



TYTTI ERÄSTÖ

Enforcing the Laws of Anarchical Society

The case of Iran
in the United Nations Security Council



ACADEMIC DISSERTATION

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FOREWORD

Like many other PhD projects, mine too can be described as a mental journey. It has consisted of some ups and downs and twists and turns, of navigating discourses, diving into theory, and stepping into the minefield of world politics, among other things. It has also brought with it some actual journeys, as well as new possibilities and people who have all guided me in their own ways. I would like to express my sincere gratitude to Vilho Harle, Hiski Haukkala and Nick Wheeler for their supervision, encouragement and advice. I also want to thank the personnel of Political Science and International Relations at the Tampere University's School of Management for creating such a good work community, and Jyrki Käkönen for employing me in the early years of my project. Special thanks goes to Tuomo Melasuo for letting me be part of the Tampere Peace Research Institute, and for bringing the Middle East closer to Finland. I also want to thank Tom Sauer and Henri Vogt for their valuable comments which helped me to improve this work, and Martin Malin and Steve Miller for showing how wonderful life after the PhD can be. I am also grateful for POLITU (the Finnish Graduate School in Political Studies) for funding my research. The most important support, however, has come from my friends and family. First of all, I want to thank my friends—especially Johanna Aho and Minna-Maarit Palander who have lighted up my life in Tampere—but also others who always feel close even though they are further away: Kaisa Amaral, Katriina Kallio, Sanna Miettinen, Ola Mihok and Eeva Viljanen. As for my family—Antti, Pirjo and Panu Erästö— and my closest fellow traveler, Santiago Velásquez, words are not enough to express the importance of their love and support.

In Cambridge, 15 December 2012

Tytti Erästö

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1 Introduction

It is commonly accepted that international law and norms constitute international society, even though there is disagreement regarding their importance in relation to other constitutive elements. This constitutive function often tends to be understood in regulative terms, meaning that international norms provide a commonly accepted framework for conduct and thus create harmony and order in international society. A much less discussed aspect of international norms is that they also enable the construction of different normative categories of membership based on states' conformity with law and norms. This thesis deals with both of these functions by considering how the domestic analogy of crime and punishment is applied in international political practice. Although the notion of state crime remains largely implicit in international legal rhetoric, it clearly underlies the practice of international norm-enforcement and has also found more explicit expressions in contemporary political rhetoric. Similar to the stigma of crime and its effects on citizenship in a domestic society, I argue that the label of a norm-breaker has the potential to undermine a state's membership and related rights in international society. Criminalisation thus serves to draw, not only normative, but also political boundaries, and this makes it into a form of punishment which can be powerful in itself, or used to legitimize more concrete punitive measures. As an example of this kind of boundary-drawing, I take one currently prominent case of international norm-enforcement, namely the United Nations (UN) Security Council process on the Iranian nuclear issue.

The concept of international crime is discussed in the first, theoretical part of the thesis under the title 'Normative Exclusion in International Society'. By normative exclusion I mean the political exclusion of states from international society on normative grounds. Drawing from existing literature, ranging from International Relations (IR) and international law to political and liberal theory, chapter 2 traces the origins of the concept of state crime to the early 20th century. It is argued that state crime became a constitutive feature of international society particularly after the Cold War, when international society and membership in it were increasingly defined by the principles of universality and the rule of law. In effect, the image of the 'criminal', 'outlaw' or 'rogue' state, existing outside liberal-democratic international society and operating outside the rule of law, has been frequently evoked to justify punitive measures in the last two decades. At the same time, the scope of violations that are seen to require norm-enforcement has widened significantly, and economic sanctions have proliferated as a standard type of punitive action. In addition to sanctions, the international environment has also become more permissive to the idea of military intervention as the ultimate method of enforcing norms.

While some embrace this rise of liberal normativity, others warn about its inherent dangers. The former tend to view the notions of international crime and punishment in normative terms, explaining them as steps away from the earlier, anarchical form of international society towards a more cosmopolitan model. For example, international lawyer Allain Pellet argues that the notion of state crime is needed to respond to breaches that threaten the international society as a whole¹. Political philosopher John Rawls, in turn, uses the term 'outlaw state' to refer to states that "refuse to comply with a reasonable Law of Peoples" and "think that a sufficient reason to engage in war is

¹ Pellet 1999, 426-7.

that war advances, or might advance, the regimes rational (not reasonable) interests”². Illustrative of the contemporary thinking on state crime more generally, in Rawls’ terminology international outlaws are by definition illiberal, for he distinguishes such states from ‘reasonable’, ‘liberal’, and ‘decent’ peoples which “are worthy of membership in a Society of Peoples”³. From Rawl’s perspective, the criminal state is thus by nature different from other states and unable to engage constructively with them. The skeptics, on the other hand, view the contemporary practices of normative exclusion in political terms, pointing out that the exceptional power to determine who ends up being labelled as an ‘outlaw of humanity’ is concentrated on a limited number of states. For example, IR scholar Sergei Prozorov regards the contemporary politics ‘liberal enmity’ as a perfect illustration of Carl Schmitt’s ominous prophesy according to which “[t]he day world politics comes to the earth, it will be transformed in a world police power”. In such a world, Prozorov argues, “struggles against hegemony or domination, which [...] have constituted politics and history as we know them, are recast as a priori criminal acts in the new order of the world state, calling for global police interventions rather than interstate war”⁴. Jacques Derrida, in turn, wrote in 2005 that “the states that are able or are in a state to make war on rogue states are themselves, in their most legitimate sovereignty, rogue states abusing their power”⁵. From this perspective, then, the notion of state crime is reflective of attempts to replace the anarchical society of sovereign states with a hierarchical system by states claiming sovereignty over others.

Whereas chapter 2 explains such contrary views in terms of the dialectic between the inclusive principle of sovereign equality and the exclusive principle of anti-pluralism, chapter 3 introduces the so-called ‘pluralist-solidarist’ debate of the English School, representing a similar and partly corresponding dialectic. Like the contemporary advocates of normative exclusion more generally, English School solidarists can be seen to embrace the notion of state crime. That is with the distinction that they focus on collective norm-enforcement and norms concerning state conduct which, at least following the traditional Rationalist understanding, does not include unilateral or ideologically-based exclusion. Pluralists, in contrast, tend to argue that respect for state sovereignty overrides the need to enforce prohibitive norms, particularly those that have traditionally belonged to domestic jurisdiction. However, pluralism and solidarism are not mutually exclusive in the same way as sovereign equality and anti-pluralism; even pluralists might concede that norm-enforcement represents an appropriate response to non-conformity with international norms, provided that it meets certain criteria. While the most commonly voiced pluralist reservation is based on doubts about whether it is possible to reach the necessary international consensus so as to enable collective norm-enforcement, this is not the pluralists’ only concern. Based on combining the pluralist-solidarist debate with another English School classification, namely the so-called ‘three traditions’ of Realism, Rationalism and Revolutionism, I argue that there are altogether five conditions by which to assess the applicability of the solidarist paradigm in a given case—A) international consensus about violation of a shared norm and the related threat to international peace and security; B) international consensus on the need for relevant enforcement measures; C) the predominance of Rationalist considerations behind this consensus; D) the unreasonableness of the conduct of the target state, and E) the effectiveness of the norm-enforcement measures in promoting their stated goals.

² Rawls 1999, 90.

³ Rawls 1999, 4.

⁴ Prozorov 2006, 89-90.

⁵ Derrida 2005, 102.

The above criteria are employed in this thesis to consider the appropriateness of solidarism as well as the related notions of international crime and punishment for understanding the current international dispute over the Iranian nuclear programme. As seen in the second part of the thesis dealing with background to the Iranian nuclear dispute, the notion of state crime tends to dominate much of the political and academic discussion on this issue. On the one hand, this has to do with the distinctively American, unilateral practice of normative exclusion which operates on the concept of ‘rogue state’. This practice and the related discourse draws from the liberal anti-pluralist world-view represented by Rawls and others, and it has been employed since the 1980s with respect to Iran and other states that the US views as regional adversaries. By stigmatizing these countries as inherently aggressive and criminal, the rogue state discourse has served to justify American unilateral sanctions and other coercive policies towards these states. While the image of Iran as state criminal was arguably not shared for a long time by the wider international society, the situation changed in the context of the current nuclear crisis, as Iran’s conduct was defined as being against international law by the IAEA Board and the UN Security Council. Since then, Iran’s normative exclusion has been confirmed, as it were, at the level of international institutions, resulting in a widespread tendency to view the nuclear dispute in terms of the solidarist paradigm.

One key example of the current solidarist discourse on the Iranian nuclear issue in my thesis is the work of Tanya Ogilvie-White. Although this example is not particularly prominent either in the academic literature or in the popular discussion on the Iranian nuclear file, it spells out the basic assumptions that define the dominant, solidarist paradigm. Her work is highlighted also because it is close to my own study in terms of theory and research objects: Ogilvie-White, too, applies the English School notions of pluralism and solidarism to understand the process of norm-enforcement by the Security Council, even though the way she uses and defines these notions is somewhat different from the approach adopted here. She views Iran’s refusal to meet the UN Security Council’s demands in terms of pluralist resistance to solidarist progress towards a more “cosmopolitan world society”⁶ where readiness “to punish rule breakers”⁷ and “the pressure on states to conform to international norms dramatically increases”⁸. Reflecting the affinity between contemporary solidarism and the Rawlsian liberal anti-pluralism, Ogilvie-White’s conception of ‘solidarist’ international society is defined not only in terms of a more robust non-proliferation regime, but also in terms of growing pressure to conform to the norm of democracy. On this basis, Iran’s ‘nuclear defiance’ is understood primarily in terms of “its unique system of governance [...] which lacks international—and increasingly, domestic—legitimacy”, and which “has saddled the regime with low levels of interaction capacity and has led Tehran’s [...] leaders to use the nuclear issue to compensate for that weakness”⁹.

My thesis takes issue with the above assumptions, and its starting point is that the appropriateness of the solidarist paradigm in the Iranian nuclear issue cannot be taken as a given. The need for a more critical approach is highlighted by the previous Iraqi case, which bears many similarities with the pattern of normative exclusion in the Iranian nuclear dispute. With the benefit of hindsight, many would contend that the solidarist paradigm was actually misleading in the former—indeed, the above Schmittean warnings about the dangers of a world police power were to a large extent

⁶ Ogilvie-White 2007, 460.

⁷ Ogilvie-White 2007, 459.

⁸ Ogilvie-White 2010, 119.

⁹ Ogilvie-White 2010, 125.

inspired by the controversy around the 2003 Iraq war. Even though the UN Security Council did not authorize the war, it can be argued that the multilateral process of criminalisation—together with the fact that Iraq had been branded as a rogue state by the US government—significantly contributed to the suspicion that Iraq had a secret nuclear weapons programme. The Iraqi case thus raises serious questions about the prudence of norm-enforcement in a context where the enforcers' relation to the target state is defined by lack of recognition and asymmetric conflict.

Given the mounting concerns that the punitive measures against Iran might also escalate into a unilateral war in the name of non-proliferation, it is necessary to subject the solidarist logic to serious scrutiny and consider whether it is the best guide for understanding and addressing the key problems in the nuclear dispute. The theoretical framework in this thesis provides one way of doing this. As proposed above, consensus about norm-enforcement, which apparently exists in the Iranian case, is only one of five conditions by which to assess the appropriateness of the solidarist paradigm. Hence the empirical case study in this thesis deals with the UN Security Council process on Iran in the period 2006—2009, with the aim of finding out whether the rest of the conditions are also met. The research question guiding the analysis is the following: *To what extent is norm-enforcement in the Iranian nuclear issue in line with the solidarist paradigm, and what implications does this have for policy—both in the Iranian case and regarding non-proliferation more generally?*

The assumption in the third, empirical part of the thesis is that the above question can be answered primarily by looking at the rhetoric of the key actors in the nuclear dispute. These key actors are seen to consist of five UN Security Council permanent members (hence the P5), the altogether 24 non-permanent members who were at the Council during the period under study, and Iran. The aim is to find out the extent to which these key actors' public statements meet the key conditions of the solidarist paradigm, or whether they instead express or otherwise give rise to pluralist concern. While the first two criteria (A-B) deal with Security Council consensus and can be fairly easily assessed by rhetorical analysis, the latter three (C, D and E) require a more hermeneutic approach, as they involve the difficult task of speculating about the actors' motivations and intentions. The methodological principles that guide the analysis are discussed at the end of the theoretical discussion in chapter 3. Among other things, they reflect the assumption that diplomatic language, despite sometimes disguising hidden intentions, is an important indication of states' actual beliefs and concerns. I also subscribe to the view that international society is best understood by “interrogat[ing] the evidence that statespeople leave in their tracks: the record of their policies and actions and the statements by which they attempt to justify them”¹⁰, and by analysing “the practice of statespersons to discern its normative content”¹¹. In addition to rhetorical or discourse analysis, my method could thus be called a ‘classical approach’ or hermeneutical interpretation.

Drawing from the results of the empirical analysis and from the theoretical framework built on the synthesis of the pluralist-solidarist debate and the three traditions, the final, fourth part of the thesis provides an answer to the research question. After addressing the first part of the question dealing with the appropriateness of the notions of international crime and punishment in the Iranian case, the thesis ends with policy recommendations for the way forward in the nuclear dispute, as well as a

¹⁰ Jackson 2009, 32

¹¹ Navari 2009, 3

final discussion on the broader implications of this case for the non-proliferation regime and international society more generally.

I NORMATIVE EXCLUSION IN INTERNATIONAL SOCIETY

*The social function of international law is the same as that of other forms of law. It is a mode of the self-constituting of a society, namely the international society of the whole human race, the society of all societies.*¹²

As noted in the introduction, international norms constitute international society, not only in the sense of regulating state conduct, but also by drawing political boundaries and constructing different normative categories of membership based on states' conformity with law and norms. In this first part of the thesis, I will engage with both of these aspects—which could be called 'regulative' and 'hierarchical'—with particular attention on the latter. Chapter 2 engages with the historical evolution of international practices of normative exclusion based on previous literature. In particular, it focuses on what I think is the most important marker of international normative exclusion, namely the notion of state crime. In chapter 3, I try to bring the discussion closer to IR theory by putting it in the context of the English School's pluralist-solidarist debate and the three traditions. Chapter 3 also contains a description of how theory shapes methodological choices in this study.

2 The Idea of State Crime in Liberal Practices of International Exclusion

This chapter provides an overview on the history and contemporary practices of normative exclusion in international relations. The historical account of the idea of state crime in section 2.1 largely relies on existing literature on normative exclusion. Even though the notion of state crime can be traced as far as to the 17th century, it is the 20th century notion of aggression which represents the prototypical crime in international relations. Although this crime has been rarely identified as such and mostly left unpunished, in recent decades the scope of violations that are seen to justify norm-enforcement has widened significantly—a topic which will be discussed in section 2.2.

2.1 The idea of state crime in historical perspective

Even though certain state leaders and other political actors have been prosecuted in international legal proceedings, the idea of states as criminals is extremely controversial. This is mostly because of the blatant fact that there is no universal sovereign, nor a proper system of adjudication among states. Accordingly, the idea of state crime has been viewed as a “category error”, the logic being

¹² Allott 1999, 31.

that sovereign states may “make mistakes but do not commit crimes”¹³. Nevertheless, it can be assumed that, being the antithesis of law, the concept of crime does exist in some form also in an international society which defines itself by commitment to law and norms. Consistent with this assumption, the idea of state crime sporadically appears in classic accounts of international law, particularly in connection with the 20th century notion of the ‘crime of aggression’. While this idea seemed to be replaced by the regime of ‘individual responsibility’ after the Second World War, it survived and developed during the Cold War, and came to the fore in the contemporary era, along with new practices of international norm-enforcement. In the following sections, I will discuss the historical underpinnings of the idea of state crime.

2.1.1 Early examples: *de jure praedae* and ‘uncivilized’ states

In this section, I will rely mainly on two writers who have mapped out the history of normative exclusion and traced it as far back as to the 17th century, namely Gerry Simpson and Jack Donnelly. It should be noted that they do not themselves use ‘normative exclusion’ as an umbrella term but instead operate on the concept of ‘outlawing’. They use the latter term very broadly to refer both to instances of formal condemnation or criminalisation of certain kinds of conduct, and more generally to the exclusion of certain states from international society – either as a result of their engagement in what is regarded as criminal conduct, or due to their nonconformity with more implicit and identity-related norms. The term ‘normative exclusion’ is used here to bring together this conceptual looseness and to serve as a general term for the exclusion of states from international society on normative grounds.

To begin from Gerry Simpson, his work *Great Powers and Outlaw States: Unequal Sovereigns in the International Legal Order* surely represents the most comprehensive discussion on the subject of international normative exclusion to date. As noted above, Simpson himself uses the term *outlawing* to describe the related practices. Moreover, as a synonym for outlawing he speaks of the *anti-pluralist tradition*, which he regards as one of the three main traditions in the history of international law, alongside *legalised hegemony* and *sovereign equality*. Thus he is arguing that normative exclusion is not a marginal phenomenon but an inseparable feature of international society. While legalised hegemony refers to the tendency of great powers to exercise their prerogatives through legal forms, most notably by intervening in the affairs of other states¹⁴, and sovereign equality stands for inclusiveness, tolerance, diversity, agnosticism about moral truth—and, as the term suggests, equality among sovereigns in law¹⁵—the anti-pluralist tradition is about “making legal distinctions between states on the basis of external behaviour or [moral] characteristics”¹⁶. Anti-pluralism is thus similar to legalised hegemony in the sense that it creates hierarchy within the international legal order and is in constant tension with sovereign equality¹⁷. Indeed, as the title of Simpson’s book—*Great Powers and Outlaw States*—suggests, these two hierarchical tendencies are closely connected, for it is the great powers that ultimately make the decisions about intervening in and excluding ‘lesser’ states.

¹³ Simpson (2004, 285) in reference to A.J.P. Taylor (1961).

¹⁴ Simpson 2004, 67-68.

¹⁵ Simpson 2004, 6; 77.

¹⁶ Simpson 2004, 4-5.

¹⁷ Simpson 2004, 255.

Simpson traces the history of the anti-pluralist tradition to the 17th century writings of Hugo Grotius and, more specifically, his work *De Jure Praedae* (Engl. *Commentary on the Law of Prize and Booty*). Although Grotius is one of the classics of international law, this particular work stands quite apart from his other writings, and – with the exception of the part calling for the freedom of the seas – it remained unpublished for a long time and thus largely forgotten¹⁸. Nevertheless, Simpson regards *De Jure Praedae* as significant because, in his view, it inaugurated the anti-pluralist tradition of singling out morally inferior states in international law. Grotius' treatise, which can be seen to fall into the broader just war tradition, was written in response to a request by the Dutch government to provide a legal justification for its attack on a Portuguese ship that had taken place in 1603¹⁹. Grotius took on the task by depicting Spain-Portugal and its conduct as “beyond the pale”²⁰ by providing the reader with an extensive list of Portuguese crimes, and concluding from this that the Portuguese were “men of bad faith, assassins, poisoners and betrayers”²¹. By presenting the country as criminal and at the same time morally corrupt, he then argued that “no moderately rational person will deny” that “war could have been undertaken against the Portuguese”²². *De Jure Praedae* thus justified the Dutch attack on Portugal as a punitive measure in response to the latter's irregular and immoral conduct and identity.

Although Simpson thinks that Grotius began the anti-pluralist tradition in theory, he notes that it did not become an actual state practice until the 19th century. In this connection, Simpson uses the term ‘standard of civilization’, which he has borrowed from the English School²³. Thus he is referring to the European practice of identifying an inferior category of states based on the principle of civilization²⁴. According to this principle, only European states were entitled full membership in international society, whereas the non-European states were seen as lacking statehood and being prone to irregular conduct, which in turn tended to be explained in terms of ethnocentric, imperialist, and outright racist views about other civilizations at the time.

Whereas in *De Jure Praedae* moral inferiority and withdrawal of sovereign rights could be inferred from the state's conduct, the practice of the standard of civilization was thus largely based on identity considerations. Another difference was that the rationale for the latter was not to justify a punitive war, as in the case of *De Jure Praedae*, but unequal treatment: the standard of civilization provided a justification, or an excuse, for not giving non-Europeans the same rights which were thought to apply in the European society of states. Taking China and Turkey as examples, Simpson calls the states which were thus excluded from full membership in international society “unequal sovereigns denied equal status” and “uncivilized big powers”²⁵. Or, in Gerrit Gong's words, the non-European states were “vulnerable to the power and caprice of those countries to which the material benefits of industrial civilization had come first”²⁶.

¹⁸ van Ittersum 2006.

¹⁹ van Ittersum 2006, xiii.

²⁰ Simpson 2004, 4.

²¹ Grotius 2006, 284.

²² Grotius 2006, 284.

²³ See Wight 1966, 105.

²⁴ See Keene 2002.

²⁵ Simpson 2004, 141.

²⁶ Gong 1984, 6.

Jack Donnelly, too, draws particular attention to what he calls the 19th century “practices of semi-sovereignty”. Like Simpson, he emphasises that the sovereign rights of ‘uncivilised states’ were restricted, but not completely denied, as in the case of colonized peoples of Asia and Africa, which were not seen to possess sovereignty at all²⁷. Furthermore, Donnelly highlights the 19th century focus on identity-based criteria of membership by explaining that “those who failed to meet the standards [of civilization] were treated as ‘ontological outlaws’”²⁸. This is to make a distinction with the 20th century practice which focuses on states’ actual conduct, and which Donnelly connects with the notion of ‘behavioural outlaws’.

2.1.2 The 20th century: identification of criminal states

The early 20th century is generally seen as a turning point for modern international society, mainly for two reasons. First, the scope of that society had expanded significantly in the previous century with the inclusion of new, non-European states – hence the English School, for example, speaks of the replacement of the exclusive European international society with an inclusive universal, or ‘the world international society’. Second, new legal principles were formulated regarding the rules of war, largely as a response to the events of the First World War. In the following, I argue that both of these developments contributed to the evolution of the notion of state crime as the most important marker of normative exclusion in the 20th century international society. Apart from Simpson and Donnelly, I will draw from the English School, Carl Schmitt, and Geog Schwarzenberger to support the argument.

2.1.2.1 The First World War and the interwar period: the ‘crime of aggression’

According to Simpson, the 20th century was, on the one hand, defined by a new kind of inclusiveness and tolerance as the increasingly global international society rejected the 19th century notion of civilization. On the other hand, however, the 20th century also brought with it new types of exclusion, in which connection he speaks of the ‘democratic governance regime’ and the ‘criminal law regime’. The former could be seen as an offspring of the 19th century anti-pluralism, which had however replaced the old, exclusive notion of civilization with what were regarded as universally applicable, liberal values. (For more on the democratic governance regime, see sections 2.1.2.3 and 2.2.2.) The ‘criminal law regime’, on the other hand, represented a genuinely new, 20th century development, meaning that states came to be regarded as criminal for the first time. As Simpson explains, “[w]hile it became increasingly unacceptable to distinguish (un)civilized states, the idea that some states were outlaws intensified its effects”.²⁹

The single most important event behind the formation of the notion of state crime was the Versailles peace conference in 1919. There the Allied powers—based on the idea of the ‘crime of aggression’—treated Germany as “a criminal state [...] that posed a permanent danger” and

²⁷ Simpson 2004, 159.

²⁸ Donnelly 2006, 148.

²⁹ Simpson 2004, 255.

punished it with a “highly punitive series of sanctions”³⁰. According to Simpson, the Versailles conference initiated the practice which “assigns criminal liability to violator states for gross breaches of international law”³¹, and provided a model for subsequent cases of criminalisation, such as “Germany in 1945, Iraq in 1991 and Serbia in 1999”³². He also speaks of “legal structures that designate and treat states as outlaws or criminals” and “deprive this small proportion of states of their sovereign rights”³³.

Donnelly too points to the idea of state crime in his discussion on ‘behavioural outlaws’. While the notion of ‘ontological outlaws’ had to do with the identity-related considerations of the 19th century, ‘behavioural outlaws’, according to Donnelly, are defined as such because they “violate particular international norms”.³⁴ However, while Donnelly seems to think that the distinction between the two types of exclusion has to do with conduct vs. identity, Simpson suggests that the matter is more complicated by noting that “[s]tates are outlawed not always because of what they do but because of what they are perceived to be”. In the case of Germany, this meant exclusion not only “as a result of its crime of aggression” but also due to what was regarded as “its suspect revisionist, militaristic character”.³⁵ Ultimately, such perceptions could be explained with enmity, which seemed to be enforced in connection with criminalisation: as Simpson explains, Versailles “marked a profound shift from the 19th century sensibility and forgiveness and rehabilitation of fallen enemies to a much more vindictive [...] approach towards the defeated powers”³⁶.

Simpson’s political reading of the emergence of the criminal law regime bears resemblance to, and is arguably influenced by, previous accounts of the legal changes in the interwar period. In particular, it resonates with the discussions by the English School and Carl Schmitt. A classic representative of the English School, Martin Wight, for example, traces the doctrine of collective security to Grotius’ notion of *de jure praedae*, and argues that the League of Nations seemed to combine the doctrine about the enforcement of law against a delinquent state with the system of the balance of power³⁷. He explains that, according to this new conception of international society, “a penal code for states was as indispensable as a penal code for citizens”. Wight also explains that it became common in the 20th century to think that “there could be a lawless or a delinquent state [...] whose crime deserved a punishment”, and which would be in confrontation with law-abiding states.³⁸ Another English School figure, Hedley Bull, writes that “[t]he Covenant of the League of Nations, the Paris Pact and the UN Charter all reject the older doctrine of an unqualified prerogative of states to resort to war [...] and all present war as something which can be legitimate only when it is the means by which the law is upheld”³⁹. Significantly from the point of view of Simpson’s above discussion on criminalisation, Bull, too, applies the imagery of criminality and policing in this connection; as he explains, according to this conception of international law, violence is

³⁰ Simpson 2004, 255.

³¹ Simpson 2004, 281.

³² Simpson 2004, 235; 261.

³³ Simpson 2004, 55.

³⁴ Donnelly 2006, 147-149.

³⁵ Simpson 2004, 255.

³⁶ Simpson 2004, 260.

³⁷ Wight 1966, 105-107.

³⁸ Resembling Grotius’ rhetoric in *De Jure Praedae*, Wight (1966, 104-5) also mentions the terms international ‘robber’ and ‘bandit’, as well as the Latin terms *praedo* and *latro* in this connection.

³⁹ Bull 1966, 55.

legitimate only in the form of law enforcement against a criminal state⁴⁰. He takes the imagery of domestic law-enforcement even further when he expresses doubts as to whether “the international community can be brought to agree in a particular case as to which side is engaging in police action and which in crime”⁴¹. (For more on Bull’s discussion in this topic, see chapter 3)

The most critical assessment of the above developments, however, can be found in Carl Schmitt’s writings. Before discussing Schmitt’s ideas on state crime, it is first necessary to say something about his political theory, which is rooted in a particular understanding of the concept of ‘the political’ and a related ontology of political pluralism. First of all, in Schmitt’s view the political equals to polemical, that is, issues which are by nature contestable and controversial and therefore likely to lead to oppositions and conflict⁴². Second, the existence of political communities is bound to create, and indeed dependent on, borders and oppositions, as the distinction between friend and enemy is the determining characteristic of sovereign power⁴³. Although it follows from this that enmity is “a perennial feature of the human condition”, it does not mean that violent conflict would be either unavoidable or desirable, since “the concrete form that relations of enmity take is historically variable”⁴⁴. As enmity could not be avoided in a pluralist world, Schmitt thought that the crucial question was how to deal with it. In this connection, the key distinction is between an equal ‘enemy’ and the morally inferior ‘foe’. Reflective of his rather nostalgic interpretation of the 19th century European international society, Schmitt explains that the former notion found its most open and harmonious expression during this era; at the time, he argues, enmity between states was understood purely in political terms⁴⁵, meaning that attention was drawn away from the theologically based notion of *justa causa belli* and the enemies viewed themselves as being morally on the same level (*justi hostes*)⁴⁶. Schmitt suggests that such rationalisation functioned to limit war to a duel-like battle where the enemy’s humanity was still respected⁴⁷. He contrasted his romanticised image of the ‘enemy’ with the 20th century notion of the ‘foe’—whose emergence was directly related to the idea of state crime. Similar to the English School writers, Schmitt explains that after the First World War, war was defined as a crime demanding punitive action. He points out that the notion of just war was thus reintroduced, while at the same time denying it was war and framing it as international police action instead. As a result, Schmitt argues that the adversary was no longer seen as being morally on the same level⁴⁸ and instead it became a ‘despised foe’⁴⁹. Thus the enemy was nothing less than a disturber of world peace, an ‘outlaw of humanity’⁵⁰—a notion that does not make sense unless it is understood as being something less than human, that is, inhuman or subhuman⁵¹. At the same time, Schmitt noted that despite the abolishment of aggressive war, war could still be resorted to under the label of executions, sanctions, punitive expeditions,

⁴⁰ Bull 1966, 65.

⁴¹ Bull 1966, 70.

⁴² Schmitt 1987, 76.

⁴³ Schmitt 1975, 27-30.

⁴⁴ Prozorov 2006, 82.

⁴⁵ Schwab 1975, 9-10.

⁴⁶ Schmitt 1997, 119.

⁴⁷ Schmitt 1997, 114. Related to this point, Schmitt also points to another factor, saying that the non-European ‘free space’ served as a kind of safety valve (‘Entlastung’) for intra-European problems (Schmitt 1997, 62).

⁴⁸ Schmitt 1997, 94-95.

⁴⁹ cf. Schwab 1975, 11.

⁵⁰ Schmitt 1975, 79.

⁵¹ cf. Schmitt 1975, 54

pacifications, and protection of treaties⁵². This paved the way for the manipulation of international law and concepts such as justice, freedom and humanity to legitimize one's own political ambitions and for disqualifying the enemy⁵³. The root cause behind all this, in Schmitt's view, was liberalist ideology⁵⁴ and its denial of the political (for more on this point, see section 2.2).

All of the above writers thus regard the aftermath of the First World War as a crucial turning point in international law. Indeed, in this connection the views of the English School and Carl Schmitt are strikingly similar, for both thought that the notion of aggression and collective security gave rise to an emerging and significant, yet informal and largely implicit concept of state crime.

2.1.2.2 The Second World War: legal argument for the criminalisation of states

While in the interwar period the references to the concept of state crime were rather implicit, in the context of the Second World War there was at least one attempt to turn criminalisation into a formal legal practice. This attempt was made by Georg Schwarzenberger in his 1943 treatise *International Law and Totalitarian Lawlessness*, which calls for the outlawry of Nazi Germany by the rest of international society. Schwarzenberger's arguments stand in complete opposition to Schmitt's above reflections.

Schwarzenberger prepares his argument by inquiring into the meaning and functions of outlawry in municipal law. Consequently, he defines outlawry as "the withdrawal of the outlaw's legal capacity of the rights and duties dependent on membership in a legal community"⁵⁵. Schwarzenberger emphasises that, in the domestic context, outlawing used to be an "extreme penalty applied against the worst type of law-breakers"⁵⁶, for the outlaw was even denied "the protection of the law accorded to the ordinary criminal"⁵⁷. Therefore this measure was often limited to crimes which were considered so abhorrent that "any further communion between the outlaw and the clan" appeared inconceivable⁵⁸. After thus having set out the parameters for formal outlawry, Schwarzenberger turns to the prevailing historical context, and deals with the legal criteria that he thinks should give rise to similar measures in international relations. Here he refers to the continuous violations of international law by the Triangle powers, in particular their "totalitarian aggression" which he sees it as threatening "the fundamentals of Western civilisation"⁵⁹.

Schwarzenberger further argues that such nations do not recognise the existence of international society, for their conception of society and moral obligation is limited "to their own peoples or [...] a chosen elite within their nations". In effect, their international conduct can be explained in terms of the Hobbesian laws of nature: as Schwarzenberger argues, the Nazi Germany and other totalitarian aggressors "do not consider the reality of power politics as a shortcoming [...] but

⁵² Schmitt 1975, 79.

⁵³ Schmitt 1975, 66;79.

⁵⁴ cf. Schwab 1975, 10-11.

⁵⁵ Schwarzenberger 1943, 89.

⁵⁶ Schwarzenberger 1943, 85-86.

⁵⁷ Schwarzenberger 1943, 89.

⁵⁸ Schwarzenberger 1943, 85-86.

⁵⁹ Schwarzenberger 1943, 10.

idealize this state of affairs into a perennial law of nature". He also remarks that "[t]hese countries are governed by rulers whose primary object is expansion and domination".⁶⁰ In line with the contemporary theory of democratic peace, Schwarzenberger thus draws a direct connection between states' totalitarian political identity and irregular international conduct.

As for the concrete legal consequences of international outlawing, Schwarzenberger suggests that Germany and its allies should be excluded from international society by means of a collective withdrawal of recognition⁶¹. As he argues,

If, in full awareness that they cannot expect reciprocity, the members of international society can apply higher standards in their relations with the outlaw state, nothing prevents them from doing so. Such rules may be identical with international law, but in the relations with the outlaw states, they are unilateral enactments which may be modified on grounds of expediency.⁶²

The rights and protection accorded to states by international law would thus not necessarily have to be respected in the case of this specific category of states, due to the fact that they have placed themselves outside the law by their own irregular behaviour. Schwarzenberger sees the idea of *piracy* as providing a precedent for such treatment in international law, for "the pirate is denied the protection of the flag [...] and is treated as an outlaw, as the enemy of all mankind [...] whom any nations may in the interest of all capture and punish"⁶³. Although piracy has traditionally been understood to refer to individuals, Schwarzenberger argues that it is possible to extend its meaning to states, for "the state itself can be treated as *hostis humani generis*"⁶⁴.

Although the norm against aggression subsequently did consolidate into one of the most uncontested prohibitive norms in international politics and the idea of state crime was thus implicitly embraced, Schwarzenberger's proposition for a formal category of 'outlaw states' was never adopted into international legal practice as such. This is hardly surprising given the contradiction between the notion of state crime and the conventional conceptualisation of the international society in terms of anarchy and sovereign equality. As Simpson explains, the matter was settled immediately after the Second World War in Nuremberg, where the criminalisation of states and their consignment to outlaw status was explicitly rejected as a formal legal practice. Instead, a regime of individual responsibility was imposed on Nazi leaders, whereas Germany as a nation was to be rehabilitated into international society.⁶⁵ The idea of criminality was thus formally decoupled, as it were, from the German state⁶⁶. Leaving aside the question as to what the verdict would have been if the accused had been a non-European state (as well as the fact that Japan, the only non-European Axis power, was bombed with nuclear weapons shortly before the Nuremberg trials), Simpson regards the decision to reject the formal notion of state crime as a sign of the emergence of the more inclusive international society which followed the world wars and was characterised by decolonization and the UN Charter system.

⁶⁰ Schwarzenberger 1943, 13.

⁶¹ Schwarzenberger 1943, 105.

⁶² Schwarzenberger 1943, 108-9.

⁶³ Schwarzenberger (1943, 89-90) in reference to Moore.

⁶⁴ Schwarzenberger 1943, 98.

⁶⁵ Simpson 2004, 228-229.

⁶⁶ As Simpson (2004, 273) argues "[t]he Nuremberg trials were important as a method for punishing the major Nazi war criminals but they served another function by deflecting attention away from the criminal conduct of the state of Germany".

2.1.2.3 The Cold War years: informal ‘machinery of criminalisation’

When the UN Charter system was being formulated at the Dumbarton Oaks and San Francisco in 1944 and 1945, there was still no consensus about the criteria for membership in the emerging post-war international society. As Simpson explains, during this time two kinds of liberalisms clashed. On the one hand, there was the liberalism of inclusion and universality, which supported universal membership, and on the other hand, the ‘anti-pluralist’ kind which was reluctant to allow certain states to join the UN. In addition to states like Germany and Japan, the latter was against the inclusion of states such as the Fascist Spain and Argentina⁶⁷—based on the view that the emerging arrangement was first and foremost the United *Democratic* Nations whose members “should meet certain conditions ‘in order to guarantee the existence of certain common ideals and a community of [shared] political principles’, and to prove the ‘peace-lovingness’ of their international conduct. This kind of argumentation can be seen as an early version of ‘democratic governance regime’ which, as noted earlier, Simpson identifies as the second major current of anti-pluralism in the 20th century, and which he defines in terms of “an attempt to impose upon undemocratic states a regime of constraint and inequality”⁶⁸. The advocates of an inclusive international society, on the other hand, warned that “a union of like-minded states of a certain mind may lead to a union of like-minded states of another mind”⁶⁹.

Eventually, it was the inclusive view that prevailed, meaning that neither the defeated enemy states nor other ‘illiberal’ states were excluded from UN membership. In Simpson’s terms, the post-war UN Charter system thus demonstrated the dominance of *sovereign equality*, whereas the other two traditions were “in abeyance” at the time⁷⁰. In line with this argument, Simpson only names one case of international outlawing in the Cold War period, namely Vietnam in 1979⁷¹. Although this would seem to suggest that the ‘anti-pluralist’ idea of state crime was largely absent during the Cold War, at the same time Simpson argues that it was implicitly present. As he explains, the lack of an international “penal regime involving incarceration” should not be taken to mean that criminality and outlawry are irrelevant in international politics, for “there are ways in which [they] operate that do not depend on punishment but on stigma, repression and representation”⁷². Simpson also speaks of “an imperfect machinery of criminalisation” whereby “the notion of state crime is implicitly accepted”, and notes that the most explicit formulation of this notion during the Cold War period was undertaken in 1976 by International Law Commission (ILC)—an organization established in 1947 by the UN General Assembly to develop and codify international law⁷³. More specifically, Simpson refers to the ILC’s articles on ‘state responsibility’, which in 1976 for the first time made a distinction between “‘normal’ internationally wrongful acts”—called *delicts*—and “exceptionally grave breaches of international law”—called *crimes*⁷⁴. It is noteworthy here that the latter was no

⁶⁷ Simpson 2004, 264-5.

⁶⁸ Simpson 2004, 299.

⁶⁹ Simpson 2004, 265-6.

⁷⁰ Simpson 2004, 255

⁷¹ Simpson 2004, xiii. Simpson is arguably referring to Vietnam’s invasion of Cambodia in 1978—an act which was largely condemned by international society and which led to China’s intervention in the following year (see e.g. Zhang 2005).

⁷² Simpson 2004, 288 (italics added).

⁷³ Simpson also refers to the Article 19 of the 1996 Draft Articles on State Responsibility, which “has been set aside for the time being but [...] represents the most labour-intensive attempt to define the meaning of crime in international system: criminal states breach a supernorm of the international order”. (Simpson 2004, 286; 288-289)

⁷⁴ Pellet 1999, 425-434.

longer seen to only include aggression but references were also made to human rights violations and colonialism. As written in the Commission's 1974 yearbook, the need to establish a special category of state crime had to do with "[t]he terrible memory of the unprecedented ravages of the Second World War"; the "[f]eeling of horror left by the systematic massacres of millions of human beings perpetrated by certain political régimes", and "the outrage felt at the most brutal assaults on the human personality" –which had all "prompted the most vigorous affirmation of the prohibition of crimes such as genocide, *apartheid* and other inhuman practices".⁷⁵

Although Simpson himself does not explicitly make this argument, it can be said that the evolution of prohibitive norms regarding respect for human rights and the democratic form of government represents not only the persistence of the democratic governance regime, as well as its confluence with the criminal 'criminal law regime'. In addition to the 1976 discussions of the ILC, Simpson also refers to the Universal Declaration of Human Rights and the two Human Rights Covenants of 1966, which played a major role in qualifying the view that states' domestic affairs were their own, sovereign matter⁷⁶. Arguably having the same normative developments in mind, Donnelly, too, argues that the latter part of the 20th century "has seen the elaboration of significant new international crimes, most notably aggression, colonialism and genocide, all of which have become fit subjects for forcible international action". Related to this point, he also argues that Spain, Portugal, Greece, and South Africa were treated as 'ontological outlaws' during the Cold War years.⁷⁷ Thus Donnelly points to the norms against an authoritarian form of government and racial discrimination as examples of normative exclusion in the Cold War years.

The reason for why Simpson nevertheless argues that the anti-pluralist tradition was in abeyance during the Cold War period arguably has to do with the difficulty of applying the above norms in practice, most notably due to the deadlock at the UN Security Council⁷⁸. Here one could again recall the 1976 report by the International Law Commission which, while noting the need recognise new prohibitive norms, also points to the difficulties in reaching international consensus over the definition of crime and particularly the enforcement measures that this notion implies. A particular role here is given to the UN General Assembly and the UN Security Council. In case of the South African apartheid regime, for example, it was noted that, although the General Assembly had "appealed directly to Member States [...] to invite them to adopt measures designed to induce South Africa to abandon its policy of *apartheid* and urge them to terminate diplomatic, consular, economic, political and military relations with that country, and [...] to adopt such enforcement measures blockading of ports and the boycotting of goods", "[t]he Security Council [...] employs more cautious language"⁷⁹. In conclusion, it was written that, although "the international community as a whole now seems to recognize that the maintenance by force of *apartheid* and colonial domination constitute [...] serious wrongful acts", "differences of opinion make it impossible to conclude that there exists a similar agreement [...] as to the type of 'action' or 'measures' which may legitimately be taken to meet those situations"⁸⁰.

⁷⁵ Article 97, Yearbook of the International Law Commission 1976.

⁷⁶ Simpson 2004, 299.

⁷⁷ Donnelly 2006, 148.

⁷⁸ See e.g. Cousens 2004, 102.

⁷⁹ Article 109, Yearbook of the International Law Commission 1976.

⁸⁰ Article 114, Yearbook of the International Law Commission 1976.

In addition to the impact of the Cold War dynamics on the Security Council, another reason for why the idea of state crime and its new human security applications remained in the background during this period could be said to be the policy of *détente*. As Lawrence Freedman argues, “mainstream politics during the Cold War gave priority to international security [over both human security and national security]”, and “a policy of *détente* [...] sought to reduce the risk of further Soviet expansionism by tolerating repression in the territories already under Moscow domination”. However, he continues that, “[w]ith the end of the Cold War, more traditional liberal concerns reasserted themselves and led to a number of examples of humanitarian intervention”.⁸¹ However, as will be noted in the following section, humanitarian interventions based on human rights crimes have only been one aspect of the general rise of liberal normativity witnessed in the past two decades.

2.2 State crime and ‘liberal anti-pluralism’ in the contemporary era

In contemporary international society, international law is viewed as increasingly important, universally binding, and as covering more and more fields. In line with the principles of the ‘democratic governance regime’ which, as seen in the previous section, began to be formulated into law already in the Cold War years, attention has focused on states’ conformity with liberal-democratic values, rather than just their external conduct. The last two decades have also witnessed an unprecedented number of cases of norm-enforcement, most notably multilateral economic sanctions imposed by the UN Security Council, but also unilateral sanctions imposed by individual states or groupings of states. At the same time, the international environment has become more permissive toward the idea of military intervention as the ultimate method of norm-enforcement. This rise of liberal normativity—which Simpson calls ‘liberal anti-pluralism’—has brought to the fore the hierarchical constitutive function of norms in unforeseen ways, meaning that states’ perceived or actual compliance with international law often has clear implications for their membership in international society.

2.2.1 Legal basis for the criminalisation of states

The idea of state crime clearly underlies the post-Cold War practices of Security Council and the International Law Commission (ILC), and it is also evident in the various definitions of multilateral sanctions⁸². Although some observers, such as Marc Perrin de Brichambaut, seem to deny this—insisting that at least the Security Council “cannot take measures that would have a penal character” and should therefore “avoid using words from the vocabulary of criminal law”⁸³—others, such as Allain Pellet, embrace the notion of state crime and the related punitive consequences. Pellet’s views are based on looking at the ILC’s on-going process of developing the notion of state crime, in which connection he writes that, “even without a judge, the reactions of the international

⁸¹ Freedman 2005, 95.

⁸² Consider, for example, Kondoch’s (2002, 269) definition, according to which multilateral sanctions are “collective measures imposed by organs representing the international community, in response to perceived unlawful or unacceptable conduct by one of its members and meant to uphold standards of behaviour required by international law”.

⁸³ Perrin de Brichambaut 2000, 275.

community to a crime clearly include punitive aspects”⁸⁴. As noted in the introduction, Pellet argues that the word ‘crime’ is indeed needed to respond to breaches that threaten “the international society as a whole”⁸⁵. He thus suggests that the legitimacy of criminalisation in international politics depends on the severity of the threat posed by a given actor or conduct to international peace and security. This idea applies especially to the UN Security Council—a political organ which is in principle without legislative power⁸⁶ and only invested with the task of identifying threats to international peace and security, as well as in imposing rights and obligations on this basis⁸⁷. Nevertheless, in the last two decades the Security Council has been “fairly innovative in qualifying some acts as illegal under international law”, as well as in drawing “a number of consequences for international responsibility from” such qualifications⁸⁸. Indeed, the Security Council has imposed economic sanctions with such an unprecedented frequency that the 1990s was commonly referred to as ‘the sanctions decade’⁸⁹. In effect, the Council can be seen as the most significant international body behind the contemporary practices of normative exclusion. It can be argued that this has been possible partly due to the loosening of the definition of a threat to international peace and security. Indeed, the Council has used wide discretionary powers in determining what constitutes a threat to the peace⁹⁰: while the traditional war of aggression has not been mentioned in the Council resolutions, such threats have been seen to arise from “instability in the social, humanitarian, or ecological field”⁹¹, weapons of mass destruction (WMD) proliferation, and terrorism⁹². In other words, it seems that criminalisation increasingly depends on successful *securitisation*—i.e. the process by which a given issue or country is made to appear as a threat of global proportions and accepted by significant others to require exceptional measures⁹³.

