



Pugwash Consultation on “Ways Forward on the Iranian Nuclear Issue”

Thursday, 28 February 2013
Washington, DC

On 28 February 2013, Pugwash convened the latest in an ongoing series of consultations which have addressed the Iranian nuclear program in various contexts.¹ The meeting involved 29 participants, including current and former senior policy makers, leading scientists, and other experts. It was held at the Stimson Center in Washington, DC, according to traditional Pugwash/Chatham House rules: participants took part in their individual capacities; statements are not attributed to any individual; and distribution of the substance of discussions is encouraged.²

The meeting took place immediately following the first round of Almaty negotiations (26-27 February 2013), which were viewed as more positive than earlier rounds of negotiations but not yet on a track likely to lead to an agreement. Concern was expressed that if dynamics do not change in the next round of talks, there could be a “rerun of the confidence-destroying process” that led both sides to miss earlier opportunities in finding a solution to the controversies. The stakes are high and some felt that there is little understanding in Washington, DC and other capitals of the full ramifications of the related and perhaps increasing danger of war if these negotiations are allowed to fail.

The main parameters of a deal are known. One participant said, the issue is “95% political and only 5% technical.” Proposals that involve a step by step approach (such as the appended Pugwash model agreed framework, the Russian proposal and others), are widely seen as having the greatest likelihood of success if political will exists.

One veteran diplomat summed up the dichotomy of the international debate, which also was evident in our discussions: one group is emphasizing rights, the other group is focused on obligations and as a result, all are “talking past each other, and not listening to the other.” Both sides find this frustrating. It should be possible “to square it out” since the rights and obligations are clearly part of the same package, if the right formula can be found. Some felt it will be important to allow both sides to claim some kind of a victory, even if it means recognizing for example that Iran might take some relatively minor point and spin it as a victory.

¹ Related reports from prior meetings in Tel Aviv/Herzliya, Paris, London, Ramallah, Beirut, and other cities are available at www.pugwash.org.

² This report was prepared by Pugwash Senior Program Coordinator Sandra Ionno Butcher. The opinions expressed do not necessarily reflect the views of the rapporteur, the Pugwash Conferences or any of the sponsoring organizations. Pugwash appreciates the support for its Middle East project provided by the Norwegian MFA, the Carnegie Corporation, other funders and our national groups. Pugwash would like to thank all participants for their involvement, and especially Pugwash Council member Cliff Kupchan and Chair of the Pugwash Executive Committee Steve Miller for their help in organizing the event and related activities.

Negotiating modus operandi

The limitations of the P5+1 (E3+3) process has become apparent, and some (including in DC) are wondering if this is truly the best mechanism to use for the negotiations. Participants discussed some alternate approaches that could supplement the current structure:

- Some sort of **“multiple bilateral engagement” might be productive, with an emphasis on direct US-Iran bilaterals**. Some believe that bilaterals will be essential to “cover the deficiencies of the P5 process” and “offer the “greatest opportunity for success.”
- Someone noted it is important that **US-Iran bilaterals should be set up on a continuous session**, not just “one-offs.”
- Iran has requested a **special envoy for Iran**, this should be explored.
- The **president might also pick an “informal but senior respected person” to have private discussions outlining where the president might like the endgame to go**, stating he understands this will result in Iran possessing enrichment facilities under effective safeguards. Some believe Ashton is playing this role and to add another would complicate things too much.
- Some wondered if it might be possible for a **senior figure like Carter or Clinton to visit Tehran**. (Others suggested some possible senior technical people like the science advisor John Holdren.)
- **The US Secretary of State Kerry could meet with the head IAEA representative from Iran**.
- The role of track II dialogue when negotiations are underway was discussed. Some felt that it complicates the negotiations, others believe firmly that the **Track II dialogues can help provide a means for threshing out items** in a more informal manner. “Track II is the essence of stable relations between nations,” said one participant. It also was noted that the current negotiations are still uni-dimensional, and they are not in a creative phase. As a result, Track II remains important (Track II is discussed further below.)
- In addition, other issues could be used as **confidence building measures** (maritime studies, cooperation on Afghanistan, pipeline in between Iran, Pakistan, India, etc). However, others warned that while such issues might be very worthwhile to pursue, the nuclear issue is something specific. Any attempt to discuss Hezbollah and Hamas would be non-starters. Iran tried to form line of communication on Syria and was rebuffed.
- Others **questioned the advisability of heavy media involvement during the negotiations**. The ways in which the various sides are using the media as the meetings are underway may be adding to the difficulties of the process.

