

Deadline Approaching for Iranian Compliance with UN Resolution

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The deadline of February 23, 2007 is fast approaching for Iranian compliance with United Nations (UN) Resolution 1737. Resolution 1737 was unanimously passed on December 23, 2006 and imposed sanctions against Iran's trade in sensitive nuclear material and long range missile technology. Resolution 1737 recalled all previous relevant resolutions¹ regarding Iran's non-compliance regarding the proliferation of weapons of mass destruction (WMD) and long range missile systems.²

Paragraph 23 of Resolution 1737 states that within 60 days of its passing a report is required from the Director General of the International Atomic Energy Agency (IAEA) on whether Iran has established full and sustained suspension of all activities regarding Iran's nuclear program, including enrichment –related activities, as well as research and development. That 60 day window closes at the end of this month. If Iran does not comply with Resolution 1737, the Security Council will adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the UN to persuade Iran to comply with the resolution and the requirements of the IAEA.³ The measures allowed under Article 41 do not include military action. Should additional measures be deemed necessary (e.g. military), Resolution 1737 specifically calls for another vote.

The basic point is that Iran has a nuclear program that it claims is strictly for peaceful purposes. The international community is skeptical because Iran ceased cooperation with the IAEA, which verifies the purpose of a country's nuclear ambitions and programs. In addition, President Mahmoud Ahmadinejad has made a number of public declarations that make the international community weary of a nuclear Iran. For example, October 26th, 2005 he made the statement, "...Israel must be wiped off the map."⁴ Through sanctions imposed by UN Resolutions, the international community is attempting to diplomatically, versus militarily, elicit Iranian cooperation. Iran's non-compliance with the previous Security Council resolutions and their decision to halt cooperation with the IAEA under the Additional Protocol is cause for concern. The recent IAEA reports regarding Iran are also extremely disconcerting for the international community. November 15, 2006 IAEA Director General Mohamed ElBaradei issued a report stating that Iran continues to be uncooperative. Previous reports issued by the Director General also elicit serious concern. The February 2006 report listed a number of outstanding issues and concerns, including the fact that the IAEA is unable to confirm that there are no undeclared nuclear materials or activities in Iran.

¹ Prior to Res. 1737, the most recent was Res. 1696.

² United Nations Security Council. *Resolution 1696*. July 31, 2006 at <http://daccessdds.un.org/doc/UNDOC/GEN/N06/450/22/PDF/N0645022.pdf?OpenElement>

³ See paragraph 24 of UN Resolution 1737.

⁴ Ahmadinejad, Mahmoud. President of the Islamic Republic of Iran addressing students in an Interior Ministry conference hall. *AlJazeera News*. March 16, 2006 at <http://english.aljazeera.net/news/archive/archive?ArchiveId=15816>

Iran's non-compliance with the IAEA Board of Governor's resolution GOV/2006/14, calling for the suspension of all enrichment and related processing activities, including research and development is seriously detrimental to confidence building as to the peaceful purpose of its nuclear program.⁵ Suspension and complete verifiable compliance with the requirements set out by the IAEA would facilitate a diplomatic solution that guarantees Iran's nuclear program is strictly for peaceful purposes.

But, as President Mahmoud Ahmadinejad often points out, the Iranians do have the right to pursue nuclear technology for peaceful purposes under Article IV of the Non-Proliferation Treaty (NPT). Article IV states:

1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty.

2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.⁶

As a signatory of the NPT Treaty, Iran deserves the same treatment as all other signatories, provided it complies with the guidelines.

But Iran has not complied. Their non-compliance with previous resolutions and requests of the international community regarding verification of the goals of their nuclear program necessitates the current sanctions, and more, if compliance is not forth coming. Sanctions do not have to lead to military action though. Strict implementation of sanctions by all members of the international community, including China and Russia, is needed if there is any chance of "willing" Iranian cooperation. This would thereby circumvent the need for what would be extremely undesirable military action. The undesirability of further military action in the region is well known, but worth reiterating. Kenneth Pollack, a senior fellow at the Brookings Institution, argues that any military operation against Iran would be anything but the surgical strike that the proponents claim. He argues that it would require a large campaign against a wide range of targets.⁷ This would incite an Iranian asymmetric response, including terrorist attacks or increased support for the insurgency in Iraq. Pollack states, "...a protracted diplomatic struggle, and even a drawn-out contest of wills over sanctions, would be far preferable to another open-ended conflict in the Middle East."⁸

Solidarity among the international community, especially among the Security Council members, is crucial. Unilateral threats do not facilitate negotiations, nor do ultimatums. Options

⁵ IAEA, Board of Governors. *Implementation of the NPT Safeguards Agreement in the Islamic republic of Iran*. February 4, 2006.

⁶ Non-Proliferation Treaty at <http://www.un.org/events/npt2005/npttreaty.html>

⁷ Pollack, Kenneth. "Bringing Iran to the Bargaining Table." *Current History*. November 2006. p.365

⁸ Pollack, Kenneth. p 365.

must be left on the table. Iran must, if they choose to comply, be afforded the option of pursuing nuclear technology for peaceful purposes. Obviously this rests on the assumption of full compliance and verification of their peaceful intent.

Nobody wants a nuclear Iran (besides the Iranians pushing for it), but Iranian leaders are adamant that they will continue to pursue nuclear technology in the face of international opposition. The goal then must be to force them to comply with international standards. Another key point is to recognize the diplomatic loss of face inevitable to Iran if they do comply. Until recently, the rhetoric from Tehran has been increasingly defiant (the recent change in tone may be due to the approaching UN deadline). The carrots offered must be significant enough to warrant the voluntary agreement of the Iranians to comply with international oversight. The sanctions, the sticks, are an important diplomatic tool and will only work if they are strictly enforced by all countries. Further sanctions would be unfortunate (though probably necessary), but preferable to military engagement.