

Difficulties in the Negotiations with Iran: Implications for Israel

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The negotiations between the United States and Iran on renewing the nuclear agreement have run into serious difficulties following the opposition by the United States and the European partners to Iran's demand that the IAEA close the open files on the Iranian nuclear program before the implementation of the agreement (120 days after signing). At the same time, Iran continues to accelerate the program, including the enrichment of uranium using cascades of advanced centrifuges. Three scenarios are possible: a resolution of the crisis and achievement of an agreement; continued stagnation, i.e., low-intensity talks; or the collapse of the negotiations. The worst scenario for Israel is a continuation of the current situation, in which Iran could in a short time accumulate enough fissile material for weapons-grade enrichment for several nuclear facilities, while the temptation of a nuclear breakout increases. Thus, Israel should immediately formulate a new strategy regarding Iran. The government should conduct a discreet dialogue with the US administration and focus on proposals that seek to advance Israel's military and strategic needs, including consolidating covert and effective cooperation with the countries of the region under the auspices of the United States.

The United States and Iran continue to clash over the mutual commitments that would enable a return to the nuclear agreement based on the document that was submitted to the sides by the European Union a few weeks ago. The US administration stated that Iran's response is not encouraging, and a [statement](#) published by France, the UK, and Germany on September 10, 2022 asserted that "this latest demand raises serious doubts as to Iran's intentions and commitment to a successful outcome on the JCPoA." The heart of the disagreement is the Iranian demand to close

the International Atomic Energy Agency's investigations before the date the agreement is re-implemented (120 days after the signing). The administration and the European partners in the negotiations have emphasized that the return to the nuclear agreement cannot be made conditional upon stopping IAEA investigations that are not related to the nuclear agreement; in contrast, Iranian President Ebrahim Raisi stated that "without resolving the IAEA's open investigations, a return to the nuclear agreement is meaningless." For his part, IAEA Director General Rafael Grossi stated that he would not close the investigations until Iran provides satisfactory explanations for the evidence found at three undeclared sites.

At the same time, Iran continues to advance its nuclear program. In recent days it began to enrich uranium to a level of 5 percent in the second of three cascades of advanced centrifuges (IR-6) that were installed at an underground facility at Natanz. These are in addition to the enrichment to 60 percent that began last year using advanced centrifuges at the upper facility at Natanz, and last month a second cascade of IR-6 centrifuges was put into operation at the underground facility at Fordow. The IAEA's latest report (of September 7), released before the meeting of the Board of Governors currently underway, states that Iran possesses 55.6 kilograms of uranium enriched to 60 percent – an amount sufficient for one bomb. According to a [report](#) by the Institute for Science and National Security (ISIS) in Washington, which tracks the progress of Iran's nuclear program, with its current stockpile Iran could enrich a sufficient amount of uranium to weapons grade for three bombs within a month, and five bombs within four months. According to this report, Iran is accumulating important experience that is relevant to a nuclear breakout decision regarding direct enrichment to a high level while skipping intermediate stages. Moreover, IAEA supervision on the ground has been greatly reduced, and Tehran's unwillingness to respond to the open questions posed by the agency makes it difficult to track possible diversion of enriched material. The spokesperson of the Atomic Energy Organization of Iran attacked the latest IAEA report, saying that it is a repetition of previous events driven by political interests due to international pressure, chiefly from Israel.

The issue of the IAEA investigations is a fundamental bone of contention. This, along with the publicity surrounding it, makes it very difficult for the United States and Iran to agree on the vague wording as it appeared in the first European draft, which was meant to enable conclusion of the agreement and the start of its implementation, while postponing the resolution for later. It is hard to see how the polarized positions of Washington and Tehran regarding the issue can be bridged, but it seems that at the current stage, all the parties involved – the United States, Iran, and the European countries – do not want to declare the collapse of the negotiations. From the perspective of the US administration, the interest remains what it was – achieving a diplomatic solution that will curb the Iranian advancement of its nuclear program. It is also clear to the United States that the alternatives are very problematic. In the coming months the Biden administration will be heavily engaged in the midterm congressional elections (November 8, 2022). Thus, it is certainly possible that the administration is interested in postponing dealing with the issue until after the elections, particularly when it is also currently facing increasing opposition to it from lawmakers within the Democratic Party.