Elements of a deal

Participants discussed at length various permutations of a possible deal with Iran, including those currently under discussion, items that were formerly discussed, and alternative plans (*such as the appended Pugwash model framework*). At its essence, discussion seemed to break down the various elements into two categories: bargaining chips and core issues.

Timely detection of diversion (core demand of the “six”)

One person noted “timely detection of diversion of a significant quantity of nuclear materials” is at the very core of the demands of the “six.” Beyond the hype of the negotiations, there is indication that Iran is willing to take steps on these core issues, such as:

- Implementation of the **Additional Protocol**;
- **Implementation of modified Code 3.1** of the Subsidiary Arrangements;
- Cooperation with the IAEA regarding **possible military dimensions** (discussed below);
- **Cap at 5 percent**;
- **Stop 20 percent and stockpile** enriched uranium (discussed below).

“Iran is ready to sign a package including these five demands,” one participant said. They would be willing to cap at 5 percent, send out all of the converted stockpile beyond what is needed for domestic consumption. One participant noted there is a draft agreement between Iran and the IAEA 95-98% completed (though no agreement exists regarding unlimited access), etc. The overall impact of these steps is significant, and some believe, not adequately recognized in the negotiations. If Iran is enriching below 5 percent, and sending out HEU in Iran beyond domestic needs, if Iran fully implements the safeguards agreements, implements the additional protocol and beyond, is in full cooperation with the IAEA and address all PMD issues, the system would address the core demands of the “six.”

It was noted that in Almaty I, the ‘six’ told Iran they expect to address all IAEA technical requirements, full stop – which was interpreted as PMD, Additional Protocol and beyond the Additional Protocol, 3.1., etc—without offering anything regarding the Iranian core issues. Others questioned whether that they were asking for all of those things.

Halt 20 percent enrichment

Several of the items under discussion in negotiations were seen as not serious, but “bargaining chips.” This includes most especially the calls to close the underground Fordow facility. One person noted that Iran clearly signaled in the autumn that if “all options” are on the table regarding a possible military strike, then no progress will be made on Fordow and that they clearly have indicated they will never negotiate regarding Fordow.

The main issue about Fordow is the production of 20 percent enriched uranium (also being done at the Natanz facility). Someone said the Iranian willingness to discuss 20 percent is an “important shift” and should not be underestimated.

There have been suggestions that there are other ways to address the issue, beyond calling for closure of Fordow.

- One person pointed out, “**Maybe suspension allows them fidelity to long held positions, while meeting some of our concerns regarding 20 percent.** We could leave in abeyance concerns about when Fordow stops.”
- It was further suggested that **if Iran were able to keep a certain amount of 20 percent enriched uranium for local use in the Tehran Research Reactor, it is a kind of *de facto* understanding that Iran could keep Fordow but suspend operations there.**

- Others questioned if 20 percent were stopped, would this in effect mean Fordow would be suspended, or is it likely the Iranians theoretically could do some 5 percent enrichment there using other centrifuges. If **they might continue to use the facility for 5 percent, does it matter?**
- It was pointed out that there have been international efforts to try to **establish a norm where all countries limit enrichment to less than 20 percent**. Some felt strongly that this sort of more general approach that does not single out Iran, would be most likely to produce real results.
- One participant suggested that it might be possible to have a private agreement between the two sides, and then formally agree that Iran and the IAEA will resolve that the Natanz facility will effectively limit enrichment to 5 percent.
- There was some discussion about Iran's conversion of 20 percent enriched uranium to uranium oxide (a step toward making fuel, which makes it more lengthy to revert the process and get back uranium that could be further enriched for weapons purposes). Some felt the IAEA report was not clear as to whether or not this is being converted into plates. Some believe that **Iran should be encouraged to continue to fabricate fuel**.
- It appears that Iran might be having difficulty with the fuel plates. Iran has requested in past, and some believe the time might be right now to **offer help in converting oxide into fuel plates**.

