

# **Iran and the International Community, 2012: New Nuclear Game or More of the Same?**

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## **Introduction**

The latest round of nuclear negotiations with Iran in 2012 – with meetings held in Istanbul, Baghdad, and Moscow from April to June, and two lower level meetings in July that focused on technical issues – ended in failure. The unavoidable conclusion is that despite expectations to the contrary, there is as yet nothing concrete to indicate that this year’s attempt to achieve a breakthrough toward resolving the nuclear crisis was any more successful than all the previous failed attempts to negotiate with Iran over the past ten years. Indeed, the gulf between the international community (currently represented by the P5+1) and Iran in late 2012 looks as wide and unbridgeable as ever.

But while tangible results are lacking, the latest round of nuclear talks are embedded in the broader process of the “international community vs. Iran” that has been unfolding for close to a decade, and recent developments should be scrutinized in this light. In other words, an assessment of the talks should be sensitive to any shifts in approach that might indicate a departure from the course that became entrenched over the years since 2003, even if they have not yet borne the fruit of a successful agreement. This article will analyze whether there are any signs of a new game with Iran, or whether what we have witnessed over the past year is basically a

repeat of what we have seen so many times before, and as such is simply “more of the same.”

If the latter option is the case, the question is whether the international community and Iran are inevitably locked in a recurrent dynamic whereby all attempts to negotiate are basically doomed to failure. This assessment draws on what has been gleaned regarding Iran’s steadfast determination to acquire a military nuclear capability and its successful tactical use of negotiations as a means to gain precious time to push its program forward while avoiding any decisive compromises, as well as its ability to deter the international community as far as military action is concerned. The international community has proven incapable of bringing to bear its collective strengths in an effective manner when negotiating with Iran, and yet remains critically dependent on these (as yet ineffective) negotiations in order to achieve its goal. This dependence on diplomacy, due to an unwillingness to employ military force, explains why different groups of states (mainly the EU-3 and P5+1) kept coming back to the table with Iran even after repeated failures. The option of a new game – notwithstanding the reality of the basic dynamic outlined above – proposes that there may nevertheless be recent indications of a shift in the approach of the international community, which could potentially render a settlement of this crisis more achievable.

The article will present and analyze these alternative interpretations of international efforts to curb Iran’s nuclear ambitions over the past year, beginning with the release of the IAEA report on Iran in early November 2011.<sup>1</sup> The presentation of two alternative explanations for what has transpired over the course of 2012 indicates a difference of opinion among the two authors, but more importantly, it is a reflection of the fact that both authors question the true nature of the story that is unfolding and attribute importance to presenting alternative approaches. Moreover, the options are not inherently mutually exclusive, because any possible departure from the previous course nevertheless remains embedded in a problematic framework characterized both by a determined nuclear proliferator that has demonstrated that it will go to great lengths to avoid surrendering its development of nuclear weapons, and an international community that remains structurally hampered vis-à-vis its ability to act with unity of

purpose and determination, especially over time. Finally, the implications of the two interpretations will be assessed against the backdrop of Israel's new prominence in the debate, salient regional developments, and the United States elections.

### **Are We Seeing More of the Same?**

Almost nine years have elapsed since the foreign ministers of Britain, Germany, and France visited Tehran with the aim of inducing Iran to suspend its enrichment program. Subsequent efforts to curb Iran's nuclear plans included a string of UN Security Council resolutions on sanctions, additional attempts on the part of the EU-3 to negotiate and bring the US into the diplomatic game, Obama's diplomatic outreach, and efforts on the part of the P5+1 to negotiate. Four reports released by the IAEA in the period under review here underscore the extent of the failure of all diplomatic efforts to date in stopping Iran from making significant progress on its way to building a military nuclear capability. The mid November 2012 report provides the status of uranium enrichment: the total amount of LEU enriched up to 5 percent stands at 7611 kg. This amount is enough, once enriched to weapons-grade material, to produce over five nuclear weapons. Since February 2010, Iran has produced approximately 232.8 kg of uranium enriched up to 20 percent at Natanz and Fordow.<sup>2</sup> The content of the annex contained in the November 2011 IAEA report, which detailed Iran's various activities related to nuclear weaponization, was clearly long overdue.

The main reason for the ongoing diplomatic failure lies in the asymmetrical interests and objectives of the negotiating parties – in particular regarding their respective commitments to actually reaching a deal. The Iranian objective is to become self-sufficient in mastering the nuclear fuel cycle process, and subsequently, to produce enough fissile material to be able to produce nuclear weapons when a political decision to that effect is taken. From the outset, the Iranian regime has left no doubt that it will not compromise on what it views as its "inalienable right" as a member of the NPT to enrich uranium for (allegedly) peaceful use.<sup>3</sup> In order to achieve its objective, it needs time. As long as the regime has not achieved this objective, it will not seek to reach a compromise, although

afterwards it could well be interested in a deal. That, however, does not prevent Iran from engaging in talks in a not serious manner, especially when the price of this kind of engagement does not compel it to compromise on its plan, which continues unabated.