The Council has also stretched the limits of its authority in other ways. For example in the Iraqi case, the original mandate—based on Iraq’s 1990 occupation of Kuwait—subsequently led to the identification of various additional violations, as well as the imposition of seemingly unrelated measures which “can only be described, in State responsibility terms, as guarantees for non-repetition”⁹⁴. In effect, Vera Gowlland-Debbas notes that the Security Council has been “much under fire for going too far” in the post-Cold War period⁹⁵. Such criticism has been voiced, for example, by the Finnish international lawyer Martti Koskeniemi. As he writes, the UN Security Council acts like a “police in a temple”: while it does possess some legal authority to enforce norms (policing), it has at the same time started interpreting and defining the content of those norms

⁸⁴ Pellet 1999, 434.

⁸⁵ Pellet 1999, 426-7.

⁸⁶ Perrin de Brichambaut 2000, 269.

⁸⁷ Perrin de Brichambaut 2000, 275.

⁸⁸ Perrin de Brichambaut 2000, 272-273.

⁸⁹ Before 1990 the UN Security Council had imposed sanctions only twice, by 2003 it had done so 12 times (Kondoch 2002, 270).

⁹⁰ The UN Charter grants the Security Council “with quasi-discretionary power to determine whether a situation constitutes a breach of international peace and security”, and whether it also “constitutes a threat to international peace and security”. As the meaning of such a threat is undefined, the Council has “a broad scope of manoeuvre [...] in assessing whether a situation constitutes a threat to peace, a breach of the peace, or an act of aggression”. (Perrin de Brichambaut, 269-270).

⁹¹ Gowlland-Debbas 2000, 287.

⁹² See UN Security Council Resolutions 1172 (1998); 1540 (2004); 1373 (2001); 1566 (2004), and 1624 (2005).

⁹³ See e.g. Buzan et al. 1998.

⁹⁴ The UN resolutions against Iraq also included “the destruction, removal, or rendering harmless of its nuclear, chemical, and biological weapons, the ‘technical’ demarcation of its boundary with Kuwait, and the establishment of a demilitarized zone” (Gowlland-Debbas 2000, 293).

⁹⁵ Gowlland-Debbas 2000, 287.

(acting as the ‘Temple of Justice’) – a task which would actually belong to the General Assembly⁹⁶. According to Koskeniemi, this situation where “no attention is paid to the acceptability of power” creates the conditions for a *cynic tyranny*, characterised by the practice “of paying lip service to normative standards while constantly adjusting them in response to the daily requirements of the order’s maximal effectiveness”. On the other hand, there is the risk of *utopian tyranny*, which “emerges when a society’s institutions and its management problems are seen from the perspective of one normative belief”, with which “social institutions [...] including the State and the states-system” must correspond⁹⁷. Koskeniemi’s characterisation of the Security Council’s actions points particularly to the latter problem: as he writes, “[t]he police are ransacking the temple, searching for criminals and those it calls terrorists”, and thinking that “history ended and we won it; that what remains is a clash of civilizations and we intend to come up first”⁹⁸. In other words, Koskeniemi is suggesting that the Security Council decisions are bound to reflect the narrow political considerations of the P5, which is why it should be subject to checks by the more representative General Assembly.

Critics have also pointed to the high humanitarian cost of economic sanctions on the people of the target states, as well as double standards in the way target states are selected by the Security Council⁹⁹. The most common criticism towards the UN Security Council practices, however, has to do with the observation that “economic sanctions, whether multilateral or unilateral, often do not lead to the modification of the behavior or policies of the regimes of target states”¹⁰⁰. One counter-argument to this criticism is presented by Adeno Addis, who has argued that the value of Security-Council-imposed sanctions should not be assessed only in terms of behavior modification. Instead, he points out that they also serve another and perhaps an even more important function: namely the constitutive or *identitarian* function¹⁰¹ whereby the collective identity of the international society is defined by showing what it is not¹⁰². As Addis explains, the UN Security Council is the main institution responsible for marking the normative boundaries of international society by declaring “who and what is a threat to international peace and security”; “who is an ‘outlaw’ and what actions and values are deemed inconsistent with the image and nature of the community”¹⁰³. In other words, Addis draws attention to the hierarchical constitutive function of norms alongside the regulative one.

2.2.2 Liberal anti-pluralism

The hierarchical constitutive function of norms has also been embraced by many influential liberal thinkers, such as John Rawls and Francis Fukuyama, both of whom also highlight liberal ideology as a defining criterion of membership in international society. Rawls, for example, classifies the world according to five different types of domestic societies, ranging from (1) reasonable and

⁹⁶ Koskeniemi 1995, 339.

⁹⁷ Koskeniemi 1995, 330.

⁹⁸ Koskeniemi 1995, 348.

⁹⁹ Addis 2003, 573-574.

¹⁰⁰ Addis 2003, 583.

¹⁰¹ Addis 2003, 574.

¹⁰² Addis 2003, 586-587.

¹⁰³ From this point of view, then, the function of UN-imposed multilateral sanctions is no longer the socialization of the target state into the international society, but rather its exclusion. Addis adds that this can be the case regardless of whether Council members perform this role intentionally or not. (Addis 2003, 592-593)

liberal; (2) decent, and (3) outlaw states, to (4) those burdened by unfavourable conditions, as well as (5) benevolent absolutisms. The first two of these categories Rawls calls ‘well-ordered’ peoples, arguing that they “do not initiate war against one another; they go to war only when they reasonably and sincerely believe that their safety and security are seriously endangered by the expansionist policies of outlaw states”¹⁰⁴. Outlaw states, in contrast, “think that a sufficient reason to engage in war is that it advances the regime’s rational (not reasonable)¹⁰⁵ interests”¹⁰⁶. In addition to the traditional prohibitive norm of aggression, Rawls’ concept of the outlaw state also builds on the human rights norm; as he argues, “[t]he liberal and decent peoples’ acceptance of the law of peoples is not sufficient—the society of peoples need to develop new institutions and practices to constrain outlaw states when they appear”, adding that “among these practices should be the promotion of human rights”¹⁰⁷. Rawls also explains outlaw states “refuse to comply with a reasonable Law of Peoples”¹⁰⁸. International outlaws are thus by definition illiberal, meaning that criminal conduct is caused by their domestic nature. In effect, Rawls defends the ‘well-ordered’ peoples’ refusal to tolerate outlaw states¹⁰⁹, and also justifies the possession of nuclear weapons by the former so as “to keep [outlaw] states at bay and to make sure they do not obtain and use those weapons against liberal and decent peoples”¹¹⁰. He also suggests that the well-ordered states should try to change outlaw states by concluding that “all peoples are safer and more secure if such states change, or are forced to change their ways”¹¹¹.

Another prominent example of the categorization of states according to their conformity with liberal norms is Fukuyama's conceptualisation of the post-Cold War international society. In addition to all the triumphalism about so-called ‘end of history’, it also involved recognition that the global consensus about the benefits of liberal democracy was not absolute because the world was now divided between those that had reached the end of history and those who had not. Whereas peace, interdependence and a sense of community characterised international relations in the ‘ahistorical’ liberal world, the ‘historical’ illiberal one was still plagued by anarchy and could thus be expected to be more prone to instability and aggression. On this basis, Fukuyama concluded that “the old rules of power politics” still applied in the liberal world’s dealings with the historical world. As the two worlds were connected—most notably through oil whose “production remains concentrated in the historical world”—clashes between them remained a possibility.¹¹²

Simpson calls the above-described tendency to draw boundaries around international society on ideological basis ‘liberal anti-pluralism’, and argues that it has given rise to “an expanded doctrine of intervention in order to promote human dignity, world order and democracy or to punish outlaw

¹⁰⁴ Rawls 1999, 90-91.

¹⁰⁵ Rawls defines ‘rational’ in terms of the Hobbesian idea of states’ concern for power and interests, whereas ‘reasonability’ involves taking into account “the criterion of reciprocity in dealing with other societies”. He further explains that reasonable peoples “have their fundamental interests as permitted by their conception of rights and justice”, and that they “can live with other peoples of like character in upholding justice and preserving peace”. (Rawls 1999, 28-29).

¹⁰⁶ Rawls 1999, 90.

¹⁰⁷ Rawls 1999, 48.

¹⁰⁸ Rawls 1999, 90.

¹⁰⁹ He does this on the grounds that “all peoples are safer and more secure if such [outlaw] states change, or are forced to change their ways”. (Rawls 1999, 81)

¹¹⁰ Rawls 1999, 9.

¹¹¹ Rawls 1999, 81

¹¹² Cf. Fukuyama 1992, 277-279.

states for various ‘crimes’”¹¹³. In contrast to the classical version of liberalism—which is associated with sovereign equality and which views diversity and tolerance as part of the core liberal values—Simpson argues that the liberalism of liberal anti-pluralism is characterised by “fixed dogmatic liberalism”, “moralistic fervour”, an “intolerance of the illiberal”, and “profoundly illiberal conformitarianism”.¹¹⁴ As he explains, the influence of this kind of thinking has been such that the focus on the criteria of membership in international society has increasingly fallen on the states’ domestic identity. Indeed, in the stronger versions of such thinking, he argues, the norm of democracy has replaced the traditional norm of sovereignty to the extent that the latter has become an absurdity¹¹⁵. Liberal anti-pluralism can thus be seen to reflect the same coming together of the ‘democratic governance’ and the ‘criminal law’ regimes as discussed in the previous section, albeit in a much stronger and uninhibited form. Simpson regards Fukuyama’s writings in early 1990s as the starkest example of such “liberalism of certainty”¹¹⁶. In addition to Fukuyama and Rawls, Simpson argues that liberal anti-pluralist thinking is present in the writings of many international law theorists, such as Fernando Tesón, Thomas Franck and Anne-Marie Slaughter¹¹⁷. What unites all of these writers, according to Simpson, is that they tend to divide the world into two spheres: first, “a solidarist international society composed of a core of *liberal* states [...] whose common values and interests support a deepening constitutionalism within that society”, and second, an outer sphere where “outlaws or outsiders [are] subject to a repressive criminal law and denied the benefits of full sovereign equality”¹¹⁸.

Simpson’s criticism of the contemporary practices of normative exclusion is shared by several other writers. Indeed, those practices have given rise to an entire genre of critical writing on contemporary liberal normativity, much of which draws from Schmittian warnings about the dangers of an intrusive and conformist world police state¹¹⁹. Sergei Prozorov, for example, views what he calls the contemporary politics ‘liberal enmity’ as a perfect illustration of Schmitt’s ominous prophecy according to which “[t]he day world politics comes to the earth, it will be transformed in a world police power”. In such a world, Prozorov argues, “struggles against hegemony or domination, which [...] have constituted politics and history as we know them, are recast as a priori criminal acts in the new order of the world state, calling for global police interventions rather than interstate war”¹²⁰. Like Simpson, Prozorov draws attention to the illiberal tendencies of liberalism by recalling Schmitt’s understanding of liberalism as “a monistic ideology which supplants concrete pluralism of the sovereign states’ system by abstract individualism”¹²¹, and which will regard as its enemy any “alterity that cannot be subsumed under its principles”¹²². Reminiscent of Koskenniemi’s warnings about utopian tyranny, he also argues that in a world state “radical alterity has no place”, which is why “conflict appears no longer merely possible but actually inevitable, as the Other is certain to resist its violent inclusion into the homeland of liberal humanity”¹²³.

¹¹³ Simpson 2004, 88.

¹¹⁴ Simpson 2004, 77-78; 81.

¹¹⁵ Simpson 2004, 81.

¹¹⁶ Simpson 2004, 78.

¹¹⁷ Simpson 2004, 78 ; 294.

¹¹⁸ Simpson 2004, 231.

¹¹⁹ e.g. Prozorov 2006; Odysseos & Petit 2007; Mouffe 2008.

¹²⁰ Prozorov 2006, 89-90.

¹²¹ Prozorov 2006, 88.

¹²² Prozorov 2006, 86.

¹²³ Prozorov 2006, 90.

2.2.3 Unilateral criminalisation: the US policy of outlawing

It is hardly insignificant that the normative developments described in the previous sections have coincided with the ending of the Cold War and the so-called ‘unipolar moment’ in world politics. Interestingly enough, Simpson does not discuss US foreign policy in his book, even though his very use of the term ‘outlaw state’ arguably reflects, not international legal language, but a particular foreign policy discourse developed by the US since the 1980s¹²⁴. Indeed, the unilateral US policies on states that it has called ‘outlaws’ or ‘rogues’ represent the most visible application of the concept of state crime in contemporary international politics. Moreover, the so-called rogue states—that is Iraq, North Korea, Libya, and Iran—have also tended to end up as targets of multilateral norm-enforcement measures by the UN Security Council.

The American policy of outlawing states has been justified in normative terms, the basic assumption being that these states have placed themselves outside international law by their irregular conduct. Nevertheless, Robert S. Litwak points out that the rogue state concept is above all “an offshoot of the realist tradition of U.S. diplomacy”, meaning that “it is linked not to the internal organization or national character of those states, but to three criteria of external behavior: first and foremost, the pursuit of [WMD]; second, the use of international terrorism as an instrument of state policy; and third, a foreign policy orientation that threatens U.S. allies or important American interests in key regions”. In effect, Litwak stresses that “the rogue state concept arose not from an international legal tradition”.¹²⁵ Michael T. Klare has also highlighted the political motivations behind this seemingly normative policy: writing in mid-1990s, he argues that the rogue state threat is mainly a pretext to justify the maintenance of the US defense budget close to Cold War levels¹²⁶. Noam Chomsky and William Blum, in turn, criticize the US policies against the so-called rogue states, arguing that these policies demonstrate such disregard for international norms as to justify the conclusion that the biggest rogue state of all is the US itself (Blum 2000 and Chomsky 2000)¹²⁷. Jacques Derrida presents a similar view in his 2005 book *Rogues—Two Essays on Reason*; as he writes, “the states that are able or are in a state to make war on rogue states are themselves, in their most legitimate sovereignty, rogue states abusing their power”¹²⁸.

The normative aspects of this policy are nevertheless significant. Consider, for example, the following remarks by Clinton’s National Security advisor, Anthony Lake, from 1994:

...our policy must face the reality of recalcitrant and outlaw states that not only choose to remain outside the family [of nations] but also assault its basic values. [...] For now they lack the resources of a superpower, which would enable them to seriously threaten the democratic order being created around them. Nevertheless, their behavior is often aggressive and defiant. [...] These backlash states have some

¹²⁴ Litwak 2000 traces the origins of the American outlaw state concept to the 1970s, when states such as Idi Amin’s Uganda and Pol Pot’s Cambodia were described as ‘outlaws’ and ‘pariahs’ to signify disapproval of their repressive domestic politics. In addition, he notes remarks that the term ‘pariah’ received a somewhat different meaning in the late 1970s as a few American political scientists used it to refer to a small group of Western-oriented Third World countries, whose vulnerable international position might lead them to seek nuclear weapons. The group included Israel, Taiwan, South-Korea and South-Africa. However, there was no need to demonise these countries because they posed no direct threat to the US. (Litwak 2000, 49-51)

¹²⁵ Litwak 2000, 48-49.

¹²⁶ Klare 1995.

¹²⁷ Blum 2000; Chomsky 2000; Derrida 2005.

¹²⁸ Derrida 2005, 102.

common characteristics. Ruled by cliques that control power through coercion, they suppress basic human rights and promote radical ideologies. While their political systems vary, their leaders share a common antipathy toward popular participation that might undermine the existing regimes. These nations exhibit a chronic inability to engage constructively with the outside world [...].¹²⁹

Lake's comments crystallize one basic claim which has defined the American rogue discourse from the beginning, and which is in line with the notion on 'liberal anti-pluralism' in the previous section: namely that the root cause behind such states' irregular and aggressive behaviour is their illiberal nature. Another key assumption has been that rogue states are too irrational to negotiate with, wherefore the only viable policy towards them is containment. As Clinton argued in connection with Iran in 1995,

Our policy toward these rogue states is simple: They must be contained. [...] many people have argued passionately that the best route to change Iranian behavior is by engaging the country. Unfortunately, there is no evidence to support that argument. Indeed, the evidence of the last 2 years suggest exactly the reverse.¹³⁰

Indeed, the American rogue state policy heavily relies on liberal anti-pluralist ideology. This is apparent not only in the above quote from Lake, but also in the writings of several neo-conservative thinkers. The latter's ideas have been influential in shaping not only the rogue state discourse but also US foreign policy, particularly during the George W. Bush administration (2001—2008). In this connection, it could be noted that Fukuyama—who Simpson takes as a prime example of liberal anti-pluralism—is himself associated with the neo-conservative movement, even though he set himself apart from it after the excesses of Bush administration¹³¹. His dual world view is nevertheless shared along a wide spectrum of other neo-conservative thinkers. Robert Kagan, for example, describes the US role as “an international sheriff [...] trying to enforce some peace and justice in [the Hobbesian] lawless world where outlaws need to be deterred or destroyed”, in order to safeguard what Kagan calls the Kantian liberal and ‘post-historical’ paradise¹³².

Litwak too notes that there is a strong liberal element alongside the Realist one, which creates confusion about the goals of the American rogue state policy. For example, this tension resulted in the Clinton administration's policy towards Iraq being “caught between the twin goals of containing and ousting the Saddam Hussein regime”. Indeed, it is this ambivalence which Litwak regards as the main problem of the US policy of outlawing states.¹³³ It could be argued that—arguably as a result of the growing influence of neoconservatives in the 2000s—the ideological tendency eventually got the upper hand as the US policy towards the stereotypical rogue state, Iraq, shifted from the Realist policy of containment to the liberal anti-pluralist policy of regime change. As Vice President Cheney argued in April 2003, “containment does not work against a rogue state that possesses [WMD] and chooses to secretly deliver them to its terrorist allies”¹³⁴. The American policy of unilateral normative exclusion will be discussed further in chapter 4 in connection with the past US policies towards Iran.

¹²⁹ Lake 1994, 45-46.

¹³⁰ Clinton, 30 April 1995.

¹³¹ Fukuyama 2006.

¹³² Kagan 2002, 3-28.

¹³³ Litwak notes that the goal of regime change was promoted particularly by the US Congress. (Litwak 2000, 247)

¹³⁴ Cheney, 9 April 2003.

2.3 Summary: the fine line between international policing and politics

In this chapter, I have sought to shed light on the role of international law and norms in the constitution of membership and hierarchy in international society. This theme has been highlighted particularly in the last two decades, during which the notion of state crime has been applied in international law and political practice in unprecedented ways. In this new context—arguably made possible by the ‘unipolar moment’ that followed the ending of the Cold War and—the classic 20th century notion of the crime of aggression has been accompanied by other kinds of violations, reflecting new concerns, such as human rights abuse, WMD proliferation, and terrorism. At the same time, there has been a proliferation of punitive measures justified as norm-enforcement, such as unilateral and multilateral economic sanctions, as well as military interventions: Panama in 1989; Iraq in 1991, 1998, and 2003; Somalia in 2003, Haiti 1994; Bosnia 1995; Kosovo 1999; Afghanistan in 2001, and finally Libya in 2011. It is particularly these more controversial acts of international policing which have given rise to Schmittean warnings about the dangers of an excessively intrusive and conformist world police state. Such criticism draws attention to the fact that international normative exclusion is inevitably also a political act, based on a sovereign decision: in addition to representing a tactical and temporary measure that aims to bring the conduct of target state into line with internationally shared norms, such normative boundary-drawing also creates different categories of membership in international society. This is the case particularly when the interpretation of norms is affected by identity considerations, as in the case of contemporary ‘liberal anti-pluralism’ and ‘liberal enmity’. However, at the beginning of the chapter it was also noted that such exclusionist practices are balanced by a contrary tendency for toleration and universal inclusion, which Simpson calls ‘sovereign equality’. In the following chapter I argue that a similar dialectic of inclusion and exclusion also defines the English School’s ‘pluralist-solidarist’ debate on norm-enforcement.

3 Normative Exclusion from English School Perspective

As shown in the previous chapter, contemporary practices of normative exclusion and the underlying notion of state crime can be either embraced or resisted depending on whether one views these practices in normative or political terms. While unilateral practices—most notably the US policies towards the so-called outlaw states—can be easily criticized for being so blatantly political, the notions of international crime and punishment are more readily accepted when applied multilaterally through international institutions. Multilateral norm-enforcement, however, is not free of contention, either; while in the previous chapter this point was highlighted by Koskeniemi’s criticism of the UN Security Council, in this chapter I will consider reservations about norm-enforcement in the context of the ‘pluralist-solidarist’ debate of the English School. The solidarist and pluralist positions, defined in terms of support and opposition to international norm-enforcement, can be seen to be in line with Simpson’s notions of anti-pluralism and sovereign equality—even though the former are not in the same way mutually exclusive and the English School term ‘solidarism’ bears less negative associations than Simpson’s ‘anti-pluralism’. Indeed, the pluralist and solidarist positions are potentially reconcilable—provided that norm-enforcement meets certain conditions set by the pluralists. To better understand those conditions—that is, the criteria for the solidarist paradigm from the English School perspective—I will introduce another

well-known classification, namely Martin Wight's three traditions of *Rationalism*, *Realism*, and *Revolutionism*, into the discussion. While the pluralist-solidarist debate is commonly linked with Rationalism and distanced from Realism and Revolutionism, I argue that the political considerations that underlie pluralist scepticism are best understood in terms of the latter two traditions. In addition, I argue that the three traditions can shed light on the solidarist and pluralist assumptions about non-conformity and potential resistance of the target state to norm-enforcement measures. The main aim of this theoretical discussion is to provide conceptual tools for assessing the key question concerning the applicability of the notions of crime and punishment in the Iranian case. With this purpose in mind, at the end of the chapter I will sum up the altogether five criteria for the solidarist paradigm derived from the theoretical discussion, and explain how theory guides the empirical study in the third part of the thesis.

3.1 The pluralist-solidarist debate on norm-enforcement in the context of the 'Three Traditions'

The following discussion is largely based on Hedley Bull's original formulation of the pluralist-solidarist debate, published in his 1966 article "The Grotian Conception of International Society". While Bull's article deals with the specific issue of the enforcement of the norm of non-aggression and the notion of just war, it should be noted that the pluralist-solidarist distinction can be applied more generally to different norms. Indeed, since the 1960s it has been applied almost exclusively to the human rights norm, to the effect that recently there have been calls, e.g. by Barry Buzan, to widen the range of applicability of the debate to other norms, such as norms related with economy and environmental protection¹³⁵. More than for its focus on human rights, however, the pluralist-solidarist debate has been criticized for encouraging over-generalization and mutually exclusive positions—tendencies which have arguably contributed to its present impasse¹³⁶. As Matthew S. Weinert suggests, the way out of the impasse is to reframe the debate by recasting pluralism and solidarism as "ideal-typical micro assessments of particular issue areas", and by differentiating "degrees or types of pluralism and solidarism" and thus viewing the debate in terms of a continuum, instead of polarization¹³⁷. In other words, pluralism and solidarism should be understood as representing, not fundamentally different world-views, but contingent, situation-specific positions taken in any concrete case where norm-enforcement becomes an issue¹³⁸. A similar, situational understanding is adopted here, and it lends legitimacy to my own undertaking of reframing the debate in terms of the three traditions. While section 3.1.1 focuses on the standard representation of the pluralist-solidarist debate in terms of the Rationalist tradition, the subsequent two sections draw attention to those pluralist reservations that are better understood in light of Realism and Revolutionism.

¹³⁵ Weinert 2011, 30; 36.

¹³⁶ See e.g. Weinert 2011, 21.

¹³⁷ Weinert 2011, 36; 40.

¹³⁸ Weinert 2011, 36.

3.1.1 Rationalist grounds of the pluralist-solidarist debate

In the following, I will show that disagreement about the notions of international crime and punishment lies at the heart of the pluralist-solidarist debate (section 3.1.1.1). Whereas solidarists embrace the notion of state crime, pluralists voice doubts about whether it is possible to reach consensus about such controversial definitions in an anarchical international society. However, even pluralists might concede that norm-enforcement represents an appropriate response to non-conformity with international norms in some cases. The focus here is on the most commonly voiced pluralist criteria for the solidarist paradigm—namely, sufficient consensus about the definition of breach, as well as sufficient consensus about the need for enforcement measures—which are also accepted by many solidarists. Section 3.1.1.2, in turn, explains the potential for pluralist-solidarist reconciliation in terms of the Rationalist tradition, which they both share.

3.1.1.1 Pluralist-solidarist debate

According to Bull, the crucial difference defining pluralists and solidarists has to do with just war: while both accept this notion in principle, they disagree on its meaning. Whereas pluralists understand just war strictly as meaning the laws of war (*jus in bello*), solidarists believe that it is also “one fought for a just cause” (*jus ad bellum*)¹³⁹. In addition to self-defence against aggression directed at oneself (which pluralists also accept), solidarists think that just war can also be fought as norm-enforcement, meaning a collective response to a violation of international law by one state, so as to maintain order and increase security to the benefit of the entire international society. According to Bull, the solidarist position is also characterised by the assumption of “solidarity, or potential solidarity, of the states comprising international society, with respect to the enforcement of the law”¹⁴⁰.

The solidarist assumptions about the possibility of reaching international agreement on norm-enforcement measures can be traced to the natural law tradition. As Bull explains, those who subscribe to this tradition think that international law is not restricted to what states have actually consented to but that it also involves some “fundamental conceptions which are beyond question”. As an example, he takes Hugo Grotius’ remark according to which certain universally applicable normative principles are “in themselves manifest and clear, almost as evident as the things which we perceive by the external senses”.¹⁴¹ As for Grotius’ understanding of the just cause, Bull explains this was based on the view that war is “fought in order to enforce rights”, either in the sense of self-defence, the recovery of property, or punishment¹⁴². The Grotian idea of war as norm-enforcement, Bull further argues, was “resuscitated”, so to speak, by the 20th century solidarists, or ‘neo-Grotians’, to the extent that it marked “a great deal of the theory and practice of international relations since the First World War”. At the level of theory, Bull refers to Cornelius van Vollenhoven and Sir Hersch Lauterpacht in this connection. At the level of practice, he thinks that the solidarist doctrine manifested itself in the League of Nations, the Kellogg-Briand Pact (the

¹³⁹ Bull 1966, 54

¹⁴⁰ Bull 1966, 52.

¹⁴¹ Bull (1996, 67) in reference to Grotius.

¹⁴² Bull 1966, 54-55.

General Treaty for the Renunciation of War), the UN Charter, and the Charter of the International Military Tribunal at Nuremberg”.¹⁴³

Pluralists, in contrast, view states as being “capable of agreeing only for certain minimum purposes which fall short of that of the enforcement of the law”¹⁴⁴. Bull traces the intellectual roots of this sceptical position to the 19th century ‘law of nations’, and more particularly to the legal positivism of Lassa Oppenheim. From this perspective, international law is based on custom and treaties, and thus on state consent. As Bull explains, the positivist doctrine holds that international law cannot be derived from abstract moral principles (natural law) but it must “be gauged empirically by ascertaining the rules to which the states [...] have given their express or their tacit consent”¹⁴⁵. According to Bull, then, the lack of belief in the natural law principles translates into pluralist pessimism regarding the possibility of agreeing on norm-violation and -enforcement in any given case. He also argues that, “[i]n international society as conceived by Oppenheim [...], the analogy with police action and crime is rejected”.¹⁴⁶

It is here that the present discussion converges with the previous one dealing with state crime: as noted already in chapter 2, Bull criticises the 20th century notions of international crime and punishment based on the difficulty of reaching international consensus on which state is the police and which one the criminal in any concrete case—indeed, this forms Bull’s core argument in his 1966 article, and thus he identifies himself as pluralist. While this pluralist position thus resonates with Simpson’s notion of ‘sovereign equality’, solidarism can be connected with ‘anti-pluralism’. At the same time, however, it should be noted that these English School notions are limited to the question of international norm-enforcement and therefore they are best understood as sub-categories of Simpson’s classification. In effect, the term ‘solidarism’ bears much more positive associations than Simpson’s ‘anti-pluralism’, and—as shown below—the solidarist position is also not irreconcilable with pluralism in the same way as Simpson’s notions seem to be.

In relation to the latter argument—that pluralism and solidarism should not be understood as mutually exclusive positions—it should be noted that, despite their apparent similarities (discussed in chapter 2), there is a clear difference between Bull’s pluralist reservations and Carl Schmitt’s political pluralism: in distinction from the latter—who regards the idea of international policing as dangerous *per se*—in principle Bull accepts the idea of imposing order on norm-breakers, provided that enforcement measures are backed by international consensus. As he argues,

If in fact a consensus may be reached as to the nature of the distinction between just and unjust causes of war; if the international community can be brought to agree in a particular case as to which side is engaging in police action and which in crime; if the claims of the former to represent international society as a whole are in fact given credence by the active or passive support of a preponderance of states, then it may well be that it is upon Grotian principles that the international order should be shaped.¹⁴⁷

It is thus possible even for a pluralist like Bull to come to the conclusion that the idea of state crime and the related punitive measures are justifiable in case they have enough international legitimacy

¹⁴³ Bull 1966, 51.

¹⁴⁴ Bull 1966, 52.

¹⁴⁵ Bull 1966, 67.

¹⁴⁶ Bull 1966, 65.

¹⁴⁷ Bull 1966, 70.

to support them, as the solidarists assume. Nevertheless, Bull continues by saying that “if, on the other hand, no solidarity on these matters obtains [and] international society [is] unable to agree as to the criterion of just war; if the outbreak of war typically finds international society at large [...] divided as to which side embodies the just cause, then our conclusion must be a different one”. In such a case, Bull further argues, the Grotian conception may be not only “unworkable but [...] positively damaging to the international order”.¹⁴⁸

In effect, it can be said that two key conditions for the solidarist paradigm from the pluralist perspective is sufficient consensus on the definition of breach, and sufficient consensus on the need for enforcement measures: if these criteria are met, the pluralists and solidarist might agree that norm-enforcement is indeed the best way to promote international order in a given case. While those two criteria deal with the belief of the representatives of international society, it is evident that the most important condition for the solidarist paradigm from Bull’s perspective has to do with idea that norm-enforcement is ‘workable’, and that it does not end up being detrimental to international order. On this basis, the third criterion of the solidarist paradigm could be said to be the effectiveness of the norm-enforcement measures in promoting their stated goals related to the maintenance of international order. Although this criterion lies at the heart of the pluralist-solidarist debate, it is often not part of the debate, for its assessment is only possible with hindsight. The following section explains the potential for pluralist-solidarist compromise in terms of the Rationalist tradition.

3.1.1.2 Rationalist quest for harmony between the normative and the political

Even though Bull defines the pluralist-solidarist debate in terms of difference between the two positions, this difference is not fundamental—indeed, as shown above, it is in principle reconcilable. The potential for reconciliation based on international consensus can be traced to what Molly Cochran calls the ‘middle ground ethics’ of the English School. Cochran defines this kind of ethics in terms of a quest to find a “working balance between ideas of the good and the actualities of real-world politics”¹⁴⁹, based on the view that normative claims are to be sustained by a “moral consensus in actual, existing international practice”¹⁵⁰. As Cochran argues, even many of the so-called solidarist representatives of the English School, for instance John Vincent, have taken heed of Bull’s pluralist reservations by accepting the ‘burden’ of demonstrating “that the degree of moral cohesion that actually exists in international society is of a level that can sustain their idea of justice”¹⁵¹.

The middle ground that connects pluralism and solidarism can be understood in terms of the Rationalist tradition. Indeed, Bull connects both positions with this tradition by stressing their shared, Rationalist assumptions. One of them was already discussed in the previous section—namely that “war of a certain sort plays a part in international society” and that “some wars are legitimate while others are not”¹⁵². Second, Bull stresses that pluralists and solidarists both

¹⁴⁸ Bull 1966, 70.

¹⁴⁹ Cochran 2009, 204

¹⁵⁰ Cochran 2009, 220

¹⁵¹ Cochran 2009, 213.

¹⁵² Bull 1966, 53-54.

recognize the existence of binding international law, as opposed to Realists relying on *Realpolitik*. Third, they both reject “that [Revolutionist] doctrine according to which the standards to which appeal may be made in international politics enjoin not the preservation of international society, but its subversion and replacement by a universal empire or cosmopolitan society”¹⁵³. On this basis, Bull thus places both pluralists and solidarists in the same, broad, Rationalist tradition, at the same time distancing them from Realism and Revolutionism.

The Rationalist tradition represents a sort of a middle way between the other two traditions, which in turn correspond with the popular dichotomy between realism and idealism based on American IR theory. In contrast to the latter two conceptions, according to which the international realm is defined either by anarchy or cosmopolitan ideals, Rationalism “views international politics as taking place within an international society”¹⁵⁴. This tradition can also be seen as the Golden Mean of the English School. Wight, for one, tends to associate it with predominantly positive qualities, remarking at one point that Rationalism is “potentially universal to mankind”, and “a road on which I suppose all of us, in certain moods, feel we really belong”¹⁵⁵. He connects such names as Grotius, Locke, Burke, Castlereagh, Gladstone, (Franklin) Roosevelt, Churchill, Hooker, Althusius, and the Founding Fathers of America to this tradition¹⁵⁶.

The roles of Locke and Grotius in particular are highlighted in the English School depictions of Rationalism. The connection with Locke has to do with his assumption that man is Rational, or reasonable¹⁵⁷; in the same way, Rationalism assumes that statesmen and women, too, can be expected to be moderate, prudent, “able to discourse or discuss matters” and “capable of reasoning” when conducting international affairs¹⁵⁸. For Rationalists, Wight writes, international politics presents itself “as international intercourse, a relationship chiefly among states”, where there is “not only conflict but also cooperation”¹⁵⁹. Such cooperation is made possible by reasonableness, and grounded on the assumption that states are committed to international norms: whereas Bull explains that according to this conception states are “not free of moral and legal constraints”¹⁶⁰, Wight says that, for Rationalists, “law matters [even] more than force”. In effect, Rationalists view the state of nature in the international system, not in terms of anarchy and ongoing conflict, but as a “quasi-social condition” based on something akin to a limited Lockean contract.¹⁶¹ Related to the idea of international cooperation, it could be added that the Rationalist idea of reasonableness also holds the prospect that international conflicts can be resolved through diplomatic negotiation.

Even more strongly than with Locke, however, Rationalism is associated with Grotius, who—apart from representing the solidarist doctrine of norm-enforcement—is also “one of the principal authors of the utterly conventional idea of a society of equal and independent, territorially sovereign

¹⁵³ Bull 1966, 53.

¹⁵⁴ Bull 2002, 27.

¹⁵⁵ Wight 1994, 14. As Bull (1994, xiv) explains, Wight saw the Grotian Rationalist tradition as representing “the great central stream of European thought”, and that he can be classified as belonging to it, despite “feeling the attraction of each” of the three traditions.

¹⁵⁶ Bull 1994, xii; Wight 1994, 15.

¹⁵⁷ Wight 1994, 14.

¹⁵⁸ Oxford English dictionary, definition of ‘reasonable’.

¹⁵⁹ Wight 1994, 15.

¹⁶⁰ Bull 1994, xii.

¹⁶¹ Wight 1994, 38-39.

states”¹⁶². Indeed, rather confusingly from the point of view of Bull’s association with Grotius with solidarism in the previous section, the pluralist position can also be traced to Grotius. As Edward Keene further explains,

Grotius, the argument goes, lived precisely at the time when this pattern of international order was emerging [...]. Commentators have therefore assumed that what is significant about his work is its anticipation of the problems that result from the decentralized nature of the Westphalian system, and that his prominence in the history of international legal thought derives from his having been one of the first to suggest how the binding force of the law of nations could be preserved in such an anarchic and pluralistic environment.¹⁶³

Grotius has thus come to represent that model of international society which accommodates anarchy and pluralism through the system of mutual recognition of sovereign equality, territorial integrity, and non-intervention – that is, a set of principles that form “the constitutional basis of Westphalian international relations”¹⁶⁴, or Bull’s notion of ‘anarchical society’. Whereas Alderson characterises the pluralist, Westphalian principles as “limited rules of coexistence” reflecting “an ethic of difference”¹⁶⁵, Keene and Jackson, respectively, speak of the principle of toleration and the pluralist ethic of tolerating difference¹⁶⁶.

Given the association with the above, pluralist ideas based on sovereign equality, Rationalism as a whole tends to be presented as promoting inclusiveness and universality in international society. Wight also supports such a view: in his discussion on the relationship between international society and ‘barbarians’, he associates Rationalism with Francisco de Vitoria’s argument that the latter were within the law; the criticism by Bartolomé de las Casas of the inhuman treatment of colonised peoples, as well as Alberico Gentili’s view that ‘societas gentium’ included all nations of the world, even those that not yet been discovered. In the same connection, Wight labels as Realist the colonialist tendency to draw an exclusionary boundary around international society and non-members, thus distancing Rationalism from any exclusionist tendencies.¹⁶⁷ (For more on this, see the following section.)

This kind of a conceptual dissociation of colonialism from the Rationalist notion of society obviously represents a very rosy picture of the history European encounters with other peoples and civilizations. However, the history of international society is not all about inclusion but, as highlighted in chapter 2, it has always involved and been constituted by normative exclusion, such as colonialism and double standards based on the standard of civilization. Drawing attention to this point, Keene argues that, alongside the principle of toleration one must also take into account a principle of *civilization*, meaning that there have always been different categories of membership even within the supposedly universal, Rationalist model of international society¹⁶⁸. Keene’s two

¹⁶² Keene 2002, 2.

¹⁶³ Keene 2002, p 2.

¹⁶⁴ Jackson 2003, 178

¹⁶⁵ Alderson 2000, 7.

¹⁶⁶ Keene 2002, 6; Jackson 2003, 178-179.

¹⁶⁷ Wight 1994, 69-72.

¹⁶⁸ As Keene explains: “Within Europe, the leading purpose of international order was to promote peaceful coexistence in a multicultural world through the toleration of other political systems, cultures, and ways of life. [...] Beyond Europe, however, international order was dedicated to a quite different purpose: the promotion of civilization. Simply put, Europeans and Americans believed they knew how other governments should be organized, and actively worked to restructure societies that they regarded as uncivilized [...] in contrast to the Westphalian system, statesmen, diplomats

principles—toleration and civilization—can be seen to correspond with the same basic dialectic of sovereign equality and anti-pluralism which underlies the pluralist and solidarist positions.

For the better or the worse, Rationalism and the related notion of anarchical society thus include both the pluralist principle of toleration (or sovereign equality) and the solidarist principle of civilization (or anti-pluralism). While the former reflects acknowledgement of political realities and the ethics of difference, the latter is grounded on the view that international norms are binding to the extent that they need to be enforced on those who are not ‘reasonable’ enough to follow them. The pluralist-solidarist debate can be seen as an expression of continuing tension between these two tendencies. While the above discussion suggests that this tension can be resolved when there is sufficient international consensus about the definition of breach and the need for enforcement measures in any given case, this is not all there is to the pluralist reservations: instead, I propose that these—together with the question of effectiveness of enforcement measures in promoting international order—are only the first three criteria for the solidarist paradigm. The two other criteria are better understood in light of the Realist and Revolutionist traditions.

3.1.2 Pluralism based on Realism

Even though Bull distances both pluralists and solidarists from the Realist tradition by associating them with Rationalism, in this section I argue that Realism is nevertheless important for understanding the English School debate on norm-enforcement. This is because both pluralists and solidarists believe that even in a Rationalist anarchical society there are Realist tendencies which must be kept in check to prevent a increasing insecurity in the form of a backlash to a more primitive form of international system: while solidarists tend to assume that this is best done through norm-enforcement, pluralists note that norm-enforcers are not impervious to these tendencies either, meaning that norm-enforcement might be used as a pretext to disguise the enforcers’ own politically motivated agendas. Before going on to discuss the connections between Realism and the pluralist-solidarist debate, I will provide a brief overview of the Realist tradition.

3.1.2.1 Realist focus on boundaries

Of all of Wight's three traditions, it would seem that Realism requires the least explanation for those familiar with IR. However, a closer look reveals a great deal of complexity: as I will show below, there are at least three different images of Realism in the English School depictions of this tradition. The fact that two of them are compatible with the notion of international society also blurs the boundary which is commonly drawn between the notions of Rationalist society and Realist system.

Usually Realism is seen to represent the traditional picture of international politics defined by the anarchical state of nature, represented by the likes of Macchiavelli, Hobbes, Morgenthau, Carr, and Kennan¹⁶⁹. The standard notion that Realists use to explain state behaviour is that of power politics

and international lawyers were quite prepared to entertain the possibility that violent actions and other interventions might have to be made in order to civilize savage peoples”. (Keene 2002, 98-99)

¹⁶⁹ Bull 1994, xi; Wight 1994, 17.

and competition, driven by the national interest. As Wight argues, “[i]n a [Realist] system of power politics the chief duty of each government is regarded as being to preserve the interests of the people it rules and represents against the competing interests of other peoples”¹⁷⁰. Adopting Wight's above characterisation and adding a social-psychological element to it, Alexander Wendt regards enmity as key to understanding the Realist logic of anarchy¹⁷¹. He argues that this logic is defined by deep insecurity and distrust, which affects international standards of conduct by making states adopt an aggressive posture and behaviour towards each other. In effect, decision-making tends to be based on worst-case scenarios, and any cooperative moves by the Other will be interpreted in negative terms and are therefore not likely to be reciprocated¹⁷². Such descriptions of the Realist tradition come down to the formulation of the security dilemma in the extreme conditions of a Hobbesian anarchy, and they obviously leave little room for an international society based on norms. Accordingly, Wight argues that Realists reject the view that there is such a thing as international society or international law¹⁷³, and that, instead of a society governed by norms, what they see is a *system* “regulated by warfare”¹⁷⁴.

However, the above kind of a definition is by far not a definitive one—let us merely call it the first image of Realism. There are also other definitions which do not involve an absolute rejection of the importance of international norms or the element of society. Somewhat paradoxically, one of them is provided by Wight himself. As he explains in another connection, “Realists will allow that what Rationalists call international society is at least a diplomatic community, where some rudimentary social obligation operates”¹⁷⁵. Here one could also quote Barry Buzan, who questions Wight's distinction between international system and society based on the following reasoning: “[i]f all human interaction is in some sense social and rule-bound, then what results is not a distinction between international system and international society, but spectrum of international societies ranging from weak, or thin or poorly developed, or conflictual, to strong, or thick or well developed or cooperative”¹⁷⁶. Thus Realism can be seen to be compatible with some, albeit limited, notion of international society, involving at least some basic norms, such as state sovereignty and the principles regulating warfare¹⁷⁷.

However, even then Realists would point out that norms are often merely a facade disguising power-politics. According to Hans Morgenthau, this is the case particularly in the case of norm-enforcement; he argues that “[t]here can be no more primitive and no weaker system of law enforcement than” the international one because “it delivers the enforcement of the law to the vicissitudes of the distribution of power between the violator of the law and the victim of violation”. In effect, power hierarchies inevitably play out in the interpretation of norms. As Morgenthau continues,

It makes easy for the strong both to violate the law and to enforce it, and consequently puts the rights of the weak in jeopardy. A great power can violate the rights of a small nation without having to fear effective sanctions on the latter's part. It can afford to proceed against the small nation with measures of

¹⁷⁰ Wight 1946, 95.

¹⁷¹ see Wendt 2005, 247.

¹⁷² Wendt 2005, 262;265

¹⁷³ Bull 1994, xi-xii

¹⁷⁴ Wight 1994, 7

¹⁷⁵ Wight 1994, 51.

¹⁷⁶ Buzan 2004, 100.

¹⁷⁷ See Bull 2002, 1977, 69.

enforcement under the pretext of a violation of its rights, regardless of whether the alleged infraction of international law has actually occurred or whether its seriousness justifies the severity of the measures taken.¹⁷⁸

In other words, Morgenthau is saying that norm-enforcement is easily rendered as instrument of power politics by great powers, to the disadvantage of weaker states. Recalling the discussion on state crime in chapter 2, Morgenthau's view resonates with Schmitt's warnings about international policing¹⁷⁹, on the one hand, and with Simpson's idea of the hierarchical 'great power' tradition, on the other hand.

