be coupled with concurrent efforts to first ensure recognition of Iran's legitimate right to peaceful enrichment – to be set at certain levels so as to not lead to future military-related efforts – together with the gradual removal of international sanctions in an appropriate and timely fashion.²²

As the proponent of a 'nuclear free world' vis-à-vis his 2009 Prague speech, US president Obama together with other P5+1 leaders should work together to take advantage of the newly opened window of opportunity and hence try once more to engage Iran in serious and sustained negotiations. If such an initiative shows sign of promise, then there is a real possibility that the opposing parties to the conflict may create arrangements that would safeguard the international non-proliferation community against the possibility of a nuclear-armed or a near-nuclear Iran materializing in the foreseeable future.

Conclusion

In light of the fact that the two sides on the Iranian nuclear crisis have been unable to forge a legally binding agreement that would satisfy the expectations of both the P5+1 and the Tehran regime, the two sides should attempt to use new, smaller confidence-building measures before convening the negotiations so that the Iranian-P5+1 relationship, imprisoned in a 'security dilemma', may be overcome and replaced by a new relationship of trust. Of course, much remains to be done. Hence, at this point it is crucial that the negotiators take note of the prognosis offered by Jervis, who suggests that once negotiations have started, Tehran and the international non-proliferation community should scrupulously avoid dealing with the essential and most complex issues with which they are confronted until an atmosphere of mutual trust has been successfully created.²³

At this point, it would be prescient to cite John H. Herz's remarks in the foreword of Ken Booth and Nicholas J. Wheeler's *The Security Dilemma: Fear, Cooperation and Trust in World Politics*, in which he writes, "a great opportunity exists for the sole remaining superpower after the Cold War to lead the world towards mitigating the security dilemma through arms control and nuclear disarmament and towards collective global steps to save the human habitat for future generations".²⁴ The US administration has ultimate responsibility to value and take notice of eminent American specialists' suggestions to use the 'freeze-for-freeze approach'²⁵ a principle based on a US decision to not take further aggressive steps at the inception of negotiations in its dealing with Iran in anticipation of a favorable and comparable reaction by Iran. Taking such a principle into account could be a valuable asset in building the trust essential for the realization of a deal between Iran and the P5+1.

The best preferable scenario for Turkey at the next rounds of the P5+1 talks scheduled for 2013 succeed would be a deal in which the six world powers recognize Tehran's legitimate right to enrichment while also guaranteeing that Iran remain within the boundaries of the NPT, including legally binding firewalls, such a deal would also ideally debar Iran developing warheads and would only let her continue enriching up to 5 percent U-235.

Finally, Turkish foreign minister Ahmet Davutoğlu's suggestion, at the recent Munich Security Conference, to reorganize the P5+1 talks as P5+3 talks that would also include Turkey and Saudi Arabia is perhaps worth a try. If such an extension of the P5+1 could be accomplished, a fresh impetus could be given to the currently stalled negotiation process.²⁶ Turkey's previous success, together with Brazil, in convincing Iran to accept the swap agreement of 2010 can be cited as concrete proof in this regard.