The objective of the EU-3, the US, and later the P5+1 has been to suspend Iran's enrichment and prevent it from acquiring a military nuclear capability. The P5+1 have repeatedly reiterated their position that they do not deny Iran's right to pursue a civil nuclear program. At the same time, they underscore the need to prove that Iran's program is exclusively for peaceful purposes. Unlike Iran, which is playing for time, the P5+1 reiterate the need for an urgent, swift solution in their statements, but at the same time, they have only gradually increased the pressure on the Iranians – so far, with no discernible success.

Against the backdrop of conflicting interests and timetables, as well as Iran's unwillingness to compromise, it should come as no surprise that the parties have so far been unable to reach an agreement. One area in which the conflicting parties seem to pursue a common objective is the need to stay engaged. Even though the US, for example, has stated that it does not want to engage in "talks for talks' sake," the US and its negotiating partners have found themselves doing just that – engaged in discussions that, given Iran's recalcitrant position, do not allow for a serious negotiation. And so, initially when the EU-3, and later the P5+1, presented proposals in order to sustain the process, the Iranians either rejected them – if not immediately, then after a while – or simply ignored them, but never went as far as to withdraw from the process altogether. Both parties understand that in terms of their interests, there is nothing to gain from a total breakdown of the process. Iran's interest in upholding a semblance of dialogue is obvious – it enables it to gain precious time to push its program forward. For international actors facing Iran, a recognized breakdown would compel them to move to new measures – such as military force – which they are loath to do.

In an effort to raise the stakes for Iran, a series of sanctions was put into effect. In addition to the four UN Security Council resolutions, the US and the EU have passed additional sanctions – characterized as "crippling" –

that have already had a significant impact on the Iranian economic and financial situation, but have not yet led to a political reassessment in Iran.

It is against this backdrop that the latest round of negotiations that began in mid April 2012 in Istanbul must be assessed. Some experts interpreted Iran's readiness to resume the discussions/negotiations, which were stalled for almost 15 months, as an encouraging sign that the sanctions and the discussion regarding a possible Israeli military strike were beginning to have an effect, prompting a willingness on the part of Iran to engage constructively. One cannot rule out that the impact of the sanctions will eventually change the Iranian calculation, and thereby create a symmetry of interests on the need to reach a deal that will in turn increase the chances for a diplomatic solution. However, what has transpired during the most recent meetings does not seem to suggest that a change in Iran's attitude is imminent.

True to its pattern of behavior – “when under pressure, do not overload the circuit more than is necessary” – the Iranian leadership demonstrated a positive attitude prior to the meeting in Istanbul, expressing the hope that the crisis would be resolved in a comprehensive manner. Unlike on some other occasions, no preconditions were set by Iran before the meeting. Citing the *fatwa* that describes the possession and use of nuclear weapons as a cardinal sin, Khamenei reiterated the peaceful nature of the Iranian nuclear program. The Supreme Leader also praised President Obama. The US in turn reiterated its preference for a negotiated solution and its willingness to accept a civilian nuclear program, provided the Supreme Leader proves his commitment not to make use of nuclear weapons.

United in their need to continue the discussion, both parties described the outcome of the meeting in Istanbul as constructive and useful, even though none of the contentious issues were dealt with in a serious fashion. Catherine Ashton's statement that “the NPT forms a key basis for what must be a serious engagement,”<sup>4</sup> without referring to the UN and the IAEA resolutions, was seen by Iran as an encouraging sign. One could sum up the importance of this meeting in that it took place after a hiatus of nearly 15 months, and that the parties agreed to meet again in May in Baghdad.

Iran's expressed willingness to conduct discussions with the IAEA (May 14-15, 2012) in response to the agency's request for access to the

Parchin military site (following the November 2011 report), and to grant assurances that no obstacles would stand in the way of the inspectors, paved the way for IAEA Director General Amano's visit to Iran on May 21, 2012. However, an agreement that was slated for signature remained unsigned, due to "some differences."