Recognizing rights (core demand of Iran)

Iranians are clear that they will not agree to anything that questions their rights to enrichment. "The singularity of Iran is not accepted." Therefore, any deal will have to in some way recognize Iran's rights under the NPT. Iran has asked to be shown the "endgame" – some indication of the broader final picture. The "six" have been resistant to do this.

Some do not believe Iran has these rights unless it is in compliance with its NPT obligations (see PMD section below). However, others say that recognizing an "inalienable" right is separate from any treaty obligations. With or without the NPT, Iran says its right is "inalienable" – it is not regulated by the treaty, the treaty recognizes a pre-existing right.

Some participants in our meeting questioned Iran's insistence on recognition of rights, and suggested it is a tactic to "stop progress" since Iran knows that the P5+1 will not accept it in the negotiations and Iran is aware that this has the potential to split the P5+1.

- **"All know the endgame will give Iran a right to enrich if they apply all other standards,"** said a participant, and Iran should know this too. The question is how to convince them?"
- However it was noted that some have a **lack of confidence in the current leadership of the IAEA**, and consider the IAEA to be acting in a partisan manner. This is complicating the trust needed to ensure verification. Others believe that the criticisms of the IAEA are part of a delaying tactic to buy Iran more time.
- It was reminded that Iran as a party of the NPT should be granted all the rights recognized by the NPT, including the rights pertaining to civilian nuclear activities. Any limitation to these rights should therefore be provisional

- The UN resolution mentions mandatory and indefinite suspension of enrichment. It is **not clear if the P5+1 would modify the UN resolution or not**. If they are only looking for a solution within these parameters, it is not clear one is possible. Mandatory and indefinite suspension is “impossible” for Iran to accept, said one participant, as the NPT must be the basis for any resolution of the crisis. In Moscow and Istanbul talks, there was agreement to find a solution in the framework of the NPT, with a package to implement step by step. This will necessitate some reconsideration of the UN resolution.

Lifting Sanctions (core demand of Iran)

The Iranian side considers a lifting of sanctions to be a core and essential element of any deal. They are not satisfied with the minimalistic offers put forward on this by the “six” and it is widely understood that greater creativity will be needed on this question if talks are to produce any results. This is particularly urgent, since there are further sanctions in the pipeline that could further complicate negotiations.

While the overriding climate in DC is in favor of sanctions and their impact, participants in our meeting discussed the worrisome drawbacks. Many fear increasing sanctions could backfire, and create a climate in Iran where there will be a solid push toward nuclear weapons. Some further believe ratcheting up the sanctions will draw the situation closer to war, and can lead to a spiraling out of control of the situation. One person said that sanctions have not only made life more miserable for a lot of people in Iran, but they are “strengthening the power, rather than weakening” it by giving more relevance to the establishment and the Revolutionary Guards.

Someone said it is “unrealistic” to talk about suspension of the 2012 sanctions on oil and the Central Bank, “these are the crown jewels of the regime” and they are “almost impossible to wind down.” “No Iranian diplomat understands the sanctions regime.” “Russia and China are like Iran, they don’t understand the complexity.” A recent report by the International Crisis Group was repeatedly referenced, as it includes a table at the end listing all the sanctions and the four categories of difficulty in removing them.³ The ones that could be most promising in terms of negotiations are the ones which require only one executive order or one piece of legislation. Most waivers, it was noted, are 100-180 days, maximum of a year.

It was noted that at this point there is so much overlap between US and EU sanctions, that it is not clear any longer that EU sanctions would be easier to lift. The EU political sensitivity to being told by Americans what to do was seen as a possibly underestimated force. And some believe the Europeans are not willing to discuss bilateral relief “because they will be targeted by the US.” This is why gold, airplane parts, etc are on the table.