Tehran also sees the current situation as the best of all possibilities, as it enables Iran to continue to progress in its nuclear program without new pressure placed on it. Therefore, the Iranian Foreign Minister declared that the negotiations are continuing, held talks with his counterparts in Oman and Qatar on the issue, and even placed indirect pressure on the European partners for talks while hinting that Iran would have the ability to answer their need for natural gas if the sanctions against Iran are removed. The European partners, for their part, are mainly preoccupied with the crisis surrounding Ukraine and with domestic economic issues and likewise are not eager to declare the negotiations over, which would obligate them to confront a possible deterioration. The two additional partners in the nuclear agreement, Russia and China, which are in a kind of "honeymoon" in their relations with Iran, are not concerned by Iran's progress in the program, and are not interested in an achievement for the Biden administration. Likewise, Russia is also not interested in additional natural gas flowing into the market.

Against this backdrop, three scenarios are possible:

- a. A resolution of the crisis and achievement of an agreement
- b. Continued stagnation – low-intensity talks
- c. Collapse of the negotiations and announcement of the failure of the efforts to return to the nuclear agreement

Reaching an agreement currently seems problematic and formidable, but the sides continue to declare that they wish to achieve it. If the agreement is nonetheless renewed and implemented, the main achievements will be less enriched uranium in Iran's possession, a reduced level of enrichment, a freeze on the process of installing advanced centrifuges – in effect keeping Iran about half a year away from nuclear breakout capability, and renewed full IAEA supervision of the nuclear program. On the other hand, the large amount of knowledge accumulated in Iran cannot be erased, the advanced centrifuges will remain in Iran, and in the future Iran will be able to return to enrichment within a short time while enjoying the release of hundreds of millions of dollars of frozen funds outside its territory and the profits from oil and gas exports.

Continued stagnation, although under the guise of negotiations that could lead to an agreement, is the worst scenario for Israel. In this situation, while the sanctions imposed on Iran remain, Iran can continue and maybe even accelerate the advancement of its nuclear program while continuing to declare that if an agreement is reached, it would be able to turn back the progress on the program. In this scenario, Iran could reach the accumulation of sufficient fissile material for weapons-grade enrichment for several nuclear facilities within a short amount of time, and from there the temptation of a nuclear breakout is expected to increase.

While the collapse of negotiations and public acknowledgment by Washington and the European countries that the talks have failed would be seen by the agreement's opponents as a major achievement, it is doubtful that any of them has an effective response to Iran's continued progress in accumulating high-grade enriched uranium, or to the continued

development and advancement of the other capabilities in the nuclear program. The US administration declared that it is also preparing for the possibility that it will be necessary to implement alternatives for not returning to the agreement, but it seems that aside from general statements it does not have an organized plan for dealing with Iran if the talks collapse. Furthermore, even after the midterm elections, the Biden administration will continue to cope with a need to address a long series of domestic problems (the economy, increasing social polarization, and more) and with external challenges that threaten American interests, chiefly the competition with China and the war in Ukraine.

This grave reality requires that Israel immediately formulate a new strategy regarding Iran. While Israel opposes a return to the agreement, thus far it has not presented a sustainable strategic alternative for coping with this situation. It is doubtful that the response of the international system and in particular the United States to the collapse of the talks will match Israel's aspirations, which are mainly a significant intensification of the sanctions and development of a "credible military option," in order to impose a "longer and stronger" agreement on Iran. In the United States there appears to be overwhelming bipartisan agreement on refraining from intervening in "unnecessary" wars, especially in the Middle East, and in addition, resources are currently channeled to the consequences of the war in Ukraine and preparedness regarding China. In these circumstances, the likelihood of building an effective coalition against Iran is low, as long as Tehran focuses mainly on developing enrichment and there is no unequivocal proof that it is working toward a nuclear weapon.

Assuming that the scenario of an agreement soon is less likely than the other two scenarios, it would be best for Israel to maintain a discreet dialogue with the US administration and focus its efforts on advancing proposals whose purpose is not harming the limited prospects of progress toward an agreement but rather advancing its military and strategic needs, including consolidating a framework of covert and effective cooperation with the region's countries, under the auspices of the United States. Indeed, the non-achievement of an agreement will likely encourage Iran to initiate

aggressive actions against its neighbors with an emphasis on the US presence in the region, which Iran fiercely opposes. Israel must remember that even if the Biden administration does not win a majority in both houses of Congress in the midterm elections, there are still two more years of his presidency, and Israel's ability to maintain a good relationship with the President regarding the range of political-military issues on the agenda is of the utmost importance.

Editors of the series: Anat Kurtz, Eldad Shavit and Judith Rosen