Against the backdrop of the weeks preceding the Istanbul meeting and the efforts thereafter on both sides to display optimism, the next two meetings – in Baghdad (May 23-24, 2012) and Moscow (June 18-19, 2012) – were marked by a return to the familiar Iranian mode of behavior. In Baghdad, Iran chose to disregard the nuclear issue – not for the first time. It submitted a proposal, and as expected, reiterated its right to enrich uranium. The P5+1 underscored their determination to seek a swift diplomatic resolution based on the NPT and the full implementation of UN Security Council and IAEA Board of Governors resolutions on Iran. In summing up the two-day talks in Baghdad, a senior US administration official was quoted as stating that there was agreement to discuss "all aspects of 20 percent enrichment." Referring to this "common ground" without further elaboration, he also emphasized that there were "significant differences" between the parties.<sup>5</sup> These differences continued, hindering the meeting that took place in Moscow the following month. The P5+1 reiterated what they described as a "balanced proposal," which was the "stop" (the enrichment of uranium to 20 percent), "shut" (the Fordow facility), and "ship" (the stockpiles of 20 percent enriched uranium outside of Iran) proposal that they offered in return for moves referred to as "first confidence building steps" that, not surprisingly, did not meet Iranian expectations. The only agreement reached was to continue the discussions at the experts' level, hoping that they would narrow the "significant gap" over time, thereby enabling the resumption of higher level talks.<sup>6</sup>

In conclusion, the mere resumption of the last round of talks was perceived by some as an encouraging sign that sanctions were beginning to take their toll. The expectation was that Iran would take a step toward backing down from its unrelenting positions, paving the way to a more meaningful diplomatic process that would help defuse the unfolding crisis. However, the outcome of the talks does not appear to suggest an imminent breakthrough. Declaring a breakdown of the negotiations at this point in

time would not serve any of the parties' interests, so one can assume that they will continue for a while. However, a successful diplomatic process can only be achieved by redressing the current asymmetry of interests, namely by creating circumstances that will diminish Iran's interest in continuing its current mode of operation. The latest round of EU sanctions, augmented by additional US sanctions and the looming threat of a military strike (by Israel and possibly the US) is meant to change Iran's calculation. Until that happens – if indeed it does – the current pattern of Iranian behavior will remain “more of the same.”

### **Or Perhaps Indications of a New Game?**

Detecting a possible shift in the ongoing dynamic between the international community and Iran puts the focus on the approach of the international community. It takes two to tango, and the failure so far to resolve the nuclear crisis with Iran is not solely a function of Iran's strong and steadfast determination to achieve a military capability, and the skillful manner by which it has repeatedly “played” the international community and avoided engaging in serious negotiations. Equally problematic has been the demonstrated weakness of the international community in its efforts to have Iran back down.

However, there have been shifts in the positions and policies of some of the strong actors that are facing Iran, first and foremost the United States, and to a lesser extent its European allies in the period under review. The past year has been characterized by a more determined international stance against Iran, and while this approach has not yet achieved the desired results, the international community is currently somewhat better positioned to do so than in the past.

There are a number of reasons why international actors have had difficulty in projecting the necessary degree of resolve in their negotiations with Iran. Most significantly, the states that assumed the lead in facing Iran over the past decade were collectively weakened by the fact that they were not on the same page in their assessment of the dimensions of the crisis: namely, how close Iran was to developing a military nuclear capability; the implications of Iran becoming a nuclear state; and the best means of confronting it on this issue. Broadly speaking, Russia and China have

taken a much more lenient approach on these issues, while the US and its European allies viewed Iran's advances more seriously and generally displayed a tougher attitude. This lack of unity among the different actors facing Iran in the negotiations setting was coupled with an overall reluctance to pursue the harshest measures that could have been adopted, due to the expected negative consequences that they themselves would likely suffer from as a result of these measures. This became apparent over the past decade with regard to harsh and crippling sanctions, as well as possible US and Israeli threats of military action against Iran's nuclear facilities. Complicating matters further was the fact that Iran proved adept at playing on the weaknesses of the international community and further eroding its collective resolve, for example, by employing tactics of "divide and conquer."<sup>7</sup>

The contention that the strong international actors facing Iran have indeed evinced a different approach – which would justify pronouncing a change in the overall dynamic of the ongoing process – draws on changes that have occurred in these respects for the more concerned P5+1 actors (the US and its European allies), but first and foremost for the United States. Especially since the release of the IAEA report in early November 2011, there is broad acceptance that Iran is working on a military nuclear option. International actors fed up with Iran's delay tactics are finally willing to adopt much harsher measures, even at a cost to themselves, while at the same time working to secure alternative sources of oil to mitigate the adverse consequences they would suffer from an embargo. Finally, there seems to be a greater appreciation of the fact that the various players should at least not highlight their own differences in the negotiations setting. While the respective members of the P5+1 are still by no means a unified group, if they continue to negotiate in this framework, they must at least project a minimal degree of unity toward Iran around the table, in order to allow for a more effective negotiations strategy.