Not everyone believes that it is a given that sanctions cannot be undone. “The sanctions issue is a matter of political leadership in the end, and even in the beginning,” said one former diplomat, who pointed out that the logic of most of the sanctions is premised on an assumed weaponization of Iran. If concerns are satisfied, the premise for the most severe sanctions no longer exists. “Reversing the

³ “Spider Web: The Making and Unmaking of Iran Sanctions,” Middle East Report N°138, International Crisis Group, 25 February 2013. The report can be found here: <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iran%20Gulf/Iran/138-spider-web-the-making-and-unmaking-of-iran-sanctions.pdf>

sanctions depends on the will of the president and political leadership.” “The same lawyers who drafted the sanctions are quite capable of undoing them,” said one participant.

- One person said “no sanctions lifting is in the cards,” but **suspending sanctions is possible**, if coordinated with the US and EU. If meaningful, this could have an impact on the economic well-being of Iran.
- An **agreement for no secondary sanctions** would be helpful.
- Someone else noted it is possible to “start down the route to a virtuous path.” So, for example, it might be possible to **“play with the waivers” so China and India could buy more oil.**
- The US president has some waiver authority, particularly on the earlier set of sanctions. A **case by case assessment** could yield greater creativity in how to approach this issue. Any steps would be seen as a signal of intent to reach a more equitable agreement down the road.
- Someone said it could be a **“suspension for suspension” deal**, but it was noted that this will still leave the sanctions legally in place.
- It was suggested that “someone has to go first,” so perhaps Iran could unilaterally announce a **three-month suspension of 20 percent enrichment**. Then an agreement can follow, for example a **lifting of Swift code sanctions**, which are relatively easy to lift through a Presidential waiver. However, others thought Iran is unlikely to do this, since it would be interpreted by the West as a victory of the sanctions regime. It might be possible, however, to do as **part of a package including suspending new sanctions for 2-3 months.**
- Alternately, it was proposed that a **unilateral suspension of some selected sanctions could be done for six months**, in hopes the other side would show reciprocity. “We don’t have much to lose by suspending sanctions for six months,” said another participant.
- Any new sanctions will further complicate the problems facing negotiations. However, one person pointed out the new sanctions are months away, “so there is time to mount some defense in response to signs of a changing environment.” Thought needs to be given as to how to **ensure there is some flexibility in any additional sanctions to support rather than stymie negotiations.**

Someone noted if there is some progress, some beginning of a sustained diplomatic engagement, then this could temper the atmosphere on the Hill toward additional sanctions. “They are not inevitable.” However, if there is another collapse of negotiations, then we will have another round. If new sanctions were to originate in the House, it is theoretically possible the Senate could block them, but as one person noted the sanctions on the Central Bank of Iran passed with a 99-0 vote, “This doesn’t suggest a lot of resistance.”

Someone noted that it is not clear that the goal of sanctions strategy is really to come up with a deal. This person raised the question whether or not there are some in the US administration who believe the goal is to force Iran to “cry uncle” and accept a package that the US can force on them.

Possible military dimensions (PMD)

Some Americans said the issue of the possible military dimensions of Iran’s program is “central,” as many believe Iran was indeed working on nuclear weapons prior to 2003. (Iran acknowledged

previously the failure to report introduction of nuclear material.) “This leaves the bulk of American political opinion very concerned about what Iran has already achieved and what they have planned.” “Without resolution of the PMD, the P5+1 will hold out.” Others say this focus on the past “doesn’t help you. Think of the future.”

This was acknowledged as a “delicate” topic, and one that needs to be treated with greater sensitivity if the point is to truly resolve the outstanding issues in a lasting way. It is tied up with concerns in Iran and elsewhere that the IAEA is acting in a partisan manner.

From the Iranian side there is a deep concern that this is the beginning of a “non-ending issue,” that even if concerns regarding Parchin might be allayed, acquiescing could open the door to further visits at other future sites. It is known that “other sites are on the agenda.” One person said Iran wonders whether or not if they give in today on Parchin, “will requests tomorrow include the bedroom of the Supreme Leader?”

Many in the US and other countries believe if Iran were to clear this controversy, it would be a positive step. They see the difficulty from the IAEA’s perspective that a country cannot tell an investigating party they can only visit a site once and never come back again.

