

# **Iran and the International Community: Moving toward a Comprehensive Deal?**

Emily B. Landau and Shimon Stein

The overall framework for assessing developments in the course of 2014 regarding the Iranian nuclear crisis is the ongoing negotiation geared to conclusion of a comprehensive deal between the P5+1 and Iran. These negotiations began in January 2014, with the implementation of the interim deal – or in its official name, the Joint Plan of Action (JPOA), secured in late November 2013 – and continue to the time of this writing, after the parties failed to meet two deadlines along the way: July 20, 2014 and November 24, 2014. When the second deadline proved elusive, a decision was taken to extend the talks for another seven months, until the end of June 2015. The deadline for a political framework agreement is March 2015, and another four months have been allotted to work out the technical details. The JPOA will remain in effect for the duration of the negotiations.<sup>1</sup>

While the principal goal of the discussion below is to assess the dynamics of the ongoing nuclear talks, the chapter will also look at the implications of some global and regional crises that assumed center stage over the course of 2014, each time relegating the Iran negotiations to the sidelines. One question considered is what, at the end of the day, will have more bearing on the ability of the P5+1 to secure a nuclear deal – the negotiations dynamic per se, or how the nuclear crisis relates to broader regional dynamics and developments. Can the two even be separated, either conceptually or empirically? These and other questions will be addressed toward the close of the essay.

## **Key Developments in the P5+1-Iran Negotiations**

The signing of the interim deal between the P5+1 and Iran in November 2013 constitutes a milestone in the more than ten-year crisis regarding Iran's ambitions to acquire a military nuclear capability. The entry into force of the JPOA on January 20, 2014 for an initial period of six months was meant to allow time for the parties to negotiate a comprehensive final agreement, which aimed to achieve a mutually acceptable long term comprehensive solution that would ensure the exclusively peaceful nature of Iran's nuclear program.<sup>2</sup> The JPOA entails commitments by both sides: although asserting that its commitments were reversible, Iran undertook to halt some progress on its nuclear program, primarily to stop enriching uranium to the 20 percent level and to either dilute or oxidize its stockpiles. For their part, the P5+1 took a series of actions to implement "limited, temporary, and reversible sanctions relief."<sup>3</sup>

### ***Chain of Events***

With the initial aim of reaching an agreed-upon comprehensive agreement by July 2014, the P5+1 and Iran conducted six rounds of rather extensive negotiations (formal and informal) at different levels (technical, political, and ministerial).<sup>4</sup> Given the significant gaps between the parties on an entire spectrum of issues, first and foremost the scope and size of Iran's enrichment program, it was perhaps unrealistic to assume that a comprehensive agreement could emerge within the time allotted. Indeed, after the April round of negotiations, the parties began discussing informally the need to extend the negotiation, which was in line with the terms of the JPOA that had set a year for concluding an agreement.

As US chief negotiator Wendy Sherman summed up the February-July negotiation period, "Thus far, we can say on the positive side that our talks have been serious and that we have identified potential answers to some key questions. However, to get to a comprehensive agreement, we remain far apart on other core issues, including the size and scope of Iran's uranium enrichment capacity. I fully expect in the days ahead that Iran will try to convince the world that on this pivotal matter, the status quo – or its equivalent – should be acceptable. It is not."<sup>5</sup>

When negotiations resumed at all levels in late September, reports on progress actually alluded to strategic concessions that had been made, though only by the P5+1. For example, the assessment of “tangible progress in key areas” likely referred to the future of the heavy water reactor at Arak. Since closing the reactor was ostensibly no longer on the table – due to a concession made by the P5+1 – the parties seemed to have reached an understanding as to the amount of plutonium that could be extracted from the reactor in the future. In similar fashion, a “solution” had seemingly been found to resolve the different positions regarding the future of the Fordow site, which quite clearly reflected P5+1 acquiescence to Iran’s refusal to accept their demand from 2012 to shut down the enrichment facility.<sup>6</sup>