The most critical change involves a new appreciation of the essential role of pressure: biting sanctions and credible threats of military force. In other words, the United States and its European allies seem to have finally internalized the essential role that pressure plays in the framework of diplomatic efforts vis-à-vis Iran. For the United States, this has included

stepping up the rhetoric regarding possible military action, and backing it up with some significant changes on the ground.

The first indication of a change in approach is that in late 2011 the US and the EU finally took steps in the direction of the biting and crippling sanctions that had been threatened by the Obama administration since early 2010. Within weeks of the release of the severe IAEA report on Iran in early November 2011, the US adopted sanctions targeting Iran's energy sector and its petro-chemical industry. America identified Iran's entire financial sector as under the jurisdiction of the "primary money laundering concern" under the Patriot Act. Other states joined the US and some went further: very quickly both France and Britain decided on sanctions that targeted Iran's Central Bank.<sup>8</sup>

Sanctions became much harsher in early 2012 when on the eve of the New Year, the Obama administration – with considerable pressure from Congress – signed into law US sanctions that would target the Central Bank in Iran. The EU quickly followed with their own harsh measures: a full embargo on Iranian oil that went into immediate effect for new transactions; states were given until July 1 to phase out all ongoing transactions. Britain added an important sanction with regard to insurance for oil tankers. As a leader in maritime insurance services, the fact that Britain stopped providing insurance for Iranian tankers has had significant economic implications.

All of these sanctions are important first and foremost in terms of substance, but it is also noteworthy that the states that decided upon them did so very quickly and unilaterally, without even considering the option of going through the UN Security Council, knowing that Russia and China would attempt to obstruct them. On the one hand, this reflects the continued differences among the P5+1 states, but on the other hand, it indicates a shift in US and European thinking, underscoring their understanding of the need for swift and tough action. This stands in stark contrast to the six months Obama spent in 2010 to enlist Russian and Chinese support for the fourth UNSC resolution. Indeed, past experience proved that the Security Council route was a time consuming and cumbersome process that in the end resulted in significantly diluted sanctions, in line with the lowest

common denominator – set by Russia and China – among the permanent members of the Security Council.

These steps reflected a new appreciation of the essential role that pressure must play in order to set in motion a more effective bargaining dynamic with Iran. While many commentators had previously cautioned against applying too much pressure on Iran, lest it dangerously lash out and escalate the situation,<sup>9</sup> the dire scenario did not transpire. Instead, Iran came to the negotiating table in April, crediting the new approach that if Tehran did not experience hardship and tremendous pressure, it had no rational interest to back down from its nuclear goals. The combined effect of the strategic gains that Iran expects to achieve with nuclear status, the amount of energy that it has already invested in the program, and the heavy price that it has paid to date, as well as the fact that Iran was so close to its goal, have all made backing down a very unattractive option for this determined proliferator – unless the cost becomes intolerably high. The international actors began to accept that their job was to generate a very high price, which entailed applying more pressure.

In addition to the economic sanctions, there were signs – albeit only in the United States – of greater appreciation of the need to present Iran with credible threats of military consequences. This was expressed in a discernible shift of tone in US official statements that emerged in late 2011.<sup>10</sup>

With the multitude of statements issued on a regular basis by US officials, any interpretation of the ongoing dynamic can find supporting evidence. Nevertheless, the overall trend tilted noticeably in the direction of increased US determination, which reached a climax in March 2012 with Obama's very precise statements on the issue at the annual AIPAC convention. Obama stated clearly that US policy is to prevent Iran from acquiring nuclear weapons, not containment of a nuclear Iran. He added that this is a global concern and a US national security interest.

There were additional expressions of this determination. In late July, on the heels of the failure of the second attempt at lower level discussions of the technical aspects of the two sides' proposals (held between Helga Schmid and Ali Bagheri in Istanbul, July 24, 2012), *Haaretz* reported on a meeting held two weeks earlier between US National Security Advisor

Tom Donilon and Prime Minister Benjamin Netanyahu. While the US clarified at the time that it still saw room for diplomacy, Donilon said that the US had concrete contingency plans for when diplomacy is no longer viewed as a realistic option. In his detailed account of US plans, Donilon outlined to Netanyahu US military capabilities for dealing with Iran's nuclear facilities, including the underground facility at Fordow. In a parallel development, at an event in Washington DC in late July, United States Air Force Secretary Michael Donley announced that the largest "bunker buster" – the Massive Ordnance Penetrator (MOP) – was ready for use if needed. This huge bomb is considered capable of penetrating underground facilities of up to 60 meters, with an obvious implicit reference to the Fordow enrichment facility.<sup>11</sup>