Some believe questions about PMD and Iran’s rights to pursue nuclear energy are directly related. Some believe strongly that if Iran is in violation of the safeguards agreement, then they are in violation of the NPT. Others disagree, and also point out that this application of additional measures against Iran is political (other countries like Egypt and South Korea have been in violation in the past, without this intense focus). If Iran is abiding by Article 4, then it has the right to pursue nuclear energy and the P5+1 have made statements to this effect.

- One person wondered at the advisability of putting PMD up front in this way. “I can’t imagine,” he said, “Iran will feel comfortable regarding what it was up to in the past until it feels a deal is coming and that it will get some kind of **amnesty like South Africa.**” At this point, they don’t know if they “came clean” whether they would they get more sanctions or a step closer to a deal.
- One person said it is critical to separate the “urgent” from the “important” given Obama’s political inflexibility at this time. **“The PMD question is not urgent, while 20 percent is urgent.”**
- One person suggested that a **“small deal” is important “to break the cycle of non-agreement.”**

Operationalizing the fatwa

There was discussion about the fatwa, and ways to strengthen its impact. One person said, “The West doesn’t understand how to use this opportunity.” Someone said the fatwa is a policy issue that needs more attention. To the extent, for example, that some of the demands (capping at 5 percent, for example) are beyond NPT obligations, for them to be sustainable there is need of another framework beyond the NPT. The fatwa is a framework that can legitimize this.

- **Diplomats and national leaders should seek to put in place those transparency measures related to the fatwa.** Even the US president could sell this as a victory – if he can say he

achieved an agreement with Iran to ensure it has no nuclear weapons and that it will never have them.

- Some thought a **statement could support the fatwa**, such as: “We understand the Supreme Leader clearly and unequivocally declared that Iran is not moving toward nuclear weapons. According to this statement, Iran should follow its enrichment needs and procedures should be tailored only to specific goals of nuclear energy, expecting as a consequence of his supreme authority that it should be clear from your actions that you are in fact only pursuing civilian nuclear energy. We suggest a few points along these lines...”
- Some questioned the legitimacy of the fatwa as a religious decree and said to **remove any doubts Khamenei should say it is a fatwa, and irreversible.**
- However, another participant said the “significance of the fatwa is between the Supreme Leader and the people, it creates more political consensus that this is the national policy of Iran that they can endorse.” This person said, **“Don’t try to turn it into a more formal instrument than it is.”**

Iran political scene

People in Iran are not so willing to take risks at the moment, but it may be possible to “prepare the terrain for more speedy progress” after the elections. It was pointed out, however, that signals from Iran have indicated there is no need to wait for progress until after the elections, given the way related decision making on nuclear matters is made inside Iran (especially given the role of the Supreme Leader). This is different from the US, which clearly signaled during its election period that things would need to wait. In fact, one person said that all in Iran would welcome a deal before the election, as it would help bring people into the electoral process. Ahmadinejad would have a “chance for maneuver” and “Jalili would win.” “None are resisting a solution before the elections.”

Someone else said “no deal is better than a bad deal, a good deal is better than no deal.” While it is considered by some unlikely that a “good deal” can be secured before the elections, a good deal would ensure the country would have less economic concerns going into the post-Ahmadinejad period. It was pointed out that the Iran media is controlled more now than in the past, and any deal is unlikely to lead to any sort of “reformist backlash” in the current conditions. After the elections there is a hope that hopefully there will be more “level-headedness” and that there will be less flare up of tensions resulting from some controversial and widely reported statements from Ahmadinejad.

US political scene

As the Obama administration enters the beginning of its second term, some believe there are opportunities for progress. The Secretary of State is a seasoned senator, and there is hope Obama can put in place a team capable of progress. However, doubts remain and his new administration is getting off to a relatively slow start. In addition, internationally many are not convinced Obama has the political will or the ability to move a reluctant Congress forward on these and related issues. Despite this, there are many people in the US political system who fundamentally want a negotiated end to the tensions over the Iran nuclear issue. Someone said it would be great if Iranians could hear what Americans think as “there are a lot of well-meaning people who don’t have anything in for Iran.”

