The Iranian nuclear situation

In December 2002, Iran's previously unreported development of a uranium enrichment plant at Natanz became public knowledge. The Iranian government agreed to allow enhanced inspections by the International Atomic Energy Agency (IAEA), the agency responsible for inspections of nuclear facilities of all states parties of the nuclear Non-Proliferation Treaty (NPT). As Iran is a member of the NPT, it has a Comprehensive Safeguards Agreement with the Agency. By November 2004, then-IAEA Director General Mohammed ElBaradei announced there was no evidence that Iran was pursuing a nuclear weapons programme.

However, the IAEA did report a number of violations of Iran's obligation to declare and report certain nuclear material and activities, indicating that Iran has been less than forthcoming "with respect to the reporting of nuclear material, its processing and its use, as well as the declaration of facilities where such material had been processed and stored." Though Iran implemented the necessary corrective measures, there continued to be concerns that Iran had pursued designed studies and other work related to the development of nuclear weapons.

It is on this basis that the UN Security Council passed its first sanctions resolution against Iran in December 2006, which required Iran to suspend all enrichment and reprocessing activities. Since then, the Security Council has passed several additional sanctions resolutions and key governments have passed unilateral sanctions against the country as well.

To date, there is no evidence that Iran has decided to acquire a nuclear weapon. Non-compliance under the NPT Safeguards Agreement requires a finding of diversion, or uncertainty regarding diversion, of nuclear materials toward military use. The IAEA has consistently concluded that no diversion had occurred, but says it is not yet in a position to determine the presence or absence of additional undeclared nuclear materials or activities, as it would be in countries that have agreed to a higher verification threshold (known as the Additional Protocol). This is not the same thing as having evidence of a nuclear weapons programme.

Some Western governments are concerned about the possible intentions of the Iranian leadership, but theoretical aspirations are not violations of international law. Iran should ratify the Additional Protocol, but so should every other country that has not yet done so.

Key issues

The development of civilian nuclear energy is legally guaranteed—and even encouraged—under article IV of the NPT, but this has serious proliferation risks. The five nuclear weapon states (China, France, Russia, United Kingdom, and United States), along with nuclear weapon possessors Pakistan and Israel, used nuclear reactors to create the materials for their nuclear weapons. India and North Korea acquired nuclear weapons through so-called “peaceful” civilian nuclear programmes. But nuclear power is never peaceful due to the devastating health and environmental impact. There is no safe way to dispose of the waste produced by nuclear power.

In addition, the NPT does not prohibit the research or development of nuclear weapons—in
fact, the Treaty was designed specifically to allow North Atlantic Treaty Organization (NATO) countries to maintain nuclear weapons, ready-to-use, on their territories (some still do today!). The NPT only prohibits receiving nuclear weapons; receiving control over such weapons; manufacturing or acquiring nuclear weapons; and receiving assistance to manufacture nuclear weapons. This legal deficiency can only be addressed through subsequent agreements such as a nuclear weapons convention or establishing a nuclear weapon free zone in the Middle East.

International response

There is no military solution to the impasse over Iran's nuclear programme. Military action is unwarranted, illegal, will have disastrous consequences, and will be counter-productive. Any military action would likely strengthen the position of hard liners in Iran and unite the population behind them. Given the lack of evidence about Iran’s nuclear weapons programme, it seems that the threats against Iran are aimed at undermining a country that has a regional influence and access to oil. US military bases currently surround Iran. Israel and the United States have been engaged in military exercises, bringing air craft carriers into the region. Additional sanctions only make it more difficult to reach a negotiated agreement. In particular, the unilateral sanctions recently adopted by the US Senate make it nigh impossible for the Obama administration to engage in good faith negotiations with the Iranian government. Sanctions and calls for regime change must end in order to allow negotiations to succeed.

Alternative solutions

Promoting meaningful negotiations on the basis of reciprocity, if necessary through a credible third-party mediator, such as a neutral country or the United Nations. It is important not to let the West’s other possible interests in the region interfere with a negotiated solution on the nuclear issue.

Stop the sanctions. To enter into negotiations in good faith all countries must be willing to drop the sanctions against Iran and prevent the UN Security Council from adopting any more.

Support the establishment of a weapons of mass destruction free zone in the Middle East. The Iranian government has already issued its support for a process to negotiate such a zone among all member countries of the region in coordination with other key states and the United Nations. All countries of the region, including Iran and Israel, should be encouraged to participate in this process in good faith.

Promote nuclear disarmament, not discriminatory non-proliferation. France, Israel, the United Kingdom, and the United States, the four most hardline supporters of sanctions and potential military action against Iran's nuclear programme, all possess nuclear weapons themselves. This double standard will only encourage other states to seek to acquire nuclear weapons, not prevent them from doing so. France, the UK, and the US are legally obligated to eliminate their nuclear weapons, pursuant to article VI of the NPT. They must be held to account for this obligation.

Make a global commitment to developing sustainable, renewable energy and a global moratorium on nuclear energy. All countries should forgo the capacity to produce nuclear fuel and instead should commit resources to energy efficiency and faster development of renewable sources of energy. All states should join the International Renewable Energy Agency and move resources from military spending to renewable energy.

Also see RCW’s toolkit on Iran for more information and ideas for action!