The US has also been steadily beefing up its military presence in the Gulf. In early January, in a preplanned move, the aircraft carrier *USS John C. Stennis* departed the Persian Gulf, passing through the Strait of Hormuz on its way to the West Pacific. Iran took the opportunity to issue a warning that the warship should not come back.<sup>12</sup> Nevertheless, several weeks later, the *USS Abraham Lincoln* – flanked by British and French warships – passed through the Strait into the Persian Gulf. US Defense Secretary Leon Panetta clarified that the US intends to maintain its military presence in the Gulf. Three months later, the *USS Enterprise* joined the *Abraham Lincoln*, with the US thereby deploying two aircraft carriers in the region. The commander of the fifth fleet, Amy Derrick-Frost, maintained that the deployment was routine and not directed against any specific threat, but also noted that it was only the fourth time in the past decade in which two aircraft carriers were deployed in the Persian Gulf region.<sup>13</sup>

Since that time, the US has continued to maintain two aircraft carriers in the region – the *USS Dwight D. Eisenhower* replaced the *USS Lincoln*, and in July it was reported that the *USS Stennis* would be redeployed to the Persian Gulf four months earlier than originally planned, and would later relieve the *Enterprise*. Significantly, the US Navy also began a process of upgrading its overall defensive and offensive capabilities in the Gulf, to counter Iranian threats to block passage through the Strait of Hormuz.<sup>14</sup> In late August 2012, amid statements undermining Israel's military capability to destroy Iran's nuclear facilities, Chairman of the US Joint Chiefs of Staff

Martin Dempsey also hinted that one US concern regarding the support of a no-fly zone over Syria was lest it be asked to divert forces from their preparedness in the Gulf, in the context of efforts to deter Iran.<sup>15</sup>

The measures outlined above have clearly not been sufficient to bring about concrete results in negotiations with Iran, but their collective impact nevertheless constitutes a noticeable departure from previous approaches among the states that have taken the lead on Iran. Even the latest round of negotiations, while not successful, featured some new dynamics: Iran came into the talks noting that it will address the nuclear issue directly (although this disappeared in the second or third round); the US laid out its explicit expectations for success of the talks (“stop, shut, and ship” – a position thereafter adopted by the entire group); there was no visible split among the P5+1 at the talks; Catherine Ashton stood firm in refusing repeated Iranian entreaties to back down from the oil embargo; and the intervals between the meetings were relatively brief. International efforts have gotten better, although apparently are still not good enough.

## **Enter Israel**

The period under review was also heavily influenced by a new and very vocal Israeli position on the Iran nuclear crisis, with strong hints regarding Israeli preparedness to take matters into its own hands and perhaps strike Iran’s nuclear facilities militarily, if left with no other choice for stopping Iran. In early 2012 it seemed to the United States that Israel might be planning an attack on Iran’s nuclear facilities for the spring,<sup>16</sup> and later speculation was that Israel’s window of opportunity might be just prior to the US elections in November. Netanyahu’s speech to the UN General Assembly in late September was widely interpreted as a message that an Israeli attack would not take place before the US elections.

The new prominence of Israel’s position had its own effect on the overall dynamic. The changes that produced a more determined US and European negotiations strategy – up until the summer of 2012 – were no doubt also influenced by the new Israeli prominence, and in particular by a desire among the international actors to avoid a military confrontation in the wake of a possible Israeli attack on Iranian nuclear facilities. Adding fuel to the US fire over the course of 2012 was the combination of Israel’s

more vocal stance with the rapidly approaching presidential elections, which made the Obama administration more attentive to Israel's concerns. It is no coincidence that Obama's most determined statement rejecting containment as an option on Iran came in his address to AIPAC.

Until August, another striking feature of Israel's new high profile official stance was the intense debate within Israel over a possible decision to attack, which pitted Prime Minister Netanyahu and Minister of Defense Barak against a group of high level former security establishment officials who advised against unilateral Israeli action, especially in contravention of the US position. The debate was carried on obsessively for months, with arguments on both sides featured prominently in the media, though with most participants in the debate not having a clue as to what was actually in store regarding Israeli plans.<sup>17</sup>

In early September, the dynamic changed. The discourse shifted from exclusive focus on the question of "yes or no" regarding an Israeli attack, and became much more directed to the question of setting red lines and deadlines for Iran in the nuclear realm. The shift was a function of a change in Netanyahu's rhetoric, which began emphasizing that the United States must be clearer about its red lines for Iran, in order to deter it from progressing toward its goal. The emphasis in this debate not only shifted to the sphere of US-Israeli relations, but accentuated the differences in approach between the two parties. Netanyahu advocated that the US set a red line for military action; the US responded that the administration does not want to set red lines and limit its freedom of action. The vocal positions on both sides, which became inextricably tied to the United States election campaign, turned the debate into a political one, with political rather than strategic arguments regarding Iran assuming center stage.<sup>18</sup>

