



The Iran Nuclear Framework Proposals

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Introduction

On 2nd April 2015, Iran and the six world powers with which the Iranians have been negotiating released a framework for a Joint Comprehensive Plan of Action regarding Iran's nuclear programme. This framework has given cause for considerable concern and has provoked criticism from a wide range of observers and analysts internationally.

The concerns fall into three distinct categories. First, that it does not actually appear that a full and comprehensive framework has the endorsement of all parties, with both the Americans and the Iranians putting out versions of the framework that diverge on many of the most critical issues.

Second, even under the terms set out by the more robust version of the framework - as outlined by the State Department - there are key flaws that threaten to undermine the overarching objectives of Western policy on Iran. Particularly on the matters of verification and enforcement it is doubtful that these parameters definitively block Iran's pathway to producing nuclear weapons.

Third, because of the inherent weaknesses in the proposed framework it is anticipated that there will be serious consequences for the wider Middle East. Implementation of the Joint Comprehensive Plan of Action as currently proposed would likely open the way to other powers in the region advancing their own nuclear programmes and contribute to growing tensions, rivalries and instabilities in that part of the world.

1. Disparities

While there are substantial flaws in the framework as presented by the US government there are also pressing concerns regarding whether or not this framework even has the backing of all sides. Washington has presented the framework parameters as being mutually agreed upon. However, there were immediate indications that the Iranians and Americans are in fact not in full agreement on several of the most critical issues. Indeed, the joint Iranian-EU statement made on 2nd April had a number of differences to the one made by President Obama on the same day.

In addition, a French factsheet on the framework is reported to contradict the US version of the framework on the crucial matters of inspections, the timing of sanctions relief and the types of centrifuges that Iran will be permitted to use and enrich with.

Comparing the parameters released by the State Department¹ with an equivalent factsheet and statements put out by the Iranians², it is possible to identify seven key discrepancies:

1. Most controversial of all the discrepancies is the question of sanctions relief. The Obama administration has stated that there would be a phased lifting of sanctions as part of the implementation of the framework. The Iranians, however, insist that all sanctions will be lifted as soon as the final agreement has been signed.

So while the parameters set out by the State Department state: “US and EU nuclear-related sanctions will be suspended after the International Atomic Energy Agency (IAEA) has verified that Iran has taken all of its key nuclear-related steps”, the Iranian factsheet claims: “all of the sanctions will be immediately removed after reaching a comprehensive agreement”.

2. The American parameters outline restrictions on enrichment for a fifteen-year period. Yet according to the Iranian factsheet the agreement only has an implementation period of ten years. Either way, there are serious questions about how close to breakout Iran would be by the time that the framework would expire.
3. According to the parameters set out by the US, Iran will not be permitted to carry out enrichment centrifuges more advanced than the basic IR-1 model. However, just days after the framework was released, Iranian foreign minister Javad Zarif informed the Iranian parliament that once the final agreement was signed Iran would begin enrichment with the advanced IR-8 centrifuges—representing a dramatic upgrade in Iran’s current enrichment capabilities.
4. There has been considerable disagreement over Iran’s formerly secret underground nuclear bunker at Fordow. Initially the West had demanded that Fordow be dismantled and closed altogether. Under the framework released by the US, Fordow is to be converted into a nuclear research site of some kind, where enrichment with advanced centrifuges will not be permitted. However, the Iranian factsheet insists that enrichment will continue at Fordow as before.
5. It is widely agreed that an effective inspections regime must allow for IAEA inspectors to be at liberty to hold surprise inspections at Iranian nuclear sites. The US has said that under the framework Iran has agreed to snap inspections. The Iranians, on the other hand, are reported as saying that such inspections would only be a temporary arrangement.
6. With regard to Iran’s uranium stockpiles, the American account of the deal claims that these will be shipped overseas. Yet according to Iran, its stockpiles of already enriched uranium may be converted, but they will not be leaving the country.