To come back to the English School, it is also possible to distinguish a third image of Realism in Wight's theory which is similar to the second one in that it also involves the idea that the Realist notion of international society is limited. Instead of the degree of universally shared norms, however, in this case the limits primarily have to do with membership in international society. This third image appears together with Wight's above observation that Realists might acknowledge the existence of some basic form of a diplomatic 'community'—after this he adds that that outside such a community there is "plainly no element of social obligation"¹⁸⁰. In other words, international norms are not seen to apply to those who are placed outside international society. Wight also presents this idea in connection with his discussion on the relationship between international society and 'barbarians', where—as noted already in the previous section—he labels the tendency to draw an exclusionary boundary around international society and non-members as Realist; as he argues, "although all international societies are aware of other societies outside themselves, it is characteristic particularly of Realism to cast these outsiders as morally inferior"¹⁸¹. Wight further explains that, for Realists "the problem of relations with barbarians is not a moral problem at all, but purely one of expediency; they were slaves by nature and [...] could be warred upon, pillaged and exploited". On these grounds, Wight goes on to cast a large part of the history of colonialism as Realist by taking as an example what he calls "the Anglo-Saxon Realist theory", according to which "barbarians have no rights" and "are outside the law, whether the natural law or *jus gentium*"¹⁸². As argued already in the previous section, such a conceptual separation of the more sinister aspects of anti-pluralism from the Rationalist notion of society does not change the fact that this society also has exclusionist tendencies. This also suggests that considerations of membership might be used to justify double standards in the application of international law even in a universal international society where norms are highly respected.

To sum up, the Realist conception of international society ranges from non-existent to being limited in the scope of shared norms, and demarcated along geographical or civilizational lines. The first two types represent the most conventional interpretation of Realism, in which political boundaries coincide with the borders of nation-states. While in the first image this leads to the view that ideas like international society and international law are meaningless, the second image emphasises that

¹⁷⁸ Morgenthau 1967, 282. The quote shows that Morgenthau simultaneously recognises the significance of norms in justifying irregular conduct for domestic or international audiences. This makes it possible to picture a world in which the notion of international society based on norms at least superficially prevails over the Realist idea of the international system. In such a world, shared norms can be important, even though they would mainly have instrumental value, as Morgenthau cynically argues.

¹⁷⁹ Schmitt 1975, 79.

¹⁸⁰ Wight 1994, 51.

¹⁸¹ Wight 1994, 49.

¹⁸² Wight 1994, 52; 57

they are limited to minimal rules of coexistence or used as pretexts to disguise power-political motivations. However, Wight's third image of Realism suggests another kind of a boundary which transcends national borders: from this point of view, the Realist conception of international society is limited in terms of its membership, which is by definition non-universal and exclusionary. Taken together, these different representations suggest that the essence of Realism is the notion of political boundaries, or the political distinction between insiders and outsiders. In the following, I will explain why all this is relevant from the point of view of the pluralist-solidarist debate.

3.1.2.2 Pluralism in light of the Realist tradition

The most obvious point of connection between Realism and the pluralist-solidarist debate has to do with the first, Hobbesian image of Realism. From the Rationalist perspective, it represents a more primitive manifestation of international system which preceded a norm-bound international society and was beleaguered by security dilemma and uncontrolled violence. In this sense, the first image of Realism functions as a constant threat scenario of the kind of disorder which might result if international society were to dissolve. From the solidarist perspective, the main source of such a Realist backlash arguably comes from states that do not conform to international norms and thus fail to act in a reasonable manner. Coercing conformity on the nonconforming state through norm-enforcement therefore represents an attempt to keep the decadent Hobbesian tendencies under control, so as to maintain international peace and security. (For more on the solidarist assumptions of the sources of non-conformity, see section 3.2.)

Pluralists, on the other hand, can be seen to partly subscribe to the second image of Realism, meaning that they think that the element of society, and international peace and security, can also be undermined by those great powers that are in a position to interpret and enforce norms. Consider the following pluralist reservations, voiced by Bull in his 1966 article:

If a right of intervention is proclaimed for the purpose of enforcing standards of conduct, and yet no consensus exists in the international community governing its use, then the door is open for interventions by particular states using such a right as a pretext, and the principle of territorial sovereignty is placed in jeopardy¹⁸³.

Bull's above argument is almost indistinguishable from Morgenthau's cynical view on international norm-enforcement: he, too, warns about the possibility that norms might be used as power-political tools, most notably as a pretext for violating the norm of non-intervention and territorial sovereignty of the alleged norm-breaker. Both Bull and Morgenthau are thus drawing attention to the hierarchical tendencies within the international system—and, in Simpson's terms, to the connections between the anti-pluralist and the great power tradition. In other words, norm-enforcement is always done by, or with the blessing of, 'great powers' who are themselves immune to such punitive measures. In distinction from Morgenthau's Realist view, however, the aim of Bull's argument is not to downplay the importance of international norms by claiming that norm-enforcement would always function as a power-political tool, but merely to acknowledge that such a possibility exists.

¹⁸³ Bull 1966, 71.

On this basis, it can be argued that the fourth criterion for the solidarist paradigm is that the rationales of the norm-enforcers reflect Rationalist, normative concerns, rather than Realist considerations of expediency. This criterion is closely related with the first two that have to do with international consensus, for Bull seems to think that ensuring sufficient international consensus can help to avoid the above-described dangers: to reiterate from section 3.1.1, Bull's pluralist precondition for successful norm-enforcement is that "the international community can be brought to agree [...] as to which side is engaging in police action and which in crime", and that "the claims of the former to represent international society as a whole are in fact given credence by the active or passive support of a preponderance of states"¹⁸⁴. Bull thus seems to think that the inclusion of several states in the decision-making process serves as a check against power-politics disguised as norm-enforcement. There is, however, ambiguity on this point, as Bull's expression 'preponderance of states'¹⁸⁵ leaves unclear whether the decisive international legitimacy depends on the extent of agreement among the majority of the world's states, or merely among the most powerful ones, such as the P5 at the UN Security Council.

In addition to the possibility of irresponsible great power policies, Bull points to another, rather different danger which can actually be seen to be heightened by the existence of international consensus regarding norm-enforcement. This concern has to do with membership—that is, the degree of international exclusion of the target state from international society—and the effects it might have on the sovereignty principle and the laws of war more generally. This concern arises because norm-enforcement—whether in the form of military intervention or economic sanctions—always means that the target state's rights are to some degree suspended. On the one hand, Bull writes that "it is clearly not the view of Grotius that those who are fighting for an unjust cause thereby place themselves outside international society, where they enjoy no rights", arguing that such total exclusion would be "foreign to Grotius' fundamental assertion of the universality of international society. On the other hand, however, Bull expresses tentative concern about the implications of norm-enforcement on the notion of membership. This is evident in that he is somewhat hesitant about Grotius' consistency in claiming that the 'delinquent' state is within the bounds of society because a contrary view "is suggested by some of his language". Similar hesitation is also evident in Bull's choice of the word 'system' instead of 'society' in his argument that "to make war against a state in order to compel it to conform to the rule, even to punish it in the severest way for having broken them, is still to treat it as part of the system".¹⁸⁶

A related concern here has to do with the laws of war, which Bull articulates more clearly. Namely, he suggests that the solidarist idea of state crime, even when applied with good intentions, has the potential to render those laws irrelevant. As he writes, "[w]hen the champions of law clash with criminals, it is not expected that rule for the conduct of violent conflict will be observed"¹⁸⁷. In such a situation, war might also be more easily internationalised to include several actors; Bull explains that "[b]ystanders have the right to assist the victim of the crime, and the duty not to aid the criminal or to hinder the police"¹⁸⁸. Thus there exists a danger that normal laws of war will be

¹⁸⁴ Bull 1966, 70.

¹⁸⁵ This might mean either "being greater in number, quantity, or importance" (Oxford English Dictionary, definition of 'preponderance').

¹⁸⁶ Bull 1966, 60.

¹⁸⁷ Bull 1966, 65.

¹⁸⁸ Bull 1994, 65.

transgressed in the treatment of states labelled as international criminals. Underlying this concern it is possible to see the third image of Realism, where international society is defined by boundaries excluding outsiders that are not seen to belong to the society.

Once again, one cannot avoid noting the similarity between Bull's concerns and Schmitt's warnings: while Bull is worried about the effects of criminalisation on the target state's membership and related rights in international society, the latter argued that this would deprive it from nothing less than membership in the human race. According to Schmitt, the state that is labelled as criminal is thus likely to end up being treated as an absolute enemy or foe. The key problem that both see here is that the perceived moral inferiority of the state labelled as criminal might lead to increasingly inhumane, unlimited war between those claiming to represent international society and those that they view as their Others. This can be seen to add a new element among the pluralist conditions for the solidarist paradigm; namely that the rationales of the norm-enforcers should reflect Rationalist, normative concerns, rather than the Realist notion of political *enmity*.

In sum, one can say that both pluralists and solidarists seek to safeguard international society from regressing back to Realism. Here they have in mind particularly the first, Hobbesian image, defined by mistrust and anarchy, but also the third image representing a non-universal, exclusionist international society. Solidarists tend to view the threat of a Realist backlash as emanating from criminal states on whom norms are to be enforced by what they regard as an essentially Rationalist international society. Even if in reality this does not mean total blindness to the possibility that norm-enforcers might be motivated by ulterior motives, solidarists are likely to view such motives as being in harmony with the Rationalist goals. Pluralists, on the other hand, note that decisions about norm-enforcement are done by great powers who are not always acting reasonably themselves and who might justify their own irresponsible policies as norm-enforcement. Recalling the discussion from chapter 2, this leads them to be concerned about the possibility that international society could turn into a *cynic tyranny*, meaning that the most powerful actors are "paying lip service to normative standards while constantly adjusting them in response to the daily requirements of the order's maximal effectiveness"¹⁸⁹. In effect, the discussion added a fourth condition to the applicability of the solidarist notions of crime and punishment in international relations—namely that the rationales of the norm-enforcers should reflect Rationalist, normative concerns, rather than Realist considerations of expediency or political enmity.

3.1.3 Pluralism based on critique of Revolutionism

In the English School understanding, the Revolutionist tradition is associated with demands for the entire world to conform to one ideology and political model, which would replace the system of sovereign states with an ideologically more uniform arrangement, possible even a world state. Like the solidarist strand of Rationalism, Revolutionism is thus concerned with the problem of non-conformity but, in distinction from the former, it is focused on states' identity and domestic organisation, rather than their conduct. As noted earlier, Bull argues that pluralists and solidarists both reject the Revolutionist doctrine, meaning that solidarists too draw the line between Rationalism and Revolutionism. Nevertheless, it can be argued that the English School critique of

¹⁸⁹Koskenniemi 1995, 330.

Revolutionism not only bears resemblance to the pluralist critique of solidarism, but that it also overlaps with the pluralist scepticism about the enforceability of those norms and values that have to do with states' domestic conduct, such as the human rights norm.

3.1.3.1 'Revolutionist' focus on normative change

Revolutionism represents another extreme in Wight's triad: in contrast to the Realist tendency to impose boundaries on the notion of society, this tradition is associated with unrealistically high expectations regarding the possibility of a world-wide cosmopolitan society—that is, a world without political boundaries. These expectations have to do with norms regarding the ideological nature of the states' domestic political, economic, or social systems. Wight takes as examples three successive waves of revolutionism in world history: the Protestant reformation, the French revolution, and the Communist revolution. In addition to Kant, Rousseau, the Jacobins, Calvinists, Huguenots, Jesuits, and Lenin, Wight also mentions Hitler and Fascism as belonging to this tradition¹⁹⁰.

What unites all of the above-mentioned miscellaneous figures and their followers, in Wight's view, is their commitment to some dogmatic and monistic belief, as well as the demand for the entire world to embrace this belief and thus to conform to one universal ideology and political model¹⁹¹. Accordingly, Wight connects Revolutionism with the idea of the *civitas maxima*¹⁹², meaning an ideal of “a great society or a superstate”, to which states belong as subordinate citizens. He argues that this idea “assimilates international relations to a condition of domestic politics”, and thereby assumes that a similar high degree of homogeneity and hierarchy can be achieved also at the international level.¹⁹³ Bull, in turn, explains that Revolutionists “sometimes embrace the goal of universal society that would replace the states system, but sometimes adhere to the vision of the world that is still organized as a system of states, but in which all states embrace the true ideology and can as a consequence maintain harmonious relations with one another”.¹⁹⁴ A related Revolutionist tendency is the drive to impose such universalist views on others: as Wight explains, the crusading spirit inherent in Western civilization is reflective of this tradition¹⁹⁵.

The English School is generally sceptical of Revolutionist ambitions. As Bull writes, “[i]t may be doubted [...] whether world politics is likely ever to display the kind of ideological uniformity that would be necessary to establish or to maintain an alternative form of the states system” according to Revolutionist designs¹⁹⁶. The fundamental flaw of the Revolutionists, from the English School perspective, is that they make normative claims regardless, and also at the cost of the prevailing political circumstances. As Wight explains, the Revolutionists' universalist claims raise the question as to what should be done about those states which resist the authority of the great society

¹⁹⁰ Bull 1994, xii; Wight 1994, 8.

¹⁹¹ Wight 1994, 8.

¹⁹² See Wight 1994, 48.

¹⁹³ Although Wight (1994, 41) explains that the term *civitas maxima* comes from the writings of Christian Wolff, he traces its origins even further, in the earlier writings of Catholics, such as Francisco de Vitoria, and Protestants, such as Alberico Gentili.

¹⁹⁴ Bull 2002, 235.

¹⁹⁵ Cf. Epp 1998, 61.

¹⁹⁶ Bull 2002, 240.

and refuse to take part in it. He calls this the ‘problem of non-conformity’. Wight further suggests that the Revolutionist mind deals with the problem by crudely dividing mankind into “those who accept the Revolutionist blueprint” and “those who are recalcitrant”, and by declaring a “holy war” against the latter. The danger and paradox here, he points out, is that the resisting, recalcitrant ones are bound to outnumber the Revolutionists.¹⁹⁷

Rather than creating a universal society and erasing political boundaries, Revolutionists are thus likely to end up only reinforcing the boundary between themselves and those who reject their utopian designs. As Wight explains, “the central paradox of [the Revolutionists] is that they aim at uniting and integrating the family of nations but in practice divide it more deeply than it was divided before”¹⁹⁸. Consider also the following quote from Bull:

If we assume that in the future as in the past there will be constant change and variety in the ideologies that are espoused in different parts of the world, then the attempt to remould a states system on principles of ideological fixity and uniformity is likely to be a source of disorder and we are driven back to the principle that order is best founded upon agreement to tolerate ideological difference, namely the principle upon which the present states system is founded.¹⁹⁹

Revolutionists are thus seen to threaten the principle of toleration, which Rationalists, such as Bull in this connection, regard as a fundamental building block of the pluralist, Westphalian model of international society.

3.1.3.2 Pluralism in light of the Revolutionist tradition

Even though Bull suggests that both pluralists and solidarists reject the Revolutionist tradition, there are certain commonalities between Revolutionism and the solidarist strand of pluralism, as well as between pluralism and the Rationalist critique of Revolutionism. Those similarities have to do with the fact that the problem of non-conformity, which lies at the heart of the Rationalist critique of Revolutionism, also dominates the debate between pluralists and solidarists. To be sure, solidarism is different from Revolutionism in that it focuses on states’ conduct according to shared norms, rather than on their identity according to some ideological ideals. However, both can be seen as manifestations of the principle of civilization or anti-pluralism in international society.

Whereas the English School often presents the solidarist, Rationalist strand of anti-pluralism in a rather positive light, as potentially conducive to international order, Revolutionism is as a rule associated with such negative phenomena as crusading, imperialist expansionism, and revisionism. This is particularly evident in Wight’s description of what he calls ‘doctrinal imperialism’, which is one manifestation of Revolutionism in state practice. As Wight explains, doctrinal imperialism is often based on some “theory of the chosen people, or the imperial vocation”, and it involves a great power trying to impose ideological uniformity on the rest of the world through coercion²⁰⁰. As

¹⁹⁷ He gives as examples the Jesuits, who drew the line between the faithful and the heretics; the Calvinists, who drew it between the elect and the reprobate, and the Jacobins, for whom the crucial distinction was between the virtuous and the corrupt. As one can see in Wight’s own use of language, he thinks that many of these theological concepts also underlie the more secular versions of modern Revolutionism. (Wight 1994, 46)

¹⁹⁸ Bull 1994, xvi.

¹⁹⁹ Bull 2002, 240 (italics added).

²⁰⁰ Cf. Wight 1994, 41-48.

examples, he mentions Stalin's policies in Eastern Europe, the conquests of the Napoleonic France, as well as those by the Roman and the British empires, and the American idea of the 'manifest destiny'²⁰¹. To this one could also add the expansionism of Hitler's Germany, which Wight likewise connects with the Revolutionist tradition²⁰².

Doctrinal imperialism, however, is only one of three methods by which Wight thinks Revolutionists apply the domestic analogy in international politics; the other two are 'cosmopolitanism' and 'doctrinal uniformity'²⁰³. The former means overcoming international politics "by proclaiming a world society of individuals, which overrides nation states". In effect, Wight argues that cosmopolitanism is "the most Revolutionary of Revolutionist theories" but at the same time the most unrealistic and thus "theoretically the least important"²⁰⁴. Doctrinal uniformity, on the other hand, represents a universalism that not only preserves the sovereign state system but is also consistent with Cochran's notion of middle-ground ethics – in other words, it is based on international consensus. Wight connects this third type of Revolutionism with Kant's vision of ideological homogeneity among states. As he explains, in a context defined by doctrinal uniformity, it is not only one great power but "the majority, the ideologically pure" which are trying "to encourage or coerce the minority, or impure, into conformity"²⁰⁵. In other words, the Revolutionist imposition of values becomes legitimate because it is supported by an actually existing normative consensus among states. The implication seems to be that, given the overwhelming social pressure for the non-conforming ones, coercion might not even be needed to bring them into line with the rest. On the other hand, if coercion is resorted to, it is less likely to create major international divisions since "the resisting, recalcitrant ones"—which Wight argued would "outnumber the Revolutionists" in a normal, pluralist international society—would represent an insignificant minority in this Kantian utopia²⁰⁶. As examples of doctrinal uniformity, Wight mentions Woodrow Wilson's initial demand that the membership of the League of Nations be restricted only to states with a democratic form of government, and the attempts by the UN to exclude the Fascist Spain from membership in 1946²⁰⁷.

Wight's examples of doctrinal uniformity were also mentioned in chapter 2, as early examples of liberal anti-pluralism. Indeed, it is possible to view Simpson's notion of liberal anti-pluralism as the latest example of what Wight calls doctrinal uniformity. To reiterate, Simpson describes the former as "fixed dogmatic liberalism", and "profoundly illiberal conformitarianism"²⁰⁸. Based on the subsequent discussion in chapter 2, it can further be argued that the idea of doctrinal uniformity has become more plausible in the present era. This suggests that there is a powerful Revolutionist element in contemporary international society, which also defines its practices of normative exclusion and thus blurs the line between traditional solidarism based on the Rationalist conception of international society and Revolutionist demands based on the assumption that the word is defined by doctrinal uniformity.

²⁰¹ Wight 1994, 43-44.

²⁰² Wight 1994, 10.

²⁰³ Wight 1994, 41.

²⁰⁴ Wight 1994, 45.

²⁰⁵ Wight 1994, 47.

²⁰⁶ Cf. Wight 1994, 46.

²⁰⁷ Wight 1994, 42.

²⁰⁸ Simpson 2004, 78; 81.

In effect, it can be argued that the Rationalist critique of Revolutionism has become closer, and more relevant to the pluralist-solidarist debate than ever before. It is possible that solidarists embrace the new Revolutionism based on the norm of democracy—especially if they believe that the international society is indeed defined by doctrinal uniformity. On the other hand, they might also share with pluralists the concern about what can be called either doctrinal imperialism, as defined by Wight, or *utopian tyranny*, as defined in chapter 2²⁰⁹. On this basis—and assuming that pluralists and solidarists can still be defined in opposition to Revolutionism—one could reformulate the fourth criterion of the solidarist paradigm as follows: the rationales behind norm-enforcement should reflect a Rationalist concern for international society and order, and not be based either on Realist considerations of expediency or political enmity, or a Revolutionist preoccupation with ideology.

3.2 *Three theories of non-conformity*

In the above, I have discussed the pluralist-solidarist debate mostly from the point of view of the enforcers — that is, international society and its most influential actors – as well as their motivations and views on the legitimacy of the enforcement action. In this section, I will expand the discussion to consider the other side of the picture, namely the perspective of the party on whom conformity is imposed. I argue that the solidarist and pluralist positions can be seen to rely on different assumptions regarding the reasons for why norms are broken: whereas the former tends to explain norm-breaking in terms of lack of socialisation into international society, the latter can be seen to point to overriding political and normative considerations which might call for strategies other than norm-enforcement. Based on the following discussion, it is possible to add a fifth condition for the solidarist paradigm which reflects the perceived rationales behind non-conformity.

3.2.1 **Realism: (un)reasoning disregard for rules**

As noted before, Realism is defined by its tendency to draw political boundaries, which also determine the boundaries of normative obligation. Depending on where such boundaries are drawn, Realism can explain non-conformity with international norms basically in three ways, corresponding with the three images of Realism identified in section 3.1.1.

According to the first, Hobbesian image, non-conformity can be seen to result from a total rejection of the validity of international norms, due to a general lack of awareness or lack of identification with international society. Bull refers to such a situation in *Anarchical Society* when he speaks of norm-breaking which is “characteristic of the behaviour of groups not recognizing any common international society”²¹⁰. He explains that their conduct represents “not merely a lack of conformity in behaviour but a failure to accept the validity or binding quality of the obligations themselves”²¹¹. As for the reasons for this failure, Bull speaks of an “unreasoning disregard of the rules”, “lack of

²⁰⁹ As noted in chapter two, Koskeniemi explains that utopian tyranny “emerges when a society’s institutions and its management problems are seen from the perspective of one normative belief”, with which “social institutions [...] including the State and the states-system” must correspond (Koskeniemi 1995, 330).

²¹⁰ Bull 2002, 133.

²¹¹ Bull 2002, 133.

knowledge of what they are, [...] lack of understanding of them or lack of acceptance of the premises from which they derive”.²¹² The term ‘unreasoning’ is important here, for it suggests that this kind of non-conformity is contrary to the Rationalist virtue of reasonableness—hence it reflects lack of moderation and prudence, as well as inability to reason and negotiate with other actors. For historical examples, Bull refers “encounters between member states of international society and political entities outside it”²¹³.

The kind of ‘unreasoning’ non-conformity described by Bull can also be understood in terms of ‘low interaction capacity’—a term used by Barry Buzan and Richard Little to determine states’ level of integration in international society and its norms²¹⁴. Buzan and Little argue that such a capacity not only “may vary from system to system”, but it can also be the result of the uneven development of international society and vary “within a system at any given point in time”. From this point of view, then, low interaction capacity can explain non-conformity not only as occurring between European international society and those whom its members regarded as outsiders in the past, but also in the context of modern, global international society, where some states may not feel as bound by international norms as others do. From this perspective, it is not so much the lack of awareness of, but the lack of identification with shared norms that explains non-conformity. This problem can be related to the third image of Realism, meaning that international society is limited regarding its membership.

I argue that it is precisely the above Realist explanation—that is, low interaction capacity based on the lack of identification with shared norms—which lies at the heart of solidarist arguments for norm-enforcement. The underlying logic here can be seen to be based on the domestic analogy of punishing and rehabilitating criminals, meaning that the appropriate response to international norm-breaking, too, is thought to be corrective or punitive measures. Ideally this can lead to the socialisation of states with a Hobbesian mindset into the Rationalist international society.

However, pluralist arguments against norm-enforcement can also be based on Realist explanations. An example can again be found in *Anarchical Society*. Bull argues that in a situation where “legal obligations and the interests [that states] perceive in being known as governments that fulfil them come into conflict with their major interests and objectives”, the former “obligations are often disregarded”. In such a case, non-conformity is clearly not the result of low interaction capacity but of some overriding political considerations, most notably national security. This kind of an explanation can be connected with the second image of Realism, which accepts international norms but points to their weaknesses and limitations. Reflective of his acceptance of this kind of Realism as part of his conception of international society, Bull further argues that “[t]he importance of international law does not rest on the willingness of states to abide by its principles to the detriment of their interests, but in the fact that they so often judge it in their interests to conform to it”.²¹⁵ Depending on whether one shares the perception that following a given norm is at odds with the nonconforming state’s fundamental national interests, the breach of norms begins to appear, if not

²¹² Bull 2002, 133.

²¹³ Bull 2002, 133.

²¹⁴ As Buzan and Little explain, interaction capacity refers to “the amount of transportation, communication, and organizational capability within the unit or system”, as well as “the shared norms, rules, and institutions, on which the type and intensity of interaction between units in a system, or within units, depends” (Buzan & Little 2000, 80

²¹⁵ Bull 2002, 139-141.

justified, at least as not warranting punitive measures. Having come to such a conclusion, a pluralist might argue that, instead of norm-enforcement, a better strategy would be to address the sources of vulnerability that motivate norm-breaking in the first place.

Finally, it could be noted that Realism can also be seen to underlie great power policies that are in non-conformity with international law. One example related to the second image of Realism is the balance of power, the principle of which is widely accepted by the English School. Indeed, the English School regards power-balancing as necessary “to prevent the international system from turning into a universal empire”, and thus to preserve the anarchical society on which the entire system of shared norms is based²¹⁶. In this connection, Bull for example explains that “[i]nternational law, or some particular interpretation of international law, is sometimes found actually to hinder measures to maintain international order”²¹⁷. A less acceptable practice—again related to the third image of Realism—can be seen to be the colonization of societies regarded as being outside of international society. While this notorious and widely criminalised practice largely belongs to the past, the recent wars of occupation in Iraq and Afghanistan can be regarded as its more modern manifestations. However, as great powers are mostly immune to norm-enforcement, the latter two examples are not really relevant from the point of view of the pluralist-solidarist debate.

In sum, it can be said that the Realist explanations for nonconformity highlight the coexistence between the Rationalist element of international society and Realist systemic tendencies. As far as the Realist limits of international society are recognized by others to be the cause for nonconformity, they might view such explanations as prudent or ‘reasonable’, thus adopting a pluralist position. On the other hand, if nonconformity is seen as a cause rather than a symptom of Realist tendencies, others are more likely to try to contain its harmful effects through norm-enforcement, thus opting for the solidarist position.

3.2.2 Rationalism: appeal to conflicting normative principles

In the previous section, it was noted that the English School’s Rationalist conception of international society allows for some Realist exceptions, meaning acceptance of the fact that non-conformity might be deemed acceptable in cases where normative and political imperatives clash. However, such potentially acceptable non-conformity is not always based on a conflict between Rationalism and Realism; in this section I argue that it can also reflect a clash of different interpretations about existing norms and the hierarchy among them. As in connection with Realist non-conformity, the notion of reasonableness is crucial for determining whether or not the non-conforming state’s justifications are ultimately deemed acceptable.

As Bull explains, violation of norms does not always mean inefficacy of international law. The first example he gives is a situation where “violation of a particular rule [...] takes place against the background of conformity to other rules of international law, and indeed of conformity even to the

²¹⁶ As Bull notes, “to preserve balance of power, one often has to break the rules” (Bull 2002, 102; 104).

²¹⁷ Bull 2002, 138

rule that is being violated, in instances other than the present one”²¹⁸. Second, Bull notes the difficulty of determining whether a breach has occurred in the first place. As he argues,

...the violation is sometimes in itself of such a nature as to embody some element of conformity to the rule that is being violated. The distinction between violation of a rule and conformity to it is not always a sharp one; the decision of an authority as to whether or not a violation has occurred is always, in the end, yea or nay, but the processes of argument whereby this decision is arrived at may contain uncertain and arbitrary elements, both in the interpretation of the rule and in the construction of the facts. In reality the behaviour of a state in relation to the particular rule of international law is best thought of as finding its place in a spectrum of positions stretching from clear-cut conformity at one extreme to a clear-cut violation at the other. The violation of an agreement may be a measured response to some action of another party, designed to preserve some part of the agreement or to keep alive the possibility of restoring it.²¹⁹

Thus Bull is saying that, due to the inherent ambiguity of international norms, the potential norm-breakers can avoid being viewed as such by engaging in certain kinds of argumentative tactics, and by being supported in such argumentation by others. As a third example, Bull mentions a case where “the offending state [...] goes out of its way to demonstrate that it still considers itself (and other states) bound by the rule in question”. While in “some cases the state [...] may deny that any violation has taken place, arguing, for example [...] that the agreement being disregarded had already lapsed because of previous violations by other parties”, in other cases “the offending state may admit that a rule has been broken but appeal to some conflicting principle of overriding importance”. As Bull writes, “[e]ven when the appeal is to a principle such as necessity of vital interests, at least there is acceptance of the need to provide an explanation”.²²⁰

While the latter of Bull’s examples is related to Realist explanations for nonconformity, the important part from the Rationalist perspective thus has to do with the style of argumentation. Indeed, in determining the persuasiveness of the non-conforming state’s justifications—and at the same time its interaction capacity—Bull distinguishes “unreasoning disregard of the rules”, discussed in the previous section as a typical solidarist explanation for norm-breaking, from “a reasoned appeal to different and conflicting principles”. He explains that the former is “a clearer sign of the inefficacy of rules” than the latter²²¹—irrespective of whether the appeal to conflicting principles is genuine or merely a pretext. In another connection, Bull notes, first of all, that normative discourse imposes certain limits to conduct; as he argues, “rules are not infinitely malleable and do circumscribe the range of choice of states which seek to give pretexts in terms of them”. Second—seemingly undermining his warning about norm-enforcement being a pretext for pursuing power-political objectives—Bull seems to think that giving normative pretexts is indicative of the non-conforming state’s high interaction capacity, and thus this makes its actions more acceptable. Drawing from Grotius, Bull notes that “for some states which claim that they have a just cause for going to war with one another, this just cause is often simply a pretext, their real motives being quite otherwise”. He further explains that Grotius distinguished “between causes of war that are ‘justifiable’, that is to say which are undertaken in the belief that there is a just cause, from causes of war that are merely ‘persuasive’, that is in which allegation of a just cause is simply

²¹⁸ Bull 2002, 132.

²¹⁹ Bull 2002 132.

²²⁰ Bull 2002 132.

²²¹ Bull 2002 131-133.

a pretext". He then argues that "[t]he question [...] is whether an international system in which it is necessary to have a pretext for beginning a war is not radically different from one in which it is not", and adds that "[t]he state which at least alleges a just cause, even where belief in the existence of a just cause has played no part in its decision, offers less of a threat to international order than one which does not". This is because, by offering a persuasive justification, "even one it does not itself believe in, is at least acknowledging that it owes other states an explanation of its conduct, in terms of rules that they accept". He further explains that "to make war without any explanation, or with an explanation stated only in terms of the recalcitrant state's own beliefs—such as the Mongols' belief in the Mandate of Heaven, or the belief of the Conquistadors in the Pope's *imperium mundi*—is to hold all other states in contempt, and to place in jeopardy all the settled expectations that states have about one another's behaviour". Bull also quotes Vattel, who "speaks of those who wage war without pretext of any kind as 'monsters unworthy of the name of men', whom nations may unite to suppress".²²²

Despite the argumentative tactics of the nonconforming state, others might nevertheless come to the conclusion nonconformity is unacceptable. A solidarist response in this situation would be to highlight the unreasonableness of the nonconforming state's justifications, and to resort to enforcement measures. A pluralist, on the other hand, would either accept the nonconforming state's justifications as both reasonable and acceptable, or—even if he or she regarded noncompliance as unacceptable—disagree with the solidarist about the usefulness of norm-enforcement. In the latter case, a pluralist would be more likely to approach the problem in terms of Lockean Rationalism—i.e. by engaging in diplomatic discussions with the nonconforming state, based on the assumption that both parties are "capable of reasoning" and "able to [...] discuss matters" when conducting international affairs²²³. The aim of such discussions would be to resolve the conflict over the interpretation of norms, either through attempts to persuade the nonconforming state to change its conduct, or by finding out and by seeking to address the causes that motivate its conduct. Of course, if such conflict management tactics do not produce results, the pluralist might eventually come to embrace the solidarist policy of coercion.

To sum up, norm-breaking can be compatible with Rationalism if the non-conforming state provides a reasoned justification for its conduct, and thus indicates that it respects international law. In such a case non-conformity is not so readily attributed to low interaction capacity, and it is more likely to be understood in terms of a reasoned appeal to some conflicting principles. Based on the discussion in this and the previous section, one can add a fifth condition for the solidarist paradigm, which can be said to be as follows: the non-conformity of the target state should reflect an unreasoning disregard for norms (low interaction capacity) or a flawed interpretation of them, rather than a rejection of those norms based on 'reasonable' political or normative justifications.

²²² Bull 2002, 43-44.

²²³ Oxford English dictionary, definition of 'reasonable'.

3.2.3 Revolutionism: (un)reasoning rejection of international society and its norms

Like the name suggests, Revolutionism has an inherent tendency for anti-status quo policies, meaning a high propensity for norm-breaking—or norm-making, depending on international legitimacy. As noted earlier in this chapter, the standard English School image of a revolutionary state is that of a great power trying to impose its ideology on others through imperialist expansionism and crusading. In this sense, Revolutionist non-conformity has already been covered in section 3.1.3. However, there is also another meaning to Revolutionism which has little to do with Wight's examples of revisionist great powers, and which derives from Bull's discussion on the Third World's 'revolt against the West'. It is this latter meaning—which could be called the second image of Revolutionism—that is the focus of this section.

Bull's discussion on the revolt against the West had to do with the observation that resistance of many decolonised states had not ended with the achievement of independent statehood but memories of past injustices continued to play out in present international society. More significant than the old grievances, however, were the on-going patterns of domination and the gap between the 'Haves' and Have-Nots' in international society, which were alienating the majority of the world's states from international institutions²²⁴. In contrast to the English School's negative depictions of great power revisionism, Bull seems to regard the demands of these states as meeting the crucial Rationalist criteria of reasonableness. In *Anarchical Society*, for example, he speaks of "a *reasoned* rejection of [...] legal rules, or certain of them, by states committed to revolutionary change", mentioning as examples Bolshevik Russia but also "certain contemporary African and Asian states", whose nonconformity has "represented the temporary and local breakdown of these rules, not the general breakdown of the international legal system as a whole"²²⁵. Bull expressed a similar view together with Adam Watson in *The Expansion of International Society*, where the two write that the revolting "Third World governments do not want to replace the society of sovereign states but rather to improve their own positions within that society"²²⁶.

At the same time, however, Bull and Watson are concerned that eventually these states might run out of patience and reject the entire international society as fundamentally unjust²²⁷. David Armstrong's notions of 'reformist' and 'revolutionary states' can be seen to conceptualise the crossing of such a boundary. Drawing from Bull, Armstrong explains that reformist states tend to base their hopes for a more just and "radically revised international society with new economic and cultural order" on already existing institutions, most notably the UN Charter. Revolutionary states, on the other hand, reject the existing order; as Armstrong explains, they do not share the reformist hope about the possibility of peaceful reform but instead highlight "on-going Western oppression", and tend to define the international system as in terms of a struggle between themselves and the West.²²⁸

Based on the above discussion, the kind of Revolutionist non-conformity that Bull has in mind and which Armstrong calls reformism clearly does not constitute punishable norm-breaking, even

²²⁴ Bull, 2000, 135.

²²⁵ Bull 2002, 131-133.

²²⁶ Bull & Watson 1984, 434.

²²⁷ Alderson 2000, 13.

²²⁸ Armstrong presents India as a prime example of a reformist state. (Armstrong 1993, 167)

though it is potentially threatening to international order. Hence the English School argumentation here can be called pluralist. Instead of condemning the non-conformity of such revolting (reformist) states, Bull argues that international society as a whole must change to address this problem by removing some of the on-going and structural injustices to re-establish the legitimacy of the existing institutions, and thus to decrease the potential for social disintegration and disorder that might follow if the revolting states' aspirations would continue to be frustrated²²⁹.

Interestingly from the point of view of this thesis, this second image of Revolutionism brings the theoretical discussion closer to the theme of non-proliferation—as Bull argues, the main reasons for the Third World revolt are the unequal distribution of economic resources and the unequal access to nuclear deterrent²³⁰. Indeed, Bull notes that the non-proliferation regime represents one of the most blatant examples of structural injustice in international society:

The Non-Proliferation Treaty divides the world into those states which possessed nuclear weapons in January, 1967 and those which did not, and seeks to perpetuate this distinction. The argument of India and some other Third World states was that the Treaty is unjust, reserving a monopoly of these terrible weapons to the original members of the club, and excluding all other states for the rest of the time. It is impossible to deny that the Non-Proliferation Treaty is in this sense unjust.²³¹

Bull thinks that in principle this injustice could be overcome either through complete global disarmament, or a universal right to proliferation. As neither seems like a viable option—the former being unrealistic in the near future and the latter too dangerous—his conclusion is that, regarding the nuclear weapons regime, “questions of justice are less important than questions of order”²³². In other words, the status quo was supported by a general recognition that proliferation is undesirable, even though Bull noted that there was nothing inherently good about the existing ‘line of division’ as to which states were included in the nuclear weapons club²³³. Indeed, the almost universal acceptance of the Non-Proliferation Treaty (NPT) is based on the above kind of reasoning.

At the same time, however, Bull warned that continuing support for the non-proliferation regime should not be taken for granted. In this connection he stressed the special responsibility of the official nuclear weapon states (NWS)—that is, the nuclear-armed ‘great powers’—in helping to maintain the necessary international consensus behind the NPT. Drawing from E.H. Carr, Bull argued that “some measure of appeasement of the Have Nots” is required by the Haves to maintain “at least something of their position”. With regard to nuclear weapons, this meant that “the nuclear Haves should themselves practise discipline and restraint in their own nuclear weapons policies, while [...] at the same time balancing this with the risks and responsibilities they have as guarantors of the security of certain non-nuclear countries”²³⁴. Bull thus called for responsible great power policies, not only to prevent the emergence of new NWS through non-proliferation, but also to make sure the nuclear Have-Nots would not fall under nuclear threat. Bull even went as far as to suggest that failure in this task could justify breach of the non-proliferation norm: as he argued, “the

²²⁹ Cf. Bull 2000, 134-135.

²³⁰ Bull 2000, 135.

²³¹ Bull 2000, 218-219.

²³² Bull 2000, 219.

²³³ Bull 1975, 179.

²³⁴ Bull 2000, 136.

acquisition of nuclear weapons by a country that does not threaten others but is itself threatened by a NWS may make war less likely, not more”²³⁵.

Bull’s argumentation on how to deal with reformist Revolutionary states is in line with his acceptance of the kind of Realism where norms are violated based on overriding political considerations (as discussed in section 3.2.1). Indeed, especially in the case of the non-proliferation regime, resistance to injustice is intimately connected with what can be regarded as prudential concerns for national security. In distinction from his pluralist stance on Realist non-conformity, Bull’s argumentation in connection with reformist Revolutionary states goes far beyond pluralist opposition to norm-enforcement—indeed, the issue of norm-enforcement does not even arise in this connection, as focus is shifted to the responsibility of the great powers to conform with their own obligations regarding justice, basically by respecting the principle of sovereign equality.

Is there, then, a solidarist perspective that would be relevant for this second image of Revolutionism? I would argue that Armstrong’s notion of revolutionary state—i.e. the kind that has crossed the threshold between constructive reformism and radical revolutionism can be connected with solidarism. Unlike Bull—who mostly discussed the emergence of revolutionary states as a future scenario and thus suggested that the revolting states in 1980s were actually Reformist rather than Revolutionist—Armstrong provides his own list of anti-Western revolutionary states. This list includes China, Cuba, Indonesia, Libya and Iran²³⁶. Armstrong explains that, “[a]lthough they embraced the sovereignty principle, the notion of an underlying solidarity among states was rejected”. According to Armstrong, the Iranian revolutionary leader Ayatollah Khomeini’s discourse, for example, reflected “a deep-seated suspicion of any suggestion that Iran could be bound by rules that had been devised mainly by Western powers”.²³⁷ As for other factors that Armstrong thinks unites these kind of radical states, he argues that they have all suffered from “precarious internal legitimacy” which “led them to base their identity on revolutionism”; that all of these states “became involved in some conflict”, and that “[i]n several of these conflicts one factor that contributed greatly to their intensity was the American perception that the revolutionary state had openly disregarded the canons of acceptable international conduct”. He also notes that “[a]ll except Indonesia found themselves confronted at various times by American inspired economic, cultural and diplomatic sanctions”, which he argues “formed part of the pressure towards socialization that these state encountered”.²³⁸ Indeed, one of Armstrong’s main arguments is that revolutionary states tend to become less revolutionary, and socialised into international society, over time. Even though he only refers to the normative exclusion of such states by the US in this connection, Armstrong can be seen to make an implicit solidarist argument that norm-enforcement—albeit unilateral—contributes to the socialisation of revolutionary states and thus also to international order.

²³⁵ Bull 1975, 178.

²³⁶ Armstrong further explains that, “[a]lthough they embraced the sovereignty principle, the notion of an underlying solidarity among states was rejected”. In this connection, he quotes the Iranian revolutionary leader Ayatollah Khomeini posing the question “What has international law done for the people of Iran?”. According to Armstrong, Khomeini’s remark reflects “a deep-seated suspicion of any suggestion that Iran could be bound by rules that had been devised mainly by Western powers”. (Armstrong 1993, 166-167)

²³⁷ Armstrong 1993, 166-167

²³⁸ Armstrong 1993, 198

To sum up the discussion in this section, the English School notion of Revolutionism can be understood in terms of two images: ideologically motivated great power revisionism (discussed in section 3.1), and revolt against the structural injustices of international society by states that do not have great power status (discussed above). In contrast to the first image, Bull regards the demands and even non-conformity by states on the grounds of the second image as reasonable, at least as long as this does not lead to a complete rejection of international society and its norms—i.e. the crossing of the line between ‘reformist’ and ‘radical’ Revolutionism. Instead, Bull stresses the responsibilities of great powers—i.e. the would-be norm-enforcers—in this connection. Even though the issue of norm-enforcement does not even come up in Bull’s discussion on the revolt against the West, his position on this type of Revolutionist nonconformity can be described as pluralist. A clearly solidarist position on this kind of non-conformity does not seem to exist in the English School writings. However, Armstrong’s implicit suggestion that the unilateral normative exclusion by the US contributed to the socialisation of states like China, Cuba, Iran and Libya can be regarded as a solidarist argument favouring coercive measures against radical Revolutionary states. The underlying idea here seems to be that their revolutionism is a result of low interaction capacity, as in the Realist explanation. The above discussion can be seen to add a new meaning to the expression “‘reasonable’ political or normative justifications” in the fifth condition of the solidarist paradigm, as defined in the previous section.

3.3 Synthesis of theories behind normative exclusion and non-conformity

The discussion in this chapter thus far has sought to reframe the English School debate on norm-enforcement by viewing it in light of the three traditions of Realism, Rationalism, and Revolutionism. In contrast to Bull, who traces the differences between pluralists and solidarists to legal positivism and the natural law tradition, here it was proposed that these differences reflect a dialectic between two basic ordering principles in international society. While Keene calls these principles toleration and civilization, it was noted that they also correspond with the notions of sovereign equality and anti-pluralism, as discussed in chapter 2. It was argued that both principles are present in the Rationalist conception of international society, to which pluralists and solidarists alike subscribe and which they seek to maintain. From this perspective, the main difference between solidarists and pluralists is that the former believe that international society and order are best preserved through norm-enforcement, whereas the latter adopt a contrary position.

It was also emphasized that pluralism and solidarism represent situation-specific positions, rather than two incompatible world-views. The reason why the Rationalist perspective can lead to such different positions has to do with the competing Realist and Revolutionist tendencies. While solidarists tend to view norm-enforcement as a way of keeping in check the potentially destabilizing effects of Realism and Revolutionism, pluralists are concerned that it might end up having an opposite effect. However, solidarism and pluralism are potentially reconcilable, meaning that it is also possible for pluralists to become convinced of the appropriateness of norm-enforcement and thus turn into solidarists themselves. This depends not only on the extent of international consensus about norm-enforcement but—as proposed in this chapter—also on the perceived rationales underlying both norm-enforcement and nonconformity. The latter point reflects the possibility that

any of the three competing traditions can explain the rationales of both the nonconforming state and the enforcers, with varying implications for the legitimacy and success of norm-enforcement.

On this basis, it was proposed that there are altogether five conditions by which the pluralist might come to accept the solidarist position. Changing the order of presentation in the above discussion, the first condition—which will from now on be referred to as condition A—is that there is sufficient international consensus on that the non-conformity of the target state represents a severe breach of norms and that it threatens international society as a whole. The second condition (B) is that there is sufficient consensus regarding the need for norm-enforcement measures. Indeed, scepticism about this condition is the most commonly cited pluralist reservation, which many ‘consensual’ solidarists also accept. While the first two conditions have to do with international consensus, the next two are related with the rationales behind norm-enforcement and nonconformity. The third condition (C) is that the rationales behind norm-enforcement should reflect a Rationalist concern for international society and order, and not be based on ulterior motives. In other words, the enforcers should not be motivated by Realist considerations of expediency or political enmity, nor a Revolutionist preoccupation with ideology. As some degree of ulterior motives can be expected in any case of norm-enforcement, there is of course room for interpretation here. For example, pluralists are more likely to regard expedient or Revolutionary politics as problematic, whereas solidarists would view them as being in harmony with the Rationalist goals. As a rule, however, both pluralists and solidarists can be expected to agree that norm-enforcement on Revolutionist grounds can be particularly destabilising for international order. The fourth condition (D) is that the non-conformity of the target state is deemed unreasonable—either in the sense of low interaction capacity or a flawed interpretation of norms—rather than representing a reasonable rejection of those norms based on overriding normative or political justifications. As noted in section 3.2, solidarists tend to explain the target state’s conduct in terms of state crime and low interaction capacity—which they think is either due to a Hobbesian mindset (Realist explanation), or ideological incompatibility with international society (Revolutionist explanation). Pluralists, on the contrary, can be expected to point to mitigating circumstances—such as overriding political motivations (Realism), conflicting normative principles (Rationalism), or structural injustice (Revolutionism)—all of which make the non-conforming state’s conduct appear more reasonable. Finally, the entire pluralist-solidarist debate can be seen to boil down to the fifth and final condition (E)—namely, the effectiveness of the enforcement measures in promoting their stated goals, which invariably include the maintenance of international order. Given the Rationalist concern for order, this question provides the most crucial benchmark by which to either accept or reject the solidarist paradigm.