All of this caused a shift of emphasis in the overall dynamic of confronting Iran in the sense that possible indications of a more effective international approach – as set forth above – were no longer the central focus. While in the first half of 2012 a case could be made that Israel's position was helping to consolidate a more forceful US and European approach to Iran, by the second half this began to unravel, as attention turned increasingly to Israel as the problem. Indeed, even though no further negotiations were on the agenda in August and September, the US repeated the mantra that

“there is still time for diplomacy,” while Iran itself continued to move its program forward, as reflected in the IAEA report on Iran of late August.<sup>19</sup>

## **Regional Developments**

Regional developments have also had an impact. While it is still too early to determine the winners and losers of the Arab turmoil that has swept through the Middle East since early 2011, it currently does not seem likely that Iran will end up on the side of the winners. After its initial satisfaction with the fall of US-aligned leaders in Tunisia and Egypt and the unrest in Bahrain and Yemen, Iran became concerned with the direction of the crisis in Syria, and the very real threat to its long-time strategic ally, the Assad regime, that could impact negatively on Iran’s regional interests. Iran was also concerned by events in Libya and the circumstances surrounding the fall of Qaddafi, especially in the face of NATO intervention.

What lessons is Iran likely to draw from events in Libya and Syria, as far as the nuclear issue is concerned? Iran’s decision to restart its military nuclear program in the 1980s was fueled specifically by the war it waged with Iraq, and by a more general desire to create a nonconventional counterweight to US power in the Gulf. Achieving a military nuclear capability would enable Iran to prevent another Iraqi invasion or an attempt to topple the Islamic regime. When Qaddafi relinquished his WMD capabilities in 2003, he did not expect that by forfeiting this deterrent capability he was actually determining his own destiny and that of his regime. His decision, rather, was most likely influenced by the effect of years of isolation and sanctions, and by the fear that his fate would be similar to that of Saddam Hussein. This would explain his decision to pay the price of surrendering WMD capabilities in order to forge more normal relations with the US and the West. But the fact that this enabled NATO to use force against Libya was a message that Iran heard loud and clear.

North Korea provides the competing model for determined proliferators – according to this model, defiance rather than accommodation is the preferred strategy. North Korea has long defied the international community and pushed its nuclear and missile programs forward, and the US is reluctant to employ military force against it. Syria too perhaps followed this line of thinking when it embarked on a North Korean assisted military

nuclear program. The Assad regime's threat over the summer of 2012 to use chemical weapons against external forces that attempt to intervene in the raging civil war underscores that even chemical weapons might be enough to deter the international community from coercive intervention. In sum, the North Korean model on the one hand, and the circumstances under which the Saddam Hussein and Qaddafi regimes collapsed (and certainly Iraq's defeat in the war) on the other, will play a critical role in Iran's decision making on the nuclear issue. These considerations will almost certainly make Iran only more determined to hold on to its nuclear aspirations.

### **Conclusion and a Post-US Election Postscript**

On the question that we posed at the outset – whether there are indications of a new game with regard to Iran, or whether it is basically more of the same – our conclusion is that the answer is primarily a function of the focus of analysis. When assessing the international actors, there were definite indications of a new game that was emerging, primarily as far as the US and the Europeans were concerned. But when focused on Iran itself, what we saw was basically more of the same. Moreover, regional dynamics most likely further underscore for Iran the importance of clinging fast to its emerging nuclear capability as a means of warding off any coercive measures that the international community might contemplate. As a revisionist state determined to expand its hegemonic power, nuclear weapons are especially useful to Iran as an insurance policy against counterattack when it takes action in line with its regional ambitions.

Another facet of the new game that emerged over the course of 2012 is the new prominence of Israel. Although not involved in international efforts to stop Iran, Israel is a very nervous bystander. Its more vocal stance over the past year was a function of its growing fears that Iran is nearing its goal, as well as its frustration with the repeated failures of international efforts for almost a decade (up until 2012). Israel also fears that a policy of deterrence and containment of a nuclear Iran, while currently not US policy, might nevertheless be an acceptable fallback position for the superpower. Israel's attempts to convince the United States to take a firmer stance (red lines) over the summer were publicly deflected by the Obama

administration. This had the overall effect of making the Iranian nuclear challenge look like it was more about stopping Israel than Iran – a dynamic that was not helpful for US-Israeli relations, or for their common goal of stopping Iran's advance to nuclear weapons.

As such, if Israel had a role in bolstering international determination on Iran over the course of 2012, by August the new Israeli prominence was looking more like a liability as well as a burden on US-Israel relations. It became increasingly apparent that bilateral relations needed to be off the table in this regard, and attention refocused on Iran. This seems to have been the thrust of the message in Netanyahu's speech to the UN General Assembly in late September, when he put the red line for action against Iran's nuclear program at spring or summer of 2013, implicitly signaling to the prospective US President that Israel would not interfere for at least several months after the elections.