In a late October speech, Sherman chose the word “impressive” to describe the progress on issues that she said originally had seemed intractable: “We have cleared up misunderstandings and held exhaustive discussions on every element of a possible text.”<sup>7</sup> But there were no details provided to back up this description. Going into the last round of talks before the late November deadline, Secretary of State Kerry and Lady Ashton met with Iran’s Foreign Minister Zarif in Oman on November 8-9, 2014 in an attempt to resolve the remaining issues preventing a successful conclusion of the negotiations. Prior to the meeting, Kerry noted that the P5+1 had put some “creative ideas” on the table and wanted to see if Iran was able to demonstrate that it was prepared to prove to the world that it had a peaceful program. He spoke about the need for Iran to match its words with tough and courageous decisions: “The time is now to make those decisions.”<sup>8</sup> Secretary Kerry reinforced his message by clarifying that the US was not considering extending the talks beyond the November 24 deadline.

All efforts following the ministerial meeting in Oman and subsequent meetings in Vienna over the next two weeks did not bring the parties to conclusion of a comprehensive agreement. Since declaring negotiations to have failed was not an option for any of the parties,<sup>9</sup> a decision on a seven month extension was taken. In his effort to justify the decision, Kerry went out of his way to commend Iran’s compliance with the commitments that it undertook under the JPOA.<sup>10</sup>

### ***On the Negotiations Dynamic***

Overall – and comparing negotiations to mushrooms, which “often do best in the dark”<sup>11</sup> – the negotiating parties have chosen to remain very general in their remarks regarding the status of the talks, careful not to disclose too many details. These efforts notwithstanding, over the months of negotiations it became clear from media reports that whatever progress occurred in the talks could not be attributed to Iranian concessions. True to its traditional approach, Iran has put the onus on the US (and to a lesser degree on the rest of the P5+1) for issuing what the regime regards as unrealistic demands, and for exerting unwarranted pressure on Iran. The Iranians repeatedly stated their unrelenting positions – disguising them as matters of “dignity” and “rights” – without deviating from their original stances.

Indeed, the offers that have been made in an attempt to close the gaps in the positions of the two sides have come from the P5+1. Dennis Ross has summed up his reading of the significant concessions that were made by the six powers during the months of negotiations. These included agreeing to allow Iran to not suspend uranium enrichment, despite UN Security Council resolutions demanding suspension; accepting that Iran be treated like any other NPT signatory after the full implementation of the comprehensive agreement, despite its past transgressions; acquiescing to Iran’s insistence that it not acknowledge that it pursued a nuclear weapons program; not including the Iranian ballistic missile program in talks about a comprehensive agreement; accepting Iranian arguments regarding the Arak and Fordow facilities; and accommodating Iran’s insistence not to dismantle centrifuges, agreeing instead to other means of limiting the output of enriched uranium.<sup>12</sup> These strategic concessions by the international negotiators have gone a long way toward bowing to what Iran claims it needs for peaceful nuclear purposes. But even these far reaching concessions have so far not been enough to satisfy Iran, further undermining the credibility of Iran’s stated desire to cooperate with the P5+1 and international community.

Moreover, US descriptions of “progress” in the talks have been somewhat elastic. Although just before the second deadline Secretary of State Kerry tried hard to convey that November 24 was a true deadline, that tough decisions would have to be made, and that the P5+1 were not considering an extension,<sup>13</sup> the description of the talks – and the progress made – changed

quite dramatically when the United States worked to justify another extension, a mere two-and-a-half weeks later. Finally, since a breakdown of negotiations seems not to be an option for either side, and since the JPOA enables extending the talks if both sides agree, negotiations have been extended twice, and could conceivably be extended again.

### **Iran's Nuclear Program: Breakout Capability Remains Intact**

While the official P5+1 narrative regarding the interim deal is that it froze Iran's nuclear program and even rolled it back in some important respects, the reality is more complex. In fact, while Iran stopped enriching uranium to 20 percent and agreed to dilute or oxidize its stockpile, it nevertheless continued other aspects of its program, such as enrichment to 5 percent. Moreover, Iran continued with important R&D activities relating to the development of more and more advanced generations of centrifuges, which are designed to spin much faster than the ones currently in use. Twenty percent enrichment and advanced centrifuges are functionally equivalent components of Iran's nuclear program – in other words, the role of each in the context of a potential military capability is to provide a means of speeding up the process of enriching uranium to the levels needed to produce fissile material, in order to enable a quick move to produce a nuclear device at a time of Iran's choosing. Therefore, while one route (20 percent enrichment) was discontinued in the context of the JPOA, the other route (development of advanced centrifuges) was allowed to continue – and was even granted legitimacy by virtue of the deal.<sup>14</sup>