Table 1 below summarises the theoretical discussion and seeks clarify the connections between the pluralist-solidarist distinction and the three traditions. While the horizontal axes display pluralist and solidarist explanations for non-conformity (above) and norm-enforcement (below), the three vertical axes stand for the three traditions to which those explanations can be traced. Although the table does not strictly correspond with the five conditions of the solidarist paradigm, it will be of help in the empirical analysis in sorting out different arguments according to their degree of pluralism and solidarism, and in assessing their relevance to those conditions. There is a direct relation between upper part of the table (explanations for non-conformity) and condition D (the reasonableness of the target state). However, these explanations are also indirectly linked with condition A, as they tell about the potential assumptions regarding the definition of breach—or in

the pluralist case, regarding opposition to defining nonconformity as breach. The lower part of the table is related to conditions B and C: it tells about the motivations behind norm-enforcement, as perceived by solidarists and pluralists. The entire table has implications for condition E, meaning that solidarist arguments point to the potential success of norm-enforcement in promoting international order, whereas the pluralist ones warn about adverse consequences.

NON-CONFORMITY	REALISM	RATIONALISM	REVOLUTIONISM
<i>Solidarist explanations pointing to unreasonableness</i>	low interaction capacity (Hobbesian)	flawed interpretation of norms	low interaction capacity (ideological)
<i>Pluralist explanations pointing to reasonableness</i>	overriding political considerations	normative ambiguity	perceived injustice

NORM-ENFORCEMENT	REALISM	RATIONALISM	REVOLUTIONISM
<i>Solidarist arguments for norm-enforcement</i>	national security	positive effect on normative order	doctrinal uniformity
<i>Pluralist arguments against norm-enforcement</i>	expediency / enmity	negative effect on normative order	doctrinal imperialism

Table 1: solidarist and pluralist explanations for nonconformity and norm-enforcement based on the three traditions

3.4 Putting theory into practice

The aim of this section is to explain the connections between the above theoretical discussion and the empirical case study on the Iranian nuclear issue. I will first show how the international society approach and related ontological and epistemological assumptions can be seen to have shaped the methodological choices in this thesis. This influence has largely been indirect, for the English School does not as a rule discuss methodological issues; as Cornelia Navari notes, particularly “[t]he classical English School theorists generally disdained discussions of methodology”²³⁹. However, several contemporary representatives of the English School, including Navari herself, have sought to shed light on the different methodologies that can be seen to underlie, or at least be compatible with, English School theory²⁴⁰. In what follows, I will raise those key themes of such methodological discussions that I consider relevant for my own study. Following that definition according to which method not only explains “the process by which [...] material is to be examined”, but also “the choice of a body of empirical material”²⁴¹, I also explain on what basis the research material has been selected. Finally, in section 3.4.2, I will come back to the pluralist-solidarist theoretical framework, describing how it is applied in the third, empirical part of the study.

3.4.1 Methodological implications of the international society approach

One of the most obvious ontological assumptions shared by the English School as well as my study is state centrism and the idea that ‘international society’ is above all a society of states²⁴². Like English School analysis, my research, too, focuses on state actors—the P5 and 24 other countries that were in the Security Council in 2006—2009²⁴³, and Iran. These countries have all played a more or less significant role in the Iranian nuclear issue—Iran as the target of norm-enforcement measures, and the rest in deciding about those measures during the period under study. The US, UK, France, Russia, and China are particularly important, not only due to their P5 status in the Security Council, but also because they have practically monopolized the multilateral nuclear diplomacy with Iran.

Moreover, by choosing to analyse speeches and statements by top government officials of the above-mentioned countries I focus on the realm of ‘high politics’ and diplomacy, which the English School has also been mainly preoccupied with. This kind of a rather limited approach naturally cannot give a comprehensive picture of the different views among all political actors of the given countries, let alone their peoples. Hence I acknowledge that my references to “Iran’s perspective” or

²³⁹ Navari 2009, 1-2

²⁴⁰ Little 2009.

²⁴¹ Navari (2009) in reference to Finnemore.

²⁴² This is the case despite attempts by e.g. Barry Buzan to integrate the more inclusive idea of ‘world society’ into the English School thinking (see for example Buzan 2004).

²⁴³ Argentina, Belgium, Burkina Faso, Congo, Costa Rica, Croatia, Ghana, Indonesia, Japan, Italy, Libya, Mexico, Panama, Qatar, Slovakia, South Africa, Tanzania, Vietnam and, to a lesser extent, Austria, Denmark, Greece, Peru, Turkey and Uganda. The last six countries made no statements at the Council during the period under study, and thus their position regarding the solidarist paradigm is largely regarded as neutral—except regarding condition B, in which connection their voting behaviour is taken as indication of their position.

“the US view”, for example, hardly do justice to the aspirations of the different political groups and voices that inevitably get lost behind the dominant discourses of the state.

What the different statements do represent, however, is the official view of their state at a given time, which suffices for the purposes of this thesis. This is because it is mainly such publicly stated views and their perceptions by others—including the assumed hidden intentions and related misunderstandings—that are seen to constitute the complex international dynamics around the Iranian nuclear dispute. The same argument can also be used to answer criticism pointing to the problem of representativeness in such states—such as Iran—where the top officials, most notably the president, are not necessarily even in charge of foreign policy²⁴⁴. What they say or do matters not because of the decision-making powers of such actors but mainly because they play an active role in communicating and representing their country’s position in dealings with the outside world.

The third thing to note here is that, except for Iran, all the research objects in this study represent the UN Security Council, which is widely regarded as one of the most important institutional expressions of the society of states. It is therefore possible to draw some conclusions about international society as a whole, even though the idea of representation is clearly problematic in connection with the hierarchically ordered Security Council. Indeed, it should be stressed that the Security Council is far from universal, with the P5 exerting significantly more influence than the non-permanent, rotating members. One obvious limitation of my own study is that it replicates this asymmetry, meaning that the permanent members receive much more attention than the Security Council’s non-permanent members: while the former will be analysed based on statements by their presidents, other high officials, and representatives at the Security Council, in the case of the latter only the statements made in the relevant Security Council meetings are considered. Thus non-permanent members are not represented nearly to the same degree as other research objects in this study. Indeed, four non-permanent members—Austria, Mexico, Turkey, and Uganda—are particularly marginalized because their membership in the Council only began in 2009, when no sanctions resolutions were adopted²⁴⁵. The fact that the heads of state of the non-permanent members are excluded from this analysis is due to practical limitations and it does not mean that their views would be unimportant. It could also be noted that the P5 composition hardly corresponds with the current realities as to which states or groupings of states should be given the status of great powers. Nevertheless, in my analysis I settle for the fact that—for the better or the worse—the UN Security Council and particularly the P5 countries still play an important role in representing international society and determining its normative boundaries, and that they have certainly done so in the Iranian nuclear dispute.

The fourth point I wish to make is epistemological, namely that the idea of international society is based on the assumption that language, discourse, ideas, interpretation, and perceptions are more significant than material factors for understanding the international realm. As Roger Epp explains, the English School is characterised by dialectical and interpretive approach, and it views language “as constitutive rather than instrumental, that is, as bound up with practices and institutions”, and

²⁴⁴ See e.g. Posch 2008.

²⁴⁵ For example Turkey appears to be neutral in this study, but in connection with the June 2010 resolution it expressed strong criticism towards the new round of sanctions. As the Turkish representative argued then, “We are deeply concerned that the adoption of sanctions would negatively affect the momentum created by the [Tehran] declaration and the overall diplomatic process” (Apakan, 9 June 2010).

“not simply the rationalization or mystification of ‘interest’”²⁴⁶. On this basis, Epp, Richard Shapcott, and Andrew Linklater have all drawn a link between the English School and the hermeneutical theory of interpretation²⁴⁷. In demonstrating the affinity between the English School and hermeneutics, Epp focuses particularly on Hans-Georg Gadamer, whose “argument, in short, is that all understanding is interpretation”. Gadamer also stressed the notion of ‘horizon’, that is, “the range of vision that includes everything that can be seen from a particular vantage point”²⁴⁸, and which is “always limited to certain ‘prejudices’ related to [...] social context, meaning that human consciousness is always marked by tradition, history, and language”²⁴⁹. The key idea here is that the liminality of horizons is not an obstacle but rather a starting point for understanding, which is possible through a ‘fusion of horizons’— that is, the process of reaching out over the limits of one’s own horizon in an attempt to communicate and familiarize oneself with others²⁵⁰. As Felix Ciută notes, “[t]o argue hermeneutically for the significance of context is [...] in Gadamerian terms, to explore the ‘horizons’ within which actors [...] come to understand” the meaning of a given concept and related practices”²⁵¹. This process can also be seen as learning from the other: “[f]or Gadamer”, Robert T. Craig and Heidi L. Muller explain, “a necessary element of genuine hermeneutical experience, whether in interpersonal dialogue or when interpreting a work of art, is openness to learning from the other”²⁵².

Epp suggests that the English School’s interest in the essence, nature, and limits of international society can be seen in terms of a fusion of horizons in the Gadamerian sense. He quotes Linklater, who has pointed out that the English School focus on ideas and perceptions has meant a theoretical shift from traditionally realist systemic considerations towards normative and social questions, such as “international cohesion and legitimacy”.²⁵³ According to Epp, searching answers to such questions has involved a hermeneutic process of moving “in two directions: towards the frontier, the unfamiliar; but also [...] back towards the seemingly familiar, ‘the West’, which, on closer, self-reflexive scrutiny, stands in need of interpretation no less than that against which historically it has been defined”. As further examples of the affinity between the English School and hermeneutics, Epp mentions Wight’s three traditions and his idea that “international theory is ‘more akin to literary criticism’ than to ‘scientific analysis’; for it requires a ‘sympathetic perception’ of political actors, their principles, and their circumstances”. As for Realism, Rationalism, and Revolutionism, they can be seen to represent “open-ended, intersecting, competing narratives” of international politics, within which, in Wight’s words, “any reflective person will [...] feel free to move [...] without settling”, despite his or her own ‘prejudices’. According to Epp, the three traditions involve the “erasure of any sharp line between participant and observer, between the known and the knower in international theory”, meaning that ideas “are interwoven into a single tapestry that is constituted

²⁴⁶ Epp 1998, 49-50.

²⁴⁷ Epp 1998, 49.

²⁴⁸ Gadamer 2004, 301.

²⁴⁹ cf. Epp 1998, 51

²⁵⁰ As Epp explains, Gadamer’s “understanding of a text, an event, a practice, or a face-to-face interlocutor, is neither subjective (where meaning is idiosyncratic to the knower) nor objective (where meaning inheres in the known and remains only to be discovered by a detached knower)”. Instead, it is “denoted metaphorically as a *fusion of horizons* that changes both knower and known”. (Epp 1998, 51)

²⁵¹ c.f. Ciută 2009, 321

²⁵² Craig & Muller (2007, 220) in reference to Gadamer.

²⁵³ c.f. Epp 1998, 56

by, and bounded by, the language of practice broadly defined”.²⁵⁴ Underlying the principle of hermeneutic interpretation, therefore, it is possible to see the idea of some kind of a “collective truth”. Although the entirety of this truth is beyond the reach of any individual observer, he or she might be able to get closer to it by engaging in a dialectical process of interpreting and learning from others’ perspectives.

Although any comprehensive discussion on hermeneutics is absent from what is arguably the most important contribution on the emergent discussion on English School methodology, that is, Navari’s book *Theorising International Society*, many of its contributors highlight the English School’s attention to history and practice and thus lend support to Epp’s above views. Consider, for example, Robert Jackson’s definition of English School theory as a classical approach’, or ‘craft discipline’, which “calls upon the scholar to enter with imagination and insight into the roles and situations of statespeople [...] with the hope of understanding their conduct”. He continues that “[i]f we cannot talk to such people directly [...] we can always fall back on the empirical method of historians” and “interrogate the evidence that statespeople leave in their tracks: the record of their policies and actions and the statements by which they attempt to justify them”.²⁵⁵ Navari, in turn, highlights the idea of ‘practice’, as developed by some English School scholars, meaning “the interrogation of the agents’ self-understandings, in order to flesh out the norms underpinning diplomatic conduct”, or analysing “the practice of statespersons to discern its normative content”, which is viewed as “constitutive of international order”.²⁵⁶

In addition to the hermeneutic interest in history and historical contexts, the English School also places importance on the history of concepts, in particular normative ones. As Epp notes, this is evident in the habit of tracing the conceptual history of certain key words, such as the *raison d’etat* by Herbert Butterfield, ‘self-determination’ by Robert Jackson, ‘human rights’ by Vincent, and ‘balance of power’ by Wight. Such an approach, Epp explains, “begs hermeneutic scrutiny: why did people come to think in such terms?”. Indeed, the most central of all English School concepts, namely that of ‘international society’, is treated in the same way—that is, as “a matter of intersubjective meaning embedded in practice”.²⁵⁷

Thus it can be said that English School theory is hermeneutic in the sense that it is defined by a tendency to reflective and dialogical interpretation, and leads one to reach for and familiarize oneself with the particular view-points of the different actors of international politics, most notably states. This is done by drawing attention to the language of diplomacy and international law, at the same time taking into account the specific, historical context in which the speakers find themselves. It was also noted that social and normative questions related to international legitimacy and social cohesion are of particular interest to the English School.

A similar approach and thematic focus also characterises this thesis, which could thus be called hermeneutical according to the above criteria. First, I share the view that language and ideas are central for understanding international political processes, and assume that this also applies to the Iranian nuclear crisis. This is not to say that the more readily measurable aspects—such as the

²⁵⁴ Epp 1998, 50-54.

²⁵⁵ Jackson 2009, 32.

²⁵⁶ Navari 2009, 2-3.

²⁵⁷ Epp 1998, 55-56.

technical facts regarding Iran's nuclear programme, the volume of trade between Iran and the other actors, or the latter's dependency on Middle Eastern oil—would be insignificant, but simply that they are often secondary to ideas in the sense of being shaped and interpreted through ideas belonging to particular discourses and traditions.

Second, I pay particular attention to normative language as well as its historical evolution and role in the constitution of international society. After all, the study began with a lengthy discussion on the practice of normative exclusion, which was understood first and foremost as a discursive practice operating on certain narrative structures and key concepts, most notably 'state crime'. While that discussion highlighted the importance of conceptual history for understanding the contemporary rhetoric and practices of international normative exclusion, chapter 4 will focus on the diplomatic history of US-Iranian relations for understanding such exclusion in the specific, Iranian case. Another aim in chapter 4 is to gain a deeper and historically informed understanding of the perceptions of Iran and the US regarding each other and the nuclear issue. As far as these two key actors are concerned, my analysis could thus be seen in terms of the hermeneutic idea of the 'fusion of horizons'. At the same time, however, it should be noted that such a background analysis is absent in case of other countries, for my attempt to understand their views and perceptions is limited to consideration of their rhetoric and actions in the period under study.

Finally, it can be said that I share with the English School a preoccupation with the nature and limits of international society. This is evident in the focus on the idea of normative exclusion, as well as the research question about the applicability of the solidarist paradigm in the Iranian case. The theoretical framework built in this chapter also raises fundamental questions regarding the confluence of political and normative boundaries in international society, the conditions and consequences of international exclusion, as well as the degree of ideological uniformity in contemporary international society. In the following, I will explain how these abstract notions can be made more concrete with the help of the theoretical framework developed in this chapter.

3.5.2 Empirical application of the theoretical framework

Bearing in mind the discussion on contemporary practices of normative exclusion in chapter 2, it can be said that the Iranian case represents a rather typical example of post-Cold War norm-enforcement in that it consists of mainly of economic sanctions authorized by the UN Security Council, based on a rather loose definition of what constitutes a threat to international peace and security—in this case, a collective lack of trust regarding the peaceful nature of Iran's nuclear programme. Given the past US attempts to outlaw Iran internationally (see more on this in chapter 4), it can also be said that the notion of criminalisation has been particularly salient in the Iranian case. The Iranian nuclear issue thus provides ample subject matter for the pluralist-solidarist debate. It also allows bringing the notions of pluralism and solidarism to a new context of non-proliferation, thus responding to the calls by Buzan and others to widen the range of applicability of the stalled debate from human rights to other norms.

Instead of taking for granted that the enforcement of the norm of non-proliferation on Iran by the Security Council is consistent with the solidarist paradigm, this study sets out to test this assumption. To reiterate, my research question is: *To what extent is norm-enforcement in the*

Iranian nuclear issue in line with the solidarist paradigm, and what implications does this have for policy—both in the Iranian case and regarding non-proliferation more generally? The theoretical discussion has provided conceptual tools for this kind of scrutiny, first of all, in the form of five conditions by which to assess the applicability of the solidarist paradigm—namely: A) international consensus about violation of a shared norm and the related threat to international peace and security; B) international consensus on the need for relevant enforcement measures; C) the predominance of Rationalist considerations behind this consensus; D) the unreasonableness of the conduct of the target state, and E) the effectiveness of the norm-enforcement measures in promoting their stated goals.

The assessment of the Security Council approach with respect to the first two conditions (A and B) is relatively straightforward, as fulfillment of these conditions is directly related to Security Council consensus. Whereas condition A guides the rhetorical analysis to focus on the Security Council members' understandings regarding the definition of breach and its global security implications, condition B directs attention to their voting behavior and rhetoric concerning the need for norm-enforcement measures. As for the assessment of the solidarist paradigm with respect to the three other conditions (C, D and E), the analysis gets more complex. This is mainly because it involves the difficult task of making assumptions about the key actors' motivations. Whereas condition C prompts one to look for evidence of ulterior motives in the statements of Security Council members, the assessment of condition D requires, not only making assumptions about Iran's motivations, but also making judgements concerning its reasonableness. Furthermore, given that we are dealing with economic sanctions whose effectiveness might not be immediately felt, the assessment of condition E involves speculation about potential future developments.

I argue that the inescapable subjectivity of the task with respect to the latter three conditions can be reduced by relying on four methodological principles. To recall the above discussion, the first relevant principle here is the assumption that diplomatic language, despite sometimes disguising hidden intentions, is an important indication of states' actual beliefs and concerns. In other words, the content and meaning of the key actors' statements will as a rule be taken as a reflection of their actual beliefs. Second, these statements are interpreted in light in the theoretical framework, which gives certain criteria for distinguishing between pluralist and solidarist arguments and for assessing their relevance for the five conditions. The third principle has to do with the hermeneutic idea that any particular 'horizon' is shaped by its social historical and social context. Although it is not possible to give due attention to the national and foreign policy cultures of the altogether thirty states that are studied here, my thesis can claim familiarity with the international dynamics of the current nuclear dispute, as well as the history of US-Iranian relations. The fourth principle is in keeping with the hermeneutic idea of 'learning from the other': namely, I assume that the actors' inter-subjective perceptions concerning each other's motivations and reasonableness can give further indication of that part of reality which does not immediately meet the eye but which might nevertheless be important for understanding the process of norm-enforcement.

The empirical analysis is divided into three main chapters, focusing on the degree of Iran's criminalisation (chapter 6), the question of rights and responsibilities (chapter 7), and norm-enforcement (chapter 8), based on the rhetoric of the key actors. Although all three chapters relate to more than one of the five criteria of the solidarist paradigm, it can be said that chapter 8 is the most relevant for assessing condition A, chapter 7 for condition D, and chapter 8 for condition B.

All chapters relate in some way or another to criterion C. Given that the effectiveness of the Security Council sanctions ultimately depends on developments within Iran, the assessment of crucial condition E largely follows from condition D. At the same time, its assessment involves consideration of the broader picture of international dynamics in the nuclear dispute, as depicted in the empirical analysis.

As for the selection of the research material, it consists of speeches by the P5, the non-permanent Security Council members and Iran in the Security Council meetings, and—in case of the P5 and Iran—also of speeches and remarks made outside the Security Council. In this connection, it should be noted that there is some variation regarding who is taken to represent their country: while all countries are seen to be represented by their UN ambassadors, in some cases more attention is paid to the president (the US, France, Russia, and Iran), the prime minister (the UK), foreign ministry spokespersons (China), and to a lesser extent other officials, such as foreign ministers, vice presidents, national security advisors and press secretaries. This variation is partly intentional, as it reflects the different political systems in each country. However, there is also some unintentional lack of systematicity due to the availability of speeches in the online archives of the respective countries²⁵⁸. The speeches at the Security Council are from the UN Security Council's official web page²⁵⁹. All Council meetings related to Iran in 2006—2009 are included in the analysis. In the case of the P5 and Iran, the material outside the Security Council is retrieved from the speech archives of their respective government web pages²⁶⁰, using relevant keywords²⁶¹. All the originally non-English sources—with the exception of most speeches by French officials²⁶²—were already translated into English in the web pages.

²⁵⁸ In the case of China, for example, the foreign ministry spokespersons' speeches were more easily available than those of the country's premier.

²⁵⁹ <<http://www.un.org/en/sc/meetings/>>

²⁶⁰ <<http://www.whitehouse.gov/>> (White House, the US); <<http://www.number10.gov.uk/>> (Prime Minister's Office, the UK); <www.elysee.fr> and <<http://www.diplomatie.gouv.fr/en/>> (France Diplomatie and Élysée Palace, France); <<http://archive.kremlin.ru/eng/>> (the Kremlin, Russia) and <<http://www.fmprc.gov.cn/eng/>> (Ministry of Foreign Affairs, China), and <<http://www.president.ir/en/>> (Islamic Republic of Iran's Presidency).

²⁶¹ The speeches have been selected through a search with keywords 'Iran' AND/OR 'nuclear'; 'Iran' AND/OR 'sanctions'.

²⁶² All speeches and remarks whose title is in French have been translated by the author.

II BACKGROUND TO THE IRANIAN NUCLEAR ISSUE

This second part of the thesis lays out the background for the case study on the Security Council and Iran. It consists of two parts—chapter 4 on the history of US-Iranian relations, and chapter 5 describing the nuclear dispute, including existing literature on the topic. Understanding the roots of US-Iranian enmity is necessary because it largely explains the collective problem of lack of trust which lies at the heart of the present nuclear dispute. It is therefore necessary to be aware of at least the most formative events in US-Iranian relations. Given that this history is defined by unilateral attempts to contain Iran and label it as an international outlaw, the background discussion can also be seen as continuation to theme of contemporary practices of normative exclusion from chapter 2. As part of this discussion, I will also raise another issue which is difficult to disentangle either from US-Iranian relations or the nuclear dispute—namely, the conflict between Iran and Israel. Chapter 5 moves closer to the case study by describing the nuclear politics and non-proliferation diplomacy around the Iranian nuclear programme between 2003 and 2005, and by summarising some of the main arguments in the already-existing analyses on the topic.

4 The US-Iranian conflict and Past US Attempts to ‘Outlaw’ Iran

As will be shown in chapter 5, several writers agree that the current crisis over Iran’s nuclear programme cannot be adequately understood outside the political conflict that has characterised US-Iranian relations since the 1979 Islamic Revolution. This view is shared by the author, and hence this chapter focuses on the history of US-Iranian relations—and partly also on Israeli-Iranian relations, as far as it has affected the former. Particular attention is drawn to normative exclusion, which has been an important part of the US policy towards Iran. Indeed, even though the US policy-makers and analysts often refer to this policy by the name ‘containment’, I prefer to speak of ‘outlawing’, or unilateral normative exclusion. This is because the aim has not only been to limit Iran’s regional influence in the Realist sense, but it has also been to exclude the country from international society on normative grounds.

4.1 Roots of the bilateral conflict between the US and Iran

Like former lovers who went through a messy divorce, we have a lot of ‘issues’²⁶³.

As the above quote from Kenneth Pollack suggests, the past closeness of the US-Iranian relationship largely explains the bitterness of the hostility that followed Iran’s violent separation from the US in 1979. Therefore it is necessary to begin the discussion from the 1953 coup, which brought to power the regime of Shah Mohammed Reza Pahlavi. Section 4.1.1 deals with this issue, as well as the US-Iranian alliance during the Shah’s rule. Iran’s transformation into an anti-American Islamic Republic in 1979 is described in section 4.1.2. The following sections deal with the subsequent US policies towards Iran, both in the context of the Iran-Iraq war, as Iran was ‘contained’ on the grounds of terrorism support (section 4.2), and the post-Cold War era, during

²⁶³ Pollack 2005, xxi.

which the US policy became marked by mounting concern over Iran's nuclear ambitions, and affected by Israel's changing geopolitical calculations.

4.1.1 The 1953 coup and the US-Iranian alliance

In 1951, Mohammed Mosaddeq began his office as Iran's first democratically elected prime minister. He had accepted the post on the condition that the Iranian parliament would first ratify a bill authorising the nationalisation of the country's oil industry. The ratification of the bill shocked the British, for it meant an end to their largest overseas asset, the Anglo-Iranian Oil Company (AIOC). While Mosaddeq regarded the nationalisation as symbolising Iran's role as "a vanguard of a movement that would liberate the East" from foreign domination²⁶⁴, the UK claimed that it constituted a violation of international law. The failed British attempts to reverse nationalisation through legal means subsequently led to a more ominous plan to overthrow Mosaddeq. Arguing that the Iranian prime minister represented a Communist threat, the UK also managed to convince the US to take part in the enterprise²⁶⁵. In effect, operation Ajax—which Mark Bowden calls "the textbook CIA-engineered coup"—was carried out on August 19, 1953. As a result, Mosaddeq was replaced by the shah Mohammed Reza Pahlavi, who in Bowden's words "assumed the throne offered on a platter by his American friends".²⁶⁶

The shah's subsequent rule over Iran ensured not only the continuing access to Iranian oil by the AIOC (now known as BP) but also a long-term US-Iranian alliance, which made Iran the number one 'pillar' in the US strategy in the Persian Gulf region. Consistent with the standard Cold War model, this alliance involved close military and economic cooperation²⁶⁷. The period from 1953 to 1979 was also one of modernization in Iran: during this time "income per person rose fivefold, [...] on average cities tripled in size", and "25 times more students graduated from high school than before World War I"²⁶⁸. Such developments were supported by the country's growing oil industry, which brought with it economic prosperity and influence. As Patrick Clawson and Michael Rubin explain, "[t]he shah was unflagging in his determination that Iran was going to play a greater role in the world oil industry, as part of his ambitions for Iran to be important on the global stage"²⁶⁹.

As part of this strive for modernisation and development, Iran also began to build an indigenous nuclear capacity in order to diversify the country's electricity supplies and to allow more oil to be exported. The undertaking, which began in the 1970s, received broad international support and included major deals with Western companies²⁷⁰. Declassified documents from the Gerald R. Ford administration, for example, show that at the time key US administration officials—including Dick Cheney, Donald H. Rumsfeld and Paul Wolfowitz, who later became active in campaigning against Iran's nuclear programme—not only "endorsed Iranian plans to build a massive nuclear energy industry, but also worked hard to complete a multibillion-dollar deal that would have given Tehran control of large quantities of plutonium and enriched uranium—the two pathways to a nuclear

²⁶⁴ Ansari 2006, 31.

²⁶⁵ Ansari 2006, 34-35.

²⁶⁶ Bowden 2006, 118-119.

²⁶⁷ Ansari 2006, 64.

²⁶⁸ Clawson & Rubin 2005, 69.

²⁶⁹ Clawson & Rubin 2005, 74.

²⁷⁰ Ansari 2006, 64.

bomb". In 1976, president Ford also signed a directive that allowed Iran to have a "complete 'nuclear fuel cycle'", meaning "reactors powered by and regenerating fissile materials on a self-sustaining basis". The rationale for supporting such a programme, according to the Ford administration, was to "provide Iran with a diversified electricity supply and release more oil for sale abroad"²⁷¹, and to help Iran "prepare against the time [...] when Iranian oil production is expected to decline sharply".²⁷²

To be sure, there was also some anxiety in the US about Iran's nuclear ambitions. For example Kissinger talked about the establishment of a multilateral uranium enrichment facility to prevent the prospect that Iran's nuclear programme would be diverted to military use²⁷³. The Americans were also worried by the Shah's increasing signs of independence and even megalomania. For example in 1973 the Shah worsened the already existing oil crisis by unilaterally deciding to quadruple oil prices, announcing that "the era of extraordinary progress and income [...] based on cheap oil has ended"²⁷⁴. The Shah also ordered a military intervention in Somalia, and stated his ambition to dominate the Indian Ocean²⁷⁵. In the words of a US official, the Shah "wasn't just trying to be the hegemon in [the Middle East] region" but also "wanted to become a power on the world stage"²⁷⁶. Nevertheless, in his notorious 1977 remarks, Carter still described Iran, under "the great leadership of the Shah", as "an island of stability in one of the more troubled areas of the world"²⁷⁷.

4.1.2 The Islamic revolution and the end of friendship

Even though the 25 years of the Shah's reign brought with them an accumulation of material wealth, that wealth was unevenly distributed among the population. This, together with the fact that the regime became increasingly repressive²⁷⁸ and that some of its policies were at odds with traditional social patterns, created discontent²⁷⁹. The US support for the Shah further contributed both to the regime's domestic illegitimacy and growing anti-Americanism among the Iranian people. As Bowden explains, "[b]y the twentieth year of his reign, the shah was deeply unpopular, reviled by Iran's educated class as a tyrant and American puppet and by the multitudes of poor and uneducated for his efforts to dismantle their religious traditions"²⁸⁰. It was in this context of popular discontent that a charismatic cleric, Ruhollah Khomeini, began his rhetorical attacks against the Shah. Already in 1960s, his fierce rhetoric led to arrests, followed by riots which were violently suppressed by the government. Finally, Khomeini was deported from the country.²⁸¹ The greatest demonstrations and riots took place in late 1970s, in response to the Shah's verbal attack on Khomeini in January 1978, which was followed by massive protestations—first against the Shah, and then also against the US²⁸². As Ali Ansari explains,

²⁷¹ Ansari 2006, 64.

²⁷² Washington Post, 27 March 2005.

²⁷³ Ansari 2006, 64.

²⁷⁴ Ansari 2006, 61.

²⁷⁵ Parsi 2008, 65-66.

²⁷⁶ Parsi (2008, 66) in reference to Henry Precht.

²⁷⁷ Ansari 2006, 76.

²⁷⁸ Alikhani (2001, 12) in reference to Gasiorowski.

²⁷⁹ Clawson and Rubin 2005, 74.

²⁸⁰ Bowden 2006, 119-120.

²⁸¹ Clawson and Rubin 2005, 72-73.

²⁸² Ansari 2006, 78.

It says much of the powder keg of late 1970s Iran that the piece ignited a torrent of indignation and anger among Ayatollah Khomeini's followers. Some had been preparing for a moment just as this, and observers noted that discipline among the "mob" remained tight, with little indiscriminate looting and targeting of specific government buildings. Demonstrations and riots broke out in both Qom and Tabriz, which the government was ill-prepared to contain, sending in Chieftain tanks where riot control was needed.²⁸³

The demonstrations continued until late 1978, while "decisive leadership from the Shah was markedly absent"²⁸⁴. As Vali Nasr and Ali Gheissari explain, the revolutionary process brought together disparate groups, which not only included Islamists but also democrats and leftists of various kinds²⁸⁵. Despite their different views as to what kind of a system should replace the existing one, they were all united by the determination to end the monarchy and American influence over Iran. This goal was reached in spring 1979, as the Shah left the country and a provisional government took over. Ultimately, it was the Islamic faction that took credit for the revolution at the expense of other groups. This became evident when Khomeini—who had returned from exile right after the Shah had left—was elected as the Supreme Leader of the new Islamic Republic in April 1979.²⁸⁶

Within a short period of time, the state that used to be the most important pillar in the US strategy towards the Persian Gulf had thus been replaced by the first-ever Islamic republic, which was deeply suspicious of the US. However, the revolution itself did not cause a breakage of diplomatic relations between the US and Iran. It was the seizure of the US embassy in Tehran in November 1979—which led to the taking of American diplomats and embassy personnel as hostage for 444 days—that ultimately ended what was left of the US-Iranian friendship. The event had been organised by a group of Iranian revolutionary students, and it came as a surprise to Khomeini, who "did not initially intend to cut ties with the US completely", and who thus "found himself out-radicalized" by the students²⁸⁷. The revolutionaries viewed the operation as part of a larger process of breaking free from imperialist chains, and argued it was a response to the 1953 coup—an event which had by that time been largely erased from American collective memory²⁸⁸. Despite initial condemnation by the provisional government in Iran, it was significant that the operation ultimately received Khomeini's personal blessing. This decision reflected the prevailing revolutionary mood in the country at the time. As Ansari explains, "international law was never a priority among the revolutionaries, whose very philosophy decried the application of a system of rules that benefited the oppressor, a philosophy that was amply supported by historical experience".²⁸⁹

As for the American sentiments during the crisis, they were characterised by a mixture of rage, helplessness and humiliation. As Bowden explains, "[i]t wasn't simply several score American citizens held hostage, it was 'America' held hostage, as if every part of the government had been paralyzed"²⁹⁰. As a result, the Carter administration cut off diplomatic ties between the two

²⁸³ Ansari 2006, 78.

²⁸⁴ Ansari 2006, 80.

²⁸⁵ Nasr & Gheissari 2006.

²⁸⁶ See e.g. Nasr & Gheissari 2006, 78-126.

²⁸⁷ Parsi 2008, 89-90.

²⁸⁸ Ansari 2006, 36; 17-72; 94.

²⁸⁹ Ansari 2006, 88-89.

²⁹⁰ Bowden 2006, 210.

countries, ordered a seizure of Iranian assets, and banned exports from the US to Iran. Although the hostages were eventually released and the sanctions on Iran temporarily lifted after the signing of the Algiers Accord in 1981, formal diplomatic relations were never restored, and the majority of Iranian assets have remained frozen to this day.

4.2 The Iran—Iraq war in the 1980s: the tangle of terrorism support

During the long friendship between the US and the Shah, the former had come to consider the oil-rich Persian Gulf region as being of vital strategic importance to its national interests. As Iran turned from a like-minded ally to an incomprehensible enemy, the US therefore had to seriously rethink its strategy towards the entire region. Critically for the formation of a new strategy, the neighbouring Iraq invaded Iran in autumn 1980. The international community's response to Iraq's act of aggression was not condemnation, as the Iranians had expected²⁹¹. Instead, the UN called for ceasefire²⁹², and—after Khomeini had decided to continue the war despite Iraq's 1982 offer for a settlement—the US gave indirect support for Saddam Hussein in the hope of weakening the new revolutionary Iran²⁹³. The US backing to Iraq ranged from “access to economic resources, support in relevant international fora” to “real-time satellite imagery indicating Iranian troop movements”²⁹⁴. Formal diplomatic relations were also restored between the US and Iraq²⁹⁵. At the same time, the US continued the policy of economic sanctions that it had adopted against Iran during the hostage crisis²⁹⁶.

Legally, the US-Iraq cooperation was facilitated by the fact that Iraq had been removed from the State Department's list of states that support terrorism in 1982²⁹⁷, while Iran was added to it in 1984²⁹⁸. Indeed, terrorism support became the key normative justification for the subsequent US policy of outlawing Iran. Following Pollack, I refer to this issue as a ‘tangle’, meaning that it “consists of decades of accumulated psychological scar tissue”, just as the other issues between the US and Iran²⁹⁹. Originally, the US claims about Iran's involvement with terrorism were based on the country's alleged role in the suicide bombings of American embassy and US marine barracks in Beirut in 1983. Although the culprits of the attacks were never definitively identified, Hezbollah is generally considered responsible, and the US blamed Iran because of its ties with Hezbollah.³⁰⁰ As an early example of such logic—and as a prelude to the then-emerging outlaw state discourse—in 1983 Reagan answered a question regarding Iran's responsibility in the Beirut attacks as follows:

One of the hardest things, of course, is to prove that the terrorist attacks are sponsored by a government. For example, these groups that are taking credit for the recent suicide attacks are believed to have an Iranian connection. There is a faction of Iranians that believe in a holy war. We do have the evidence that

²⁹¹ Instead of condemning of the invasion, the Security Council called for ceasefire (Ansari 2006, 98).

²⁹² Ansari 98.

²⁹³ Cf. Sciolino 2001, 181.

²⁹⁴ Ansari 105-106.

²⁹⁵ Ansari 2006, 105.

²⁹⁶ Ansari 2006, 100.

²⁹⁷ Hufbauer et al. 2001.

²⁹⁸ Hufbauer et al. 2001.

²⁹⁹ Pollack 2005, xxi

³⁰⁰ This view, which was first expressed by Israel, was subsequently adopted by several Western analysts, who continue to assume that Iran has direct influence over Hezbollah. (Ansari 101-103)

Khomeini has spoken a number of times about advocating a holy war in the Moslem world to promote his type of fundamentalism. So, it's hard not to believe that he must, in some way, instigate or at least egg on those that are doing these things. [...] I think that the civilized world has to get together and see what action can be taken. This does not necessarily mean warlike action, but pressures that can be put on a government – pressures such as saying to that government, ‘You start taking some steps to control this, or you'll be outlawed in the rest of the world’.³⁰¹

Reagan spoke with even more certainty about Iranian culpability in 1985:

...in 1983 alone, the Central Intelligence Agency either confirmed or found strong evidence of Iranian involvement in 57 terrorist attacks. While most of these attacks occurred in Lebanon, an increase in activity by terrorists sympathetic to Iran was seen throughout Europe. Spain and France have seen such incidents, and in Italy seven pro-Iranian Lebanese students were arrested for plotting an attack on the U.S. Embassy, and this violence continues. [...] Since September 1984, Iranian-backed terrorist groups have been responsible for almost 30 attacks [...].³⁰²

Iran was thus not only accused of providing material support for Hezbollah, but also of giving moral support and inspiration for individuals and groups that had no contact with the Iranian regime.

Iran was not the only state thus singled out by Reagan—in the same connection, the US president also mentioned Libya, North Korea, Cuba, and Nicaragua. In what is surely one of the most flagrant manifestations of the concept of state crime in the history of diplomatic language, Reagan referred to this group of states as ‘outlaw states’, “confederation of criminal governments”, “terrorist states”, and “Murder, Incorporated”³⁰³. In addition to their alleged involvement in international terrorism, the president argued that these states were united by their totalitarian nature, as well as “by one simple criminal phenomenon—their fanatical hatred of the United States, our people, our way of life, our international stature”.³⁰⁴ The president also said that the US would not “tolerate these attacks from outlaw states run by the strangest collection of misfits, loony tunes, and squalid criminals [...] since the advent of the Third Reich”³⁰⁵.

At the time, however, this kind of rhetoric served to hide ambiguities in the US approach towards Iran and Iraq. Namely, in the first half of the decade there was still a certain section of the Reagan administration which felt that, apart from Iran, Saddam Hussein should be simultaneously contained³⁰⁶. There were also those—including Reagan’s National Security Advisor Robert McFarlane, as well as neo-conservative figures such as Paul Wolfowich and Michael Ledeen—who believed that the US should engage with Iran to secure the release of American hostages in Lebanon, or even to normalise relations with the country³⁰⁷. Ironically from the point of view of their subsequent anti-Iranian stance, it was the latter two who convinced Reagan to approve secret negotiations with Iran. Those negotiations ultimately resulted in a deal whereby the US provided Iran with weapons through Israel—while at the same time continuing to arm Iraq. In return, the

³⁰¹ Reagan, 15 December 1983.

³⁰² Reagan, 8 July 1985.

³⁰³ Litwak 2000, 52-54. Indeed, Litwak regards the US State Department’s list of states that support terrorism as the basis of the American category of outlaw states.

³⁰⁴ Reagan, 8 July 1985.

³⁰⁵ Reagan, 8 July 1985.

³⁰⁶ Ansari 2006, 99-100.

³⁰⁷ Parsi 2008, 117-123.

Iranian side agreed to try to put pressure on terrorists who were holding Americans hostage in Lebanon. Iran also paid for the weapons but, as yet another twist to the story, the money was directed to a Nicaraguan guerrilla group³⁰⁸. (See more below.)

To understand Israel's interest in the deal, it should be noted that the Israeli-Iranian relations had been rather close during the Pahlavi dynasty. As Parsi explains, the Israeli-Iranian alliance at the time was based on the so-called periphery doctrine, according to which these two non-Arab Middle Eastern states were united by "a congruence of interests formed by [...] common vulnerabilities"³⁰⁹, most notably the threat posed by Iraq. In the 1980s, these geopolitical factors were still significant enough as to overcome ideological differences. As Parsi writes, after the Iranian revolution Israel sought to maintain ties with Iran, which was now weakening in relation to Iraq, and which Israel continued to view as 'a non-threat'. This was despite Khomeini's anti-Israeli rhetoric, which Israel dismissed as reflecting Iran's unsuccessful attempts to appeal to the Arabs. As for Iran's ambiguous policy, he explains that Iran could not really afford to confront Israel and that when Israel provided it with missiles and "spare parts for tires of fighter planes and weapons", Iran 'comfortably' put its revolutionary ideology aside. However, Iran was not interested in re-establishing official relations with Israel because "overt relations with Israel would harm Iran's standing with the Arab nations"³¹⁰.

The secret affair eventually ended as it reached daylight in 1986, resulting in an embarrassing scandal known as the 'Iran-Contra'. As Ansari argues, this new humiliation represented a final blow to the US-Iranian relations, for it ended cooperation even at the elite level³¹¹. The scandal also undermined US-Israeli relations, as both countries denied their culpability and tried to lay the blame on each other. Iran, for its part, denied any involvement with Americans and Israelis. Subsequently, the Reagan administration's support for Iraq became more open, and a new round of sanctions was imposed on Iran³¹². In 1987, the US also got directly involved in the so-called tanker war between Iran and Iraq. After this—and after Iraq's devastating attacks against Iran with chemical weapons—Iran finally accepted the ceasefire and the war formally ended in 1988.³¹³ As for the lessons of the war for Iran, it first of all seemed to verify the correctness of Khomeini's characterisation of the US as the 'Great Satan' and to prove its hostile intentions towards the Islamic Republic. The lack of international response to Iraq's acts of aggression also showed that international institutions, most notably the UN Security Council, were politically biased³¹⁴.

Several writers stress the importance of this point in connection with the present nuclear issue, for Iran regained its interest in the Shah-era nuclear programme precisely in this context. Shahram Chubin, for example, argues that Iran's fate as the "unloved victim of chemical weapons" subsequently led it to "maintain a certain ambiguity about its chemical, biological and nuclear

³⁰⁸ Ansari 2006, 110.

³⁰⁹ Parsi 2008, 29.

³¹⁰ Parsi 2008, 25.

³¹¹ Ansari 2006, 72-73.

³¹² As Estelami (1999) explains, "numerous incidents involving U.S. and Iranian naval forces, and especially the shooting down of an Iranian airliner carrying over 200 passengers by the American navy in 1988, increased the tension between the two countries" in 1987-1988.

³¹³ Ansari 2006, 107-108.

³¹⁴ See Ansari 2006, 117; Chubin 2006, 19.

programmes”³¹⁵. He also writes that Iran “attributes to missiles an almost mystical quality from the experience of the war with Iraq”³¹⁶. From the point of view of the US, perhaps the most important lessons were drawn from the Iran-Contra affair. As Ansari explains, they “included the curious conclusion that Iran had no moderates worth negotiating with, that the system as a whole was rotten, and that the people were duplicitous”. He also notes that the conclusion was shared across the political spectrum, making the bashing of Iran into a bipartisan affair that united the Republicans and the Democrats alike.³¹⁷ In practice this meant that any future attempts to engage with Iran would be effectively foiled, which in turn paved the way for further estrangement and mistrust regarding Iran’s re-emerging nuclear programmeme.

4.3 The post-Cold War era: the Israeli-Iranian conflict and the nuclear tangle

The rogue state discourse that was started by Reagan was subsequently continued by George H. W. Bush, and it proliferated particularly during the Clinton administration. Although Reagan had focused mainly on accusations of terrorism support, in 1987 his argumentation already anticipated the new criteria which would begin to dominate the discourse in the 1990s and 2000s: namely, the president connected the idea of outlaw states to the threat of nuclear proliferation by referring to the possibility of “accidental missile launches and ballistic missile threats—whether with nuclear, conventional, or chemical warheads—from outlaw regimes”³¹⁸.

The idea of accidental launches, however, was soon replaced by claims that rogue states might also be irrational enough to actually use nuclear weapons. Such argumentation was given a boost by the Iraqi invasion of Kuwait in 1990, in which connection Saddam Hussein was made into the embodiment of an international outlaw which was both criminal and inherently evil³¹⁹. At the same time, Iran was silently dropped from the category³²⁰. In addition to the toning down of the rhetoric, some of the previous US sanctions on Iran were eased³²¹, and one could hear occasional, albeit belated, criticism of Saddam Hussein’s aggression and his use of chemical weapons against Iran³²². Bush even raised the possibility of normalising relations and unfreezing the Iranian assets in case the Iranian president Rafsanjani would “put pressure on various groups in Lebanon and formally condemn terrorism and soften the rhetoric”³²³. Although Iran did this—and let the US airplanes use its airspace in the 1991 war against Iraq—Bush did not respond accordingly due to domestic pressures, most notably from pro-Israeli groups³²⁴.