President Obama's reelection would seem to imply that continuity in the US approach to Iran can be expected in 2013. Prior to the election, there were assessments that the United States was poised to make another attempt at diplomacy with Iran – whether in the P5+1 format or bilaterally – by late November or at least in December, with some commentators asserting that this could be the last chance before a turn to harsher means. Following the elections, however, there was a dip in the projected sense of urgency. In mid November the quarterly IAEA report on Iran indicated that Iran was progressing with its program, including an increase in its stockpile of 20 percent enriched uranium from just over 90 kg in August, to about 135 kg in November.<sup>20</sup> Nevertheless, several days prior to the report's release Obama was quoted as saying that he hoped to restart a negotiation “in the coming months,”<sup>21</sup> a statement that did not reflect the urgency warranted by the situation. Reports that Obama opposes additional sanctions on Iran's energy sector (approved by the Senate in late November) also do not bode well for a continued message of determination to Iran from the Obama administration.<sup>22</sup>

At the end of the day, the hard work of trying to stop Iran through a bargaining process will be on the shoulders of the United States. Sustaining the new international determination in confronting Iran that emerged in 2012 will be crucial for following through in 2013. In light of Iran's continued

advances, Israel's pressure, and genuine US determination to resolve the nuclear crisis, 2013 augurs to be a decisive year. If lack of progress on the diplomatic front continues and Iran continues to push forward on the enrichment front as it is likely to do, President Obama will have to take a clear decision about the future course of the US administration on this crisis. In determining his course, the President will be influenced by a number of factors: the need to maintain – or rebuild – US credibility in the Middle East; his own firm presidential statements that a nuclear Iran is unacceptable and that containment is not US policy or an alternative for solving the crisis; and repeated assertions that the time for resolving this crisis is not unlimited.<sup>23</sup>

A clearer message of the President's willingness to use force should the next round of negotiations fail would help project to Iran that its decade-long lack of seriousness will no longer be tolerated by the United States. A number of important voices in the US debate – if not the administration itself – have lately underscored their assessment that the President indeed means business.<sup>24</sup>

## Notes

- 1 For the report, see [http://isis-online.org/uploads/isis-reports/documents/IAEA\\_Iran\\_8Nov2011.pdf](http://isis-online.org/uploads/isis-reports/documents/IAEA_Iran_8Nov2011.pdf).
- 2 The November 16, 2012 report can be found at <http://www.iaea.org/Publications/Documents/Board/2012/gov2012-55.pdf>.
- 3 This Iranian argument – repeated in almost every Iranian statement on the topic – is erroneous, and draws on a partial reading of Article IV of the NPT. What the continuation of the relevant sentence in Article IV clarifies is that the right to nuclear energy – including enrichment activities – is contingent on upholding Articles I and II of the treaty, namely not engaging in weapons-related activities. That is why Iran's case was reported to the UN Security Council, and according to international law, the six UNSC resolutions calling on Iran to cease uranium enrichment override any right noted in the NPT. See Amy Reed, "UN Resolution 1696 Moots Iranian Legal Claims," *Proliferation Analysis*, Carnegie Endowment, August 21, 2006; and a continuation of this debate in "Continued Analysis of 1696," Carnegie Endowment, August 24, 2006. For a recent comment, see David Albright and Andrea Stricker, "NAM Countries Hypocritical on Iran," *The Iran Primer*, USIP, September 7, 2012.