DİPNOTLAR

- 1 Henner Fürtig and Sussane Gratius, "Iran and Venezuela: Ideology-driven Foreign Policies in Comparison" in Daniel Flemes (ed), *Regional Leadership in the Global System, Ideas, Interests and Strategies of Regional Powers*, Ashgate Publishers, Aldershot, 2010, pp, 169-189.
- 2 Karim Sadjadpour and George Perkovich, "The Iranian Nuclear Threat", *Global Ten: Challenges and Opportunities* for the President in 2013, 29 November 2012, <http://www.carnegieendowment.org/globalten/?fa=50140> [last visited 28 December 2012]
- 3 Mark Fitzpatrick, "The Iranian Nuclear Crisis :Avoiding the worst-case Outcomes", *Adelphi Papers*, Vol.48, No. 398, 2008, pp.7-85.
- 4 Emanuel Adler, *op.cit.*
- 5 Kenneth Waltz, "Why Iran Should Get the Bomb" *Foreign Affairs*, vol.91/4, July/August 2012, pp, 2-5.
- 6 Hossein Mousavian, "Iran, the US and Weapons of Mass Destruction", *Survival*, vol. 54/5, October/November, 2012, pp, 183-202.
- 7 Robert Jervis, "Getting to Yes with Iran: The Challenges of Coercive Diplomacy", *Foreign Affairs*, Vol.92/1, January/February 2013, pp, 105-115.
- 8 *Ibid.*
- 9 *Ibid.*
- 10 Hossein Mousavian, "Iran, the US and Weapons...", p, 187; George Perkovich also shares the view that Iran has not developed nuclear capability yet. See Sevgi Akarçeşme, "Iran still undecided on making nuclear weapons but on threshold" *Today's Zaman*, 12 October 2012.
- 11 Robert Jervis, *op.cit.*, p, 112. For further ideas on this debate, see; Andrew Parasiliti, "Closing the Deal with Iran", *Survival*, Vol. 54/4, pp, 33-41.
- 12 Andrew Parasiliti, *op.cit.*, p, 39.
- 13 Hossein Mousavian, "Iran, the US and Weapons...", p, 186.
- 14 Alon Ben Meir, "Why Attacking Iran is more Likely", *Huffpost World*, 17 June 2012.
- 15 Avner Cohen, "A New Nuclear Reaction", *Haaretz*, 13 November 2012.
- 16 Karim Sadjadpour and George Perkovich, *op.cit.*
- 17 The latest news that Iran has informed the IAEA that it plans to add more centrifuges to enrich uranium seems a challenge to the new window of opportunity for negotiations which has been opened by the Iranian decision to use a quantity of enriched uranium for medical purposes. Currently, the pause in the growth of Iran's 20% stockpile is presents another striking challenge ahead of the negotiations set for February. See Joby Warrick, "Iran tells the IAEA it plans to add machines to enrich uranium" *The Washington Post*, 31 January 2012. http://www.washingtonpost.com/world/national-security/iran-tells-iaea-it-plans-to-add-machines-to-enrich-uranium/2013/01/31/4eccb866-6bcb-11e2-bd36-c0fe61a205f6_story.html .[Last visited 7 February 2013].
- 18 Pierre Goldschmidt, "The Iranian Nuclear Issue: Achieving Win-Win Diplomatic Solution" *EU Non-Proliferation and Disarmament Conference*, 4 February 2012, <http://carnegieendowment.org/2012/02/04/iranian-nuclear-issue-achieving-win-win-diplomatic-solution/9hb3> [last visited 10 December 2012].
- 19 Nurşin Ateşoğlu Güney, "Is the Nuclear Cascade Story in the Middle East Real?", *Perceptions Journal of International Relations*, Vol.16/2, Summer 2011, pp. 43-59.
- 20 Nurşin Ateşoğlu Güney, "Turkish Nuclear Security after Iranian Nuclearization", *Contemporary Security Policy*, Vol.33/3, December 2012, pp,522-526.
- 21 Pierre Goldschmidt, *op.cit.*; Kelsey Devenport, "Options for a Diplomatic Solution to the Iranian Nuclear Challenge" *Iran Nuclear Brief, The Arms Control Association*, 9 January 2013, http://www.armscontrol.org/files/Iran_Brief_01_09_2013.pdf [last visited 1 February 2013]
- 22 Kelsey Devenport, *op.cit.*
- 23 Robert Jervis, *op.cit.*
- 24 John H. Herz, "Foreword" in *The Security Dilemma, Fear, Cooperation and Trust in World Politics*, Ken Booth- Nicholas J. Wheeler (eds), Palgrave-Macmillan, NY, 2008, p, viii-ix
- 25 About this idea the viewpoints of Jervis and Devenport can be taken into consideration. See Note viii and Note xix.
- 26 Foreign Minister Davutoğlu "Oppression in Syria is a test for the UN. We will see whether the UN will pass the test or not in the course of the time", <http://www.mfa.gov.tr/foreign-minister-davutoglu-oppression-in-syria-is-a-test-for-the-un.en.mfa>, [last visited 7 February 2013].