Moreover, Iran has continued to retain the vast stockpile of LEU (up to 5 percent) that it had accumulated by the eve of the interim deal back in November 2013. The JPOA does not relate to this stockpile, which if enriched to high levels could be used to produce approximately 6 or 7 nuclear devices. What this means is that Iran remains at the breakout point, where it could make a frenzied rush to produce fissile material for a bomb in relatively short order (several months, according to most assessments).

Yet the most problematic aspect of the interim deal is that it did not relate directly to Iran's work on weaponization. Whatever Iran is and has been doing in this regard is not under direct review by the political negotiators,

and it is not clear how the IAEA investigation into this matter meshes with the political negotiation. This issue will be discussed further below.

### **Ongoing Iranian Intransigence with the P5+1 and the IAEA**

In negotiations with the P5+1 over the course of 2014, Iran has continued to play a tactical game vis-à-vis the international negotiators, but in a revised format in order to respond to the biting sanctions that were put in place over the course of 2012. Thus whereas Iran's traditional strategy (since 2003) has been to move its program forward with maximum speed but at minimum cost in terms of international pressure, Iran is now proving much more sensitive to the cost it is paying. Therefore, it has made a tactical shift to restore balance between the twin goals of "maximum speed" and "minimum cost." In the 2014 negotiations over a comprehensive deal, Iran was guided by a new principle: maximum sanctions relief in return for minimal nuclear concessions.

But there is no indication that Iran has changed course on the nuclear front, or that it is willing to make any meaningful concessions that would impact negatively on its nuclear breakout capability. In fact, an assessment of Iranian statements over the course of 2014 reveals that the recurring refrain has been a resounding and defiant "no" to every demand that is on the table. Rhetoric from Iran refers almost exclusively to what Iran will not agree to do – it will not cease enrichment, nor will it agree to dismantle centrifuges or close nuclear facilities; Iran refuses to discuss weaponization issues or its long range ballistic missiles, which are no doubt a critical component of any nuclear weapons capability.

The parallel negotiation underway between Iran and the IAEA on weaponization issues (called by the IAEA "Possible Military Dimensions," or PMD) has likewise not gone well. Although on several occasions the IAEA has testified that Iran has implemented its JPOA obligations,<sup>15</sup> at the same time, the head of the IAEA has complained that in the separate talks with Iran on the implementation of a Framework for Cooperation (signed in 2013) – with the aim of resolving all outstanding issues, past and present, regarding PMD – Iran has not cooperated.

In fact, Iran is continuing to stonewall on the questions that the IAEA posed several years ago, and has not allowed inspectors into the military facility at Parchin since early 2012. At that time, the IAEA began to request entry into Parchin with greater urgency in order to follow up on suspicions that were included in the annex of the IAEA report on Iran from November 2011.<sup>16</sup> While negotiations with the P5+1 on a comprehensive deal were ongoing, Iran missed an August 25 deadline to answer a few of the questions on the agency's list (regarding research into explosives testing and neutron calculations).<sup>17</sup> Following an early October 2014 meeting, the IAEA reported that there was still no substantive progress regarding the investigation into Iran's suspected weapons-related activities.<sup>18</sup> Iran also reportedly denied entry to one of the members of the team that the IAEA sent to Iran in late August. This is a familiar Iranian tactic for stonewalling on IAEA investigations, and the fact that Iran can deny visas to inspectors chosen by the IAEA is one indication of the severe problems that the current verification regime faces according to the IAEA's inspection mandate.<sup>19</sup>