Indeed, in this connection it is again necessary to shift the discussion to Israeli-Iranian relations. As noted in the previous section, the old periphery doctrine continued to affect both Israeli and Iranian geopolitical calculations in the 1980s. Consider for example Yizhak Rabin’s 1987 remark that “Iran

³¹⁵ Chubin 2006, 7; 20.

³¹⁶ Chubin 2006, 47-48.

³¹⁷ Ansari 2006, 112.

³¹⁸ Reagan, 23 November 1987.

³¹⁹ See, for example, Bush, 15 October 1990; Bush 23 January 1991, and Bush, 8 January 1991.

³²⁰ According to Ansari (2006, 128; 135), this was reflective of president Bush’s “statesmanlike attitude” towards Iran, which Ansari explains had to do with his “impartial approach to the Arab-Israeli conflict”.

³²¹ Estelami 1999.

³²² Ansari 2006, 106.

³²⁴ See e.g. Ansari 2006, 131-132.

is Israel's best friend and we do not intend to change our position in relation to Tehran, because Khomeini's regime will not last forever"³²⁵. By early 1990s, however, Israel had given up hopes of re-establishing ties with Iran, and it also became concerned of losing US support. In this new context—which was also defined by Israeli attempts to make peace with the Palestinians—Parsi argues that Israel's previous periphery thinking was replaced by a new strategy which highlighted the joint threat posed by Iran and Hezbollah. Highlighting the threat of extremism embodied by Iran, the Israelis believed, would undermine potential efforts of US-Iranian engagement and make Arabs forget about their conflict with Israel, as well as the Israeli nuclear weapons. Parsi adds that the Iranian threat was also a way to sell the peace process to the Israeli public that had for years been taught that PLO were terrorists that one could not talk to. At the same time, Israel could justify its military spending based on the Iranian, rather than the Arab threat.³²⁶

In order to pull the West into the confrontation, Israel started a massive anti-Iran campaign, in which connection it accused Iran of the failure to resolve Israeli-Palestinian conflict, echoed Iran's anti-Israeli rhetoric (which it had previously dismissed as mere rhetoric), compared Iran's revolutionary ideology to the previous Communist threat, warned that Iran's power was increasing, and argued that the possibility that Iran would get hold of WMD constituted a direct threat to Israel's national security.³²⁷ At first, the campaign was met with incredulity both by the US and by Arab states. As Parsi explains, "no one believed Iran had turned into a major threat overnight", and there was "[w]idespread feeling in the Clinton administration that Israel exaggerated the Iranian threat—especially when this happened at the time of Rafsanjani's pragmatism". The Arab states and even the Israeli military were also skeptical: while the former still clearly remembered the Israeli-Iranian friendship, the latter pointed out "that Israel was irrelevant for Iran's military doctrine". As Parsi explains, at the time the Iranian support for Palestinian rejectionist groups was also still limited, even though the anti-Iran campaigning and exclusion of the country from the Madrid peace conference ultimately contributed to the its subsequent increase³²⁸.

Despite initial skepticism, the US, too, soon adopted the view that Iran was a major threat. This was apparent in the Clinton administration's new strategy of dual containment, the basic idea of which was that Iran and Iraq were comparable in terms of threat, and that in the new post-Cold War context both states could be contained simultaneously³²⁹. While this was the stated rationale, Pollack explains that the less openly discussed function of the strategy was "to reassure Israel that the U.S. would keep Iran in check while Jerusalem embarked on a risky peace process" with the Arabs³³⁰. Parsi also explains that—while some, such as the former National Security advisor Brent Scowcroft, thought this was contrary to US interests—the US also realized that its military presence in the region "could continue only as long as the GCC states felt a threat from Iraq—or Iran"³³¹.

At the level of rhetoric, this new American approach was visible in that the Israeli claims about the Iranian threat were incorporated into the American outlaw state discourse, which now also included Iran. For example, Clinton repeatedly branded Iran as a 'rogue state', emphasising that, in addition

³²⁵ Parsi 2006, 127.

³²⁶ Parsi 2008, 170.

³²⁷ Parsi 2008, 165-170.

³²⁸ Parsi 2008, 162.

³²⁹ Lake 1994, 45-55.

³³⁰ Parsi (2008, 171) in reference to Pollack.

³³¹ Parsi 2008, 146.

to maintaining unanimity regarding the tough sanctions on Iraq, the containment of Iran was equally important. The president argued that this was because Iran was the world's leading sponsor of terrorism and it was also trying to get WMD³³². He also explained that Iran was trying to weaken the West and to destroy the Middle East peace process through terror, and that containing Iran and other rogue states—at this time, Libya and Iraq—was “part of a greater undertaking to oppose all who oppose peace”³³³. Clinton called upon allies so that they, too, would understand “the true nature of Iranian intentions” and help convince Tehran that they do not allow rogue behaviour.³³⁴

Paradoxically, the hardening US policies came at a time when Iranian politics was marked by increasing pragmatism, as radical revolutionists were being replaced by conservative ones, who, with the leadership of president Rafsanjani, focused their efforts on post-war reconstruction and development³³⁵. As Estelami explains, at the time Iran also formulated a pragmatic counter-strategy whereby it began to offer “lucrative contracts to American companies” in the hope that corporate pressure would eventually modify US policy from within³³⁶. This also brought results: contradicting their government's containment policy, American companies were able to engage with Iran through European subsidiaries³³⁷ so that “by 1994, the United States had become Iran's fifth-largest supplier of imports, and American oil companies had become the primary purchaser of its crude oil”³³⁸. As part of this strategy, Iran offered a historic \$600 million oil deal to an American company Conoco in March 1995³³⁹.

However, under pressure from the Israeli lobby, at this point the Clinton administration decided that US-Iranian engagement had gone too far, and forced Conoco to cancel the deal. The president justified the intervention and the related new trade restrictions by referring to Iran's growing “appetite for acquiring and developing nuclear weapons and the missiles to deliver them”, as well as to its “broadened [...] role as an inspiration and paymaster to terrorists”. He also argued that Iran's behaviour could not be changed through diplomatic means.³⁴⁰ Indeed, the stated reason for the sanctions was that they “would deprive Iran of the ability to acquire [WMD] and to fund terrorist groups by hindering its ability to modernize its key petroleum sector”³⁴¹. To the Iranians it thus appeared that Rafsanjani's “realist strategy [...] had not only failed to dent the US position, it seemed to have hardened it”³⁴².

Moreover, during the 1996 presidential elections, and again under pressure by the Israeli lobby, Clinton signed into law the so-called Iran-Libya Sanctions Act (ILSA). ILSA represented the most rigorous and controversial part of US sanctions on Iran, for it was directed at non-American firms investing on Iran's oil sector³⁴³. According to Parsi, it created an “almost irremovable political

³³² Clinton, 24 August 1994.

³³³ Clinton, 7 May 1995.

³³⁴ Clinton, 24 August 1994.

³³⁵ Vali & Ali Gheissari 2006, 105-126.

³³⁶ Ansari 2006, 143.

³³⁷ Ansari 2006, 143.

³³⁸ Estelami 1999.

³³⁹ Estelami 1999.

³⁴⁰ Clinton, 30 April 1995.

³⁴¹ Katzman 2012.

³⁴² Ansari 2006, 143.

³⁴³ Clinton reportedly signed the bill because he wanted to avoid being outmaneuvered by an influential senator Alfonso D'Amato and the Jewish-American constituency. (Alikhani 2006, 190).

obstacle” to “any effort at improving U.S.-Iran relations”³⁴⁴. Like the 1995 executive orders, ILSA was justified on the grounds of concerns for nuclear proliferation and terrorism; as written in the relevant Congressional record, the goal was “to deny Iran the ability to support acts of international terrorism and to fund the development and acquisition of [WMD] and the means to deliver them by limiting the development of Iran’s ability to explore for, extract, refine, or transport by pipeline petroleum resources of Iran”³⁴⁵.

A less visible aspect of US attempts to outlaw Iran had to do with the US opposition to the idea of Iran having any kind of a nuclear programme. In effect, the US put informal pressure on foreign companies involved in nuclear energy deals with Iran. Such a policy, which Asli Ü. Bali calls ‘restricted access’, managed to “cut off most avenues for Iranian access to trade in civilian nuclear technologies”³⁴⁶. The former Iranian UN Ambassador Javad Zarif also recalls that, at the time “[s]everal subcontractors were persuaded by the United States to withdraw from the Bushehr power plant”, and Russia, which agreed [in 1995] to help Iran to rebuild it, “was subjected to massive pressure to abandon the project”³⁴⁷.

While this informal pressure went largely unnoticed by the general public, extraterritorial sanctions faced fierce international resistance, particularly by the EU, wherefore they ended up not being enforced³⁴⁸. The tough sanctions were also criticised by US corporations and industries³⁴⁹. The containment approach was increasingly put into question in Clinton’s second term because of the developments within Iran: in 1997, Seyyed Mohammad Khatami won the Iranian presidential elections, thus considerably moderating Iran’s international image. Most significantly, Khatami actively tried to overcome the problem of mutual lack of trust between the US and Iran³⁵⁰. Taking a significant step toward this direction, in his January 1998 interview for the CNN, Khatami expressed regret over the 1979 hostage taking by saying the following:

With regard to the hostage issue [...], I do know that the feelings of the great American people have been hurt, and of course I regret it. [...] in the heat of the revolutionary fervor, things happen which cannot be fully contained or judged according to usual norms.³⁵¹

Khatami thus foresaw potential for improvement of relations between the US and Iran, even though he simultaneously acknowledged that the “wall of mistrust” between the US and Iran should be cracked before negotiations could begin at the governmental level.³⁵²

³⁴⁴ Parsi 2008, 189.

³⁴⁵ Iran and Libya Sanctions Act of 1996.

³⁴⁶ Bali 2006.

³⁴⁷ Zarif 2007, 81.

³⁴⁸ Katzman 2012.

³⁴⁹³⁴⁹ This was visible in the formation of new lobby groups, such as USA*ENGAGE, that campaigned to reverse the sanctions regime (See e.g. Fayazmanesh 2003, 231-235).

³⁵⁰ Ansari 2006, 154.

³⁵¹ Khatami further explained that, since in the early days of the revolution, the Iranian society had become more “institutionalized”, and there was no longer any “need for unconventional methods of expression of concerns and anxieties”. As he explained, “[t]oday we are in the period of stability, and fully adhere to all norms of conduct regulating relations between nations and governments”. (CNN interview of Khatami, 7 January 1998)

³⁵² CNN interview of Khatami, 7 January 1998.

The US could not afford to ignore Khatami's 'charm offensive'³⁵³. As Michael Eisenstadt, a senior fellow from the influential Washington Institute for Near East Policy, explained in his 1998 statement before the United States Senate Foreign Relations Committee,

President Khatami's election and his opening to the American people [...] have radically altered the rules of the game and greatly complicated Washington's calculations in a way that will require the United States to modify its approach toward Iran. Washington will need to muster a degree of sophistication, restraint, and subtlety that has been largely lacking in U.S. policy toward Iran until now if it is to avoid the dangers and grasp the opportunities created by these new circumstances.³⁵⁴

Although Eisenstadt still thought it was vital to contain Iran, he acknowledged that the US should at least appear to respond to the calls by the Iranian government for dialogue—if not for any other reason then for the sake of promoting a positive image of the US among Iranian people and US allies. According to Eisenstadt, “it would be a severe setback for U.S. policy if the Iranian government could make a credible case to the Iranian people and to our Arab Gulf and European allies, that the United States has spurned President Khatami's call for a dialogue between peoples and other Iranian gestures”.³⁵⁵

In 1998 there was indeed a perceptible change to the Clinton administration's approach to Iran. First of all, the country was no longer labelled as an outlaw by Clinton³⁵⁶. On the contrary, the rhetoric had changed markedly. This became apparent in a 1998 speech by the Secretary of State Madeleine Albright, who gave her belated praise for Khatami's election, and said that “President Khatami [sic] deserves respect because he is the choice of the Iranian people”³⁵⁷. Like Khatami five months before, Albright also acknowledged the “wall of mistrust” between the US and Iran and stated her country's willingness to “explore further ways to build mutual confidence and avoid misunderstandings”. She concluded that “[i]f such a process can be initiated and sustained in a way that addresses the concerns of both sides, then we in the United States can see the prospect of a very different relationship”.³⁵⁸ Albright even took up the sensitive issue of the US backing for the Shah, remarking that “the exigencies of the Cold War [...] generated US policies and activities that were resented by many Iranians” and that, “[i]n retrospect, it is possible to understand their reaction”.³⁵⁹ Two years later the Secretary of State went even further: speaking to the American-Iranian Council in March 2000, she took up not only the 1953 coup and the US assistance to the Shah, but also the US involvement in the Iran-Iraq war in a way that came close to a public apology³⁶⁰. At the time, the Clinton administration also lifted some of its sanctions on Iran³⁶¹.

Although Khatami “understood and appreciated” the symbolic significance of American gestures, Ansari notes that by this time he was no longer in a position to respond accordingly. On the one

³⁵³ Ansari 2006, 154.

³⁵⁴ Eisenstadt, 14 May 1998.

³⁵⁵ Eisenstadt, 14 May 1998.

³⁵⁶ The last claim that Clinton made about Iran's outlaw status was in October 1997 (see Clinton 29 October 1997).

³⁵⁷ Albright also referred to other positive developments in Iran such as Iran's improved “record in the war against drugs, [...] its treatment of more than two million Iraqi and Afghan refugees”, as well as its “diplomatic efforts to bring peace and stability to Afghanistan” and “to improve relations with Saudi Arabia and other neighbors in the Gulf”. (Albright, 17 June 1998)

³⁵⁸ Albright 17 June 1998.

³⁵⁹ Albright 17 June 1998.

³⁶⁰ Albright, 17 March 2000.

³⁶¹ See Albright 17 March 2000.

hand, this was due to increasing domestic difficulties and the growing gap between reformists and hard-liners in Iran.³⁶² Another and related reason was that the US approach towards Iran had not changed as dramatically as some of the above statements might suggest, for the administration kept repeating its standard accusations and the robust sanctions regime remained in place. For example, while the Secretary of State acknowledged Khatami's public denouncements of terrorism in 1998, she doubted that Iran had stopped to support terrorism in practice³⁶³. Albright also argued that Iran's "efforts to develop long range missiles and to acquire nuclear weapons continue", and that its "opposition to the Middle East Peace Process and to those willing to negotiate with Israel has been vitriolic and violent"³⁶⁴. Also in her March 2000 speech, Albright indicated that Iran's terrorism support, proliferation, resistance to the Arab-Israeli peace process and human rights violations reduced the hopes for "Iran assuming its rightful place in the world community, and the chance for better bilateral ties". In effect, Albright called for Iran to "live up to its commitments to the international community", simultaneously assuring that "[w]e do not seek to overthrow its government".³⁶⁵ She also made clear that economic sanctions would remain in place as long as Iran would not change its behaviour in these key areas³⁶⁶.

Ansari notes that, although the repetition of the old list of US grievances "may have mollified US hard-liners", at the same time it also "antagonized their counterparts in Iran"³⁶⁷. As Khatami had said already in 1998, he did not believe that high-level negotiations between the US and Iran could have a positive outcome unless they were "not based on mutual respect". In this connection, the president referred to the Clinton administration's "hostile policy against Iran", including "the allocation of [...] \$20 million to topple the Iranian government".³⁶⁸ As for the continuing US allegations regarding Iran's support for terrorism, Khatami described them as an "example of the sort of problem that exists between us and the United States".³⁶⁹ As Ansari explains, many Iranians felt that their country had done its best to address these concerns and that the Bush administration was "clearly beyond comprehension".³⁷⁰ It was therefore perhaps no wonder that—like Khatami's respective gestures in the US—the Clinton administration's charm counter-offensive was viewed with disbelief among Iranians.

It could be noted that there was also a temporary change in Israeli-Iranian relations at the time. In addition to keeping a low profile regarding the Camp David II peace talks, Khatami's also made secret overtures to Israel—including an offer for assurances that it would never attack Israel, as well as negotiations on a missile treaty. There were also new Israeli voices questioning Israel's previous anti-Iran policy. However, as Parsi explains, Iran ended up being castigated for its anti-Israel

³⁶² As Ansari explains, Khatami's approach was not viewed favourably by the increasingly influential Iranian conservatives, "the more hard-line of which" were "[f]irmly wedded to a confrontational distrust of the West". (Ansari 2006, 155; 177).

³⁶³ As Albright (17 June 1998) explained, "Iran's support for terrorism has not yet ceased [...]. [...W]e oppose Iranian efforts to sponsor terror".

³⁶⁴ However, in this respect there was a change of tone, for rather than arguing that Iran was maliciously opposing peace and promoting disorder, Albright adopted a more complex interpretation: she acknowledged that, although Iranians "did not agree with the logic of the peace process, they would not seek to impose their views and would accept what the Palestinians could accept". (Albright 17 June 1998.)

³⁶⁵ Albright 17 June 1998.

³⁶⁶ Albright, 17 March 2000.

³⁶⁷ Ansari 2006, 157.

³⁶⁸ CNN interview of Khatami, 7 January 1998.

³⁶⁹ CNN interview of Khatami, 7 January 1998.

³⁷⁰ Ansari 2006, 148.

policies partly because Israel needed a scapegoat for the failed peace talks and also because it was concerned about its own position in the region in case US-Iranian relations would improve.³⁷¹

Indeed, as George W. Bush won US elections in 2000, the chances for improving US-Iranian relations still seemed good³⁷². As it turned out, however, Bush was focused on domestic issues and seemed to define himself “against Clinton in every possible way”³⁷³. The latter point also applied to Clinton’s recent overtures towards Iran: Ansari mentions as an early sign of this tendency the “resuscitation of a dormant allegation” that Iran had been partly responsible for a bombing of the Khobar Towers in Saudi Arabia in 1996.³⁷⁴ Despite the mutual interest and cooperation in fighting the Taliban in Afghanistan after September 11, the Bush administration finally chose confrontation with Iran. This became evident in Bush’s notorious State of the Union speech in January 2002, where he labelled Iran, together with Iraq, North Korea, and all the world’s terrorists, as one and same ‘axis of evil’. Apart from all the general claims about the axis of evil, Bush also repeated the old grievances against Iran by saying that it “aggressively pursues [WMD] and exports terror, while an unelected few repress the Iranian people’s hope for freedom”³⁷⁵.

After having been absent from the outlaw state category since 1997, Iran was thus visibly brought back into it on the eve of the Iraq war. The prospect of ending up as target of similar war in the name of non-proliferation arguably motivated Iran to propose bilateral negotiations with the US in May 2003. The proposal addressed key US concerns, such as “material support to Palestinian opposition groups”; “acceptance of the Arab League Beirut declaration” (meaning the two-states-approach, which Iran had previously resisted) and “full transparency for security that there are no Iranian endeavours to develop or possess WMD”. In return, Iran wanted the US to recognise “Iran’s legitimate security interests in the region with according defence capability”; to refrain “from supporting change of the political system by direct interference from outside”; to abolish “all sanctions”, and to provide “access to peaceful nuclear technology, biotechnology and chemical technology”.³⁷⁶ Instead of seizing this historic opportunity, however, the US dismissed the offer, and president Bush justified this decision by explaining that “[w]e don’t speak to evil”³⁷⁷. It also “severed contacts it had established with Iran over Afghanistan and hardened its stance in response to Iran’s refusal to hand over al-Qaeda suspects implicated in terrorist attacks in Saudi Arabia and to revelations about Iran’s covert nuclear-weapons programme”.³⁷⁸ According to Parsi, this position reflected the Bush administration’s hubris and belief it could easily democratise the entire Middle East, including Iran, through regime change³⁷⁹.

³⁷¹ Parsi 2008, 210-219.

³⁷² Indeed, formed largely of former oil executives, the Bush administration initially seemed predisposed to favour rapprochement with Iran (Fayazmanesh 2003). Moreover, the new Vice-President Dick Cheney himself had argued in 1998 that unilateral sanctions should be lifted on Iran (Cheney, 23 June 1998)

³⁷³ Ansari 2006, 179

³⁷⁴ Ansari 2006, 179-180.

³⁷⁵ Bush, 29 January 2002.

³⁷⁶ Iran’s Negotiation Proposal, May 2003.

³⁷⁷ See Parsi 2008, 248.

³⁷⁸ See Litwak 2008, 101-102.

³⁷⁹ Parsi 2008, 248.

4.4 Summary

As seen above, the US-Iranian relations since early 1980s have been defined by asymmetrical conflict. During this time, the US policy on Iran has consisted of unilateral economic sanctions, military confrontation, as well as attempts to undermine Iran's economic and nuclear cooperation with third parties both informally and through extraterritorial sanctions. These policies have been justified in mostly normative terms, and in the process Iran has been branded as an 'outlaw' or 'rogue' state. Consistent with Litwak's argument in chapter 2, this unilateral practice of normative exclusion has been based on both political and normative considerations. Regarding the former, Realist considerations, it can be said the US concerns about Iran, including those related with its nuclear programme, can be explained in terms of enmity, and this enmity can be traced to traumatic events, such as the hostage crisis and the Iran-Contra scandal, as well as Iran's opposition to US hegemony over the strategically important Middle East region. At the same time, however, the US policies towards Iran are also ideological, including the desire to replace the Iranian political system so as to better reflect US interests and ideals. While Litwak associated this tendency with liberalism, based on the theoretical discussion in chapter 3 it can also be understood as Revolutionism. The Iranian position corresponds with these tendencies: the regime views the US as an enemy, both in the Realist sense of threat to national interests and security and in Revolutionist terms as the representative of precisely the kind of international injustice that its national ideology seeks to resist. To be sure, there have also been moments (in early 1990s and at the turn of the millennium) when it has seemed that tensions might be subsiding but they have been short-lived. Although the discussion in this chapter mainly points to the domestic pressures in the US as a reason for the missed opportunities for improving relations, similar obstacles are also experienced in the Iranian political establishment³⁸⁰.

5 The Current Dispute: Description and Existing Analyses

As noted in the previous chapter, the US and Israel suspected Iran of having, or intending to develop, a military nuclear programme for over two decades. However, it was only in 2002 that these suspicions became increasingly shared by others, with revelations of undeclared nuclear activities in Iran. In section 5.1, I will discuss the nuclear politics and non-proliferation diplomacy that followed between Iran and the EU in 2003 – 2005, that is, three years before the empirical study period of this thesis. After this descriptive background discussion, I go through the more analytical arguments in the existing literature on the Iranian nuclear issue. Section 5.2 discusses Tanya Ogilvie-White's solidarist perspective, which is closest to my own study in terms of both theory and research objects. Section 5.3, on the other hand, attempts to give a broader picture of the existing literature by summarising some of the main arguments and hypotheses that have been made about the Iranian nuclear dispute.

³⁸⁰ See for example the discussion on Iran's rejection of October 2009 fuel swap deal in section 5.1.

5.1 Nuclear diplomacy and sanctions in 2003-2012

In the 1990s, the European approach of engagement, dialogue and continuing trade with Iran had been in marked contradiction with the US policy of containment and isolation³⁸¹. While acknowledging US concerns, the Europeans did not seem particularly worried about the Iranian nuclear programme. However, the European approach to the threat of proliferation in Iran changed in 2002, when an Iranian dissident group (which reportedly received their information by Israeli intelligence) provided the IAEA with information about undeclared nuclear activities at the Iranian sites of Natanz and Arak³⁸². In response to these allegations, Iran admitted in 2003 that it had an uranium-enrichment facility in Natanz and a heavy-water reactor in Arak. Unlike the known and regularly inspected sites, such as the Bushehr and Tehran nuclear reactors, the IAEA had not been previously informed about these facilities. Having these facilities was not against the NPT, which does not prohibit its members from developing their own nuclear fuel cycle, including uranium conversion, enrichment and reprocessing. However, the fact that Iran had not reported its activities to the IAEA at an early stage was seen to go against the country's obligations under the NPT Safeguards Agreement. Iran's counter-argument was that the Safeguards Agreement only required it to declare the facilities in question 180 days before nuclear material would be fed into them³⁸³.

It was this dispute over the interpretation of law—as well as the so-called 'outstanding questions' raised by the IAEA about Iran's past activities—which began the current international crisis over Iran's nuclear programme. Indicative of the related legal controversy and double standards, similar reporting failures by Egypt and South Korea have not ended up being defined as constituting non-compliance³⁸⁴. In the Iranian case, however, the US insisted from the beginning that the country's failure to report its activities should be regarded as a breach of the NPT itself. Others, including the EU member states, resisted this interpretation until late 2005. The new revelations had nevertheless also fuelled their suspicions that Iran might in fact intend to manufacture a nuclear weapon.

In this context of emerging crisis, the EU took a leading role in the negotiations over Iran's nuclear programme. More specifically, this nuclear diplomacy was conducted by the big three European countries, that is, the so-called EU3 which consisted of the UK, France, and Germany, with the support and participation of the High Representative for the EU's Common Foreign and Security Policy (CFSP), Javier Solana. Apart from increasing proliferation concerns, it can be argued that the EU subsequently became active on this issue to compensate for their own shortcomings and

³⁸¹ Particularly in the 1990s, the three European states sought to maintain and improve diplomatic and commercial relations with the Islamic republic, despite certain long-lasting disputes, such as the so-called Mykonos case with Germany and the Salman Rushdie affair with the UK (see e.g. Ansari 2006, 169-70). Their approach of 'critical engagement' was in marked contradiction with the US policy of containment and isolation, which also created a transatlantic conflict, as the Clinton administration – thinking that the European policy was undermining its containment approach – put pressure on European companies dealing with Iran by imposing extraterritorial sanctions in 1996. (see e.g. Eizenstat 2004, 3).

³⁸² Ansari 2006, 198.

³⁸³ As the Iranian UN ambassador explained in 2008, Iran had only "accepted the modified code 3.1 of the Subsidiary Arrangement in 2003 and had no obligation to it (to inform about nuclear installations) prior to that date. Therefore Iran was only obliged, according to the Comprehensive Safeguards Agreement (INFCIRC/153), to inform the IAEA 180 days prior to feeding nuclear material into facilities." (Khazaei, 3 March, 2008)

³⁸⁴ Elbaradei 2011, 216-217.

divisions with regard to the 2003 invasion of Iraq. As Tom Sauer argues, “in the run-up to the Iraq crisis in 2002-2003, the EU was perceived as divided and lacking influence but in the Iranian case “there was a consensus in the EU that it would not be that difficult to provide a more constructive alternative to major problems in the world than the neo-conservative solutions envisaged in the US”.³⁸⁵ On the Iranian side, too, the Iraqi precedent had created a new sense of urgency, as it showed that mere suspicions of a WMD programme could be used to justify preventive military action and regime change. At the same time, the US military presence in Iraq and Afghanistan had changed Iran’s security environment, in Shahram Chubin’s words, from ‘relatively tolerable’ into one in which the country was “literally encircled by its old nemesis”³⁸⁶. These concerns were obviously not eased by the Bush administration’s rejection of Iran’s May 2003 offer for negotiations (see chapter 4).

In its negotiations with Iran, the EU3 asked Iran to suspend uranium enrichment, to provide full information concerning its nuclear programme, and to sign the Additional Protocol so as to allow for more intrusive IAEA inspections³⁸⁷. At the same time, the negotiations for a Trade and Association Agreement between the EU and Iran were suspended³⁸⁸, and the prospect of defining Iran’s reporting failures as noncompliance (meaning referral of the case to the UN Security Council) was used by the European negotiators as a “whip with which to threaten Iran”³⁸⁹. As Curtis H. Martin notes, at this time the EU approach was nevertheless still clearly different from that of the US³⁹⁰.

Ali M. Ansari describes the reactions by Iranian political factions at the time as divided regarding “the degree of trust and compromise one could afford the Europeans”³⁹¹. While reformists and traditional conservatives promoted “some sort of an agreement [...] with the Europeans—if not for no other reason than to divide them from the US and ensure [...] support in deflecting US ambitions towards Iran”—hardliners thought that the country should withdraw from the NPT “rather than subject itself to humiliating inspections”³⁹². The former approach was eventually chosen with the adoption of the October 2003 agreement, whereby Iran agreed to implement the Additional Protocol, suspend its uranium enrichment and spent fuel reprocessing activities as a confidence-building measure for the duration of the negotiations, and to resolve the outstanding issues with the IAEA³⁹³. As it turned out in spring 2004, however, there were still several points of disagreement between the EU3 and Iran over the interpretation of the scope of the suspension. As the former IAEA Director-General Mohammed ElBaradei explains, it was unclear whether it also included

³⁸⁵ Sauer 2007, 26-27.

³⁸⁶ Chubin 2006, 14.

³⁸⁷ The Additional Protocol of the IAEA Safeguards Agreement allows for exceptionally intrusive inspections that go beyond normal NPT requirements. Iran signed the Additional Protocol in December 2003, and implemented it by opening all requested facilities to IAEA inspections. However, like several other NPT members, Iran never ratified the Protocol. (See e.g. Chyba et al. 2006, 165)

³⁸⁸ Sauer 2007, 8–9.

³⁸⁹ ElBaradei 2011, 216.

³⁹⁰ As Martin explains, [f]or many months Europe resisted U.S. efforts to persuade the IAEA to declare Iran in noncompliance with the NPT and strongly opposed regime change. Under pressure from the IAEA, Europe, and the United States, Iran consented in October 2003 to a suspension of its uranium conversion and enrichment programme. In exchange, the European Union promised enhanced trade (including civilian energy development) and opposition to Security Council consideration of the issue.” (Martin 2007, 71)

³⁹¹ Ansari 2006, 203.

³⁹² Ansari 2006, 203-204.

³⁹³ See e.g. Chyba et al. 2006, 190.

such activities as “the preparatory stage of uranium conversion” or “the manufacture of centrifuges”³⁹⁴. Iran also felt that it was being unduly criticised by the IAEA for its lack of cooperation³⁹⁵, and that the EU was not delivering the promised incentives³⁹⁶. As a result, Iran announced that it would begin uranium conversion and building of a heavy water plant, which it did in September 2004³⁹⁷. In response, France threatened that it would join the US in supporting the referral of the Iranian case to the Security Council³⁹⁸.

After IAEA mediation³⁹⁹, a new round of negotiations with the EU3, as well as an IAEA resolution—which considered it necessary “to promote confidence, that Iran immediately suspend all enrichment-related activities, including the manufacture or import of centrifuge components, the assembly and testing of centrifuges, and the production of feed material”⁴⁰⁰—a new deal was reached in November 2004. In this so-called ‘Paris Agreement’, Iran agreed to continue to implement the Additional Protocol and also to suspend “all uranium conversion activities, the assembly and testing of centrifuges, and even the import of centrifuge components”⁴⁰¹. At this point, it should be noted that the suspension was still described as a temporary and “voluntary confidence building measure and not a legal obligation”. Iran also stressed that “the negotiations should not try to press Iran to move toward a complete termination of its nuclear fuel cycle activities”, to which the Europeans agreed⁴⁰². The EU3's part of the deal was to recognise “Iran's rights under the NPT exercised in conformity with its obligations under the Treaty, without discrimination”, and to provide Iran with “firm guarantees on nuclear, technological and economic cooperation and firm commitments on security issues”.⁴⁰³

As a result of the agreement and Iran’s ‘strong’ cooperation with the IAEA, Iranian issue was no longer even on the agenda of the March 2005 IAEA Board meeting⁴⁰⁴. However, differences re-emerged in spring 2005. As ElBaradei explains, there was domestic pressure in the pre-election Iran to reach visible results “in the form of concrete ‘deliverables’” and to also to show to the public that the enrichment programme had not been completely halted. As a result, in March 2005 the Iranian negotiator Hassan Rowhani came up with a proposal whereby Iran—while freezing industrial-scale enrichment—would “start enrichment with five hundred centrifuges at its pilot

³⁹⁴ ElBaradei 2011, 140.

³⁹⁵ The fact that Iran cooperated by allowed intrusive IAEA inspections was acknowledged for example in the IAEA Board resolution of June 2004. At the same time, it was criticised for not doing enough, for it had delayed the inspections and failed to provide answers to all the outstanding questions, particularly regarding “the sources of all HEU contamination in Iran and the extent and nature of work undertaken on the basis of the P-2 advanced centrifuge design” (see IAEA resolution 18 June 2004)

³⁹⁶ In the words of Tom Sauer, Iran was unhappy with the ‘carrots’ offered in the October 2003 agreement, and threatened to begin uranium conversion and build a heavy water plant. In September 2004, it resumed uranium conversion. (Sauer 2007, 10)

³⁹⁷ See Sauer 2007, 10.

³⁹⁸ Chyba et al. 2006, 174.

³⁹⁹ ElBaradei 2011 140.

⁴⁰⁰ The resolution also ‘strongly urged’ Iran to provide “prompt access to locations and personnel” and “further information and explanations when required by the Agency and proactively, to assist the Agency to understand the full extent and nature of Iran’s enrichment programme and to take all steps within its power to clarify the outstanding issues [...], specifically including the sources and reasons for enriched uranium contamination, and the import, manufacture, and use of centrifuges”. (IAEA resolution 18 September 2004)

⁴⁰¹ ElBaradei 2011, 141.

⁴⁰² ElBaradei 2011 141.

⁴⁰³ Communication November 26 2004.

⁴⁰⁴ ElBaradei 2011, 143.

plant”, under close monitoring by the IAEA. As ElBaradei notes, this kind of a limited operation would have been “well short of the planned fifty-four-thousand centrifuge capacity at [...] Natanz facility”. As the Europeans had neither accepted the deal nor offered their own proposals by May 2005, Iran threatened to end the suspension but agreed to wait until the EU3’s August proposal⁴⁰⁵. The European proposal turned out to be far from what the Iranians were expecting. Instead of allowing limited enrichment under IAEA monitoring, the proposal included other demands which would further reduce Iran’s civilian nuclear capacity. Most importantly, it showed that the EU3 had moved closer to the US position in that now they too were demanding Iran to make binding commitment for suspension, instead of requesting the continuation of voluntary suspension.⁴⁰⁶ Iran refused to accept the proposal, which it viewed as “extremely long on demands from Iran and absurdly short on offers to Iran”, and as showing “the lack of any attempt to even create a semblance of a balance”. In return to dismantling “most of its peaceful nuclear programme” and “accepting intrusive and illegal inspections which go well beyond the Safeguards Agreement or the Additional Protocol”, Iran also pointed out that, “[i]n the area of security, the proposal does not go beyond repeating UN Charter principles and previously made general commitments”, and that it “never even mentions the terms ‘objective guarantees’, ‘firm guarantees’ or ‘firm commitments’, thereby indicating the total departure of its authors from the foundations of the Paris Agreement”.⁴⁰⁷

By summer 2005, there was thus little common ground left between Iran and the EU3 to continue negotiations. Soon after rejecting the EU3’s August proposal, Iran again resumed its uranium conversion activities. Europeans, for their part, hardened their position further. As Ansari explains, the “Europeans had assured the Americans that if the Iranians backtracked on the November 2004 agreement [...] they would join the US in insisting that Iran be referred to the UN Security Council”⁴⁰⁸. In effect, the EU3 began to focus their diplomatic efforts on the IAEA⁴⁰⁹, and shifted from their previous opposition to a finding of non-compliance and referral to the UN Security Council involvement to supporting both courses of action. As part of this policy shift, the EU also actively tried to convince Russia and China not to use their veto against the IAEA Board resolution that would state that Iran was in non-compliance with the Safeguards Agreement obligations⁴¹⁰. In effect, such a statement was accepted in a controversial IAEA vote on September 24, 2005, as 12 countries (including Russia and China) out of 35 countries abstained from voting, and one (Venezuela) gave a negative vote⁴¹¹. As Martin notes, at this point the role differentiation between the US and EU as the “good and the bad cops” had significantly narrowed down⁴¹²—or, in Sauer’s words, “the EU changed from being a mediator to become the right hand of the United States”⁴¹³.

In January 2006 Iran announced that it would begin a small pilot operation in R&D uranium enrichment. As ElBaradei explains, the Iranians were feeling bold and they did not believe that this

⁴⁰⁵ ElBaradei 2011, 144

⁴⁰⁶ As Michael Spies (2006) explains, the EU3 also changed its bargaining position, for now they argued that the only objective guarantee that would ensure the peaceful nature of the Iranian nuclear programme would be the absence of enrichment.

⁴⁰⁷ Iran’s response to the Framework Agreement proposed by EU3/EU, August 2005.

⁴⁰⁸ Ansari 2006, 225.

⁴⁰⁹ Reflective of this shift, the third phase of EU-Iranian diplomacy (August 2005—February 2006) is described by Sauer (2006) as ‘Escalation within the IAEA’.

⁴¹⁰ Sauer 2007, 12.

⁴¹¹ IAEA Resolution, 24 September 2005.

⁴¹² Martin 2007, 71.

⁴¹³ Sauer 2011, 104.

action—which was after all legal under international law—would lead to action by the Security Council⁴¹⁴. After this, based on the subsequent decisions made at the February 2006 IAEA meeting, the Iranian case was referred to the Security Council. In line with the law enacted by the Iranian Parliament in September 2005—which directed the government to end the implementation of the Additional Protocol in case of Security Council involvement—Iran suspended the Additional Protocol⁴¹⁵. In March 2006 the Security Council issued a non-binding presidential statement calling for Iran to “take the steps required by the IAEA Board of Governors [...] which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions”⁴¹⁶. Here it could be added that, behind the scenes, the Russians and ElBaradei had proposed that Iran be allowed to run limited enrichment operations to allow for compromise and the continuation of inspections. However, the US insisted that there should be “not one centrifuge” running in Iran⁴¹⁷. As in May 2003, the US also turned down Iran’s renewed proposals for a grand bargain, made in spring 2006⁴¹⁸. At the same time, the Bush administration announced that it would participate in the direct negotiations with Iran in case the latter would first suspend all its enrichment-related activities—a condition which was unacceptable for the Iranians⁴¹⁹.

As a reflection of the shift of responsibility from the EU3 to the UN Security Council, in 2006 the so-called P5+1 group or ‘the Six’—that is, the UN Security Council permanent members and Germany—took over the nuclear diplomacy with Iran. In addition to the previous European negotiators, the group thus also included the US, Russia, and China. In spring 2006 these six countries agreed on a package of proposals, which was presented to Iran by Javier Solana in June 2006. ElBaradei describes the package, in distinction from the August 2005 proposals, as “quite generous”⁴²⁰. Iran was offered light water reactors; legally binding nuclear fuel guarantees based on partnership “in an international facility in Russia to provide enrichment services for a reliable supply of fuel to Iran’s nuclear reactors”; “[d]evelopment with IAEA of a standing multilateral mechanism for reliable access to nuclear fuel”; research and development cooperation (e.g. on the nuclear applications for medical purposes); a stock of nuclear fuel for five years, suspension of handling of the case by the UN Security Council, improved access to international economy, including the WTO; energy partnership with the EU, and cooperation with the EU in other areas, such as civil aviation, telecommunications, and agriculture. Under the title ‘Regional security cooperation’ it was also written that the P5+1 would “[s]upport [...] a new conference to promote dialogue and cooperation on regional security issues”. The condition for all this was that Iran would verifiably suspend its activities related with uranium enrichment and reprocessing, address all the

⁴¹⁴ ElBaradei 2011, 191-192.

⁴¹⁵ See BBC News, 31 January 2006.

⁴¹⁶ UN Security Council Presidential Statement, 29 March 2006.

⁴¹⁷ ElBaradei 2011, 192; 195.

⁴¹⁸ As ElBaradei (2011, 194) explains: “Before travelling to the United States [in May 2006], I had met with Ari Larijani, the top Iranian nuclear negotiator. He had asked me to convey a set of messages to Washington: the Iranians were interested in direct talks with the United States. They were ready to discuss only Iran’s nuclear issues, but also Iraq, Afghanistan, Hezbollah, and Hamas. Larijani believed Iran could be of great influence in the upcoming midterm U.S. elections: Iran could assist with security in Baghdad and also help establish a national unity government in Lebanon”.

⁴¹⁹ ElBaradei 2011, 195.

⁴²⁰ ElBaradei 2011, 196.

outstanding issues with the IAEA, and restart implementing the Additional Protocol.⁴²¹ Iran's acceptance of this offer was the P5+1 group's precondition for further negotiations until 2009.

The P5+1 group expected an Iranian reply within less than one month (by July 11, 2006, when the chief Iranian negotiator, Ari Larijani, was due to meet with Solana), whereas Iran announced that it would need until August 22, 2006 to respond. As this was not acceptable to the P5+1, the EU3 circulated a draft resolution, on which basis the Security Council issued resolution 1696 on July 31, 2006⁴²². In effect, the request for the suspension of fuel cycle activities was for the first time made into a legally binding demand, meaning that from now on Iran's refusal to accept it would constitute a violation of international law. As stated in resolution 1696, Iran was required to "suspend all enrichment-related and reprocessing activities, including research and development", based on the Council's concern over "the proliferation risks presented by the Iranian nuclear programme", as well as its "serious concern" over several related issues, such as "the many reports of the IAEA Director General and resolutions of the IAEA Board of Governors related to Iran's nuclear programme", "a number of outstanding issues and concerns on Iran's nuclear programme", the IAEA's inability "to conclude that there are no undeclared nuclear materials or activities in Iran", as well as Iran's "continued suspension of cooperation with the IAEA under the Additional Protocol".⁴²³ The IAEA chief himself, however, criticised resolution 1696 as "counter-productive from a policy perspective, but also a misuse of the council's authority under Chapter VII of the UN Charter".⁴²⁴

As Iran still would not accept the P5+1 (and now also the Security Council) demands, the first sanctions resolution was adopted in December 2006. As stated in resolution 1737, the Council 'deplored' and noted "with serious concern" that Iran had "not established full and sustained suspension of all enrichment-related and reprocessing activities [...], nor resumed its cooperation with the IAEA under the Additional Protocol, nor taken the other steps required of it by the IAEA Board of Governors, nor complied with the provisions of Security Council resolution". On these grounds, resolution 1737 banned UN member states from engaging in trade with Iran regarding dual use materials and technology. The resolution also ordered an asset freeze on persons and organizations—listed in a separate annex—that were seen to be "engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or the development of nuclear weapon delivery systems". In addition to reaffirming the mandatory requirement that Iran suspend its enrichment-related and reprocessing activities, resolution 1737 also ordered Iran to stop the construction of a heavy-water reactor in Arak, and introduced other measures to restrict Iran's nuclear programme as well as its ballistic missile development.⁴²⁵ Whereas the first round of sanctions could still be described as limited in the sense of being targeted to the nuclear programme, this was not the case with the second round, which followed very soon, in March 2007. The new measures, adopted in resolution 1747, also included elements which had no obvious connection to the nuclear programme, such as the ban on conventional arms trade from Iran, the call upon states to limit their "supply, sale or transfer" of arms to Iran, and an extension of the list of

⁴²¹ Letter from the Permanent Representative of France to the United Nations, 13 July 2006.

⁴²² Security Council Report, August 2006.

⁴²³ UN Security Council Resolution 1696. 31 July 2006.

⁴²⁴ ElBaradei 2011, 203.

⁴²⁵ UN Security Council Resolution 1737, 23 December 2006.

persons and organizations allegedly involved in the nuclear programme to include Iranian companies with links to the Iranian Revolutionary Guard Corps.⁴²⁶

At the same time, the Iranian position was hardening. ElBaradei notes that only two months before Iranians had been “willing to consider freezing enrichment activities at the R&D level for the duration of the negotiations” but now they seemed prepared only “not to enrich uranium beyond 5 percent”, and for the first time Larijani had also “mentioned the possibility that Iran might enrich uranium up to 20 percent”⁴²⁷. However, based on ElBaradei’s ‘time-out’ proposal—made already before the adoption of resolution 1747⁴²⁸—in summer 2007 Iran informed the IAEA that it “was ready to hammer out the details of a work plan with the Agency to address some of the IAEA’s outstanding concerns”⁴²⁹. This began a process which—if successfully completed—would make “the Security Council demand for Iran to suspend uranium enrichment [...] lose any logical basis”⁴³⁰. In addition to the IAEA-Iran workplan, another significant development was the publication of the US intelligence community’s National Intelligence Estimate (NIE) on Iran in December 2007. The basic finding was that Iran had pursued a nuclear weapons programme in the past but suspended it in 2003⁴³¹. By early 2008, Iran had also addressed all of the outstanding issues—except for alleged weaponization studies that were based on unverified US intelligence. The documents on which the alleged studies were based were retrieved from a laptop that had been given to the US in 2004 by a source that the latter refused to reveal. The documents are problematic because their source remains uncertain, and also because the US refused to give out copies of most of the documents to the IAEA.⁴³²

Even though Iran argued that the alleged studies documents were fabricated, it agreed to address also this issue. Before the process was completed, however, the Security Council issued its third sanctions resolution (1803) in March 2008. From ElBaradei’s perspective, this was like issuing “the verdict before the deliberation”, giving the impression that “the council was taking action based on predetermined policy objectives rather than on the facts”⁴³³. Resolution 1803 took the sanctions further, calling “upon all States [...] to inspect the cargoes to and from Iran, of aircraft and vessels, at their airports and seaports [...] provided there are reasonable grounds to believe that the aircraft or vessel is transporting goods prohibited under this resolution”. The resolution also called upon member states “to exercise vigilance in entering into new commitments for public provided financial support for trade with Iran, including the granting of export credits, guarantees or insurance, to their nationals or entities involved in such trade”, and “to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in Iran, in particular with Bank Melli and Bank Saderat, and their branches and subsidiaries abroad”.⁴³⁴

⁴²⁶ See UN Security Council Resolution 1747, 24 March 2007.