It was also noted that the Obama administration must take action on its disarmament agenda. “The NPT has other articles,” said one participant, “and people are deeply skeptical about Obama’s commitment to Article VI.” This has an impact on the way other countries, such as Iran, perceive the nuclear issue. “The president needs to pick up his pace on Prague,” said another, who noted that there should be movement in the April timeframe. “Will it be what we hope? Maybe not. But it will be more than we have heard.” Some express frustration that what should be the “golden months” of a second term administration can slip by if there is no bold emphasis placed on this by the president.

Universality

Some believe that it would help create a more positive environment to discuss with Iran ideas that can be internationalized - such as capping all enrichment at 20 percent or to further discuss the fundamental purposes of the safeguard system and ways to strengthen it. Others, however, believe that Iran is an exception due to the broader political context of Iran’s international activities and they feel that this side of the conversation should not be left out when discussing the nuclear issue. Others point out that this is exactly the kind of approach that will ensure no deal can be made with Iran.

One participant commented the issues at play have been debated for decades. For example, a 1976 article by Albert Wohlstetter, entitled “Spreading the Bomb without Quite Breaking the Rules,” was referenced. If a country assembles all permitted activities under the NPT, they can do most of what is required to build a bomb. So today, patterns become important – even if each step is not expressly forbidden. These sorts of flaws were identified early in the NPT regime, and may point now to the need to “go beyond the regime” to address these wider concerns. However, if this is only done on an *ad hoc* basis, there will always be accusations of singling out specific countries.

- More **discussion is needed on ways to address wider concerns**, though this was not the focus of our current discussion.
- As one example, **legislation forbidding reprocessing and forbidding reactors with uranium enrichment over 20 percent** could be a positive step.

Role of Track II and inter-parliamentary exchanges

If the goal is to try to find some way to ensure nuclear materials are not being diverted, and to establish a stronger international norm, it was suggested that an alternate approach could be tried.

- **A small technical group put together by Pugwash could discuss privately concrete technical issues, and seek solutions.** “Take it out of the hands of governments,” one person said, “and see if Iran is willing to **invite a group of scientists put together by Pugwash to Iran**” to visit key nuclear facilities, on a collaborative basis, using social media instead of diplomacy.” It was noted that for various reasons the environment in Iran is not receptive at the moment to this sort of visit, though Pugwash stands ready when such a time becomes feasible. Such a visit could be made reciprocal, though the problems facing the smaller community of Iranian technical community are not insignificant. “They have closed themselves in, for some understandable reasons.” They are worried about further assassinations.

- **“This could be the moment for inter-parliamentary exchanges,”** said one participant. To facilitate communication on a political level, it might be possible to have a meeting in New York, perhaps with congressional leaders. There have been efforts in the past, where half a dozen members met with the Iranian UN Ambassador Khazaee, for example. However, one person said “Iran usually gets cold feet.”
- Also, it was suggested that **Amb. Khazaee could be invited to DC** (the State Department would need to give permission).

In the end, **one participant said, “US-Iran rapprochement** is the major step forward that can help the nuclear issue.” If the concept of a general goal of normalizing relations with Iran were to be combined with recognition of its rights, this likely would be considered positively by Iran. The “95%” would be resolved if there were normal relations between Iran and the US, said one participant. In the meantime, the majority of participants in our meeting thought focus on small, reciprocal steps would be essential to begin to build a record of success to allow the climate to change to support the broader breakthrough that is so urgently needed.



**Pugwash Consultation on
“Ways Forward on the Iranian Nuclear Issue”**

Thursday, 28 February 2013
Washington, DC

Final Participant List

Geneive Abdo
Sandra Ionno Butcher
Yousaf Butt
Perry Cammack
Poul-Erik Christiansen
Tom Cochran
Paolo Cotta-Ramusino
Matt Duss
Haleh Esfandiari
Dick Garwin
Paul Guinnessy
Olav Heian-Engdal
Mark Jansson
Daryl Kimball
Cliff Kupchan
Ellen Laipson
Amb. John W. Limbert
Amb. William Miller
Steven Miller
Amb. Syed Hossein Mousavian
Rasool Nafisi
Chris Paine
Trita Parsi
Joseph Pilat
Ben Rusek
Barbara Slavin
Sharon Squassoni
Ali Vaez
Frank Von Hippel