In a speech in late October 2014, IAEA Director General Amano laid out his concerns. While initially Iran had implemented the practical measures agreed upon with the IAEA, he noted that since the summer of 2014 "progress on implementing agreed measures has been limited. Two important practical measures, which should have been implemented in late August, have still not been implemented. The Agency invited Iran to propose new practical measures for the next step of their cooperation, but it has not done so." Furthermore, Iran does not adhere to the Additional Protocol, thus violating the relevant IAEA and UNSC resolutions. Amano concluded by saying that Iran must clarify the issues relating to the PMD sooner rather than later.<sup>20</sup>

More troubling is that Iran is not paying a price for its intransigence on the weaponization front, and it is rarely mentioned by the P5+1 as an indication of Iran's stark lack of cooperation. From the outset, it has not been clear how the IAEA investigation is meant to feed into the P5+1-Iran political negotiation on a comprehensive deal. The very fact that at least a month before the first (July) deadline there were reports that the IAEA had set an August 25 deadline on only a few of the questions under review, gives cause to believe that the P5+1 were willing to even conclude a comprehensive nuclear deal without resolving the weaponization issue.

## **Obama: Still Determined to Stop Iran?**

One of the more difficult questions accompanying the ongoing nuclear negotiations goes to the resolve and determination of President Obama to ensure a good nuclear deal as the outcome of the current negotiation, and to abide by his own maxim that “no deal is better than a bad deal.” One of the difficulties in making this call is that these goals are not clearly defined; indeed, the definition of a good deal for the P5+1 today is not the same as for Israel, or even for the P5+1 of several years ago, when they took a much tougher stance on all the nuclear issues.

Moreover, if a moderately bad deal is assessed to be “the best we could get,” then it might still be accepted and preferred over no deal. This is because the pronouncement of “the best we could get” is also a subjective call. In addition, when the administration says “it’s the best we could get” there is an element of self-fulfilling prophecy, because the very act of pronouncing it to be the best that could be achieved is something that in and of itself weakens US leverage and makes it more likely that Iran will not agree to more. Why should Iran agree to do more than what the P5+1 have said is the most they would do? In terms of bargaining strategies, such pronouncements are decidedly lacking.

A question previously posed regarding President Obama’s determination<sup>21</sup> must be revisited in light of developments over the course of 2014. While the Obama administration has not made any change in its stated intent to prevent Iran from producing nuclear weapons, there are strong hints – especially since the summer of 2014 – that the President would like to cooperate with Iran on a range of regional challenges in the Middle East. Chief among those challenges is the threat posed by the advance of the Islamic State organization, particularly its seizure of territory in Iraq and Syria.

If the administration projects an eagerness to reach a deal – for whatever reason – this clearly works against it as far as getting the best deal possible. Another dynamic that underscores the sense of eagerness and weakens leverage at the table occurs if the P5+1 start retreating from previous demands. When over the course of September-October 2014 there were increasing reports that the US was offering what it viewed as “creative solutions” to some of the difficult and seemingly intractable issues at stake, this in effect constituted instances of backing away from previously held positions.



So far, Iran has not agreed to accept even the softened stance – including possible additional concessions made in the final days and hours before the November 24 deadline. Iran is most likely waiting for an even better offer.

### **Global and Regional Developments**

The ongoing turmoil in the Middle East in general and the escalating situation in Syria and Iraq in the wake of the rising threat of the Islamic State in particular, as well as the Ukraine crisis sparked by Russian aggression, raise a question as to the impact of these crises on the P5+1-Iran negotiations and the lessons that Iran might derive from them regarding its nuclear posture.

While the regional crisis surrounding ISIS does not seem to impact directly on the P5+1-Iran negotiations, it has had an indirect impact as far as US-Iran relations and potential cooperation. The Islamic State poses a formidable challenge to the US and its allies and to Iran's interests in the region, and the US has tried to put together a "coalition of the willing" to combat ISIS. These developments have triggered a domestic debate in the US about whether in view of the seeming convergence of interests regarding President Obama's goal to "degrade and destroy" ISIS, the US should try to include Iran in the coalition, even to the point of coordinating steps on the ground.