⁴²⁷ ElBaradei 2011, 255.

⁴²⁸ The proposal was that Iran would not feed new material into its centrifuges and that it would commit itself to resolving the outstanding verification issues, whereas the Security Council would refrain from implementing more sanctions (ElBaradei 2011, 244).

⁴²⁹ ElBaradei 2011, 256

⁴³⁰ ElBaradei 2011, 258.

⁴³¹ National Intelligence Estimate 2007.

⁴³² ElBaradei 2011, 280.

⁴³³ ElBaradei 2011, 281.

⁴³⁴ UN Security Council Resolution 1803, 3 March 2008.

The adoption of resolution 1803 in March 2008 coincided with the renewal of the June 2006 package of incentives. While the new version did not add anything regarding nuclear cooperation, the following additional themes were “proposed as topics for negotiations” under the title ‘Political’, in case Iran would comply with the UN Security Council demands: “[r]eaffirmation that a solution to the Iranian nuclear issue would contribute to [...] realizing the objective of a Middle East free of [WMD]”; “[r]eaffirmation of the obligation under the UN Charter to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state or in any other manner inconsistent with the Charter of the [UN]”, and cooperation on Afghanistan. A new title—‘Economic, social and human development/humanitarian issues’—was also added, under which for example the following points were mentioned: “assistance to Iran’s economic and social development and humanitarian need”; “partnerships between Higher Education Institutions”; “[c]ooperation in the field of development of effective emergency response capabilities”, and “[c]ooperation within the framework of a ‘dialogue among civilizations’”.⁴³⁵

In September 2009, international suspicions and support for more sanctions increased as a new, undeclared facility, the Fordow Fuel Enrichment Plant, was revealed near Qom⁴³⁶. Soon after this, in early October, historic talks between Iran and the P5+1 group took place in Geneva. Indeed, despite the P5+1’s description of their strategy as ‘dual track’ approach—suggesting that it consisted of both pressure and diplomacy—from 2006 to mid-2008 the diplomatic track had existed only hypothetically, as any negotiations between Iran and the P5+1 were made conditional of Iran’s acquiescence to the demands to suspend enrichment and accept the P5+1 offer. Even though the Bush administration had sent a representative to a meeting between the P5+1 and Iran in July 2008, there was little room for dialogue due to the zero enrichment demand⁴³⁷. At the Geneva meeting in 2009, however, a temporary compromise deal was put on the table. As a result, Iran agreed to allow inspections at the Fordow site, and tentatively also to accept a deal whereby three quarters of its stockpile of low-enriched uranium (LEU) would be sent to Russia and France to be reprocessed into fuel rods (which could not be enriched further to make nuclear weapons)⁴³⁸. The swap deal proposal was based on Iran’s previous request to the IAEA—reportedly made as early as in June 2009⁴³⁹—to supply highly enriched uranium (HEU) that the country needed for medical purposes in the Tehran Research Reactor. In effect, another meeting was scheduled later that month in Vienna to discuss the details of the deal. There the US, Russia, France, and the IAEA (the so-called ‘Vienna group’) proposed that 1200 kg of the Iranian LEU—an amount needed to build one nuclear bomb—would be shipped to Russia for enrichment, and then sent to France to be turned into fuel. Although the arrangement would have done nothing to address Iran’s on-going enrichment activities, it was seen to leave Iran incapable of building a nuclear weapon at least for seven to ten months. The officials involved and analysts following the process

⁴³⁵ P5+1 proposal to Iran, 14 June 2008.

⁴³⁶ See e.g. Borger, 2009.

⁴³⁷ The main policy change was the appearance of the Undersecretary of State William Burns in the same table with Iranians. The strategy, however, remained unchanged: to make Iran accept zero enrichment on the basis of the P5+1 proposal. (See e.g. Eggen 2008)

⁴³⁸ See e.g. Ackerman 2009.

⁴³⁹ As stated in the so-called Tehran Declaration, “despite the elapse of about one year sine the submission of request by the Islamic Republic of Iran (2 June 2009) for fuel supply for Tehran Research Reactor, devoted to produce radioisotopes for medical purposes and providing medical services to about one million people, not only the fuel has not been delivered to my country, but the pursued path in this regard has faced stalemate due to unjustified conditions imposed by other parties”. (Farsi News, 24 May 2010)

described the deal as a confidence-building measure; a way “to buy time [...] to negotiate the nuclear programme and safeguards”; “a step forward”, and “the beginning of a beginning”.⁴⁴⁰ Despite the promising beginning, no agreement was eventually reached. In contrast to the original understanding according to which all LEU would be removed at once, Iranians now asked for a different arrangement appealing to their “lack of trust and their past experience”; they “insisted that they first had to receive the fuel [HEU], manufactured from some other source of LEU, and only then would they release their own stockpile of enriched uranium, in two batches”⁴⁴¹. As a compromise, ElBaradei suggested that the IAEA would keep the Iranian fuel until it got the HEU in return. Although the US, France and Russia would have accepted this arrangement, Iran refused it in the end.⁴⁴²

The remainder of the discussion covers developments between 2010 and the present. Although these developments fall outside the period under study in this thesis, they are nevertheless relevant for assessing the effectiveness of the Security Council approach and thus determining whether condition E of the solidarist paradigm is met (see chapter 3).

* * *

In February 2010 Iran announced that it had started enriching uranium up to 20 per cent, and that it would also build a new research reactor for similar medical purposes, to be used alongside the Tehran Research Reactor.⁴⁴³ This contributed to the adoption of a fourth round of sanctions in June 2010. Shortly before this, there was another attempt in May to reach an interim, confidence-building deal by Turkey, Brazil, and Iran. The deal made by Brazil and Turkey resembled the one discussed in Geneva in the previous year: it held that Iran would send a 1200 kg stockpile of LEU to Turkey, and in exchange the Vienna group would provide Iran with 120 kg of 20 percent-enriched fuel within a year. However, this deal also had the provision that Iran would be allowed to request Turkey to return the LEU at any time in case it felt that the terms of the agreement were “not respected” by the other side. This was acceptable to Iran, and the agreement was made public in a joint declaration (the so-called ‘Tehran declaration’) by the three countries on May 17, 2010. The deal was viewed by the Brazilian foreign minister as a trust-building measure that could facilitate further negotiations, and by the UN Secretary General as “an important move”⁴⁴⁴. Despite Obama’s initial support for the effort, however, the US, France, and Russia argued that it did not address core issues, such as the fact that Iran was still enriching uranium to 20-percent levels, and that, due to the lack of proper definition of violation of the agreement, Iran could in principle request the return of its LEU for any reason, whenever it wanted.⁴⁴⁵ As their cooperation was necessary to carry out the planned measures, the deal ultimately led nowhere. Instead, the day after the announcement by Iran, Turkey and Brazil, the P5+1 made their own announcement that they had just agreed on a new sanctions resolution against Iran⁴⁴⁶. There was also a fruitless second

⁴⁴⁰ LaFranchi, 2009; Oelrich & Barzashka 2010.

⁴⁴¹ ElBaradei 2011, 307.

⁴⁴² ElBaradei (2011, 309) explains the refusal in terms of Iranian domestic politics, where positions were hardening and where “[c]ritics on all sides were accusing Ahmadinejad of selling the store”.

⁴⁴³ Santos Vieija de Jesus 2011, 63.

⁴⁴⁴ Santos Vieija de Jesus 2011, 66.

⁴⁴⁵ Santos Vieija de Jesus 2011.

⁴⁴⁶ ElBaradei (2011, 312-13), describes the move as “a masterstroke of diplomatic futility”, and argues that “[t]he Western powers once more had touched a solution with their fingertips, only to brush it away”.

round of negotiations between Iran and the P5+1 in January 2011 in Turkey. There the P5+1 proposed that a fuel exchange involving the transfer of 2,800 kilograms of LEU and 40 kilograms of 20 percent-enriched material from Iran. Iran was not ready to accept this without “preconditions relating to enrichment and sanctions”, which the P5+1 did not accept⁴⁴⁷.

As for the content of resolution 1929 that was adopted in June 2010, it continued the pattern of gradually hardening sanctions. It decided that “all States shall prevent the direct or indirect supply, sale or transfer to Iran [...] of any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems [...], or related materiel, including spare parts, or items as determined by the Security Council or the Committee established pursuant to resolution 1737 (2006)”; “that all States shall prevent the provision to Iran [...] of technical training, financial resources or services, advice, other services or assistance related to the supply, sale, transfer, provision, manufacture, maintenance or use of such arms and related materiel”, and that “States shall take all necessary measures to prevent the transfer of technology or technical assistance to Iran related to” ballistic missile technology”. The resolution also called “upon all States to inspect [...] all cargo to and from Iran, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of which is prohibited” by the previous or the present resolution, and stated that it “decides to authorize all States to, and that all States shall, seize and dispose of” such items⁴⁴⁸.

Although the endorsement of the above-mentioned UN Security Council sanctions resolutions demonstrates remarkable international unity regarding the enforcement of the norm of non-proliferation on Iran⁴⁴⁹, behind the Security Council scenes many Western attempts to impose further and harder UN sanctions have reportedly been frustrated particularly by Russia and China⁴⁵⁰. Russia and China have also clearly stated their opposition to the unilateral sanctions imposed by the US and EU against Iran (for more on this in chapter 8).⁴⁵¹ For example, in July 2010 the EU banned sales of energy-related equipment and services to Iran and prohibited European companies from making investments in energy sector projects in Iran⁴⁵². In that same year, the US imposed the previously unenforceable extraterritorial sanctions under ILSA (discussed in chapter 4) for the first time⁴⁵³. The most extreme measure, however, has been the Western oil embargo against Iran. In late 2011, the Obama administration defined—under the legislative powers of the USA Patriot Act— Iran’s Central Bank and its entire financial system as “a threat to governments or financial institutions that do business with these banks”, with the aim of “causing foreign banks to hesitate to do business with Iran”⁴⁵⁴. On this basis, on December 31, 2011 it also imposed sanctions on foreign entities dealing with the Central Bank, which is the main channel of Iran’s oil-trade-related transactions⁴⁵⁵. The EU joined the American oil sanctions in January 23, 2012, deciding to

⁴⁴⁷ NTI, 24 January, 2011.

⁴⁴⁸ UN Security Council Resolution 1929. 9 June, 2010.

⁴⁴⁹ In addition to resolution 1696 and the subsequent sanctions resolutions, the Council adopted two more resolutions—that is, resolution 1835 in September 2008 and resolution 1887 in September 2009—to reaffirm the previous decisions.

⁴⁵⁰ See for example Simpson 2010.

⁴⁵¹ Katzman 2012, 9-10.

⁴⁵² Katzman 2012, 38.

⁴⁵³ ILSA, which was signed into law already in 1995, was imposed for the first time on a Swiss-based Iranian-owned oil trading company in September 2010, and on seven other foreign companies in May 2011 (Katzman 9-10)

⁴⁵⁴ Katzman 2012, 25.

⁴⁵⁵ Katzman 2012, 23.

end EU imports of Iranian crude oil by July 1, 2012. As Kenneth Katzman explains, “other Iranian oil purchasers, particularly Japan and South Korea” have also decided to cut down their oil imports from Iran in order to comply with the US extraterritorial sanctions⁴⁵⁶ In addition to sanctions, there have also been covert operations against Iran’s nuclear programme—presumably organized by Israel, the US, or both. Between 2009 and 2010, a computer virus called Stuxnet is estimated to have disabled about 10 percent of uranium enrichment centrifuges in the Natanz facility.⁴⁵⁷ A more ominous covert campaign has included assassinations and assassination attempts of Iranian nuclear scientists⁴⁵⁸.

In 2012, there was a new negotiation process between the P5+1 and Iran. The first round of negotiations was held in Istanbul on April 14, 2012, and it was described by both parties in positive terms. It was followed by a second round in Baghdad on May 23, 2012, and a third round in Moscow in 18-19 June 2012. In the Baghdad meeting, the P5+1 demanded that Iran suspend all activities regarding uranium enrichment up to 20 percent; give away 140 kilograms of its 20 per cent enriched uranium, and suspend activities at the Fordow enrichment plant. In return, they offered to help Iran build a new light water reactor, to deliver spare parts for Iranian airplanes, and not to impose new sanctions—even though the oil and Central Bank sanctions would still be imposed. Iran, for its part, demanded the P5+1 to acknowledge its right to enrich uranium; withdraw some sanctions and not impose new sanctions. In return, Iran offered to halt uranium enrichment up to 20 per cent and increase cooperation with the IAEA.⁴⁵⁹ Despite the common ground regarding the limitation of uranium enrichment, the additional conditions were not accepted by the two sides.

5.2 *Solidarist Perspective on the Iranian Nuclear Issue*

In the introductory chapter, it was argued that the solidarist paradigm dominates much of the discussion on the Iranian nuclear issue, meaning that the domestic analogy of crime and punishment is widely seen as an appropriate representation of the situation. However, there are only a few writers who have actually described the Iranian nuclear issue, or their own views on it, in English School terms. One example is Tanya Ogilvie-White, to whom I also briefly referred in the introduction. Ogilvie-White’s work is particularly central for my own study, for she too applies the notions of international society, pluralism and solidarism to understand the dispute over Iran’s nuclear programme⁴⁶⁰. In addition, she has provided one of the few existing analyses of the Security Council process on the Iranian nuclear issue that also involves consideration of the non-permanent members’ views.

⁴⁵⁶ Katzman 2012, “Summary”.

⁴⁵⁷ See for example Berman 2011.

⁴⁵⁸ The first victim was a nuclear physicist called Massoud Ali Mohammadi, killed by a bomb in front of his house on January 2010. The same happened to another top nuclear scientist, Majid Shahriari in October 2010, as well as to Mostafa Ahmadi-Roshan, an expert on uranium enrichment, in January 2012. A fourth scientist, Darush Rezaei-Nejad was killed by shots fired from a motorcycle in July 2011. There was also an unsuccessful attempt on the life of university professor Fereydoon Abbasi, who later became the head of the Atomic Energy Organization of Iran. (Vick & Klein, 13 January, 2012)

⁴⁵⁹ Tirman & Maleki, 11 June 2012.

⁴⁶⁰ Ogilvie-White’s ideas on the topic have appeared in two articles: “The Defiant States: the Nuclear Diplomacy of North Korea and Iran” (2010) in the *Non-Proliferation Review*, and “International Responses to Iranian Nuclear Defiance: the Non-Aligned Movement and the issue of Non-Compliance” (2007).

Ogilvie-White describes the position of both Iran and North Korea in the respective nuclear disputes in terms of ‘nuclear defiance’, which she defines as “a belligerent approach to nuclear diplomacy, which [...] represents a rejection of international law and expectations of appropriate behavior and [...] goes beyond nuclear noncompliance [...] and moves into the realm of deliberate, overt, repeated abuse of international law and norms”⁴⁶¹. She sees such defiance not only in terms of proliferation, but as reflecting a more fundamental conflict between solidarist and pluralist interpretations of international society. Indeed, Ogilvie-White holds the view that attempts at norm-enforcement in both cases reflect the solidarist ethics of moving “beyond the limitations of Westphalia” towards a more “cosmopolitan world society”⁴⁶² where readiness “to punish rule breakers”⁴⁶³ and “the pressure on states to conform to international norms dramatically increases”⁴⁶⁴. According to Ogilvie-White, these solidarist tendencies create resistance in states like Iran. As noted in the introduction—and in line with what was described in section 3.2.1 as the standard solidarist way of explaining non-conformity—Ogilvie-White thinks that Iran’s nuclear defiance results from its low interaction capacity vis-à-vis other states, and ultimately, from the nature of its domestic political system, which is at odds with the ‘solidarist’ mainstream⁴⁶⁵. She thus views Iran’s nuclear policy as part of a larger, ideological battle against an increasingly solidarist international society, as well as a reflection of the vulnerability that is the effect of “swimming against the tide of societal evolution” and of insecurity created by the desire by others to integrate such states “into society’s core, but only on the condition that they undergo unit-level change”. To enforce this point, Ogilvie-White writes that similar resistance takes place “not only in the context of the nuclear nonproliferation regime, but in the context of international society more generally”, and “states with low interaction capacity [...] use all available means to resist—including by attempting to delegitimize the norms on which international society is based”.⁴⁶⁶ It could be noted that this kind of conceptualisation of Iran comes very close to Anthony Lake’s 1994 description of rogue states, who he thought “not only choose to remain outside the family [of nations] but also assault its basic values”; “share a common antipathy toward popular participation that might undermine the existing regimes”, and “exhibit a chronic inability to engage constructively with the outside world”⁴⁶⁷. In the same way, Ogilvie-White thinks that Iran’s low interaction capacity affects all aspects of its international conduct, including its position towards the non-proliferation regime. As she further writes, “[i]n terms of the nuclear nonproliferation regime, there are three ways a state with low interaction capacity can do this [delegitimize international norms]: it can attempt to create divisions among regime members; it can try to delegitimize the nonproliferation regime’s processes, rules, and procedures; and it can refuse to comply with the regime’s demands”⁴⁶⁸.

⁴⁶¹ Ogilvie-White 2010, 117.

⁴⁶² Ogilvie-White 2007, 460.

⁴⁶³ Ogilvie-White 2007, 459.

⁴⁶⁴ Ogilvie-White 2010, 119.

⁴⁶⁵ As Ogilvie-White (2010, 125) explains, “many of Iran’s insecurities stem from its unique system of governance (in Iran’s case, theocracy), which lacks international—and increasingly, domestic—legitimacy. This has saddled the regime with low levels of interaction capacity and has led Tehran’s clerical and political leaders to use the nuclear issue to compensate for that weakness.”

⁴⁶⁶ Ogilvie-White 2010, 119-120.

⁴⁶⁷ Lake 1994, 45-46.

⁴⁶⁸ Ogilvie-White 2010, 120.

On this basis, Ogilwie-White suggests that the resolution of the Iranian nuclear dispute should involve the enhancement of Iran's interaction capacity⁴⁶⁹. This, she argues, can be achieved basically in three ways: first, a move back from solidarist international society to a pluralist one; second, regime change in Iran so as to make it compatible with the solidarist mainstream, and third, a combination of both of these two approaches. As for the shift to pluralism, Ogilwie-White argues that in practice it would mean that "the norms and values that underpin international society" should be shaped so as to be "more compatible with—or at least less hostile to—the ideologies that shape the regime[s] in Tehran"—that is, "renewed emphasis on the principles of sovereign sanctity and non-intervention" as well as an attitude that "subjects the domestic sphere to less international scrutiny and criticism". In the case of the enforcement of non-proliferation norms, the 'watchwords' would be "[c]autious, careful engagement, and compromise", and the international society should move away from its past 'disciplinarian' approaches". Ogilwie-White thinks that pluralism would also mean that the US, in particular, change its approach by putting "an end to assertions that 'all options are on the table' to deal with noncompliance", and by making "strenuous efforts to reassure [...] Tehran that hidden and overt agendas based on a desire for regime change no longer exist". Moreover, she suggests that the kind of a 'pluralist' approach might include general reduction of nuclear transparency and "a deliberate rollback of nonproliferation obligations that have been growing in recent years", for example regarding the Additional Protocol.⁴⁷⁰ However, Ogilwie-White does not prefer this option because it would mean a regression to a less solidarist form of international society.

The second, solidarist option—regime change in Iran—could be possible either through military means or "via peaceful political, economic, and societal integration". According to Ogilwie-White, this would allow "retain[ing] the commitment to solidarism" while making the Iranian regime conform to the requirements of the solidarist international society. By peaceful means Ogilwie-White means the kind of approach proposed also by American neo-conservatives (see section 5.3)—namely "supporting opposition movements and promoting people-to-people contact in the hope that this will foster bottom-up regime change; and at the international level, keeping channels of diplomatic communication open in the hope that, over time, political elites will become less resistant to international norms". However, Ogilwie-White regards such measures as potentially counterproductive: as she notes, they "would delegitimize opposition groups and leaders [...] and even lead to escalation of nuclear defiance". She also writes that contributing to the political instability in Iran in the hope that this will help change the regime seems 'unwise'.⁴⁷¹

After constructing these two extremes, Ogilwie-White proposes the third option which she presents as the preferred middle way and which would "retain the most useful aspects of a pluralist nonproliferation and disarmament agenda without regressively stepping away from solidarism". In practice, it would mean "indirect engagement [by the US with Iran], focusing on encouraging more pro-active non-proliferation diplomacy from China and Russia, and other states, such as Brazil, Argentina, and South Africa", and "utilizing the political leverage provided by [the latter] to keep negotiations alive [...] as these states continue to value elements of pluralist international society

⁴⁶⁹ As Ogilwie-White (2010, 126-7) argues, "[i]f North Korea and Iran have been engaging in nuclear defiance to counter declining legitimacy and interaction capacity, it suggests that an increase in the latter may decrease the level of nuclear defiance and could even strengthen the nuclear nonproliferation regime".

⁴⁷⁰ Ogilwie-White 2010, 127.

⁴⁷¹ Ogilwie-White 2010, 127-128

despite edging ever closer to solidarism, and are perceived by the defiant states to be more attuned to their priorities and insecurities than US or its allies". The aim here would be to keep "diplomatic channels open even if only to prevent total alienation", while "[a]t the same time, emphasis should be placed on promoting effective multilateral sanctions and on interdiction and on longer-term opportunities to bring about regime change through people-to-people contact and the diffusion of ideas". This kind of assurance, Ogilwie-White, argues, could help Iran "overcome perceptions, [...] exacerbated during the Bush administration, that the US and a few of its Western allies have been using the goals of solidarist international society to camouflage the self-interested pursuit of foreign and security policy objectives in the Middle East and Asia". In this connection, she highlights the importance of Obama's disarmament diplomacy and the need to address other double standards—most notably by demonstrating "a commitment to work with Israel towards the elimination of that state's nuclear arsenal"—so as to prevent Iran from claiming "the moral high ground" and from eliciting NAM [the Non-Aligned Movement] sympathy to justify its policies.⁴⁷²

Indeed, Ogilwie-White seems to regard NAM sympathy for the Iranian position as one of the greatest obstacles to the advancement of the non-proliferation regime and of solidarism more generally. As she explains, "unlike North Korea, which has pushed nuclear defiance to new heights of belligerence and isolated itself still further, Iran's skilled diplomats have had some success in operating on the fringes of international society, exploiting ambiguities and inconsistencies in the nuclear nonproliferation regime and appealing to states that share its reservations over the transition to a more socially ambitious international society". By this she means Iran's success in reducing its international isolation by eliciting "sympathy from some members of [the NAM], who are keen to ensure that the obligations associated with the NPT and IAEA membership do not increase while the benefits become more difficult to obtain".⁴⁷³ Reflecting the concern that NAM sympathy serves to legitimize Iran's resistance, Ogilwie-White has devoted another article "International Responses to Iranian Nuclear Defiance: The Non-Aligned Movement and the Issue of Non-Compliance" (2007) to find out the extent to which those non-permanent UN Security Council members that are also part of the NAM actually share the solidarist conception of international society. Noting that the NAM's traditional approach towards the NPT is characterised by focus on the peaceful use and disarmament pillars, as well "resentment [...] over attempts by the developed world to tighten international controls on the movement of nuclear materials and expertise"⁴⁷⁴, Ogilwie-White argues that the Iranian issue represents a significant break from the past: after their initial sympathy for the Iranian position prior to 2005, she explains that key NAM members 'defected' from their traditional stance by first voting for the definition of Iran's reporting failures as non-compliance, referral of the case to the Security Council, and then by chastising "Iran for its safeguards violations, and for its rejection of the long-running diplomatic efforts" at the council.⁴⁷⁵

At the same time, however, Ogilwie-White questions whether the apparent solidarist shift in NAM positions can be seen as indication of genuine support for a more advanced international society, or whether it was simply "motivated by expediency"—meaning a "result of intense US diplomatic and economic pressure rather than matters of principle"⁴⁷⁶. Her findings support the latter interpretation,

⁴⁷² Ogilwie-White 2010, 128-130.

⁴⁷³ Ogilwie-White 2010, 126.

⁴⁷⁴ Ogilwie-White 2007, 466.

⁴⁷⁵ Ogilwie-White 2007, 466.

⁴⁷⁶ Ogilwie-White 2007, 467.

suggesting that these states “ultimately remain unconvinced of [the value of the nuclear non-proliferation regime] except as a vehicle for disguising their self-interested pursuit of national priorities”⁴⁷⁷. This, Ogilwie-White suggests, is reflected in continuing demonstrations of sympathy to Iran, as well as wariness to strengthening international controls over the nuclear fuel cycle more generally.⁴⁷⁸ As for those NAM members that gave their positive votes in the IAEA Board meetings in September 2005 and February 2006, she provides the following explanation:

...the NAM members that defected [...] were motivated not by any worthy desire to rescue the NPT from terminal decline, but instead by fear and greed: fear that if they did not submit to US diplomatic pressure their own rights and privileges would be deliberately undermined by Washington; and greed for the potential rewards that cooperation might bring”⁴⁷⁹.

The argument about US pressure is based on statements by NAM Board members and interviews of permanent UN representatives of Pakistan, Malaysia, and Indonesia. For example, Ogilwie-White explains that “[i]t is well known [...] that US negotiators placed very strong pressure on Indian officials to support the resolutions in the IAEA Board of Governors, using the threat that Congress would reject the nuclear deal to bolster their case”. She continues that “[t]he US and other Western states used similar pressure to persuade other NAM states to break with their traditional voting patterns, threatening not to support their requests for IAEA technical assistance if they refused to tow the line against Iran”.⁴⁸⁰ In effect, Ogilwie-White argues that the NAM approach to the movement of a more solidarist society is ambivalent and ‘half-hearted’, indicating instead a commitment “to a more minimalist international society”⁴⁸¹. She thinks that this will remain so as long as there are double standards in the implementation of non-proliferation norms, for this is what lies at the heart of the NAM solidarity. As she explains,

... rather than denouncing states that have reneged on their non-proliferation obligations, the NAM has focused on keeping international attention on Israel’s nuclear status, the need for Israel to disarm, and the benefits of establishing a nuclear weapon free zone (NWFZ) in the Middle East. [...] a third major factor that has influenced the official NAM response to cases of third-party non-compliance is the fact that most proliferation crises have been triggered by developing states, with violations by developed states seemingly overlooked by the international community. For example, when the IAEA uncovered evidence of safeguards violations by Japan and South Korea, no condemnation of these states was forthcoming from Western NWS or NNWS [non-nuclear weapon states]. This has contrasted starkly with the response of the same states to alleged non-compliance by NAM states, which have been subjected to escalating demands and criticism and, in the case of Iraq, military invasion based on false intelligence. It is difficult for NAM members not to conclude that the international non-proliferation agenda is being driven by the West, and constitutes a form of cynical neo-colonial discrimination – exactly the type of activity that the organization was set up to tackle.⁴⁸²

It is this kind of solidarity based on perceived injustice, then, that seems to form the greatest obstacle to non-proliferation from Ogilwie-White’s perspective. As she further argues, such solidarity “has allowed NAM members that have genuinely violated their NPT obligations, such as Iran [...] to manipulate the sensitivities of their NAM partners, encouraging them to view their

⁴⁷⁷ Ogilwie-White 2007, 460.

⁴⁷⁸ Ogilwie-White 2007, 468-70.

⁴⁷⁹ Ogilwie-White 2007, 473.

⁴⁸⁰ Ogilwie-White 2007, 473.

⁴⁸¹ Ogilwie-White 2007, 468-70.

⁴⁸² Ogilwie-White 2007, 463-4.

activities as a much-needed challenge to Western agenda-setting, rather than a serious challenge to international society as a whole”⁴⁸³. This leads her to the following conclusion:

...double standards provide legitimate grounds for resistance; while they exist, states guilty of non-compliance, such as Iran, will continue to exploit NAM sensitivities and influential domestic political constituencies will continue to urge their governments to support nuclear defiance. [...] Only when serious efforts are made to address genuine NAM concerns over development issues and double standards will the powerful incentives to resist what is seen as a discriminatory non-proliferation regime begin to weaken.⁴⁸⁴

As noted in the introduction, I do not subscribe to Ogilwie-White’s view that norm-enforcement in the Iranian nuclear issue is so readily explainable in terms of the solidarist paradigm. Indeed, her own analysis gives reason for pluralist skepticism. First of all, the finding that several NAM members voted under political pressure, and not because of concern over non-proliferation and international security, clearly undermines condition C of the solidarist paradigm (i.e. the idea that norm-enforcement should be motivated by Rationalist concern for international peace and security). As Ogilwie-White notes, the fact that the ‘NAM split’ had not “occurred purely as a result of principled opposition to Iranian non-compliance [...] reduced the moral force of Iran’s referral [to the Security Council]”⁴⁸⁵. Second, the idea of injustice at the heart of NAM resistance calls into mind Hedley Bull’s views on the revolt against the West, in which connection the English School was shown (in chapter 3) to be rather hesitant to apply the solidarist paradigm. While Ogilwie-White shows similar hesitance with regard to the NAM resistance to double standards, she seems to completely dismiss the idea that the same resistance might be relevant to Iran’s nuclear defiance—instead, Iran is presented as using the existing injustices as a pretext for undermining the non-proliferation regime and resisting the solidarist international society more generally. A third and the most serious problem is Ogilwie-White’s definition of solidarism, which she associates with the policy and regime change and the demand for ideological conformity among states. Based on the theoretical discussion in the second part of this thesis, this is not solidarism in the Rationalist sense of the word; instead, it must be defined as Revolutionism. At least from the more traditional English School perspective (presented in chapter 3), it is hardly surprising that Revolutionism would lead to resistance. Moreover, there is nothing to suggest that the Security Council consensus in the Iranian the nuclear issue would include agreement about the enforcement of the norm of democracy. I will come back to this criticism in connection with my conclusions in the fourth part of the thesis.

5.3 Other Literature

As the amount of existing literature on the Iranian nuclear issue is enormous, it is impossible to provide an exhaustive review of all that has been written on the topic to date. However, due to the complexity and the amount of technical detail—which I tried to address in section 5.1—much of this literature is rather descriptive. The arguments and hypotheses about Iran’s intentions, one the other hand, tend to repeat themselves, as do the policy recommendations on how to deal with the

⁴⁸³ Ogilwie-White 2007, 463-4.

⁴⁸⁴ Ogilwie-White 2007, 475.

⁴⁸⁵ Ogilwie-White’s own interpretation of this assessment is that it “underestimates the role that principle played in the referral and exaggerates that of material factors, [but] it nevertheless plays to a receptive audience among NAM states bent on preserving traditional NAM preoccupations”. (Ogilwie-White 2007, 474)

problem. This enables at least some degree of generalization, which I will try to do in the following. In addition to collecting what I regard as representative examples of the academic and semi-academic discourse on the Iranian nuclear issue, I will also rely on some already existing analyses on the present state of the research literature. Section 5.3.1 deals with literature concerned with the standard Realist notions of security and national interest, and section 5.3.2 focuses on analysis of Iran's intentions from the point of view of energy economics. Section 5.3.3, in turn, considers the symbolic meaning of the nuclear programmeme from the Iranian perspective. Finally, in section 5.3.4, I discuss the various policy recommendations that have been made to try to solve the nuclear dispute, ranging from the current sanctions approach and its criticism to enhanced diplomatic efforts, legal reforms, as well as military and subversive action.

5.3.1 Security considerations

A great bulk of the literature focuses on the security threat posed by the Iranian nuclear issue by drawing attention to the possible risks posed by a nuclear-armed Iran, and above all on the question of how far the country is from building a nuclear weapon. Such literature, which can be described as Realist, views the nuclear dispute first and foremost as a challenge for US foreign policy and its interests in the Middle East, will be discussed in section 5.3.1.1. However, taking a Realist view on the Iranian nuclear issue can also give support to a contrary perspective, which assumes that the Iranian leaders are much more prudent than the worst-case scenarios would suggest (section 5.3.1.2).

5.3.1.1 Securitisation based on worst-case scenarios

One typical example of Realist security discourse on the Iranian nuclear issue is David Ochmanek's characterisation of Iran as a regional adversary which is "the likeliest to come into serious conflict with the United States and its regional allies or partners", and at the same time the "likeliest to field nuclear weapons"⁴⁸⁶. One reason for why a nuclear Iran would be a threat to US interests, Ochmanek suggests, has to do with Iran's support for Hezbollah and Hamas⁴⁸⁷. Related to this point, Ochmanek explains that "a nuclear-armed Iran would seek to advance its revisionist agenda more aggressively than it has heretofore, perhaps by conducting terrorist operations and other forms of violence below the level of large-scale warfare"⁴⁸⁸. Ochmanek further explains that a nuclear Iran might step up its "support to terrorist organizations and additional efforts to prevent a settlement of the Israeli-Palestinian dispute"⁴⁸⁹. He also thinks a nuclear Iran might disturb oil shipments from the Middle East, arguing that it could "press the other members of OPEC [...] to give more weight to its preferences regarding oil-production quotas" and "to coerce the governments of the Cooperation Council for the Arab States of the Gulf (GCC) states into making concessions over rights to

⁴⁸⁶ Ochmanek 2008, 2.

⁴⁸⁷ Blank 2006, 18-19.

⁴⁸⁸ Ochmanek 2008, 25-26.

⁴⁸⁹ Ochmanek 2008, 35-36.

offshore oil and gas fields”⁴⁹⁰. Ochmanek argues that a nuclear Iran might even “threaten the cities and economies of important U.S. allies”⁴⁹¹.

Stephen Blank shares Ochmanek’s view regarding the Iranian threat to US allies. “[A]s proliferators improve their capabilities”, he explains, “they also seek to extend their ability to threaten our allies in Europe”. Here he refers to reports that point to the “projected capabilities” of Iran and Iraq, which “point to a desire for the capability to threaten not only each other, or Central Asian governments, or Israel, but also Turkey and even European states”⁴⁹². As for the reasons for Iran’s potential aggression towards Israel, Blank connects this with the claims about Iran’s terrorism support: after writing that “the rogue states that sponsor terrorism can provide extended deterrence for its executors”, he notes that “Iran has already threatened Israel with such a response if it conducts counterterrorist activities against Iran’s clients, such as Hezbollah in Lebanon”⁴⁹³.

Many writers think that the laws of deterrence might not apply to Iranian leadership. Blank, for example, suggests that Iran might be more likely than some other states to use nuclear weapons. He argues that there is no precedent in the Middle East for countering the use of WMD, wherefore “local governments have ample reason to believe that they can threaten or actually use these weapons with relative impunity”⁴⁹⁴. In the same way, Christopher F. Chyba and Karthika Sasikumar explain that “[t]he rise of new nuclear powers” such as Iran, “raises the specter of nuclear war between regional powers, or between any of the five nuclear weapons states and these new powers”, and—noting the country’s development of missiles that can carry a nuclear warhead – that “nuclear weapons [...] might [...] be used in the Persian Gulf if Iran were to acquire them”⁴⁹⁵. Ochmanek, in turn, thinks that it is possible that Iran might use nuclear weapons in case the conflict between itself and the US would escalate to the point that Iran would think that “[m]ilitary defeat will mean the end of [its] regime (and the lives of its leaders)”, that its “conventional forces cannot defeat”, and that “[u]sing nuclear weapons offers some hope of [...] dissuading the United States from continuing its military operations”⁴⁹⁶. Moreover, Ochmanek imagines a situation where a nuclear-armed Iran would “use terrorist attacks or special forces operations to advance its interests in the Persian Gulf region”, and “the United States and its partners would strive to foil those attacks by defending important targets and interdicting enemy forces”. The US counter-attacks, in turn, could be perceived by Iran’s “enemy leadership [...] as threats to its hold on power”, which could have dangerous escalatory potential.⁴⁹⁷

Sometimes this kind of discourse is also heard in Europe. To take an example from the other side of the Atlantic, Francois Heisbourg highlights particularly the threat to Israel. As he argues “a nuclear armed Iran could upset the regional balance and pose potentially an existential threat to” Israel, in which case the latter’s nuclear deterrent “can obviously come in quite useful [...] beyond the existence of an alliance guarantee with the United States of America”⁴⁹⁸. Heisbourg also draws an analogy between the Iranian nuclear issue and the Cuban missile crisis, warning that whether we

⁴⁹⁰ Ochmanek, 2008. p 35-6.

⁴⁹¹ Ochmanek 2008, 10.

⁴⁹² Blank 2006, 23.

⁴⁹³ Blank 2006, 17.

⁴⁹⁴ Blank 2006, 21-22.

⁴⁹⁵ Chyba & Sasikumar 2006, 4.

⁴⁹⁶ Ochmanek 2008, 40.

⁴⁹⁷ Ochmanek 2008. 49-50.

⁴⁹⁸ Heisbourg 2004.

“find ourselves going back to the nuclear jungle forecast by Kennedy back in the ‘60’s [...] depends essentially on how we handle or mishandle the Iranian issue”. Writing in 2008, Heisbourg paints three scenarios for the years to come. In the first one the US attacks Iran in 2008, leading to short-term victory but ultimately a “nuclear Pearl Harbour” on US soil as Iran takes its protracted revenge in 2019⁴⁹⁹. The second scenario—which is the one favoured by Heisbourg—is a grand bargain made by the US and Iran. (As this is not a doomsday scenario but actually Heisbourg’s proposal for dealing with the problem, I will discuss it in more detail in section 5.3.4). As for the third scenario, Heisbourg calls it ‘Trying Hard to Do Nothing’, in which US contemplates the military option without however carrying it out, and also prevents Israel from attacking Iran. The result is that Iran withdraws from the NPT and detonates a nuclear device in 2009, leading to further proliferation by Arab states. Hence 2010 will be remembered as “the year when the international non-proliferation regime broke down”.⁵⁰⁰ Heisbourg thus thinks that proliferation by Iran would automatically lead to the demise of the entire non-proliferation regime. As he argues in another connection, proliferation by Iran could “*force* some of the Middle Eastern countries, notably some of the monarchies of the Gulf [...] to go down the same nuclear road as Iran would have taken”, and also bring about “a breakdown of the security order in East Asia”, as countries such as “Japan, South Korea, Taiwan” would feel “*compelled* to go down fully the nuclear road”.⁵⁰¹ The same domino theory logic can be found in many other similar analyses on the Iranian nuclear issue.

The worst of the worst-case scenarios, however, originate from the imagination of a group of American neo-conservatives⁵⁰²—whose views, as argued in part one of the thesis, should actually not be called Realist but Revolutionist. As Ashin Adib-Moghaddam explains, the neo-conservatives view Iran “as a country in the grip of enigmatic, hostile revolutionaries led by intransigent, retroactive Mullahs”, and “[t]ogether with their allies in the Likud party [...] that neo-conservative coterie has manufactured an image of Iran which has made the country’s ‘irrational nature’ an established fact among influential strata of international society”⁵⁰³. Adib-Moghaddam notes that Ahmadinejad’s provocative rhetoric has been particularly useful for such argumentation. As one example, he takes Charles Krauthammer’s description of Ahmadinejad as “a Holocaust-denying, virulently anti-Semitic, aspiring genocidist” who is “on the verge of acquiring weapons of the apocalypse” and “would have, to put it gently, less inhibition about starting Armageddon than a normal person”⁵⁰⁴. Bernard Lewis has also stressed “a radical difference between the Islamic Republic of Iran and other governments with nuclear weapons [sic]”, “expressed [...] as the apocalyptic worldview of Iran’s present rulers”. Writing in early August 2006, Lewis even went as far as to suggest that the Iranian leaders might have set a date [August 22, 2006] as “an appropriate date for the apocalyptic ending of Israel and if necessary of the world”⁵⁰⁵. Or, in the words in Kenneth Timmerman, “[a] religious zealot with nuclear weapons is a dangerous combination the world cannot afford to tolerate”⁵⁰⁶.

⁴⁹⁹ Heisbourg 2007, 17-20.

⁵⁰⁰ Heisbourg 2008, 24-26.

⁵⁰¹ Heisbourg 2004.

⁵⁰² Adib-Moghaddam 2007, 65.

⁵⁰³ Adib-Moghaddam 2007, 636.

⁵⁰⁴ Adib-Moghaddam (2007 642-643) in reference to Krauthammer.

⁵⁰⁵ Adib-Moghaddam 2007, 643.

⁵⁰⁶ Adib-Moghaddam (2007, 643) in reference to Timmerman.

The neo-conservatives thus take for granted that Iran has the intention not only to acquire a nuclear capacity, but—based on the assumption about its irrational, illiberal nature—also to use nuclear weapons against its enemies. Adib-Moghaddam notes that such views have become surprisingly salient — a phenomenon which he explains in terms of “the absence of critical approaches” in this area of research, as well as the neo-conservatives’ “direct links to the decision-making process in Washington and immense resources to influence the public discourse in the USA”⁵⁰⁷. Indeed, the neo-conservatives’ position regarding Iran and the nuclear dispute has much to do with their affinity with the powerful pro-Israel lobby and the right-wing elements in Israel—an issue which was already discussed in the previous chapter, and which has been most systematically covered by John J. Mearsheimer and Stephen M. Walt in *The Israeli Lobby and US Foreign Policy*⁵⁰⁸.

5.3.1.2 National security from the Iranian perspective

Taking a Realist perspective on the Iranian nuclear issue might also lead to the conclusion that Iranian leaders are prudent, and mainly interested in advancing their country’s interests and security. Such explanations go beyond viewing Iran simply as an adversary towards a more objective, even a sympathetic understanding of its position. This also implies some degree of ‘security dilemma sensibility’⁵⁰⁹.

To begin with criticism of the neoconservative worst-case scenarios, Michael Ryan Kraig and Riad Kahwaji write that the “neoconservative visions of a radically Islamic, theocratic, and transnational-terrorist-supporting Iran wielding nuclear weapons to cow neighbors and commit indirect terrorist attacks abroad (including on U.S. soil) are wild beyond imagination”⁵¹⁰. Christoph Bertram, in turn, criticizes “Heisbourg-style disaster scenarios” and “the immoderate tone that prevails in the current debate” by saying that “[i]t is time to rub our eyes and ask ourselves whether this is sound analysis or collective confusion”. He then argues that “only a perspective of objective detachment will allow us to how better avert the true dangers posed by a nuclear-armed Iran”.⁵¹¹ As a result of adopting such a perspective, several writers point out that the Islamic Republic is actually rather prudent in its foreign policy. Shahram Chubin, for example, explains that, “[t]erritorially, Iran is a status quo power, not an adventurist state”, even though he adds that “its opportunism, regime insecurity, and tolerance of ideological militants [...] could see the emergence of less restrained policies”⁵¹². Kenneth Pollack, in turn, remarks that Ayatollah Khamenei “has been fairly prudent; he has not

⁵⁰⁷ Adib-Moghaddam 2007, 636.

⁵⁰⁸ As Mearsheimer and Walt explain, “[v]irtually all neoconservatives are strongly committed to Israel, a point they emphasize openly and unapologetically”, and many of them are “connected to an overlapping set of Washington-based think tanks, committees, and publications whose agenda includes promoting the special relationship between the United States and Israel. Quoting Benjamin Ginsberg, Mearsheimer and Walt point out that this position also influenced the previously Leftist movement’s shift to the political right in the 1960s, whereas in the 1980s they “embraced Ronald Reagan’s ‘har-line anti-communism’ because they saw it as a ‘political movement that would guarantee Israel’s security’”. (See Mearsheimer & Walt 2007, 128-132)

⁵⁰⁹ Nicholas Wheeler and Ken Booth define ‘security dilemma sensibility’ as an “intention and capacity to perceive the motives behind, and to show responsiveness towards, the potential complexity of the military intentions of others”, and especially “the ability to understand the role that fear might play in their attitudes and behaviour” (Wheeler [2009] in reference to Booth & Wheeler).

⁵¹⁰ Kraig & Kahwaji 2006, 211-12.

⁵¹¹ Cristoph 2008, 9; 20.

⁵¹² Chubin 2006, 136.

been reckless, but rather somewhat restrained”⁵¹³, whereas Trita Parsi argues that Iranian foreign policy has from the beginning been defined by a remarkable degree of pragmatism, rather than revolutionary excess, and that this tendency was further highlighted during the Rafsanjani and Khatami administrations in the 1990s⁵¹⁴.

Instead of revisionist attempts to transform and destabilize the surrounding region, Kraig and Kahwaji argue that the Iranian nuclear programme (which they nevertheless call a nuclear *weapons* programme) reflects the country’s desire to “have influence roughly commensurate with its geostrategic position, its rich cultural and religious heritage, and its important economic resources”. They point out that Iran has not had such influence since the times of the Shah, and as “a major regional state, [...] it will always wish for [such] influence”.⁵¹⁵ Chubin too thinks that Iran’s nuclear policy is to be understood in terms of the country’s frustration over its regional status and role, as well as the desire to resist the hegemonic ambitions of the US in the Middle East⁵¹⁶.