¹ ‘Iran Deal Parameters’, via *The Wall Street Journal*, available at: <http://online.wsj.com/public/resources/documents/IranDealParameters04022015.pdf>

² ‘Translation of Iranian Fact Sheet on the Nuclear Negotiations’, via Harvard University, available at: <http://iranmatters.belfercenter.org/blog/translation-iranian-factsheet-nuclear-negotiations>

7. The other critical area concerns the Possible Military Dimensions (PMD) aspect of the Iranian nuclear programme. The US parameters make two references to PMD. Most explicitly the State Department parameters state: “Iran will implement an agreed set of measures to address the IAEA’s concerns regarding the Possible Military Dimensions (PMD) of its program.” Yet the Iranian factsheet does not even mention PMD or any obligations relating to IAEA’s questions here.

2. Flawed Parameters

Putting the major disparities aside, even if the framework was to be implemented precisely as outlined by the US government without any further revisions, the plan as proposed would still leave serious cause for concern. Since the release of the parameters by the State Department there has been considerable debate regarding the efficacy of these proposals and whether they are sufficient to meet the stated aim of preventing Iranian nuclear breakout. The version of the framework put forward by Washington appears particularly inadequate with regards to inspections, verification and enforcement. Additionally, the US framework puts only temporary restraints on Iran while ultimately accepting and legitimising an Iranian nuclear programme that is currently recognised as being illegal under international law.

2.1 Accepting Iran as a Threshold Nuclear State

President Obama has pledged that once the framework has been implemented, and for the decade that it is fully operational, Iran will at any given time be at least a year away from weaponisation breakout. Even if this is true, and there is reason to suspect that Iran may already be less than a year away from breakout, it is not clear that a year would necessarily be long enough to take the required action for stopping Iran from weaponising.

There is no guarantee that detection of an Iranian breach of the agreement would be immediate. Even if detection were to happen a year away from nuclear breakout, it is questionable whether this would give sufficient warning to act effectively. President Obama has said that if need be sanctions could be put back in place, but as seen in the past, building an international consensus for tough sanctions can prove a slow and unpredictable process. The time it would take for any such sanctions to come into effect would be longer still. And whereas in the past sanctions have been used to pressure Iran into coming to the negotiating table, by this point far from incentivising Iranian cooperation, the Iranians may in fact decide to make a dash for breakout instead.

2.2 Inspections

One of the most problematic areas of this agreement relates to the matter of verification. Iran is well experienced in both concealing aspects of its nuclear programme and in breaching international resolutions and agreements. Additionally, there still appear to be considerable disagreements about the exact nature of the inspections agreed upon under the framework. Even with the most extensive level of inspections currently being proposed there is reason for concern. An Iranian move toward breakout almost certainly would not be a clear-cut or singular event. Rather it is anticipated that the Iranians would seek to reach breakout through a gradual

accumulation of minor and ambiguous breaches of the agreement, each of which might not individually be considered substantial enough to warrant a strong response from the international community.

Then there is the question of how intrusive the inspections will be. The US government has stated that Iran has agreed to implement the Additional Protocol of the Non-Proliferation Treaty, of which Iran is a signatory, which allows for relatively intrusive inspections. The Iranians, however, claim only to have agreed to such inspections on a voluntary and temporary basis. Furthermore, Iran has agreed to the implementation of the Additional Protocol previously and then subsequently broken the agreement, as was the case between 2003 and 2006.

Dr Olli Heinonen, Former Deputy Director-General of the International Atomic Energy Agency, has also expressed serious reservations about seeing a North Korean scenario repeated in the Iranian case³. This would involve the Iranians carrying out activities that breached the agreement but at uninspected sites. Similarly, there is the concern that Iran might simply outsource some of its nuclear activities to beyond its borders, such as to North Korea.

Even excluding these possibilities, with not a single Iranian nuclear site being fully closed or dismantled, and with Iran itself being such a vast country, questions have been raised about whether the IAEA currently has the manpower or resources to adequately carry out such a large and technically complex task.