With the ongoing negotiations on a comprehensive nuclear deal, the question arose as to what extent the US administration might be willing to make concessions on the nuclear front in order to encourage Iran to join the efforts to combat ISIS, which seemed to be assuming priority in US thinking. A clear sign of the administration's determination in this regard was Secretary of State Kerry's invitation to Iran to the mid-September Paris emergency conference on the means of combating ISIS. It was only after the Saudis threatened to boycott the event that the US cancelled the invitation – though in any case Iran's Supreme Leader rejected the US proposal for cooperation.<sup>22</sup> Furthermore, in his speech at the UN General Assembly in September, President Rouhani stated in no uncertain terms that resolving the nuclear issue would be a prerequisite for Iran's willingness to cooperate with the US in combating ISIS, while at the same time accusing the US of having created the phenomenon of ISIS.

In an attempt to dispel the notion of linkage between the two issues and to refute Iran's sense that its negotiating leverage was suddenly enhanced due to its potential role in fighting ISIS, Kerry stated that the nuclear issue "is not a political decision for us. This is a substantive decision based on the proof of a peaceful program...outside leverage, Syria, ISIL, whatever is not relevant to this. It's not affecting us one way or the other. We have one set of criteria within our mind."<sup>23</sup> However, the tensions in the US position remained. In an attempt to underscore the importance that the US ascribes to Iranian cooperation in combating ISIS, while at the same time trying hard to dispel the notion that the nuclear issue might be sacrificed for that cooperation, President Obama wrote a letter to the Supreme Leader proposing cooperation after concluding a comprehensive agreement on the nuclear issue.<sup>24</sup>

The horror of the televised ISIS threats and executions seems to have captured public attention and added a further sense of urgency to the fight against Islamic State, at least as far as public perceptions are concerned. As a result, the Iranian nuclear crisis and the need to resolve it were relegated to the back burner, at least for some time. Yet while there is clearly an interest on both sides to cooperate in confronting ISIS, both understand that the nuclear "obstacle" must first be removed.

As to the possible impact of the Ukraine crisis on the nuclear negotiations, it seems that the cooling of US-Russian relations has not yet adversely influenced Russia's stance in the negotiations. An initial indication of a possible negative linkage was provided by a senior Russian diplomat who said that against the backdrop of the tension with the West on Crimea, Moscow might change its position in the nuclear negotiations with Iran.<sup>25</sup> Russian Deputy Foreign Minister Sergey Ryabkov said that if Russia is so compelled, it would retaliate in the negotiation, but went on to say that for Russia the Crimea issue is of greater significance than the Iranian issue.<sup>26</sup> More recent reports have noted Russia's possible role in efforts to find a solution to one of the most contentious issues being discussed with Iran, namely, the fate of Iran's vast stockpile of low enriched uranium (LEU).<sup>27</sup>

A more indirect lesson for Iran that might emanate from the Ukraine crisis has to do with Russia's flagrant violation of the Budapest Memorandum on Security Assurances (December 1994), which provided security assurances by

the signatories (the Russian Federation, the US, and the UK) to Ukraine against the use of force, while respecting the territorial integrity and independence of Ukraine. As a result of this memorandum, Ukraine gave up its nuclear arsenal and joined the NPT.<sup>28</sup> The question thus is whether Iran will view Russian behavior as an example of how international norms, let alone commitments, may mean very little. Another possible lesson for Iran could be to continue its efforts to acquire a nuclear deterrent capability in order to reduce its vulnerability to attack, a lesson similar to the one that became apparent to Iran when NATO attacked Libya in 2011. Just as Libya became vulnerable after surrendering its WMD in 2003, perhaps if Ukraine had maintained its nuclear weapons, Russia's act of aggression would not have occurred.

A longstanding question as to whether Iran has gained or lost from the regional upheaval unleashed by the Arab awakening now suggests that today in the wake of these new crises, it would seem that Iran's role in the region has been enhanced.<sup>29</sup> Furthermore, both the challenge of ISIS and the Ukraine crisis could reinforce Iran's resolve to acquire nuclear deterrence capabilities, in order to deter offensive action in response to any Iranian provocations in the Middle East.

### **Where Does Israel Stand?**

Israel's voice was significantly diminished once negotiations on a comprehensive deal began in January 2014. With the launching of Operation Protective Edge in early July, it virtually disappeared from the scene – to the degree that the July 20, 2014 deadline passed almost without comment in Israel. Nevertheless, Israel's leadership has continued to make its positions known.

