

The devil is in the details: What could a deal with Iran look like?

*Summary of a parliamentary briefing on the Iranian nuclear negotiations with expert speakers **Dr. Bruno Tertrais** and **Lukasz Kulesa**, co-organized on 17th of June 2015 by the **European Leadership Network**, the **APPG on Global Security and Non Proliferation**, and the **European Foundation for Democracy**.*

The deadline for reaching an agreement on a Joint Comprehensive Plan of Action (JCPOA) was set for the end of June. Intensive negotiations continue between Iran and the EU3+3 countries. The speakers agreed that **the crucial issues remaining on the table seem to be:**

- the so-called “Additional Protocol Plus”: access to suspected Iranian sites which would not be accessible under the Additional Protocol, possibility to collect samples and conduct interviews;
- sanctions relief timetable and scale;
- duration of specific elements of the deal, including limitations of work on next generation Iranian centrifuges;
- defining non-compliance with specific terms of the deal and dealing with such non-compliance (including ‘automatic’ re-introduction of the sanctions).

Dr Tertrais and Mr Kulesa agreed that solutions can be found to all these problems, especially if a specific party to negotiations would be willing to agree on a trade-off in one area to gain more in others. But they predicted that the deal would most likely not be reached by the June deadline. The talks could go into overtime (lasting days or weeks) if all sides decide that the agreement is within reach. The diplomatic endgame could be dramatic, especially since the Iranian side decided to raise the stakes by pronouncing publicly a number of ‘red lines’. Dr Tertrais noted that another prolongation of the negotiations for at least a few weeks remained an option.

The value of a potential agreement itself would need to be examined against two main criteria:

1. The strength of the non-proliferation and verification provisions:

- “Breakout” potential: limits on production and storage of nuclear material, monitoring of known facilities
- “Sneak-out” potential: capability to detect clandestine facilities, work on weaponization, external assistance or illicit procurements. Iran’s adherence to Additional Protocol seems to be a must, but also an understanding on “AP Plus” procedures
- Procedures for determining and dealing with non-compliance (incl. triggers for reversal of UN Security Council sanctions; rules and procedure for the steering committee overseeing the implementation)
- Duration of specific measures
- Dealing with the past work on weaponization in a satisfactory manner.

2. The scope and speed of **sanctions relief** and nature of **future nuclear cooperation** with Iran:

- Details of the new UN Security Council resolution: suspending most but upholding some sanctions, e.g. on Iranian access to sensitive nuclear-related and military technologies and materials
- Sanctions relief timetable: according to the US factsheet Iran should first complete steps to address all “key concerns” for the sanctions to be suspended, Iran rejects conditionality
- Sanctions relief sequence for each ‘layer’, primarily UN, U.S., European Union: this may emerge as the main problem and potential deal-breaker due to the complexity of the sanctions system, lengthy procedures for suspending or abolishing them in some cases, inflated Iranian expectations
- Provisions on nuclear-related cooperation with Iran

Taken the complexity of all these issues, it will not be possible to foresee every possible area of disagreement or anticipate various Iranian disruptive tactics. **The value of the deal won't be obvious on the day of its adoption.** We may be able to draw more definitive conclusions on its worth based on the way in which the sides will deal with the first implementation crisis. Iran rejecting an IAEA request for access to a specific site where nuclear weapon program-related work may be ongoing can be the first such test.

It was also noted that **unexpected developments unrelated to the nuclear domain** can have a serious impact on the willingness or rationale of Iran or Western states to uphold the deal. Examples include a major terrorist attack with a proven Iranian involvement or an attack on Iran, its allies or its interests conducted by a third party.

Bruno Tertrais remained skeptical about the longer-term durability of the deal, if a deal can indeed be reached. He focused on the nature of the Iranian regime itself as an inhibitor to the full implementation of a deal that would guarantee the now-peaceful nature of the Iranian program. The legitimacy of the regime, including the so-called “pragmatists” like President Rouhani, in large part rests on continual opposition to the West. **Any “final” agreement with the EU3+3 is likely to be treated at best as a tactical, “transactional” (as opposed to “transformational”) measure** and it is unlikely that it would signify the complete renunciation to nuclear weapons. Iran will most likely try to weaken the resolve of international community by re-interpreting specific provisions of the deal and constraining verification activities, in a repetition of the practices known from Iraq and North Korea in the 1990s. The West should therefore not treat the agreement as a “game changer” or beginning of a new era of its relationship with Tehran, but prepare for the continuation of the crisis.

Lukasz Kulesa was more optimistic. He agreed that the agreement will most probably be treated by the Iranian leadership as a tactical concession, which would give Iran a couple years of breathing space, without the need for a strategic realignment. It should however be **quite a robust instrument for monitoring** the main roads to the Iranian nuclear weapon capability (break-out and sneak-out). It would also create **an opening for influencing Iranian policy on broader internal and external issues.** On most of the security challenges, the U.S. will realistically need to take a lead in formulating the policy towards Iran and terms of engagement. But on economy and people-to-people contacts, it should be a chance for the EU states to gain a foothold inside Iran and, through political and economic engagement, influence the country's strategic direction.

Speakers

Bruno Tertrais is a Senior Research Fellow at the Paris-based *Fondation pour la Recherche Stratégique*. He has served as Special Assistant to the Director of Strategic Affairs at the French Ministry of Defense 1993-2001, as Visiting Fellow at RAND Corporation in 1995/96, and Director of the Civilian Affairs Committee at the NATO Parliamentary Assembly between 1990-1992. He has published widely on International Relations and Geopolitics, Conflicts, US Strategy, Transatlantic Relations, Security in the Middle East, Security in Asia, Nuclear Proliferation, Nuclear Deterrence, and Military Strategy.

Lukasz Kulesa is Research Director at the European Leadership Network. Previously, he worked as the Head of the Non-proliferation and Arms Control Project at the Polish Institute of International Affairs (PISM), focusing on non-proliferation of weapons of mass destruction, proliferation crises (North Korea, Iran), perspectives for nuclear disarmament, Russian security policy, nuclear and conventional deterrence, the role of missile defence, and the future of arms control systems. In 2010–2012 he was working as Deputy Director of the Strategic Analyses Department at the National Security Bureau of the President of the Republic of Poland.