- 4 Quoted in Daniel Brumberg, “Despite Big Unresolved Issues, Progress in Iran Nuclear Negotiations,” USIP, April 19, 2012, <http://www.usip.org/publications/despite-big-unresolved-issues-progress-in-iran-nuclear-negotiations>.
- 5 See Laura Rozen, “Iran Nuclear Talks Wrap Up on Positive Note,” *The Back Channel*, May 24, 2012, <http://backchannel.al-monitor.com/index.php/2012/05/451/iran-nuclear-talks-wrap-up-on-positive-note/>.
- 6 See Kelsey Davenport, “Iran, P5+1 Move to Technical Talks,” *Arms Control Today*, July/August 2012, [http://www.armscontrol.org/2012\\_07-08/Iran\\_P5\\_Plus\\_1\\_Move\\_to\\_Technical\\_Talks](http://www.armscontrol.org/2012_07-08/Iran_P5_Plus_1_Move_to_Technical_Talks).
- 7 For a full analysis of the diplomatic dynamic from 2002 to 2011, see Emily B. Landau, *Decade of Diplomacy: Negotiations with Iran and North Korea and the Future of Nuclear Nonproliferation*, INSS Memorandum No. 115 (Tel Aviv: Institute for National Security Studies, 2012).
- 8 Landau, *Decade of Diplomacy*, p. 46.
- 9 For one formulation of this argument see Vali Nasr, “Sanctions May Backfire,” *Atlantic Times*, February 2012, [http://www.the-atlantic-times.com/index.php?option=com\\_content&view=article&id=497%3Asanctions-may-backfire-&catid=62%3Afebruary-2012&Itemid=2](http://www.the-atlantic-times.com/index.php?option=com_content&view=article&id=497%3Asanctions-may-backfire-&catid=62%3Afebruary-2012&Itemid=2).
- 10 Emily B. Landau, “A Toughened US Stance toward Iran,” *INSS Insight* No. 309, January 8, 2012.
- 11 Barak Ravid, “US Presented Netanyahu with Contingency Plan for Iran Strike,” *Haaretz*, July 29, 2012; on MOP, see Yaakov Katz, “After Delays, Massive US Bunker Buster Available,” *Jerusalem Post*, July 26, 2012.
- 12 C. J. Chivers, “Work as Usual for US Warship after Warning by Iran,” *New York Times*, January 4, 2012.
- 13 “US Navy Deploys 2<sup>nd</sup> Aircraft Carrier to Persian Gulf,” *Washington Times*, April 9, 2012. CentCom Commander General James Mattis reportedly made a request in early 2012 for a third aircraft carrier to be deployed in the region in order to deter Iran from further escalating tensions, but the request was denied. See Eli Lake, “As Obama Preaches Patience, Mattis Prepares for War with Iran,” *Daily Beast*, May 21, 2012.
- 14 Tony Perry, “Navy Says it will Add Ships to Persian Gulf amid Iran Threats,” *Los Angeles Times*, March 17, 2012; See also “US Accelerates Armed Forces Deployments Close to Iran,” *Global Security Newswire*, June 27, 2012, <http://www.nti.org/gsn/article/us-accelerates-armed-forces-deployments-near-iran/>.
- 15 “Dempsey: US Feels no Pressure from Israel to Back Strike,” *Ynet News*, August 20, 2012.

- 16 US Defense Secretary Leon Panetta reportedly stated early in the year that Israel was likely to strike in April, May, or June 2012. See David Ignatius, "Is Israel Preparing to Attack Iran?" *Washington Post*, February 2, 2012.
- 17 For an in-depth portrayal of the two camps that have emerged in Israel on the question of striking Iran's nuclear facilities, labeled the "don't-strike-now" and "better-strike-soon" camps, see David Horowitz, "The Most Fateful Decision of All," *Times of Israel*, August 28, 2012.
- 18 As the debate became political, the strategic issues also became confused, such as the difference between red lines and deadlines, and the role of red lines – an essential lever of pressure on Iran – in the overall dynamic of confronting its nuclear program. See Emily B. Landau, "Set Red Lines, not Deadlines, in Facing Iran," *Times of Israel*, September 14, 2012. For a different view on red lines, see Ephraim Asculai and Shimon Stein, "Red Lines are a Bad Idea for Dealing with Iran," *American Interest*, August 2, 2012.
- 19 This IAEA report on Iran was released August 30, 2012. See [http://www.isis-online.org/uploads/isis-reports/documents/Iran\\_report\\_--\\_August\\_30\\_2012.pdf](http://www.isis-online.org/uploads/isis-reports/documents/Iran_report_--_August_30_2012.pdf).
- 20 For the report, see <http://www.iaea.org/Publications/Documents/Board/2012/gov2012-55.pdf>.
- 21 "Obama Pledges Diplomatic Push on Iran," *Global Security Newswire*, November 15, 2012, <http://www.nti.org/gsn/article/obama-pledges-diplomatic-push-iran/>.
- 22 "Obama Opposes New Iran Sanctions," *Middle East Newsline* 14, no. 460, December 3, 2012.
- 23 At the Saban Forum in late November 2012, Secretary of State Clinton reaffirmed this message when she said that the "window for negotiation will not stay open forever." See "US Presses PA to Return to Talks after UN Bid," *Jerusalem Post*, December 1, 2012.
- 24 In this context see special interview by *Ynet* with former ambassador to Israel Martin Indyk, who maintained on the sidelines of the Saban Forum that if diplomacy does not produce significant results in resolving the Iranian nuclear crisis by next summer, the President could give the order to attack Iran militarily. The President would act not for Israel, but in support of his commitment to nonproliferation. Yitzhak Ben-Horin, "Will Attack Iran, and Wait until We Act for Peace. Obama and Us," *Ynet*, November 30, 2012, <http://www.ynet.co.il/articles/0,7340,L-4313534,00.html>.