In an attempt to explain why the Iranian nuclear issue was no longer in the headlines in Israel, Minister of Intelligence and Strategy Yuval Steinitz said already in January that “we are concentrating on the peace process and are conducting contacts with the Palestinians, and therefore the [nuclear] issue was relegated to the sidelines, but it still constitutes a global danger.”<sup>30</sup> The above explanation notwithstanding, it is quite clear that Israel's skepticism, suspicions, and concerns regarding the content of the interim deal and its implications did not diminish over the course of 2014. It was Minister Steinitz who voiced Israel's opinion regarding the JPOA when in December 2013 he said that Israel warned the world that the interim deal was meant

to undermine the sanctions on Iran, and that its essence is to create rifts in the international front against the nuclear threat.<sup>31</sup>

Even if the nuclear issue did not receive the saliency that it deserved due to the political and media urgency that the ISIS threat commanded, Israel's top leaders have not shied away from periodically expressing Israel's views on the JPOA, as well as any future comprehensive agreement, and the implications for Israel, the region, and global security. Reacting to Rouhani's statement in Davos in January 2014 that Iran will not dismantle even one centrifuge, Netanyahu said that much of what he had predicted would happen is in fact happening.<sup>32</sup> His remarks underscored Israel's conviction that Iran benefited from the JPOA – due to the lifting of some sanctions, and by what seemed to be a growing Western interest in prospective post-agreement business deals with Iran – without making meaningful concessions on the nuclear front.

Reports on the ongoing negotiations and the concessions made by the P5+1 led Netanyahu to voice concern about a possible outcome of the negotiations: “The combination of enrichment, weaponization and launching capabilities means that Iran is getting everything without giving practically anything. A permanent agreement must not perpetuate this situation.”<sup>33</sup> Furthermore, during the negotiations, and in view of reports at the end of the initial six rounds of talks regarding the possible concessions that the P5+1 had made – or were willing to make – in the critical area of the fuel cycle, Netanyahu repeatedly articulated Israel's prerequisites for a “good deal.” In a speech delivered at the March 2014 AIPAC convention, Netanyahu spelled out the action that would have to be taken in order to deny Iran the capability to acquire a nuclear bomb: shut down the heavy water reactor at Arak and the underground enrichment facilities at Fordow and Natanz; dismantle centrifuges and destroy the stockpile of enriched uranium; and insist that Iran fully disclose the military dimension of its nuclear program.<sup>34</sup> He expressed deep concern with respect to the intention of the P5+1 to allow Iran to retain an enrichment capability, thereby enabling it to become a threshold state (“it will be a bitter mistake”), with the implications for Israel and global efforts to stem nuclear proliferation.

While Netanyahu's so-called “maximalist positions” are most likely endorsed by some of the Gulf states (who share Israel's concerns), they are no longer shared by the US and the other members of the P5+1 who have

already acquiesced to Iran's demand to be allowed to maintain an enrichment program (which contravenes UN Security Council resolutions). Realizing that its positions have not been adopted, Israeli officials have urged their counterparts among the P5+1 to lengthen the breakout time to the extent possible.

Even the bilateral meetings between US and Israeli officials – designed to inform Israel about the outcome of the negotiations and coordinate positions – could not hide the fundamental differences between the two countries on how to prevent Iran from retaining a nuclear weapons option.<sup>35</sup> US reassurances have not convinced Israeli officials that the administration is indeed determined to foil the Iranian program. Furthermore, US efforts to “degrade and finally to eliminate” ISIS, which has become a high priority issue, perhaps to the point even of replacing the Iranian nuclear crisis, has caused additional concerns regarding the US position. Reflecting these concerns, Netanyahu cautioned: “make no mistake – ISIS must be defeated. But to defeat ISIS and leave Iran as a threshold nuclear power is to win the battle and lose the war.”<sup>36</sup>

Given the prospects that the negotiation might result in a “bad agreement” from Israel's point of view, Netanyahu and Defense Minister Ya'alon have reiterated Israel's position that it will not allow Iran to turn into a threshold state.<sup>37</sup> In other words, if and when diplomacy fails, it seems that the military option will be on the table. Steps have been taken in terms of budget allocation and IDF preparedness.<sup>38</sup> To what extent an Israeli military threat might impact on the Iranian position, or for that matter the position of the P5+1 during the negotiations, is an open question. Furthermore, preparations for a military strike notwithstanding, it is also an open question whether in the case of a “bad deal” that is sanctioned by the international community, Israel would nevertheless strike Iran unilaterally.