2.3 Enrichment and Centrifuges

While Western powers had initially opposed all uranium enrichment by Iran, the framework now accepts Iranian enrichment as a core element of an agreement. In the period that the international community has been negotiating with Tehran the number of operational centrifuges has increased dramatically from around a hundred to over twenty thousand. At the same time the number of centrifuges that Western negotiators have been prepared to countenance has also increased during negotiations. From early demands that the number of centrifuges be limited to the hundreds, it was subsequently reported that negotiators had upped that number to around two thousand. Under the current framework Iran will be permitted to keep over 6,000 centrifuges. Around 5,000 carrying out low level enrichment at Natanz, and controversially another 1,000 would be kept in place at the underground and formerly secret facility at Fordow which the West had previously been demanding Iran dismantle altogether.

This number of centrifuges is dramatically in excess of what Iran could conceivably need for civilian and non-military purposes. As outlined in the 2014 Henry Jackson Society report *The Iranian Nuclear Programme: Practical Parameters for a Credible Long-Term Agreement*⁴, Iran should be limited to between 2,000 and 4,000 IR-1 centrifuges with even 2,000 centrifuges providing Iran with ample uranium for all foreseeable research and civilian needs.

2.4 After Expiration

Ten years after implementation, the proposed framework is due to be scaled back and eventually terminated. This leaves troubling questions about what will happen after that. Currently there are

³ 'Ex-IAEA Deputy: Deal puts Iran on nuke threshold for 10 years, then gets worse', *The Times of Israel*, 7 April 2015, available at: <http://www.timesofisrael.com/ex-iaea-deputy-deal-puts-iran-on-uke-threshold-for-10-years-then-gets-worse/>

⁴ Heinonen, O., 'The Iranian Nuclear Programme: Practical Parameters for a Credible Long-Term Agreement', The Henry Jackson Society (2014), available at: <http://henryjacksonsociety.org/wp-content/uploads/2014/11/The-Iranian-Nuclear-Programme-online.pdf>

six separate United Nations Security Council resolutions prohibiting all Iranian enrichment. But the framework not only proposes to remove these, it also allows Iran to keep all existing nuclear sites and to make certain advancements in its research technology and capabilities. The concern is that by the end of the ten year period Iran's nuclear programme will have been legitimised and Iran will be closer to being able to achieve breakout than before. All nuclear related sanctions will have been permanently removed but Iran's primary obligations under the framework will have expired.

In an NPR interview days after the release of the framework, President Obama appeared to concede that under the deal thirteen years from now Iran would be left with a "near-zero" breakout time. The State Department subsequently denied that the President had acknowledged this.

Nevertheless, one of the most problematic elements of the proposed framework is that viewed in the long term it appears to leave Iran poised for breakout, at best offering just a short delay in Iran's weaponisation progress in return for far-reaching, long lasting and possibly irreversible Western concessions.

3. The Dangers of Regional Proliferation

In the event that the current framework is ratified it will have dramatic consequences for the region as a whole. By leaving Iran with the capabilities of a nuclear threshold state the international community will find it all but impossible to deny the right to equal capabilities to other powers in the region, particularly those commonly regarded as allies such as Saudi Arabia, Jordan and Turkey. If these levels of nuclear capabilities were to become the norm across the Middle East it would almost certainly become impossible to prevent the eventual breakout to weaponisation in most of these cases. We have already seen just how difficult the business of sanctions, inspections and negotiations has been just in the Iranian case. It would not be viable to replicate this same model in numerous other countries simultaneously. The inevitable nuclear arms race across the region that already threatens to erupt would have dire and destabilising consequences for the world at large. The outcome of a nuclear standoff in such a volatile part of the world carries incalculable and global risk.

Even if a regional nuclear arms race could be avoided, the prospects of a nuclear or nuclear threshold Iran are still bleak. Iran's hegemonic ambitions across the Middle East have been plain to see and continue to cause dangerous levels of tension among Iran's Sunni neighbours. Iranian proxies are currently involved in a number of conflict zones across the Middle East and Iranian breakout would both embolden these forces and compel Iran's regional rivals to push back against such proxies all the more fiercely. Additionally, we are already seeing a situation unfolding in Yemen in which it is possible to envisage conventional warfare erupting between Iranian forces and those of Saudi and even Pakistan. This kind of scenario would have the potential for catastrophic consequences.

About the Author

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