The above comments thus suggest that Iran’s nuclear programme is motivated by prestige considerations. While some automatically link this argument with the assumption of proliferation intention—meaning that the Iranian leadership views nuclear weapons as the source of their desired prestige—others suggest that mastering an advanced civilian nuclear programme, including the fuel cycle, can itself be sufficient to serve this purpose. Representing the former view, Dobbins et al. explain that “[t]he current Iranian leadership believes that the prestige that would be associated with successfully developing nuclear weapons would enhance the standing of the regime both at home and abroad”⁵¹⁷, and increase its “prestige and influence over events in its own region and beyond so that the state can more successfully pursue its interests across a wide range of issues”⁵¹⁸. As for the latter idea, according to which civilian nuclear power is itself a source of prestige, Chubin notes that the nuclear programme has been hyped by the Iranian leadership “as cutting-edge technology necessary to enter the ranks of scientifically advanced states”⁵¹⁹.

Indeed, not everyone takes for granted Iran’s proliferation intention. For example, Michael Friend argues that one should not dismiss the Iranian denouncement of nuclear weapons as insignificant because they are “reflective of a genuine debate within Iran’s elites as to the utility of nuclear weapons”—in which the anti-nuclear weapon stance has thus far been predominant. In this connection Friend quotes Iran’s former IAEA Ambassador Ali Akhbar Salehi saying that “I am not among those who believe that nuclear weapons bring prestige” and that “[w]e cannot buy more security with nuclear weapons; only invite more threats against ourselves”. Friend adds that “[t]o dismiss such statements as intended purely for Western consumption is a mistake”.⁵²⁰ Kraig and Kahwaji, too, point to divisions within Iran on this issue. As they write, “[t]he more progressive or reformist side [...] argues that nuclear weapons should never be pursued and that the strictest of inspection provisions should be accepted and enforced”, whereas “[t]he more conservative side sees this nuclear energy programme as a ‘latent’ nuclear capability that could conceivably be

⁵¹³ Pollack 2007, 31.

⁵¹⁴ Parsi 2007, 102; 152; 204.

⁵¹⁵ Kraig & Kahwaji 2006, 211.

⁵¹⁶ Chubin 2006, 16; 134

⁵¹⁷ Dobbins et al., 2007, 14.

⁵¹⁸ Dobbins et al., 2007.

⁵¹⁹ Chubin 2006, 17.

⁵²⁰ Friend 2006, 191-192.

weaponized if Iran found itself facing a security crisis of major proportions— for instance, a Talibanized and nuclear-capable Pakistan bent on destruction of Shiite Islamic thought, or a United States intent on military strikes and regime change”⁵²¹.

Kraig and Kahwaji explain Iran’s nuclear policy as being “essentially an insurance policy, very similar to the insurance policy that Japan currently has with its overflowing plutonium stockpiles”. “What Iran wants”, the writers argue, is “not an arsenal of bombs ready to explode on the territory of infidels” but “a ‘light switch’ latent nuclear capability” of the kind that Japan has, including “a set of credible security assurances”.⁵²² From Takeyh’s perspective, insurance is deemed necessary, above all, because of the threat posed to Iran by the US. Takeyh recalls that, “[s]ince the inception of the Islamic Republic, negating the Iraqi and American challenges has been the most significant task for Iran’s national security establishment”⁵²³. He also thinks this threat increased after the 2003 Iraq war; as Takeyh explains, in this new context “America has emerged as the foremost strategic problem for Iran and the primary driver of its nuclear weapons policy”. He also points out that “[t]he Bush Doctrine, which pledges the preemptive use of force as a tool of counterproliferation, combined with the substantial augmentation of American military power on Iran’s periphery, has intensified Tehran’s fears of ‘encirclement’ by the United States— or even worse, of being its next target”.⁵²⁴ Similar arguments are made by others. Chubin, for example, argues that “[t]he US figures centrally in Iran’s threat perceptions” and that the Bush administration’s threats of regime change, the axis of evil rhetoric, and the strategy of pre-emption in the 2003 Iraq war “may have reinforced Iran’s motivation to pursue its nuclear programme, even after Saddam’s demise”⁵²⁵. Chyba & Sasikumar, in turn, write that Iran appears to seek nuclear weapons in response to its “own perceived security needs, in part, to deter the United States from taking steps to protect itself and [regional] allies”. “In this regard”, they continue, the Iranian “incentives to acquire WMD may be shaped more by U.S. advanced conventional weapons capabilities and our demonstrated will to employ them to great effect—in Bosnia, Kosovo, Afghanistan, and during both wars with Iraq— than to anything the United States has done, or is doing, in the nuclear weapons arena”.⁵²⁶ Dobbins et al. also write that—“[l]ike any state, [Iran] seeks to maintain independence and sustain the revolutionary regime —a goal that includes strengthening support for the regime domestically and protecting it from external threats deter attack and fend off pressure from outside—especially from the United States, which Iran’s leadership regards as Iran’s most dangerous adversary”⁵²⁷. They add that “if one believes that the United States might unleash a large-scale attack on Iran, nuclear weapons have unique deterrent potential”⁵²⁸.

Some other writers also mention Israel as part of Iran’s threat perceptions. Chyba et al., for instance, argue that “Iran may be motivated in part by security concerns” regarding not only the US but also “Israel, and its Arab and Pakistani neighbors”⁵²⁹. Her one could also mention John Steinbach’s

⁵²¹ Kraig & Kahwaji 2006, 216-17. Chubin (2006, 59), Chyba et al. (2006, 190), and Takeyh (2006, 58) share the perspective that the Iranian leadership has made a decision in favour of a nuclear weapon.

⁵²² Kraig & Kahwaji 2006, 212.

⁵²³ Takeyh 2006, 53-4.

⁵²⁴ Takeyh 2006, 54.

⁵²⁵ Chubin 2006, 15; 21. Curiously enough, however, elsewhere Chubin (2006, 16) seems to contradict these arguments by denying any significant security rationale behind Iran’s nuclear programme.

⁵²⁶ Chyba & Sasikumar 2006, 9.

⁵²⁷ Dobbins et al. 2007.

⁵²⁸ Dobbins et al. 2007, 14.

⁵²⁹ Chyba et al. 2006, 190.

comparison between Israeli and Iranian nuclear capacity, in which connection the author notes the following:

Most estimates of Israel's current [2011] nuclear arsenal range from about 100 to over 400 weapons, making it comparable in size to the British, French and Chinese arsenals. [...] Even at the lowest estimates, Israel possesses enough nuclear weapons to destroy every major Middle Eastern city several times over. [...] The Israeli nuclear bomber fleet consists of 25 F-15-E and 102 highly modified F-16-I fighter-bombers with a reported range of nearly 4,500 kilometers--enough to fly from Israel to Iran and back. [...] Israel currently is stationing its submarines in the Persian Gulf and the Red Sea--targeting Iran.⁵³⁰

Despite the above, and despite the fact that Israeli threats against Iran have been in the headlines in recent years, any discussion of the role of Israel or its nuclear weapons as reasons for Iran's security concerns is still astoundingly rare in the research literature.

In most cases where the issue of Israel is taken up in the sense of being a threat to Iran, the writers focus on downplaying the threat. For example, in 2006 Chubin wrote that, "absent Iranian hostility, Israel poses no threat to the Islamic Republic"⁵³¹, whereas Takeyh explained that, "Israel is seen less as an imminent military threat than as an ideological threat" and that "it does not drive Tehran's pursuit of nuclear weapons". At the same time, however, Takeyh thinks that the situation may change due to the [...] Israeli threats about attacking Iran's nuclear installations", which "can have a salutary impact on Iran's internal debates".⁵³² Bradley L. Bowman, writing in 2008, shares the view that Iran does not feel threatened by Israel, based on the following reasons:

First, many Iranians believe that Israel lacks the military capability to conduct a conventional military strike that would destroy Iran's nuclear programme and a sufficient amount of its retaliatory capability. [...] Second, Iran realizes that the presence of a formidably re-armed Hezbollah on Israel's northern border provides a strong deterrent against an Israeli attack on Iran. Third, despite Iran's anti-Israeli political rhetoric meant primarily for Arab popular consumption, Israel's nuclear weapons did not preclude Iran from working with Israel for over 20 years, including over 10 years after the Islamic Revolution. [...] Like most Arab governments, Tehran does not approve of Israel's nuclear weapons, but realizes that Israeli nuclear weapons do not represent an offensive threat to Iran.⁵³³

As for the much more commonly heard claim according to which Iran would threaten Israel with nuclear weapons, this has been refuted by Parsi. As noted already in the previous chapter, he explains that, in the 1980s, when Iran's anti-Israel rhetoric was at its height, Israel felt no threat from Iran and it only began to present such rhetoric as a threatening in early 1990s in response its own geopolitical calculations which suggested that Iran should be isolated from the regional order. However, Parsi also points out that as a result of this policy of exclusion—manifested in anti-Iran campaigning and the exclusion of Iran from main regional meetings—in the 1990s Iran for the first time went beyond mere rhetorical support to give direct material aid to the Palestinian opposition in Israel⁵³⁴. Although the latent Iranian-Israeli conflict and related rhetoric has since intensified—with Israeli talk about the possibility of 'pre-emptive' military strikes against Iranian nuclear facilities,

⁵³⁰ Steinbach 2011.

⁵³¹ Chubin 2006, 16.

⁵³² Takeyh 2006, p. 53-4.

⁵³³ Bowman 2008, 640.

⁵³⁴ Parsi 2008, 174.

and Iran's assurances that it would respond accordingly to such aggression— Parsi argues that the greatest danger that Iran poses to Israel is the possibility that it would challenge Israel's military and nuclear monopoly in the region.⁵³⁵ Takeyh, in turn, points out that “the invocation of the Israeli military threat [by Iran] is largely rhetorical, employed by the clerical regime as a means of mobilizing regional and domestic opinion behind a range of policy initiatives”. He also explains that “Iran has opted for a low-intensity challenge to Israel by fueling terrorist actions against the Jewish state while avoiding direct military confrontation”.⁵³⁶

David Holloway, in turn, has refuted the argument according to which Iran would be more than other states to launch an attack with nuclear weapons has likewise been refuted. Citing the 2002 US National Security Strategy, according to which deterrence will not work on ‘rogue states’, he points out that such argumentation “confuses the rationality required for nuclear deterrence to be effective with the ruthlessness of the opponent”. Pointing to the example of both Iraq and Iran, Holloway writes that there is “little evidence to suggest that he did not understand the consequences of using any weapon of potential mass destruction— especially nuclear weapons— against the United States or one of its allies”⁵³⁷. Ochmanek also writes that it is not expected “that Iran would use nuclear weapons, should it acquire them, as a shield to facilitate large-scale conventional aggression against Saudi Arabia, the Persian Gulf states, or adversaries further afield, including Israel”. Instead, he thinks that even a nuclear Iran would probably continue to pursue its anti-US objectives “in a constrained fashion”, in which connection he refers to the lack of “historical cases in which an emerging nuclear power undertook large-scale military aggression to advance revisionist claims”.⁵³⁸

As for the idea that Iran would pass nuclear weapons to terrorists, Ryan and Kahwaji suggest that this is absurd. They point out that “[s]urrendering control over its strategic assets could bring worldwide condemnation upon Iran and effectively nullify any conceivable chances of economic integration with its neighbors or with the world”. The writers then make a distinction between “truly local, politically motivated terrorism based on Shiite irredentist goals vis-à-vis Israel”, on the one hand, and “transnational, apocalyptic zealots”, on the other hand. As they argue, “Hezbollah does not equal al Qaeda”. While Iran has provided support for the former type and harboured some of the representatives of the latter “under tight domestic conditions for a bargaining chip with the United States”, it would not give either one access to a nuclear weapon.⁵³⁹

There are also counter-arguments to the claim that proliferation in the Iranian case would automatically lead to further proliferation or a nuclear armageddon in the region. As Kenneth Pollack writes, “[n]eighbors are likely to be unhappy with a nuclear-armed Iran, but ultimately may do nothing”⁵⁴⁰. Bertram also argues that, “should Iran end up actually or putatively possessing a nuclear bomb, that would be highly undesirable but it would not plunge us into a nuclear war”⁵⁴¹. To him, the predictions of a domino effect of proliferation based on Iranian precedent “seem a bit premature, to say the least”⁵⁴². This is because “the decision to engage in the arduous, costly and

⁵³⁵ Parsi 2008, 209.

⁵³⁶ Takeyh 2006, p. 53-54.

⁵³⁷ Holloway 2006, 56-57.

⁵³⁸ Ochmanek 2008, 36.

⁵³⁹ Kraig & Kahwaji 2006, 213.

⁵⁴⁰ Pollack 2007, 31-32.

⁵⁴¹ Bertram 2008, 11.

⁵⁴² Bertram 2008, 20.

hazardous path of building a national nuclear bomb [...] never springs from mere opportunism, but rather from a thorough weighing up of the pros and cons in a situation typically marked by extreme concern for the nation's security". He continues that "[t]he other Gulf states, along with Egypt and Turkey, would not feel any more threatened by a nuclear Iran than they do at present" and that, "if they did, there would be better options available to them than a bomb of their own, namely to turn to the US for protection, as they have in fact so far chosen to do". The historical lesson here is that the Israeli nuclear weapons, which have been there for four decades, have not led to the procurement of nuclear weapons in the neighbouring Arab states⁵⁴³.

5.3.2 The energy economics of Iran's nuclear programme

As noted in chapter 4, doubts about Iran's real needs for nuclear energy—which arguably underlie much of the international suspicion towards Iran's intentions—are largely based on political considerations. This highlights the need for a deeper analysis on Iran's energy economics. One such attempt is made by Roger Stern, who argues that the energy rationale behind the Iranian nuclear programme should not be underestimated. He explains that the Iranian "regime's dependence on export revenue suggests that it could need nuclear power as badly as it claims". In this connection, Stern points to the analyses by former National Iranian Oil Company, according to which "oil export could go to zero within 12-19 years"—which, if correct, would indicate genuine "distress from anticipated export revenue shortfalls", and mean that "the Iranian regime may be more vulnerable than is presently understood". In addition, Stern mentions the lack of foreign investment in the petroleum sector based on Iran unique 'buyback' investment system⁵⁴⁴, "politically untouchable demand subsidies", as well as population growth, which has resulted "in a 44% decline of real oil revenue per capita since the 1980 price peak". Stern's conclusion is that "[t]he allure of nuclear power to a regime in such straits is obvious", and that, "[a]lthough the prospective nuclear power capacity is insignificant to Iran's total energy budget, it is part of a larger if ill managed plan to preserve exports".⁵⁴⁵

Indeed, there seems to be agreement on that part of Stern's argument which highlights Iran's energy dilemmas, even though most writers do not go as far as to make a connection between them and the need for nuclear energy. For example, Paul Rivlin makes a similar argument about the problems of the oil economy, which he thinks are exacerbated by international sanctions: writing in 2006, Rivlin predicts that "[i]f U.S. sanctions against Iran continue, or if they become international as a result of a UN decision [as they subsequently did], then the development and/or maintenance of the oil fields may be threatened even further" and "lead to a decrease in production"⁵⁴⁶. Some others who acknowledge Iran energy problems question whether they can be solved by its current nuclear policy. For example, Thomas W. Wood et al. have argued that while nuclear energy can have "a

⁵⁴³ Bertram 2008, 20-22.

⁵⁴⁴ As Stern (2007, 379) explains, this system is the result of the constitution which prohibits accepting arrangements (normal in other oil-producing states) whereby foreign companies "offer capital, technology, and management in exchange for some share of the resource to be extracted". Bressand (2010), in turn, explains that the system allows the foreign "contractors' fund all investments" and to be "compensated by a fraction of production that is allocated to them by the National Iranian Oil Company (NIOC)" but also obliges them to "transfer operation of the field to the NIOC at end of contract".

⁵⁴⁵ Stern 2007, 38.

⁵⁴⁶ Rivlin 2006.

constructive role in a serious energy security programme for Iran”⁵⁴⁷— and while the attempt to achieve energy independence is “a worthwhile and generally accepted national planning objective—it is clear that Iran’s nuclear programme as now structured will not achieve this goal”. They point out that, while investing on the “extensive and expensive” programme, Iran has left unaddressed “obvious and pressing problems in its broader energy sphere”—such as energy waste due to “aging and inefficient vehicle fleet”, price subsidies for gasoline, gas, and electricity⁵⁴⁸, as well as insufficient oil refining capacity, which makes the country dependent on foreign gasoline imports⁵⁴⁹. Rather than investing on the construction of independent fuel cycle, the writers argue that “[a]n effective energy programme would be built on Iran’s very rich export petroleum resource, would invest in and incentivize efficient production and utilization of this resource, and would rely on a reliable world market for nuclear technology, uranium, and nuclear fuel services”. Writing in 2007, Wood et al. also point out that, “[g]iven that Iran could easily and cheaply fuel its reactors with Russian-supplied fuel [...] and that indigenous construction of the requisite facilities would take 5—10 years, any possible economic returns [...] would not accrue for perhaps a decade, making the investment almost impossible to justify on economic grounds”⁵⁵⁰. Wood et al. conclude that “Iran is not seriously pursuing energy independence, yet it is attempting to justify a nuclear programme motivated by weapons objective under this rubric”⁵⁵¹.

The latter part of above suggestion, according to which Iran should rely more on the world market for nuclear technology can be seen to be undermined by Iran’s past experiences of international nuclear cooperation. As noted already in the previous chapter, Asli Ü. Bâli recalls that, long before the current escalation of the dispute, the US was able to pressure foreign companies not to engage in nuclear energy deals with Iran through the policy of ‘restricted access’. As Bâli explains, the “US concerns about the nature and intentions of the regime in Tehran drove Washington to attempt systematic blockage of Iranian access to open-market sources of civilian nuclear cooperation or technology transfers that are permissible under the NPT”. According to Bâli, this policy functioned by means of “diplomatic pressure, the threat of direct secondary sanctions and the threat of lost access to US markets for companies willing to do business with Iran”, and it “successfully cut off most avenues for Iranian access to trade in civilian nuclear technologies during the 1990s”.⁵⁵²

The views of Javad Zarif on this matter were also briefly mentioned in chapter 4. In his 2007 article published in the *Journal of International Affairs*, he too recalls that the US actively opposed any kind of “any Iranian nuclear facility, including a light water reactor, throughout the 1980s and 1990s”, and that this resulted in the withdrawal of international partners from the project of rebuilding the Bushehr power plant. In the same connection, Zarif also provides an explanation for why Iran did not report all of its nuclear activities prior to 2002. He argues that the US suspicions left Iran “with no option but to be discrete in its peaceful activities”, meaning that the country “refrained from disclosing the details of its programmes”. Repeating Iran’s standard argument about the legality of its actions, he also points out that “in nearly all cases—including the most publicized cases of the Natanz enrichment facility and the Arak heavy water plant—[Iran] was not obliged to

⁵⁴⁷ Wood et al. 2007, 108.

⁵⁴⁸ Wood et al. 2007, 90.

⁵⁴⁹ Wood et al. 2007, 103.

⁵⁵⁰ Wood et al. 2007, 92.

⁵⁵¹ Wood et al. 2007, 108.

⁵⁵² Bâli 2006.

disclose under the terms of its existing safeguards agreement with the IAEA”.⁵⁵³ In other words, Zarif is saying that the lack of transparency that triggered the current nuclear dispute was actually a side effect of previous US policy of trying to undermine the development of any kind of a nuclear power base in Iran.

5.3.3 Ideational considerations

In this section, I will take up arguments which highlight the connection between Iran’s domestic identity and its nuclear policy, and which thus focus on the ideational, rather than material, considerations behind Iran’s nuclear programme. This issue is important because, as Chubin points out, it is the perceptions of Iran’s identity by others, rather than that identity in itself, that largely explain the nuclear dispute. As he writes, “[a] different Iran, or an Iran pursuing more moderate goals in the region”, “[a]n Iran less hostile to the West, less aggressive towards Israel, and less bent on creating a different regional order”; “[a] different regime, a secular democratic one, would be the object of less concern, even if it were pursuing the same nuclear capabilities”. In effect, Chubin argues that “the discussion regarding Iran’s nuclear ambitions is at times a discussion of the nature of the Iranian regime and raises the question of whether that regime is likely to be either replaced soon or change its behaviour to an appreciable extent”.⁵⁵⁴

To be sure, certain assumptions about the nature of the Iranian regime and their role in explaining the country’s nuclear policy have already been discussed in this thesis—that is, in connection with the American rogue state discourse in chapter 4, and as part of Ogilvie-White’s perspective and the neo-conservative ideas described above. I will not repeat them here, but simply recall that, all of these discourses tend to present Iran in liberal anti-pluralist terms as part of a special category of problem states, defined by their opposition to what they view as an increasingly solidarist international society based on liberal-democratic values. One general shortcoming with such explanations is their lack of attention to the meaning of the nuclear programme from the Iranian perspective. With regard to the rogue state discourse, this is hardly surprising because it takes for granted the idea that countries like Iran are so illiberal domestically that popular opinion does not really count. However, as several writers point out, the Iranian political system is not completely undemocratic, especially when compared to other states in the region. Whereas Kraig and Kahwaji argue that “Iran is, in fact, more democratic than China is or ever was”⁵⁵⁵, Bertram describes it as a “country with aspects of democratic pluralist modern society” despite being “largely under clerical control”⁵⁵⁶. Walter Posch, in turn, argues that one sign of democracy in Iran is the competing political factions, whose popularity is measured in parliamentary and presidential elections⁵⁵⁷. Although such arguments were arguably undermined by the repression of the Green Movement

⁵⁵³ Zarif 2007, 81-82.

⁵⁵⁴ Chubin 2006, 10-11. It could be noted that Chubin’s own analysis is not far from this kind of an interpretation, either, for he seems to think that international suspicions about Iran’s nuclear intentions based on its domestic identity are justified: apparently contradicting his previous claim about Iran’s prudence (see section 5.3.1.2)—he argues that Iran is “the victim of its own behaviour”; that it “still acts more like a revolutionary clique than a responsible government”, and that “[a] state deficient in a sense of responsibility cannot be allowed control over dual-use technology” (Chubin 2006, 140).

⁵⁵⁵ Kraig & Kahwaji 2006, 211.

⁵⁵⁶ Bertram 2008, 37.

⁵⁵⁷ Posch 2008.

after the 2009 elections, it is nevertheless clear that the Iranian government is not oblivious to popular opinion, and that popular opinion is largely favourable to the country's nuclear policy. Indeed, it is widely noted that the Iranian people, regardless of their political affiliations or views on the current administration, have stood firmly behind the country's nuclear policy. Balkan Devlen, for example, refers to a 2007 poll, according to which 91 per cent of the Iranian people support the country's engagement in nuclear fuel cycle activities. In the same connection, he notes that the Iranian people are "fiercely independent and very weary of foreign [...] meddling in domestic affairs".⁵⁵⁸ Kraig & Kahwaji refer to an earlier poll by the International Crisis Group (ICG), pointing to similar results: as they write, "most of the Iranian public (and many officials) [...] want a full nuclear fuel cycle for prestige as well as for scientific, economic, and identity-based concerns". The writers conclude that "[n]uclear technology, in the Iranian collective psyche, means symbolic sovereign equality and international respect".⁵⁵⁹ Both Devlen and Kraig & Kahwaji stress that support for the nuclear programme should not be confused with support for a nuclear weapon⁵⁶⁰. Chubin, too, writes that "[m]ost Iranians accept the proposition that the nuclear issue reflects a general discrimination"; that they "support the quest for status, respect, and a broader regional role", and that "[t]hey see advanced technology, scientific progress and independence as linked and desirable"⁵⁶¹. Related to this point, he suggests that the fact that the nuclear programme has since 2002 been hyped domestically as Iran's inalienable right has also limited Iran's options in the negotiations: as he writes, "[h]aving [...] put the prestige of the regime on the line, the Iranian government may find it difficult to walk away from the contest without some compensation"⁵⁶².

Homeira Moshirzadeh provides an extensive discussion on the reasons for this popular support for the Iranian nuclear programme. She criticises the Western analyses of the Iranian nuclear issue for lacking "an understanding of this policy and the context within it becomes possible and meaningful without having to take the existence of a 'weapons programme' or 'military objectives' for granted (or dismiss it altogether)"⁵⁶³. In order to shed light on the discursive context of Iranian policy, Moshirzadeh identifies three main discourses which constitute the identity of the Islamic Republic—namely, the discourses of independence, justice, and resistance. Reflecting the extent to which "Iran's nuclear policy has become a matter of identity", the same discourses can also be seen to direct the Iranian nuclear discourse⁵⁶⁴. According to Moshirzadeh, Iranian nuclear policy has been formed in the framework of the discourse of independence. This discourse, she argues, is based on three main narratives—first, 'Iran's glorious past', which calls into mind the days of the Persian empire and thus demonstrates "the capacities and potential of Iran to be a powerful actor"; second, 'historical victimization by invaders', which evokes the "foreign-suspicious collective memory", and third, the narrative of '(semi)-colonial/imperial encounters', which focuses on the more recent past characterised by invasion and manipulation by Western powers⁵⁶⁵. All of these narratives thus play out in the Iranian nuclear policy as a part of the meta-discourse of independence. As Moshirzadeh argues, "the acquisition of nuclear technology [...] is represented as a step toward actualizing Iran's potential as the prominent regional actor", while at the same time

⁵⁵⁸ Devlen 2010, 61.

⁵⁵⁹ Kraig & Kahwaji 2006, 212.

⁵⁶⁰ Devlen 2010, 61; Kraig & Kahwaji 2006, 212-213.

⁵⁶¹ Chubin 2006, 31.

⁵⁶² Chubin 2006, 17; 41.

⁵⁶³ Moshirzadeh 2007, 521-2.

⁵⁶⁴ Moshirzadeh 2007, 523.

⁵⁶⁵ Moshirzadeh 2007, 529.

“it is assumed that great powers, with their hegemonic aspirations, seek to keep [Iran] dependent and weak”. Reflecting this kind of discourse, Moshirzadeh notes that the Iranian officials and the press constantly “emphasise the necessity of self-sufficiency in the nuclear area”.⁵⁶⁶ As for the discourse of justice, it partly derives from Iranian religious tradition, and partly from emancipatory universal ideals, most notably the kind of Third Worldism which was discussed in chapter 3 in connection with Bull’s ideas on the revolt against the West. As Moshirzadeh explains, in this kind of thinking “a systematic appeal to the concept of [sovereign] equality is used to delegitimize the idea of hierarchy in the [international] system”⁵⁶⁷. This can be seen in the nuclear discourse in the sense of rejecting double standards and criticising the discriminatory nature of the non-proliferation regime⁵⁶⁸. Third, the discourse of resistance highlights Iran’s “non-submissive identity” which does not surrender to pressure and which is resistant to Western influence⁵⁶⁹. Moshirzadeh writes that this latter kind of discourse explains Iran’s “recent less flexible and confrontationist policies”⁵⁷⁰. This kind of approach began to define the nuclear discourse only after the election of Ahmadinejad in 2005, as the more radical conservatives came to dominate the domestic scene, and as international demands to Iran increased⁵⁷¹. She concludes that as long as “Iran’s nuclear policy is successfully embedded within the two meta-discourses of independence and justice, different factions within the Iranian policy support it”. The discourse of resistance, however, “is not in itself a hegemonic idea and therefore will not necessarily remain dominant”.⁵⁷²

One could add to the above analysis Iran’s “historical distrust [...] for Western legalism”—a point highlighted by Ali M. Ansari. Given the experience that “treaty after treaty [had] proved that international law was simply a political device to ensure Western control”—a perception which was again affirmed by the Iraq war which proved that “weak powers could not rely on a legal defense if the US chose to ignore the law”—Ansari explains that Iranian nuclear “negotiators tended to subscribe to the argument that [...]Iran was likely to be ignored and abused as it had been in the past”.⁵⁷³ The issue of Iran’s lack of trust towards international institutions, in turn, is connected with the Iranian distrust for the US. As Devlen argues, “Iranian refusal to stop enrichment and allow additional verification by IAEA is intimately linked with what they perceive as the American escalation of the situation by refusing to deal with Iran directly and attempting to convince UNSC to impose harsher sanctions on Iran”⁵⁷⁴. Despite their desire to reach a settlement, Devlen explains, “[t]hey fear that if they show willingness to negotiate, the United States could exploit it”⁵⁷⁵. He adds that “Iranians do not believe that the United States is sincerely interested in engaging with Iran”⁵⁷⁶—a suspicion which has been enforced by the fact that the US has not been interested in negotiations for the most part of the current crisis⁵⁷⁷. Chubin refers to this dilemma as the ‘slippery slope’ problem, meaning Iran’s perception that American hostility is ‘general and open-ended, with

⁵⁶⁶ Moshirzadeh 2007, 531.

⁵⁶⁷ Moshirzadeh 2007, 533.

⁵⁶⁸ Moshirzadeh 2007, 534.

⁵⁶⁹ Moshirzadeh 2007, 536.

⁵⁷⁰ Moshirzadeh 2007, 521-542.

⁵⁷¹ Moshirzadeh 2007, 537.

⁵⁷² Moshirzadeh 2007, 538-9.

⁵⁷³ Ansari 2006, 203.

⁵⁷⁴ Devlen 2010, 64.

⁵⁷⁵ Devlen 2010, 53.

⁵⁷⁶ Devlen 2010, 64.

⁵⁷⁷ Devlen 2010, 64.

each demand likely to generate another, eventually culminating in regime change”⁵⁷⁸. Or, in the words of Ansari, it seems likely to the Iranians that “concessions on the nuclear issue would simply result in the US moving to another matter of contention”⁵⁷⁹. Tom Sauer suggests that this problem undermines the international community’s ‘specific demand’ regarding uranium enrichment, which he lists as one of the criteria for successful norm-enforcement in the Iranian case⁵⁸⁰. Kraig & Kahwaji have too note that, “[o]bviously, [...] it matters whether or not Iran believes that the pressure being put on it is norm-based pressure (to change its behavior) rather than pure coercion (to change its identity)”⁵⁸¹. Bearing in mind Litwak’s assessment of the ambiguous goals of containment and regime change in American rogue state policy (discussed in chapter 2), the problem of the slippery slope can be seen as a direct result of this confusion.

5.3.4. Recommendations and warnings against flawed policies

This section deals with policy recommendations for dealing with the Iranian nuclear dispute, as well as warnings against flawed policies that should be avoided. I will begin from the approach that was chosen by the P5+1 group and the Security Council in 2006, namely pressuring Iran to suspend uranium enrichment by means of international sanctions. After this, I will discuss the other options presented by various commentators, ranging from security guarantees, US-Iranian rapprochement, creation of a new regional security framework and reform of the non-proliferation regime to military strikes and regime change.

5.3.4.1 Sanctions

Particularly in 2006 and 2007, many still viewed sanctions as the solution to the Iranian nuclear dispute. For example, writing in 2006, Takeyh argues that, “[w]hile holding out the prospect of dialogue and cooperation, Washington should also begin assembling a new “coalition of the willing”, consisting of the US, EU and Russia, to “make it clear to Tehran that crossing the nuclear threshold will force them to impose rigorous economic sanctions”. As he explains, “[a]t a time when Iran is in dire need of foreign investment, such a step would make a significant impression on Tehran”. He also writes that “Washington should press the Gulf states [...] to make it clear to Tehran that continued favorable relations will be contingent on Iran’s adherence to its nonproliferation commitments”. This, Takeyh suggests, would force Iran “to make fundamental decisions regarding its nuclear programme”.⁵⁸² Around the same time, Friend writes that “Iran appears to be a case where international pressure can have a positive effect, given Iran’s self-perception as an ancient culture deserving of respect and its desire not to be treated as an international pariah like North Korea”⁵⁸³. Chubin, in turn, explains in his 2006 book that the US has two broad policy options— regime change or engagement—of which the latter is preferable. In practice it would involve using both sanctions and incentives “to convince Iran that the price for

⁵⁷⁸ Chubin 2006, 88.

⁵⁷⁹ Ansari 2006, 205.

⁵⁸⁰ Sauer 2007, 2; 21.

⁵⁸¹ Kraig & Kahwaji 2006, 21.

⁵⁸² Takeyh 2006, 60.

⁵⁸³ Friend 2006, 189.

continuation of the quest for a nuclear option is too high”⁵⁸⁴. Writing in 2007, Pollack too agrees that the UN sanctions represent the best way forward and that they are also having an impact on Iran⁵⁸⁵. To take one more example, Dobbins et al. argue that while the US will “accelerate the development and fielding of new capabilities [such as missile defence] to effectively counter regional adversaries armed with nuclear weapons”⁵⁸⁶, “the international community should continue to enforce selective embargoes on the transfer of sensitive technologies and materials to Iran”⁵⁸⁷. The writers think that this “would represent for the United States a policy of both containment and engagement with Iran, without confrontation”⁵⁸⁸.

In connection with their support for the sanctions approach, Takeyh and Pollack also express the opinion that the US should make it clear to Iran that it is serious about engagement if the latter would meet the Security Council demands. Takeyh writes that “[s]hrill rhetoric of the ‘axis of evil’ variety and imperious presidential doctrines are unlikely to prevent nuclear proliferation” and that “[a] more clever diplomacy of carrots and sticks, offering to integrate Iran into the global economy while holding out the stark threat of multilateral pressures, can best dissuade it from taking the nuclear road”⁵⁸⁹. Pollack, in turn, argues that the US needs “to be much more forthcoming with major carrots to convince the average Iranian that he or she will be better off by accepting the UN’s limits on Iran’s nuclear programme than by defying them”⁵⁹⁰. Friend for his part thinks that “the combination of diplomatic pressure and renewed and visible efforts to offer Iran a way out of isolation has real potential to help Iranians to come to the conclusion that nuclear weapons are not in their long-term security interests”⁵⁹¹.

However, there were also contrary arguments saying that the demands to Iran were unrealistic. As Kraig & Kahwaji write in 2006, “[a]bsolute nonproliferation is irrelevant if, by nonproliferation, one means that Iran does not get a nuclear fuel cycle, and that the United States quickly signs [...] the Comprehensive Test Ban Treaty (CTBT) to fulfil its NPT Article VI disarmament commitments. Iran will, and the United States will not.” Without specifying whether they mean the threat of sanctions or of military action, they add that that, “[i]f threatened, Iran may even flip the switch and turn its latent nuclear capability into a real weapons capability”⁵⁹². The former head of the IAEA and UNMOVIC Hans Blix, in turn, writes in his 2008 book that “the Security Council’s current demand that Iran suspend its enrichment programme as a precondition for talks is humiliating, and it is no surprise that Iran has rejected it”. Arguably suggesting that the sanctions approach might ultimately only end up justifying military measures, as had happened in the Iraqi case, Blix adds that “[f]ailure in the case of Iran could create serious risks of escalation and long-term domino effects”, and wondered whether “nuclear powers, and especially the United States” are going to “take new approaches”.⁵⁹³

⁵⁸⁴ Chubin 2006, 143.

⁵⁸⁵ Pollack 2007, 32.

⁵⁸⁶ Dobbins et al 2007, 30.

⁵⁸⁷ Dobbins et al. 2007, 29-30.

⁵⁸⁸ Dobbins et al. 2007, 30.

⁵⁸⁹ Takeyh 2006, 60-61.

⁵⁹⁰ Pollack 2007, 32.

⁵⁹¹ Friend 2006, 191-192.

⁵⁹² Kraig & Kahwaji 2006, 214.

⁵⁹³ Blix 2008, 50-55.

Belief in international sanctions has obviously been affected by its apparent ineffectiveness during the (at the time of writing) five years that they have been in place. To take examples of the more recent criticism, George A. Lopez argues that “[s]anctions force compliance only about one-third of the time”, and that “sanctions that are excessively punitive and that merely isolate a country frequently fail”. He also notes that “Iran has been the target of U.S. sanctions for 30 years and U.N. sanctions since 2006”, and that “[n]one of these coercive measures has resulted in Tehran giving up its nuclear research”. Lopez believes that sanctions are likely provide “a classic ‘rally around the flag’ policy” which would “make it easier for Iran to suspend international nuclear inspections, withdraw from the [NPT], defy the [UN], and increase attacks on its own citizens”.⁵⁹⁴ Rouzbeh Parsi, in turn, views the current sanctions policy as continuation of the US “containment game of the 1990’s”—which “was never a convincingly successful project and it has over the years become increasingly unfeasible”. The reason why further sanctions are nevertheless being imposed, Parsi argues, is that they serve as “the short term political remedy for lack of better alternatives”, which the West views as “proof of justified punishment”, whereas “in Tehran, it will be seen as unjust provocation confirming paranoid scenarios of Western scheming”.⁵⁹⁵ Bertram, for his part, argues as follows:

Governments tend all too easily to attribute the ineffectiveness of sanctions not to their limited usefulness in principle but to their relative mildness. Yet sanctions more comprehensive than those that those that have been unilaterally imposed on Iran by the US for years now would be hard to imagine. In the end, failed attempts to apply ever-tougher economic punishment might eventually come to serve as a justification for taking the next step, namely military action.⁵⁹⁶

In effect, Bertram characterises the current approach to halting the Iranian nuclear programme a deepening hole that the P5+1 should ‘stop digging’.⁵⁹⁷ The same metaphor—based on the proverb “If you are in a hole, stop digging”—is also applied to the Iranian nuclear dispute by Jerry Sommer, who argues that “talking while continuing to dig—for example with military threats and sanctions—most likely won’t do any good”. Instead, he calls for a “paradigm change in Western Iran policy” and points to the “need to challenge some key assumptions that seem to drive Western governments”. As part of his policy recommendations, he argues that it would be “best to refrain from further sanctions”, for they are likely to “poison the climate for the necessary negotiations”.⁵⁹⁸

As for more recent criticism of the EU decision to join the oil sanctions with the US, Paul Stevens provides the following reflections:

History has shown that since the Iranian nationalization of 1951 [...], oil embargoes simply do not work. The international oil market is too complex, with too many players and too many options, to disguise transactions. History is littered with failed oil embargoes ranging from Cuba, Rhodesia and South Africa to the Arab oil embargo and the embargo against Iraq after 1990. However, history appears to have passed by the decision-makers of the EU.⁵⁹⁹

⁵⁹⁴ Lopez 2010.

⁵⁹⁵ Parsi 2009, 4.

⁵⁹⁶ Bertram 2010, 28.

⁵⁹⁷ Bertram 2007.

⁵⁹⁸ Sommer 2009, 32-33.

⁵⁹⁹ Stevens, Paul 2012, 7.

However, there are still those who believe that sanctions are working—if only they are sufficiently severe. Kenneth Katzman, who is one of the most fervent supporters of the sanctions against Iran, acknowledges that the this approach has not changed Iran’s nuclear policy but at the same time stresses that “the sanctions are contributing to the necessary subordinate goal of applying increasing pressure to Iran’s economy”. He also writes that “[s]ome might argue that the assessment of the effect of sanctions on Iran’s negotiating stance might be in the process of reassessment”. In this connection he points to some signs in the Iranian leadership that they “might be trying to head off further sanctions [...] by expressing openness to dialogue and potential compromise”.⁶⁰⁰

5.3.4.2 Security guarantees

Several writers argue that Iran should be offered security guarantees among the incentives intended to convince it to give up its independent enrichment capacity. The need for security guarantees has been highlighted for example by Hans Blix. He laments that, “[a]lthough an American offer of security guarantees and a normalization of relations could carry great weight, no such offers have been extended”. He continues that, in the Iranian case, “it is hard to believe that such guarantees would have no useful effect, given U.S. military presence in the region and the Bush administration’s policies of regime change”. In addition to security guarantees, Blix also mentions “a normalization of relations, and support for [Iran’s] programme to use nuclear power” as incentives that should be offered to Iran.⁶⁰¹ Robert S. Litwak, in turn, argues that “[l]eaving the [Iranian] regime a political exit by providing a security guarantee of nonaggression and noninterference would be a central element of [a US non-proliferation strategy with regard to Iran]”⁶⁰².

Friend also emphasises the need to take into account Iran’s security concerns. As he argues, “finding ways to affect [Iran’s] security self-perceptions must be an essential part of any successful nonproliferation strategy”⁶⁰³. He further explains that “some observers believe that Iran is a state whose long-term proliferation motivations [...] must be addressed”, noting that “Iran’s nuclear ambitions go back to the Shah’s regime and that they might well continue even in the event of regime change in Teheran”. In this connection he quotes the former CIA Director George Tenet saying that “[n]o Iranian government, regardless of its ideological leanings, is likely to willingly abandon WMD programmes that are seen as guaranteeing Iran’s security”. Curiously enough, this does not lead Friend to the conclusion that the US should offer Iran security guarantees: as seen in the previous section, instead he talks about a “combination of diplomatic pressure and renewed and

⁶⁰⁰ As examples of such signs, Katzman notes that in August 2011 Iranian leaders began “to talk openly about the harm sanctions are doing to Iran’s economy”; “indicated interest in Russian proposals to restart talks and indicated a willingness to allow closer IAEA ‘supervision’ or inspections of Iran’s nuclear programme. President Ahmadinejad, during his September 2011 U.N. General Assembly visit to the United States, said Iran might accept a proposal to cap the level of its uranium enrichment at 5%. Amid Iranian threats to close the Strait of Hormuz if new sanctions are imposed, in early January 2012 senior Iranian figures (nuclear negotiator Sayed Jallili and Foreign Minister Ali Akbar Salehi) said they would respond positively to an October 2011 EU (foreign policy chief Catherine Ashton) letter proposing new P5+1 talks. (Katzman 2012, 38-39)

⁶⁰¹ Blix 2008, 50-55.

⁶⁰² Litwak 2006, 178-180.

⁶⁰³ Friend 2006, 189.

visible efforts to offer Iran a way out of isolation” as “the best approach to [...] encourage a change in the terms of political debate within Iran”.⁶⁰⁴

Ochmanek too agrees that [i]f Iran felt more secure, some of its incentives to acquire nuclear weapons would be weakened”. Given the nature of US-Iranian relations, however, he does not believe a security guarantee from the US would be credible. As Ochmanek explains, “historically, security guarantees have been viable only when the interests of the allies are in alignment” and that, “[a]bsent a substantial change in the U.S.-Iranian relationship, it is hard to see how a U.S. security guarantee would be regarded as credible”.⁶⁰⁵ This is arguably one reason for why many argue that the only durable solution to the nuclear dispute can be provided by first solving the US-Iranian conflict—a topic that will be discussed in the next section.

5.3.4.3 Diplomacy and a ‘grand bargain’ between the US and Iran

Several writers have argued that a more profound change in US-Iranian relations is needed to solve the nuclear dispute. One such suggestion was made by Chubin before the imposition of UN sanctions in 2006. After expressing his preference to engagement over regime change, he suggests that this might ultimately lead to a grand bargain involving “a broader agreement that encompasses all aspects of Iran-US relations”, including security guarantees for Iran”. Although this clearly would have been the best solution in Chubin’s view, he also acknowledges the difficulties. In this connection he mentions the reluctance on both sides to change the pattern of hostile relations, as well as the lack of clarity as to what extent Iran’s nuclear programme is motivated by insecurity and therefore how much the country would appreciate security guarantees.⁶⁰⁶

Chubin renewed his argument for a grand bargain in a 2011 *Foreign Affairs* article:

Iran has invested too much in its nuclear programme to renounce enrichment altogether or suspend it indefinitely. A limited suspension in the context of an overall settlement, however, might be feasible. [...] Attempting such a difficult exercise [the grand bargain] requires accepting the prospect of some enrichment in Iran [...].⁶⁰⁷

Chubin thus signalled that the US and the international community should ease their demands concerning uranium enrichment. Furthermore, noting that “[i]t is difficult to induce Iran to make concessions unless it sees where these will lead”, Chubin also argues that “[w]hat is needed is not necessarily more inducements but rather a road map that shows how the issues are linked and could be tackled sequentially in pursuit of a grand bargain”⁶⁰⁸.

As noted before, Kraig & Kahwaji think that the Iranian nuclear programme is, above all, an insurance against a military attack, as well as a reflection of the country’s “wish for influence commensurate to its geopolitical weight”. They also argue that this “is something the US must learn

⁶⁰⁴ Friend 2006, 191-192.

⁶⁰⁵ Ochmanek 2007, 34-35.

⁶⁰⁶ Chubin 2006, 144.

⁶⁰⁷ Chubin 2011.

⁶⁰⁸ Chubin 2011.

to live with”⁶⁰⁹. Instead of trying to fight the inevitable—i.e. Iran’s “‘light switch’ latent nuclear capability”—they argue that the US eventually has to accept it⁶¹⁰. In addition, the US should focus on addressing the concerns that underlie Iran’s insecurity. Although the writers believe that “Iran will never get security assurances in the form that Japan has them, they argue that a more realistic objective is that the “Islamic regime finally be recognized by the West, and by the United States in particular”⁶¹¹. This, in turn, would mean greater clarity regarding the US objectives and demands from Iran. As noted before, Kraig & Kahwaji stress that it is important whether or not Iran believes the US policy is based on international norms or the desire to change its political system. “In this sense”, they continue, “the United States could do a lot to show Iran that it accepts the Islamic Republic for what it is, even if it does not like what Iran is currently doing across several issues”⁶¹². The need for the US to clarify its objectives regarding Iran is also stressed by Robert S. Litwak, who writes that the US would have to clarify that it is not after regime change and that it would take Iran’s word when it says it has no intention to proliferate⁶¹³. Michael Eisenstadt, in turn, argues that there must clear preconditions for both parties, such as “no enrichment and no reprocessing” on the Iranian side and withdrawal from the Persian Gulf on the US side⁶¹⁴.