In interviews just before the November 24 deadline,<sup>39</sup> Netanyahu reiterated his objection to conclusion of a bad deal and his insistence on the need to keep sanctions in place as long as Iran's capacity to make nuclear weapons has not been dismantled. Rather than dealing with the question of Israel's options in the event of a signed bad deal, Netanyahu underscored Israel's efforts to convince the international community not to conclude such a deal, which would endanger not only Israel. Following the decision to extend the

negotiations, Netanyahu said that extending the negotiations was a preferable outcome.<sup>40</sup> He expressed the hope that the pressure on Iran would continue because economic pressure was the only element that brought Iran to the negotiating table. As to Israel's future steps, he said that Israel is following the situation closely and retains the right to defend itself.

Thus Israel has underscored that the contents of the interim deal, as well as the concessions already made to accommodate Iran's intent to retain a breakout capability, are unacceptable. Furthermore, Israel has left no doubt that a "bad deal" will not be tolerated, and that concrete steps to abort the threat might be taken. Given all other options, an extension of the negotiation serves as no more than some breathing space for Israel – it pushes back the timeline for having to make tough decisions. Any decision will have to be taken against the backdrop of Israel's lack of success in influencing the P5 +1 not to make strategic concessions to Iran on the one hand, and the diminishing credibility of the military option on the other.

## **Conclusion**

Because 2014 has been characterized by ongoing intensive negotiations, with negotiators keeping a very tight lid on the proceedings, there is a lack of information with regard to what is indeed going on. Moreover, there is a sense that while they insist that their decision not to share information is important for the success of the negotiations, in fact the negotiators are also using the fog to enhance their ability to manipulate assessments in order to support their policy decisions. Thus when the P5+1 want to press Iran to meet a deadline, they emphasize the tough decisions that need to be made, but when they want to justify an extension, they proclaim the "great progress" that has been made. In neither case is anything revealed regarding the actual substance on the table. Consequently, there is a full range of commentary: from claims that there is most likely agreement on almost all of the topics with only a few remaining issues to be resolved, to claims that assess the picture in the exact opposite manner, i.e., that it is more likely that agreement is lacking on the vast majority of the issues, especially as Iran is less averse to publicity about the full range of issues that for them are beyond compromise.

As such, while some assessments can be made – for example, that the strategic concessions that have been made so far have come primarily, if not solely from the direction of the P5+1 – many pivotal questions remain. For example, was the extension in late November inevitable? What will it take to reach a political understanding in March? Is it only a matter of time? Are the calculations purely in terms of the negotiations dynamic, or are other internal politics (in both the US and Iran) or regional issues affecting the decision? Regarding the situation on the Iranian side, some claim that President Rouhani and Foreign Minister Zarif are willing to accept the P5+1 offer on the table, but Supreme Leader Khamenei objects. At the end of the day, however, it is clear that the Supreme Leader makes the decisions, so whether the leadership is united or divided is less relevant than the fact that Khamenei in any case remains defiant.

Thus it seems there is a combination of both severe difficulties at the negotiating table and extraneous issues that are having or will have an impact on policy choices that will have to be made in March 2015. Whatever the outcome, the unfortunate reality is that any deal with Iran will almost certainly focus solely on physically keeping Iran at a distance from breakout (through some dismantlement of the program and a verification regime), rather than on Iran's intentions. Since there is no indication that Iran's intentions in the nuclear realm have changed, it is nearly certain that it is only a matter of time (and the duration of the agreement) before Iran resumes its efforts to acquire a military nuclear capability, even with the best comprehensive deal.