Stimson Center
Pugwash (International)
Monterey Institute of International Studies
Professional Staff, Senate Foreign Relations
International Student/Young Pugwash
NRDC
Pugwash (International)
Center for American Progress
Wilson Center
IBM
Physics Today
Norwegian Embassy
Federation of American Scientists
Arms Control Association
Pugwash Council, Eurasia Group
Stimson Center
US Naval Academy
Wilson Center
Pugwash Council, Harvard University
Princeton University
Strayer University
NRDC
NIAC
Los Alamos National Laboratory
Int’l Student/Young Pugwash, National Academy of Sciences
Atlantic Council
CSIS
International Crisis Group
Princeton University



Amb. Mousavian, T. Cochran



B. Slavin, P. Guinnessy, B. Rusek



F. von Hippel, D. Garwin



Amb. Limbert, P. Cammack, O. Heian-Engdal



S. Squassoni, J. Pilat



S. Miller, T. Parsi



R. Nafisi, G. Abdo, C. Kupchan



D. Kimball, Amb. Mousavian



S. Butcher, S. Miller, P. Cotta-Ramusino



P. Christensen

Pugwash Conferences on Science and World Affairs

Nobel Peace Prize 1995

MAIN POINTS OF A POSSIBLE AGREED FRAMEWORK BETWEEN THE I.R. OF IRAN, THE PEOPLE'S REPUBLIC OF CHINA, FRANCE, GERMANY, RUSSIA, THE UNITED KINGDOM AND THE UNITED STATES ON SOME IMMEDIATE STEPS AIMED AT BUILDING MUTUAL CONFIDENCE ABOUT THE IRANIAN NUCLEAR PROGRAM⁴

1. All the parties reiterate the validity of the NPT in all its parts, particularly the principles of non- proliferation, nuclear disarmament and cooperation in the peaceful use of nuclear energy. All parties reaffirm the right of States Parties to the NPT to develop peaceful nuclear activities, in keeping with the non-proliferation and safeguards principles of the NPT. Accordingly, in principle the I.R. of Iran has both the right to develop and use techniques for uranium enrichment and other nuclear technologies for peaceful purposes, and the responsibility to promote the goals of the NPT and to respect all its obligations. The parties will be ready to formally confirm this understanding at an appropriate moment during the implementation of this agreement.
2. The I.R. of Iran assures that the nuclear activities inside Iran are aimed exclusively at the exploitation of nuclear energy for peaceful purposes. The other parties take note of this declaration by the I.R. of Iran and welcome it.
3. All the parties affirm that the IAEA is the competent authority responsible for verifying and assuring, in accordance with the Statute of the IAEA and the IAEA safeguards system, the compliance with the NPT safeguards agreements of NPT State Parties, undertaken in fulfillment of their obligations under article III, paragraph 1, of the NPT to verify the use of nuclear energy for peaceful purposes. All the parties reaffirm that nothing should be done to undermine the authority of IAEA in this regard.
4. All parties agree that the IAEA Model Additional Protocol of 1997 is a fundamental tool to promote the effectiveness and efficiency of IAEA safeguards and thus to provide assurance of the absence of undeclared nuclear activities and material. The parties acknowledge that the I.R. of Iran has signed an additional protocol in 2003. Pending ratification by the Majlis of the I.R. of Iran, the Government of Iran is committing itself to implement the additional protocol and to facilitate the ratification by the Majlis *as part of a final agreement* with the other countries that will include the removal of all the sanctions and the normalization of relations.
5. According to statements by the I.R. of Iran, the nuclear activities of the I.R. of Iran are exclusively aimed at the production of electricity in nuclear power plants, at producing isotopes for medical purposes and at developing scientific research. The parties acknowledge the positive role of international cooperation in the field of nuclear activities and will work toward creating in the future an environment where this international

⁴ This proposed agreed framework is meant to lay the groundwork for a comprehensive agreement between all the involved partners. A more comprehensive agreement (or a series of agreements) will have to follow, based on the types of first steps and principles envisioned in this proposed model agreed framework.

cooperation will be possible among all the parties of this agreed framework.