## Notes

- 1 US officials apparently relayed some information to the media about certain concessions that Iran made with regard to a few aspects of the JPOA, as part of the extension agreement (see, for example, Laura Rozen, "Iran to Limit Centrifuge R&D under Extension," *al-Monitor*, December 1, 2014, <http://www.al-monitor.com/pulse/originals/2014/12/irantermsofextensionnucleardeal.html>). However, at least some of the issues are more in the nature of clarification of issues that had already been included in the JPOA (where there were differences of opinion). In any case, Iran denied the veracity of these reports (see Lazar Berman, "Iran Rejects US Claims it Made Concessions for Talks Extension," *Times of Israel*, December 7, 2014, <http://www.timesofisrael.com/iran-said-to-reject-claims-of-concessions-for-talks-extension/>).



- 2 Anne Gearan and Joby Warrick, "World Powers Reach Nuclear Deal with Iran to Freeze its Nuclear Program," *Washington Post*, November 23, 2013, [http://www.washingtonpost.com/world/national-security/kerry-in-geneva-raising-hopes-for-historic-nuclear-deal-with-iran/2013/11/23/53e7bfe6-5430-11e3-9fe0-fd2ca728e67c\\_story.html](http://www.washingtonpost.com/world/national-security/kerry-in-geneva-raising-hopes-for-historic-nuclear-deal-with-iran/2013/11/23/53e7bfe6-5430-11e3-9fe0-fd2ca728e67c_story.html).
- 3 Wendy Sherman, "Iran Policy and Negotiations Update," Written Statement, Senate Committee on Foreign Relations under Secretary of State for Political Affairs, U.S. Department of State, February 4, 2014, [http://www.foreign.senate.gov/imo/media/doc/Sherman\\_Testimony2.pdf](http://www.foreign.senate.gov/imo/media/doc/Sherman_Testimony2.pdf).
- 4 Interesting in this respect are the contacts that were established between the US and Iran that played a critical role in paving the way to signing the JPOA. Against this backdrop, the nuclear negotiations provided a platform for discussing regional issues such as the ISIS threat.
- 5 Wendy Sherman, "Remarks on U.S. Policy in the Middle East," U.S. Department of State, September 16, 2014, <http://www.state.gov/r/pa/prs/ps/2014/09/231724.htm>.
- 6 Wendy Sherman, "Status of Negotiations with Iran," Statement, Senate Committee on Foreign Relations under Secretary of State for Political Affairs, U.S. Department of State, July 29, 2014, <http://www.foreign.senate.gov/imo/media/doc/Sherman%20Testimony.pdf>.
- 7 Wendy Sherman, Remarks at a symposium on P5+1 Iran nuclear negotiations, Center for Strategic and International Studies (CSIS), Washington, DC, October 23, 2014. One wonders whether her statement alludes also to what was reported two weeks later in the *New York Times* about Iran's tentative agreement to ship much of the country's stockpile of LEU to Russia. See David E. Sanger, "Role for Russia Gives Iran Talks a Possible Boost," *New York Times*, November 4, 2014.
- 8 See John Kerry's press conference in Paris, November 5, 2014, <http://www.state.gov/secretary/remarks/2014/11/233779.htm>.
- 9 The Obama administration has demonstrated a strong commitment to continued diplomacy as well as a clear aversion to contemplating a move to other measures (even though "all options are on the table" remains a recurrent refrain), such that declaring a breakdown (implying the need to move to other options) was not in line with its policy objectives. As for Iran, once it became apparent that the P5+1 were willing to offer it concessions, its interest is to hold out for an even better offer, one that might ultimately enable it to fulfill its goal of getting maximum sanctions relief in return for very minimal nuclear concessions.
- 10 Notwithstanding Kerry's explanation, the decision is still somewhat puzzling. In his press conference in Paris, Kerry said that he could consider an extension if a few small issues remained, but certainly not big issues. The question then is



whether all big issues were resolved, and will the coming months will be devoted to small issues. And if so, why were seven more months needed?

- 11 See Sherman, Remarks at a symposium on P5+1 Iran nuclear negotiations, CSIS.
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- 13 Kerry press conference, Paris, November 5, 2014.
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