6. The parties agree to cooperate in guaranteeing the safety and security and the integrity of the nuclear facilities inside the I.R. of Iran.
7. The parties agree to cooperate in the field of preventing illegal nuclear activities and theft of nuclear material, and in developing jointly measures to strengthen the protection of nuclear material through the implementation of the IAEA Convention on the Physical Protection of Nuclear Material (CPPNM) as amended by the relevant Resolutions of the UN and other similar measures and in the spirit of strengthening the NPT. The parties also agree to facilitate the exchange of scientists and other technical personnel in order to cooperate more effectively in the fight against nuclear proliferation and nuclear terrorism and to work to remove the obstacles that may prevent such exchange.
8. The I.R. of Iran agrees to extend its full cooperation to the IAEA, by furnishing all the necessary information about the totality of its nuclear activities strictly following the existing safeguards agreement between the I.R. of Iran and the IAEA (INFCIRC/214 of 13 December 1974) and related safeguards strengthening measures [(such as the implementation of modified Code 3.1 of the Subsidiary Arrangements General Part to Iran's Safeguards Agreement on the early provision of design information)] and respecting the confidence building measures as specified below.
9. As temporary confidence building measures and in order to progress towards a final agreement, the parties agree to the immediate steps described below. All the parties, to whom this applies, will endeavor to suspend for a period of 1 year [x months]⁵ all the sanctions against the I.R. of Iran *whose full implementation took effect or was scheduled to take effect* in the calendar year 2012 or afterwards⁶⁷. If the suspension of the above sanctions will begin at a certain date, the I.R. of Iran will suspend at *the same date* and for the *same period of time*, the enrichment of uranium above the 5% limit, the deployment of new centrifuges in the Fordow facility, the construction of new enrichment facilities. Moreover the I.R. of Iran will refrain indefinitely from developing any reprocessing of plutonium. Furthermore the I.R. of Iran will agree to swap the 20% enriched uranium it has already produced and that has not been transformed into fuel for research reactors, with an equivalent amount of ready to use fuel for its research reactors, as soon as this fuel is available. Final solutions on qualitative and quantitative aspects of enrichment activities in Iran will be address in negotiations, envisaged in Article 12)
10. Furthermore with immediate effect the parties of this agreed framework, to whom it applies, agree to drop all the limitations that affect the availability of spare parts and fuel for civilian aircrafts inside the I.R. of Iran.
11. Finally, in order to dispel the concerns, expressed with regard to possible military dimensions of the Iranian nuclear activities, the I.R. of Iran will agree with the IAEA on modalities for managed access during a specified period of up to 6 months to the non

⁵ Square brackets denote alternative provisions or optional provisions.

⁶ It will be equivalent to a suspension of say 240 days, the waiving of the implementation of a certain law mandating sanctions for two consecutive periods of 120 days. After the first period of 120 days, the authority that has issued the waiver may request the verification of the implementation status of the present agreed framework.

⁷ The sanctions that are referred to include, among others, the US Public Law n. 112-081 of December 31, 2011 (H.R 1540) and the E.U. Council Decision 2012/35/CFSP (January 23, 2012) and E.U. Council regulations no 267/2012 of March 23, 2012.

nuclear-sites and facilities not covered by the IAEA safeguards, as determined jointly by the IAEA and the I.R. of Iran. This commitment on the side of the I.R. of Iran will enter into force on the same date and for the same period of time as specified in Article 9 of the present agreement. It is understood that the IAEA will provide strict assurances to the I.R. of Iran to meet the legitimate concerns of the latter, including the confidentiality of information and on the proper application of other rules of managed access. The agreement to this effect between the I.R. of Iran and the IAEA will be jointly discussed and jointly approved by the IAEA, I.R. of Iran and the States who are party of the present Agreed Framework⁸.

12. The parties agree to work for a final solution of the present controversy about the nuclear activities of the I.R. of Iran that will include inter alia the total elimination of the sanctions against the I.R. of Iran and the full monitoring of all the nuclear activities in Iran by the IAEA in accordance with the Agency's legal powers, including the implementation of a model additional protocol. Formal negotiations on the final settlement will start not later than 2 months after the conclusion of this Agreed Framework.

⁸ Article 11 can include more details about the modalities of IAEA inspections to some specified sites not covered by IAEA safeguards.