Ray Takeyh points out that Iran’s 2003 proposal provided a missed opportunity for this kind of a grand bargain. Because of “its ideological blinders”, however, the Bush administration failed to “recognize that America’s central role in Iran’s strategic conception gives it a unique opportunity to diminish Tehran’s zeal for nuclear arms”. He further argues that “[a] more forthcoming U.S. policy of easing economic restrictions on Iran would [...] help induce Tehran to conform to nonproliferation standards, and it would also help the reformers rehabilitate Iran’s economy and thus consolidate their power base”.⁶¹⁵

Heisbourg also argues that a grand bargain is the only way to solve the Iranian nuclear dispute and also to avoid a catastrophic nuclear war and the demise of the non-proliferation regime. As noted in section 5.3.1, this kind of a grand bargain represents one of the three future scenarios, the other two of which are doomsday scenarios. As Heisbourg explains, the grand bargain will be made along the lines of Iran’s 2003 proposal and based on the model of Cold War *détente* between the US and China. The US will give Iran the choice of either accepting the proposal—and suspending enrichment for the duration of the negotiations—within 40 days, or “all hell would break loose”. Heisbourg notes that, while addressing the US-Iranian conflict, the deal would not require Iran to suspend its uranium enrichment activities, “thereby contradicting all existing UN Security Council resolutions”. Ultimately, the result is almost “too good to be true”, meaning a “new strategic US-Iranian partnership”, whereby Iran accepts that its “regional hegemony [is] restrained by continuous US presence in Qatar and Bahrain”, and where the US would accept an Iranian nuclear policy based on the Japanese model—meaning the existence of uranium “enrichment facilities under international control”.⁶¹⁶

⁶⁰⁹ Kraig & Kahwaji 2006, 211.

⁶¹⁰ Kraig & Kahwaji 2006, 214.

⁶¹¹ Kraig & Kahwaji 2006, 212.

⁶¹² Kraig & Kahwaji 2006, 215.

⁶¹³ Litwak 2006, 178-180.

⁶¹⁴ Eisenstadt 2007, 35.

⁶¹⁵ Takeyh 2006, 59-60.

⁶¹⁶ Heisbourg 2008, 22-24.

Others, however, only seem to regard the US rapprochement with Iran as a possibility in circumstances when the latter already has nuclear weapons. Ochmanek, for example, says that because “the preemptive options [...] have evidently been found wanting— a reality that is unlikely to change”—[...] it seems clear that the United States will be compelled to temper its objectives vis-à-vis regional adversaries when those adversaries possess even modest numbers of nuclear weapons that can be delivered only to targets in their regions”⁶¹⁷. Pollack, in turn, argues that “there may be a way for the United States to contain and engage (i.e., live with a nuclear Iran) with a leader like Khamenei”, even though he wonders whether this will also be possible with Khamenei’s successor who might not be as prudent⁶¹⁸.

Representing an European perspective, Bertram and Parsi have also proposed serious diplomatic engagement in connection with their criticism of the sanctions approach. Here it could be noted that most European countries continue to have diplomatic relations with Iran, and hence the question of diplomatic engagement between Europe and Iran is not nearly as controversial as between the US and Iran. However, as Bertram explains, the nature of European relations with Iran largely depends on the US:

If the Europeans were the only ones to establish [a serious partnership with Iran], it could not come about. [...] It is true that, in contrast to the US, the EU-3 have sought dialogue with Iran [...]. In so doing, though, they were seen both by themselves and Iran as at best paving the way for rapprochement between Tehran and Washington. Throughout, [...] their offers never went beyond what was acceptable to [the US administration]. If the US were willing to engage in a partnership with Iran, the Europeans could not refuse, however overenthusiastic one or two European governments are at present in demonising Iran.⁶¹⁹

Like the above American commentators, Bertram—who promotes closer diplomatic engagement between Iran and ‘the West’— is thus saying that the process should begin from the US. He points out that “[t]he West would [...] stand to gain considerably from ceasing to see Iran as an adversary and instead winning it over as a partner”, adding that “[w]orking towards such a partnership might also turn out to be the best way of curbing nuclear proliferation”⁶²⁰. Bertram further writes that, although the nature of the Iranian regime is commonly perceived as an obstacle to this kind of engagement, “[i]n foreign policy it is [...] common practice not to dismiss countries lacking democratic credentials as potential partners”. This is all the more so because Iran, with its aspects of “democratic pluralist modern society”, “represents an attractive peculiarity in a region that is otherwise backward in this respect”. Bertram adds that even a significantly more “democratic Iran’s foreign policy would also be heavily influenced by national pride and its demands for international respect and recognition would be no less pronounced”. In other words, Iran’s nuclear policy, just as well as its position on towards Israel—“at least pending something resembling a fair Israeli-Palestinian two-state solution”—is unlikely to change⁶²¹.

According to Rouzbeh Parsi, what is needed “might actually be a serious and concentrated effort to engage in all other areas of potential co-operation” except the nuclear issue. This kind of engagement would be based on “tacit acknowledgment that very little constructive action is feasible

⁶¹⁷ Ochmanek 2008, 55-56.

⁶¹⁸ Pollack 2007, 31.

⁶¹⁹ Bertram 2008, 44.

⁶²⁰ Bertram 2008, 10.

⁶²¹ Bertram 2008, 37-38.

in order to achieve a full guarantee that Iran will not reach break-out status”, and it would require “difficult and time consuming confidence-building measures—such as a serious engagement in matters including Iraq, Afghanistan, and the drug trade—which require interaction between civil and military officials on all levels”.⁶²² In other words—like Chubin, Heisbourg and Kraig & Kahwaji—Parsi is saying that the international community should back down on its demand that Iran should give up uranium enrichment.

In this connection one could also mention Javad Zarif’s call for a paradigm shift in the US-Iranian relations and the Middle East politics more generally. Zarif views the Iranian nuclear dispute and the sanctions against Iran as nothing more than an expression of what he calls the enemy paradigm, meaning the persistent tendency to view regional politics in terms of rivalry and mistrust. Although “[s]anctions and pressure against Iran may satisfy some domestic constituencies or settle some old scores” in the US, Zarif writes that they are not likely to “achieve their stated objectives”. Instead, Zarif warns that such policies can be expected to “unravel the non-proliferation regime, exacerbate tension, perpetuate the enemy paradigm and lead to unwanted—even accidental—escalations”. He also writes that “[t]he interests of Iran and the United States, as well as security and stability in the Persian Gulf region, have long been hostage to an outdated paradigm sustained by mutual mistrust and heavy historical baggage, and nurtured with fact or fiction generated by those benefiting from confrontation and war”. Zarif’s message is directed particularly towards the US decision-makers, whose approach must change in order to prevent “the manufactured ‘Iran threat’ from becoming the next global nightmare”.⁶²³

5.3.4.4 New regional security framework

Some writers argue that the only thing that can really solve the problem would be a holistic solution, meaning the creation of a new security framework for the entire region. Pollack, for example, argues that “the United States and Iran ought to work toward a security forum in the Persian Gulf, similar to the Organization for Security and Co-operation in Europe (OSCE), which would eventually lead to arms control”⁶²⁴. Ryan Kraig and Riad Kahwaji also point out that the Iranian nuclear issue should be understood as part of larger picture. They think that—irrespective of the outcome of the internal debate in Iran—the country is heading towards an indigenous nuclear fuel cycle⁶²⁵. This being the case, the focus should be on “how closely this nuclear complex is monitored and verified according to international nonproliferation standards, and more broadly, what regional security environment faces Iran’s anxious decision-makers on a day-to-day basis”. In effect, Kraig & Kahwaji conclude that Iran should simply be made to “feel secure within its own region, vis-à-vis its neighbors and vis-à-vis the United States”⁶²⁶. In practice, this would mean that the US foreign policy “planners must subordinate the goal of stemming nuclear proliferation to a more nuanced, macrolevel view of security within the Persian Gulf”⁶²⁷. They further explain that “[w]hile the United States might make purely tactical, short-term gains by stopping nuclear proliferation in Iran [...] long-term strategic goals may suffer”. By such long term-goals Kraig and

⁶²² Parsi 2009.

⁶²³ Zarif 2007, 87-88.

⁶²⁴ Pollack 2007, 35.

⁶²⁵ Kraig & Kahwaji 2006, 216-17

⁶²⁶ Kraig & Kahwaji 2006, 216-17.

⁶²⁷ Kraig & Kahwaji 2006, 205.

Kahwaji refer to “stabilizing the Persian Gulf as a whole, creating a reliable and low-priced supply of oil and natural gas so as to allow economic development in poorer regions of the world, and lessening the growing rift between the United States and the Arab world”.⁶²⁸ They further argue the goal of “a stable, largely cooperative Persian Gulf security scene [...] should be based on the equal sovereign status of all states and [...] to lessen the anarchical nature of the Persian Gulf security environment for all participants, especially for Iran.”⁶²⁹

5.3.4.5 Changes in the NPT or establishment of international nuclear fuel bank

As seen above, many writers regard the Iranian nuclear issue primarily as a political dispute that should be addressed by relevant means. For this reason, Kraig & Kahwaji even explicitly deny that “the way to stop a fuel cycle from becoming a weapon is neither through counterproliferation methods nor nonproliferation regimes”⁶³⁰. Others, however, think that the legal matters related with the non-proliferation regime are crucial for explaining and dealing with the Iranian nuclear dispute. Holloway, for instance, argues that the Iranian and North Korean cases demonstrate the weaknesses of the current non-proliferation regime. More specifically, these cases point to “the need for a more transparent regime, for clearer and stronger barriers between the peaceful and the military uses of nuclear technology, and for more effective mechanisms for ensuring compliance with the treaty”.⁶³¹ In a similar manner, Nicholas Wheeler and Jan Ruzicka identify as one of the most urgent problems for the non-proliferation regime the unwillingness of the non-nuclear weapon states (NNWS), such as Iran, to accept limitations to the most proliferation-sensitive nuclear activities. At the same time, however, they note that this unwillingness is directly linked with the failure of the NWS to live up to their own obligations. As the writers explain, “[t]he disillusionment of the NNWS with the NWS has been preventing the action that is urgently required to repair the loophole in the treaty that permits states, subject to IAEA safeguards, to operate enrichment and reprocessing plants, while staying within the limits of the NPT”. Consequently, Wheeler & Ruzicka call for a renewed ‘grand bargain’, which—in contrast to the meaning of this phrase in the previous section—means an arrangement whereby the NNWS would accept a stricter interpretation of Article IV, whereas the NWS do their own share of trust-building with regard to disarmament.⁶³²

Hans Blix has also stressed the importance of the NPT’s disarmament pillar in connection with the Iranian issue. As noted before, he thinks that first of all Iran should be offered security guarantees, together with “a normalization of relations, and support for [Iran’s] programme to use nuclear power”⁶³³. However he also adds that the nuclear negotiations with Iran would be easier if “the nuclear-weapon states could show that their requests are part of a broader effort to lead the world, including themselves, toward nuclear disarmament”.⁶³⁴ Indeed, this suggestion is part of the main

⁶²⁸ Kraig & Kahwaji 2006, 205.

⁶²⁹ Kraig & Kahwaji 2006, 217

⁶³⁰ “The way to stop the switch from being flipped toward weapons capability is simple: make Iran feel secure within its own region, vis-à-vis its neighbors and vis-à-vis the United States”. (Kraig & Kahwaji 2006, 216-17)

⁶³¹ Holloway 2006, 47.

⁶³² Wheeler & Ruzicka 2010, 79.

⁶³³ Blix 2008, 50-55.

⁶³⁴ Blix notes that “[p]reventing further proliferation is essential, but it is not a recipe for success to preach to the rest of the world to stay away from the very weapons that nuclear states claim are indispensable to their own security”. (Blix 2008, 50-55)

message of Blix's book—namely, the “fulfillment by all parties of the bargain underlying the [NPT] is required if the treaty is to remain viable”.⁶³⁵

There has also been some discussion on the idea of establishing a multilateral enrichment facility as a compromise solution. In 2004, the IAEA chief ElBaradei ordered a report from a group of experts to explore this possibility, which proposed “[c]reating, through voluntary agreements and contracts, multinational, and in particular regional, MNAs [multilateral nuclear approaches] for new facilities based on joint ownership, drawing rights or co-management for front-end and back-end nuclear facilities, such as uranium enrichment; fuel reprocessing; disposal and storage of spent fuel (and combinations thereof)”⁶³⁶. In 2008, the BBC reported that the idea was “gaining ground in foreign policy circles in the US, but it is resisted by the US, French and British governments in particular, because they argue it would make it easier for Iran to run a parallel covert facility”⁶³⁷. This might be one reason why the idea has not ended up being an issue in the negotiations between the P5+1 and Iran.

5.3.4.6 Military action

Most analysts that discuss the possibility of military action against Iran reach the conclusion that military action is not advisable. However, there are still some who argue for military action, for example the American neoconservative William Kristol. Consider for example the following excerpt from his 2010 article in the *Weekly Standard*,

Ultimately, the only way diplomacy will succeed in halting Iran's nuclear ambitions is if the mullahs understand, beyond a doubt, that America will take military action if they don't comply peacefully. No enticements can work—there is nothing the international community can offer Iran that is worth more to them than a nuclear weapon. And watered down sanctions carry their own danger—they buy time for Iran while imposing no cost. The dangers grow to us and our allies with every hour we waste.⁶³⁸

Kristol is thus saying that nothing else than military action, or at least credible threats based on that possibility, can prevent Iran from acquiring the bomb. Another neoconservative figure, Michael Rubin, however, does not agree with Kristol. As Rubin explains, “such strikes can delay the programme, albeit at high cost in terms of blood and treasure” but not end it, and they would at the same time also “strengthen the regime, as [...] the Iranian people would rally around the flag”. As he argues, “Iranians may dislike their government, but they dislike foreign invaders even more”.⁶³⁹

Others, too, express strong reservations about the benefits of military action. One example is Holloway, who proposes that a limited preventive military operation against Iran's nuclear installations might be workable, but at the same time doubts as to “how long such action could delay the Iranian programme”, and whether the political costs would in the end “outweigh the benefits”⁶⁴⁰. Friend, too, seems to suggest that military action is the last option if sanctions do not work but at the same time warns about its consequences. He notes that, in a situation where the

⁶³⁵ Blix 2008, 50-55.

⁶³⁶ Expert Group Report submitted to the IAEA Director General, 22 February, 2005.

⁶³⁷ BBC News, 23 May 2008.

⁶³⁸ Kristol 2010.

⁶³⁹ Rubin 2010, 25.

⁶⁴⁰ Holloway 2006, 62.

diplomatic options seem to have been exhausted, “the United States and its allies will then be in a better position to take stronger action— even if it means that Iran in the meantime moves farther toward acquiring a nuclear weapons capability”. Friend also seems to imply that military action against Iran might gain more international legitimacy if “[t]he case against Iran rests not on American intelligence but on the impartial evidence of NPT noncompliance unearthed by IAEA inspectors”.⁶⁴¹ At the same time, however, he notes that even surgical strikes would create collateral damage, and it would be “hard to imagine how the counterproliferation gains of such a preemptive strike would be worth earning the hatred of a nation of 69 million people”⁶⁴².

Like Friend, Ochmanek too seems to flirt with the idea of a military strike but ends up arguing against it. According to him, the “‘golden era’ of conventional power projection” when the US could still “impose its will on recalcitrant states that resort to violence in persistent violation of international norms” is over. This means that “large-scale air attacks against strategic centers of gravity, such as the enemy’s leadership itself and key national command-and-control nodes” is not preferable because “such attacks could prompt early escalation”.⁶⁴³ Even though this seems to imply that surgical strikes might nevertheless be feasible, he suggests that this would probably not apply to the Iranian case. As he argues, Iranians are already prepared for military attacks on their nuclear installations, and therefore they have “presumably taken pains to disperse and hide key components of their nuclear programmes”⁶⁴⁴. He also brings up the possibility of Iranian retaliation in the form of “terrorist attacks against U.S. interests in the region or elsewhere”⁶⁴⁵. In a similar way, Chyba et al. warn that a war with “Iran could greatly stress the military resources of the United States”. Although a war “might at first be limited to air strikes by the United States or Israel”, they suggest that “Iran’s responses to such strikes” can have serious “longer-term consequences”. They also doubt the US ability to “have the support of many allies for attacking Iran”.⁶⁴⁶ Likewise highlighting the risks of military action, Dobbins et al. explain that “[a] military strike on Iran’s nuclear facilities can retard, but ultimately probably not prevent, Iran from acquiring nuclear weapons”⁶⁴⁷. They further argue that “a large-scale U.S. attack” is likely to lead to “protracted conflict spreading beyond the gulf region”; “render moot prospects for the liberalization of Iranian society and governance for years to come and lock the United States and Iran into a relationship of active hostility”.⁶⁴⁸ Pollack, in turn, argued in 2007 that, “[i]f the United States were to confront Iran militarily to destroy its nuclear weapon capability, such military action would destroy the UN approach to dealing with nuclear weapons” and “throw the diplomatic approach out the window”.⁶⁴⁹

One striking aspect of the above discussion is the lack of any consideration of the legal basis of such action. However, such a perspective is not dismissed by Hans Blix, who points out that “a state’s technological progress toward nuclear-weapon capability, while worrisome, does not constitute an ‘armed attack’ that justifies the use of armed force under the U.N. Charter”. This is also why he thinks it is unlikely that the UN Security Council would go as far as to authorize the

⁶⁴¹ Friend 2006, 192.

⁶⁴² Friend 2006, 191.

⁶⁴³ Ochmanek, 2008. 55-6.

⁶⁴⁴ Ochmanek 2008, 20.

⁶⁴⁵ Ochmanek 2008, 18.

⁶⁴⁶ Chyba et al. 2006, 203.

⁶⁴⁷ Dobbins et al. 2007, 27.

⁶⁴⁸ Dobbins et al. 2007, 30.

⁶⁴⁹ Pollack 2007, 32.

elimination of “alleged or apparent WMD programmes that are not actively used as threats”⁶⁵⁰. In this connection, he criticizes the free license that US government seems to have given itself “to take unilateral preemptive or preventive action [...] when the first milligrams of low-enriched uranium come out of a cascade of centrifuges”⁶⁵¹.

Blix also warns that the mere rhetoric of threatening Iran is going to have negative consequences. Instead of preventing proliferation, he suggests that threats about preventive action can push Iran “to move faster toward nuclear weapons in the belief that this will help to deter counter-proliferation”⁶⁵². He also argues that “when we want to convince states to stay away from or do away with nuclear weapons, the best approach is that which makes the states feel they do not need nuclear weapons for their security”, adding that “big powers talk about [...] all options are on the table, does not create such feelings.”⁶⁵³ Takeyh, in turn, focuses particularly on the need for Israel to tone down its rhetoric; as he argues, “Israel should temper its policies because it “can have a salutary impact on Iran’s internal debates on this crucial strategic issue”.⁶⁵⁴

However, there are also those who see the policy threats in a more positive light. As with the topic of military strike, Friend seems somewhat ambiguous on this point. On the one hand, he too thinks that “[t]he explicit threats of preemption necessary to attempt credible acquisition deterrence against Iran would play into the mullahs’ appeal to nationalism”; “destroy any possibility of success on the diplomatic front”⁶⁵⁵, and carry “the risk that Iran will go further down the road toward NPT breakout and popular alienation”.⁶⁵⁶ On the other hand, however, he seems to imply that the policy of threats can help convince others join the US non-proliferation efforts against Iran. Here Friend refers to “the Iraqi example”, the logic being that “[t]he threat of force made against Iraq, by the United States, mobilized a previously torpid international community into taking the Iraqi WMD threat seriously and today, despite the international ill-will engendered by the Iraq experience, the necessity of enforcing multilateral nonproliferation norms has been strengthened”.⁶⁵⁷

5.3.4.7 Regime change

Particularly after the 2003 war on Iraq, the idea of a forced regime change in Iran is dismissed by most writers as unrealistic. Holloway, for example, explains that “[a]n operation of the kind undertaken in Iraq is hardly conceivable, in view of the resistance it would provoke in Iran”⁶⁵⁸. Ochmanek, in turn, writes that “the United States and its allies [...] will have to accept that military operations to impose regime change must be reserved for situations of only the direst sort”⁶⁵⁹. He continues that, in the Iranian case, the country’s “sheer size would pose very serious challenges to an invading force that intended to invest the capital and occupy most of its territory”. He also notes

⁶⁵⁰ Blix 2008, 50-55.

⁶⁵¹ Blix 2008, 29-30.

⁶⁵² Blix 2008, 50-55.

⁶⁵³ Blix 2008, 61.

⁶⁵⁴ Takeyh 2006, p. 53-4.

⁶⁵⁵ Friend 2006, 196.

⁶⁵⁶ Friend 2006, 191.

⁶⁵⁷ Friend 2006, 192.

⁶⁵⁸ Holloway 2006, 62.

⁶⁵⁹ Ochmanek 2008, 55-56.

that “[i]f a substantial portion of the population were mobilized to oppose an occupying force, that force could face difficulties far more daunting than those that coalition forces have faced in Iraq since the fall of Saddam Hussein’s regime”.⁶⁶⁰

Even the neoconservatives seem to agree, even though this does not mean they would have given up hopes of a regime change in Iran: instead of achieving this goal through military action, they propose the promotion of such a change from within. As Rubin argues in an article titled “Iran : The Case for Regime Change”,

Regime change is the only strategy, short of military strikes, that will deny Iran a nuclear bomb, and it is the only strategy that can end altogether the threat of a nuclear programme under the control of radicals in the employ of the Islamic Republic. Military strikes would be effective in the short term, but would come at a tremendous cost in terms of blood, treasure, and blowback. Regime change [...] could end with Iran taking its place among nations as a moderate, productive republic, immunized against the virus of Islamist populism, at peace with itself and its neighbors.⁶⁶¹

Thus Rubin is suggesting that only a change of government will bring a lasting solution to the Iranian nuclear problem. As for the methods of bringing about this objective, he proposes the following steps. First, as the UN sanctions are “not sufficient” for turning the Iranian government against its people, Rubin argues that additional sanctions—such as restrictions on “gasoline and kerosene importation”—could “sting bitterly and [...] spark a spirit of resentment among ordinary Iranians at their own government’s fecklessness”. Second, he writes that Obama can “paralyze the Islamic Republic’s economy by declaring Iran’s Central Bank guilty of deceptive financial practices”, and thus bring about “economic isolation [that] would be near total, and investment in Iran would halt”. He adds that this would also effectively prevent China and Russia from dealing with Iran because they could not “risk the liability or reputational risk associated with doing business with an Iranian bank designated as a money-laundering concern”. As for the criticism that such measures “will enable the Iranian government to deflect resentment onto foreign powers”, Rubin dismisses it simply by saying that “no evidence supports such claims”. Third, Rubin continues that “of course the Iranian people must be U.S. allies in the fight against the regime”, which is why “it is essential that Washington empower them, rather than simply encourage grassroots action”. In practice, this means funding Iran’s “non-religious ‘civil society’”—which Rubin notes has in fact been done since 2005 through various ‘democracy funds’ allocated by the US Congress. According to Rubin’s chilling logic, US funding is “well spent” even if protesters will not succeed and end up being arrested, because such overreactions will nevertheless weaken the Iranian regime⁶⁶². Fourth, he stresses that “there can be no regime change until the Revolution Guard cracks”. In this connection, Rubin goes on to promote outright murder; as he writes, “the Obama administration should have no qualms about assassinating Revolutionary Guardsmen with American blood on their hands—like the ones engaged in a campaign of murder against U.S. soldiers and civilian officials in Iraq and Afghanistan”⁶⁶³. Fifth, he proposes an information war, equipping Iranians with necessary communications technology and sending daily broadcasts where “[f]luent Persian speakers serving in the U.S. government [...] provide a counter-narrative to that

⁶⁶⁰ Ochmanek 2008, 18.

⁶⁶¹ Rubin 2010, 29.

⁶⁶² Rubin 2010, 27-28.

⁶⁶³ Rubin 2010, 28.

advanced by Iran's state-controlled media"⁶⁶⁴. As noted in chapter 4, by the time of writing, many of Rubin's suggestions have been put into practice by the Obama administration's and the EU's unilateral sanctions targeting the Central bank and Iran's oil revenues.

Although they deny that they would be promoting regime change, Dobbins et al. come up with a very similar suggestion. As they argue, "the United States and its allies should more energetically explore options for promoting liberalization within Iraqi [sic] society", meaning not "regime change" or "democratization from without" but the empowerment of "forces already at work within Iranian society in the hopes of promoting change from within"⁶⁶⁵.

5.3.5 Less-explored areas of research

As noted at the beginning of this literature review, the amount of existing literature on the Iranian nuclear issue is enormous, making it impossible to summarize or even to be aware of everything that has been written on the topic. However, the above discussion gives some indication of the dominant discourses that often set the terms for the ways in which questions are formulated, what kinds of assumptions tend to be taken as a given, and which issues are overlooked as insignificant. In short, it can be said that those discourses lead research to focus on Iranian capabilities and hidden intentions, wherefore the country's stated intentions and justifications are often dismissed as largely insignificant. In effect, a great deal of the research literature consists of speculative exercises of imagination, rather than empirical analyses. The notoriously difficult task of assessing others' intentions is further complicated by the fact that most analysts, being Americans, have a cultural bias for viewing Iran in negative light, as a challenge for US foreign policy. However, there are also efforts to understand the Iranian perspective in its own terms. While some try to do this in terms of Realist logic of survival, others take seriously the Iranian arguments regarding its need for nuclear energy, or focus on the symbolic representation of the nuclear programme in Iranian popular imagination. Most writers—including myself—acknowledge that the nuclear dispute is closely connected with the US-Iranian conflict. Even though not all regard this as relevant for understanding Iran's intentions, several writers highlight it in their policy recommendations: while some argue that the solution to the nuclear dispute is dependent on conflict management between the US and Iran, others' recommendations (i.e. the neoconservative arguments for regime change) are themselves symptomatic of the US-Iranian conflict. Nevertheless, the pervasive idea of the nuclear dispute as reflection of an unresolved bilateral conflict between the US and Iran does not seem to have inspired much interest in how this conflict has shaped the interpretation of non-proliferation norms in connection with the UN Security Council process on Iran, and what beliefs and concerns underlie the Security Council members' decisions to impose sanctions on the country. The only systematic study on the Security Council process on Iran of which this author is aware is that by Ogilvie-White. My own study in the following, third part of this thesis thus serves to fill in some of the gaps in this rarely explored territory.

⁶⁶⁴ Rubin 2010, 28-29.

⁶⁶⁵ Dobbins et al. 2007, 29.

III THE CASE OF IRAN IN THE UN SECURITY COUNCIL

In the following empirical chapters, I will analyse the discourse of the key actors—that is, the UN Security Council members and Iran—with the purpose of addressing the question as to whether norm-enforcement in the Iranian nuclear issue can be seen to be in line with the solidarist paradigm. As explained before, the assessment is based on five criteria or conditions —A) international consensus about violation of a shared norm and the related threat to international peace and security; B) international consensus on the need for relevant enforcement measures; C) the predominance of Rationalist considerations behind this consensus; D) the unreasonableness of the conduct of the target state, and E) the effectiveness of the norm-enforcement measures in promoting their stated goals. The empirical analysis is divided into three main chapters, focusing on the degree of Iran’s criminalisation (chapter 6 ‘Non-Conformity’), Iran’s obligations in the broader context of the non-proliferation regime (chapter 7 ‘Rights and Responsibilities’), as well as the ways of dealing with the situation (chapter 8 ‘Norm-Enforcement’). For the sake of clarity, table 2 below lists the non-permanent members and their voting behavior in the period under study.

	1696/July 2006	1737/December 2006	1747/March 2007	1803/March 2008
Argentina (2005-2006)	positive vote	positive vote		
Austria (2009-2010)				
Belgium (2008-2009)				positive vote
Burkina Faso (2008-2009)				positive vote
Congo (2006-2007)	positive vote	positive vote	positive vote	
Costa Rica (2008-2009)				positive vote
Croatia (2008-2009)				positive vote
Denmark (2005-2006)	positive vote	positive vote		
Ghana (2006-2007)	positive vote	positive vote	positive vote	
Greece (2005-2006)	positive vote	positive vote		
Indonesia (2007-2008)			positive vote	abstention
Italy (2007-2008)			positive vote	positive vote
Japan (2005-2006)	positive vote	positive vote		
Libya (2008-2009)				positive vote
Mexico (2009-2010)				
Panama (2007-2008)			positive vote	positive vote

Peru (2006-2007)	positive vote	positive vote	positive vote	
Qatar (2006-2007)	negative vote	positive vote	positive vote	
Slovakia (2006-2007)	positive vote	positive vote	positive vote	
South Africa (2007-2008)			positive vote	positive vote
Tanzania (2005-2006)	positive vote			
Turkey (2009-2010)				
Uganda (2009-2010)				
Vietnam (2008-2009)				positive vote

Table 2: non-permanent UN Security Council members and their voting behaviour of in 2006-2008

6 Non-conformity

As argued in chapter 2, criminalisation is an informal practice that has grown out of the Security Council's basic function of identifying threats to international peace and security. Thus it can be said that criminalisation ultimately depends on successful securitisation. Also in the Iranian case, the UN resolutions and related exceptional prohibitions have been adopted under Chapter IV of the UN Charter—i.e. “with respect to threats to the peace, breaches of the peace, and acts of aggression”⁶⁶⁶. However, for the purpose of assessing the applicability of the solidarist paradigm, it also matters whether the Security Council members’ believe that Iran’s violation of norms has been so severe as to threaten international peace and security. Thus the aim of this chapter is to focus on the extent of criminalisation of Iran (section 6.1) and the degree of securitisation of the nuclear issue by the UN Security Council (section 6.3). As part of this discussion, section 6.2 deals with the key actors’ views on Iran’s nuclear intentions: whereas allegations about Iran’s proliferation intention add to both criminalisation and securitisation, expressions of trust in the country’s intentions have a contrary effect.

6.1 Definition of non-compliance

This section deals with the degree of international consensus regarding whether and to what extent Iran’s conduct violated internationally shared norms. There are several potential meanings of non-compliance in the Iranian case. The minimal definition would be restricted to the IAEA Board's September 2005 resolution, as well as Iran’s refusal to suspend activities named in the UN resolution 1696, and to address details about its past activities (the outstanding issues)⁶⁶⁷. However, as the subsequent resolutions contained further demands and prohibitions, they added potential new dimensions to non-compliance. As shown below, some Security Council members remained within

⁶⁶⁶ UN Security Council resolution 1696, 2006.

⁶⁶⁷ See section 5.1.

the minimal definition, in which connection they either applied or avoided the language of criminalisation, whereas others applied the language of criminalisation to all possible aspects of non-compliance. The potential for conflicting interpretations has to do with ambiguity in the existing international law. The Iranian position draws from Article IV of the NPT—which confirms the “inalienable right of all the Parties to the Treaty to develop, research, production and use of nuclear energy for peaceful purposes”, as well as “to participate in, to the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy”⁶⁶⁸. The Western position, in contrast, relies on that part of Article IV which adds the condition that, to be able to enjoy their rights, NPT-members must be “in conformity with” Article II, meaning that they must refrain from the pursuit of nuclear weapons.⁶⁶⁹

6.1.1 US, UK, France, Belgium, Burkina Faso, Costa Rica, Croatia, Japan, Panama and Slovakia: condemning Iran’s conduct

The three Western P5 members—US, UK and France—all presented as an unquestionable fact that Iran had breached international law in various ways. In addition to its past lack of transparency and defiance of the Security Council resolutions, these three countries were also keen to point to other forms of non-compliance. The statements of these three countries give a strong impression of Iran as a crime suspect who is presented with charges, found guilty, and punished accordingly before the ‘court’. Seven non-permanent members, too, made clear they condemned Iran’s actions, even though their understanding of non-compliance was apparently restricted to the minimal definition.

6.1.1.1 The US

In spring 2006, the Bush administration’s previous rogue state rhetoric was increasingly replaced by a more legalist discourse highlighting Iran’s breach of international law. At the time, President Bush argued that it was “logical that a country which has rejected diplomatic entreaties be sent to the [UN] Security Council”⁶⁷⁰; that Iran was “walking away from international accords”⁶⁷¹, not “upholding the agreements”⁶⁷², and “not adhering to the international norms”⁶⁷³. After the country had not heeded the Security Council demands, Bush stressed that the [Iranian] regime is acting in defiance not only “of its treaty obligations”, but also “of the [UN] Security Council”⁶⁷⁴. The Obama administration, too, made clear that it considered Iran’s conduct as unlawful. Whereas in early 2009 Obama’s press secretary referred to Iran’s “illicit nuclear programme”⁶⁷⁵, after the Fordow revelations he described the newly detected facility as “contrary to U.N. resolutions and contrary to the rules governing the IAEA”⁶⁷⁶. Obama also remarked that “Iran has been violating too many of its international commitments”⁶⁷⁷, and expressed his determination to demonstrate

⁶⁶⁸ Uranium enrichment has also commonly been seen to be included in these rights in other cases. See Miller (2007, 569) in reference to Article IV of the NPT.

⁶⁶⁹ Cf. Miller 2007, 572.

⁶⁷⁰ Bush, 13 January 2006.

⁶⁷¹ Bush, 21 March 2006.

⁶⁷² Bush, 22 March 2006.

⁶⁷³ Bush, 10 March 2006.

⁶⁷⁴ Bush, 19 June 2006.

⁶⁷⁵ Gibbs, 3 February 2009.

⁶⁷⁶ Obama, 25 September 2009a.

⁶⁷⁷ Obama, 23 September 2009.

through P5+1 diplomacy “that international law is not an empty promise; that obligations must be kept; and that treaties will be enforced”⁶⁷⁸. Iran’s various breaches were also highlighted by the American UN ambassadors, who backed their arguments with quotes from relevant passages from the IAEA reports⁶⁷⁹. While in July 2006 Ambassador Bolton spoke about “more than three years of Iranian non-compliance with [the NPT and the IAEA Safeguards Agreement]”⁶⁸⁰, in March 2007 Ambassador Wolff stated that Iran had a history of more “than 20 years of deception of the [IAEA]”, and that “[a] nuclear programme has been hidden from the international community, in violation of the [NPT], a programme that slowly and incompletely is emerging from the shadows, only because of the efforts of international inspectors and outside groups”⁶⁸¹.

As for the progress between Iran and the IAEA on the resolution of the outstanding issues, this was not acknowledged by the US—except by way of a joint statement by the P5 which simply “note[d] the progress made in implementing the IAEA-Iran work plan and the IAEA’s serious concerns about the ‘alleged studies’, which are critical to an assessment of a possible military dimension to Iran’s nuclear programme”⁶⁸². In his statement in March 2008, Ambassador Khalilzad instead stressed that “Iran’s violations of Security Council resolutions not only continue, but are deepening”. Based on the fact that the ‘alleged studies’ still remained unaddressed, Khalilzad said that “[t]he latest IAEA report states that Iran has not met its obligation to fully disclose its past nuclear weapons programme” and that, “[o]n the core issue of whether Iran’s nuclear programme is strictly peaceful, the report showed no serious progress”⁶⁸³.

Regarding the Fordow site revelations in 2009, Ambassador Rice characterised them as being “in contravention of its Security Council obligations”, recalling that the IAEA had defined Iran’s failure to report them as being “inconsistent with Iran’s IAEA safeguards obligations”⁶⁸⁴. She also put a lot of attention to a new form of non-compliance which arose from the ban imposed by Security Council on Iranian arms shipments. Referring to a ship that had been found carrying “arms-related materiel” from Iran to Syria, in March 2009 Rice stressed that this constituted a “new violation of Security Council resolutions” by Iran⁶⁸⁵. In December 2009 Rice noted that there had been two other similar cargoes from Iran to Syria, which she viewed as “clear violations of paragraph 5 of resolution 1747”⁶⁸⁶.

6.1.1.2 The UK

In Spring 2006 there was still some ambiguity in Blair’s statements as to whether he thought Iran had breached its non-proliferation obligations or not. On the one hand, the PM stressed the difference between Iran and Iraq, saying that “Iraq indeed was in breach of its UN obligations” but “Iran is not Iraq incidentally, it is a different situation”, and that Iran “must not breach its atomic

⁶⁷⁸ Obama, Barack, 25 September 2009b.

⁶⁷⁹ See e.g. Khalilzad, 3 March 2008.

⁶⁸⁰ Bolton, 31 July 2006

⁶⁸¹ Wolff, 24 March 2007.

⁶⁸² P5 joint statement, read out by Sawers, 3 March 2008.

⁶⁸³ Khalilzad, 3 March 2008.

⁶⁸⁴ Rice, 10 December 2009.

⁶⁸⁵ Rice, Susan, 10 March 10, 2009.

⁶⁸⁶ Rice, 10 December 2009.

energy obligations”⁶⁸⁷. While this suggested that Iran had not yet breached its obligations, Blair also said in March that a “report from the Atomic Energy Authority makes it clear that they are in breach of their obligations”⁶⁸⁸ and in May he said that Iranians “appear to be in breach of their nuclear obligations”⁶⁸⁹. After it became clear that Iran would not comply with resolution 1696, however, the UK definition of breach seemed settled. Later in 2006 the PM explained that, “if the UN resolution is put down and then it is breached then it is important that action follows”⁶⁹⁰, and that Iran was “in breach of its non-proliferation duties”⁶⁹¹. Gordon Brown, too, frequently stated that Iran was in breach of international law. For example, he said that “Iran remains in breach of its international obligations”⁶⁹² and “of the [NPT]”, and that the country “cannot ignore the international community and its obligations with impunity”⁶⁹³. In December 2007 Brown even went as far as to claim that Iran’s uranium enrichment activities were “in breach of *all* the international agreements that have previously been made”, and that “the reason there are sanctions [...] is that against all promises and against all treaty agreements, Iran is enriching uranium where there is no civil nuclear purpose appearing to be there”. The PM added that “Iran has got to play by the rules and the rules are that they are part of an international agreement that said that these things wouldn’t be happening”⁶⁹⁴. As for British UN ambassadors, they joined their US colleagues focusing on the negative aspects of the IAEA reports. Jones Parry, for example, said in December 2006 that Iran had “simply thumbed its nose at the Council and defied international law”⁶⁹⁵, while in March 2007 he lamented Iran’s failure to comply with previous UN resolutions and “defiance of its obligations under international law”⁶⁹⁶.

Regarding the work done by Iran and the IAEA on the resolution of outstanding issues, ambassador Sawers said the following in March 2008:

The progress that Iran has made with the IAEA addresses only one of [the issues of concern], and then only partially. Iran has refused to answer the most difficult questions about its past programme or to meet IAEA requests to interview named Iranian officials. And, as the IAEA reports, far from suspending its enrichment activities, Iran has intensified its efforts, including by trying to develop a new generation of centrifuges. Overall, Iran has clearly failed to abide by its legal obligations under successive Security Council resolutions. [...] Iran has [...] to resolve all outstanding questions [...].⁶⁹⁷

While Sawers thus acknowledged but at the same time downplayed the progress on the outstanding issues, in June 2008 ambassador Quarrey argued that Iran had “failed to make any progress” on the outstanding issues⁶⁹⁸. In March 2009 Sawers too talked about “the total absence of cooperation by Iran in connection with issues that give rise to concerns about a possible military dimension to Iran’s nuclear programme”⁶⁹⁹.

⁶⁸⁷ Blair, 9 March 2006.

⁶⁸⁸ Blair, 16 March 2006.

⁶⁸⁹ Blair, 24 May 2006.

⁶⁹⁰ Blair, 9 September 2006.

⁶⁹¹ Blair, 4 December 2006.

⁶⁹² Brown, 17 December 2007.

⁶⁹³ Brown, 17 April 2008.

⁶⁹⁴ Brown, 14 December 2007.

⁶⁹⁵ Jones Parry, 23 December 2006.

⁶⁹⁶ Jones Parry, 24 March 2007.

⁶⁹⁷ Sawers, 3 March 2008.

⁶⁹⁸ Quarrey, 13 June 2008.

⁶⁹⁹ Sawers, March 10, 2009.

Like the US, the UK also condemned Iran's undeclared activities at Fordow, as well as its arms shipments to Syria. Briefly before the Fordow site revelations were verified in September 2009, Brown said "the level of deception by the Iranian government and the scale of what we believe is the breach of international commitments will shock and anger the whole international community"⁷⁰⁰; that "we consider [Iran's reporting failures] to be breaches of the international commitments"⁷⁰¹. The PM also said that "as the evidence grows [...], I think other countries will see that there is a breach of regulations"⁷⁰². Ambassador Lyall Grant, in turn, said in December 2009 that "Iran lost the trust of the international community by hiding the most sensitive aspects of its programme for nearly 20 years, by failing to implement [IAEA] transparency measures, and by refusing to answer all the questions put to it by the IAEA as it sought to establish the facts", adding that the development of "the enrichment facility at Qom [...] was in contravention of five Security Council resolutions" and "inconsistent with Iran's obligations under the subsidiary arrangements of its Safeguards Agreement".⁷⁰³ As for the three Iranian ships that had been seized under resolution 1747, the UK ambassadors stressed they represented clear violations of that resolution⁷⁰⁴. In effect, in December 2009 Ambassador Lyall Grant spoke about "a pattern of sanctions violations" which "leave no doubt that Iran is determined to flout the requirements of the Security Council"⁷⁰⁵.

6.1.1.3 France

The French government, too, condemned what it regarded as Iran's clear violations of international law. Chirac said that "Iran must comply with international rules", and that it "must understand that an agreement that complies with the rules of the international community, in other words non-proliferation, is in everyone's interest"⁷⁰⁶. Referring to Iran's 'illegal programmes', Chirac stressed that "[i]nternational legality must prevail over the threats of proliferation of [WMD]"⁷⁰⁷. He also characterised Iranian conduct and non-compliance as "regrettable"⁷⁰⁸, "blameworthy"⁷⁰⁹, and as "neither normal nor acceptable"⁷¹⁰. Sarkozy, for his part, said that Iranian leaders were "in breach of international rules regarding nuclear weapons, which has to stop"⁷¹¹; that it could not be ignored that Iran was "developing such technologies in violation of international law"⁷¹²; that "Iran's leaders must understand that [...] there are international rules that must be respected"⁷¹³. Moreover, in 2008 Sarkozy referred to Iran's "clandestine violation of international treaties" which

⁷⁰⁰ Brown, 25 September 2009.

⁷⁰¹ Brown, 26 September 2009.

⁷⁰² Brown, 26 September 2009.

⁷⁰³ Lyall Grant, 10 December 2009.

⁷⁰⁴ Sawers, 10 March 2009.

⁷⁰⁵ Lyall Grant, 10 December 2009.

⁷⁰⁶ Chirac, 26 July 2006.

⁷⁰⁷ Chirac, 19 September 2006a.

⁷⁰⁸ Chirac, June 9 2006.

⁷⁰⁹ Chirac, 18 September 2006a.

⁷¹⁰ Chirac, 1 February 2007.

⁷¹¹ Sarkozy, 24 September 2007.

⁷¹² Sarkozy, 13 February 2008.

⁷¹³ Sarkozy, 14 January 2008.

he claimed had continued “already for 20 years”⁷¹⁴. Regarding the previously undeclared Fordow site in September 2009, Sarkozy said that it constituted a breach that required investigation⁷¹⁵.

After their rather neutral language in the first two Council meetings⁷¹⁶, the French UN ambassadors also began to condemn Iran’s violations and to express their concern about the implications of the Iranian nuclear issue on the integrity⁷¹⁷ and the future of the NPT⁷¹⁸. For example, in March 2007 Ambassador De La Sablière argued the latest IAEA report “unequivocally demonstrated” that Iran was in non-compliance with the UN resolutions and that the country had ignored the IAEA Board and Council resolutions, concluding that “[i]t is unacceptable that the Iranian authorities find pretexts to shirk their commitments made under the NPT”.

As for the 2007-2008 process on the outstanding issues by Iran and the IAEA, France did not even mention this in the March 2008 Council meeting. Instead, the following statements by Ambassador Lacroix suggested that there were only negative developments:

Iran concealed a clandestine nuclear programme for 20 years, in violation of its Safeguards Agreement and without a credible civilian use. It developed that programme through a network that serviced military programmes throughout the world. It has revealed no information on its own initiative, and has cooperated with the Agency only sporadically since it was exposed. [...] A new and disturbing aspect that is developed at length in the report is that of Iran’s presumed militarization activities. The Director General calls them a matter of serious concern.⁷¹⁹

Ambassador Ripert, in turn, characterised the recent overview of the situation given by the IAEA chief in June 2009 as ‘shocking’⁷²⁰. After talking about “Iran’s deliberate violations of the sanctions arising from [previous] resolutions”, Ambassador Araud referred in December 2009 to the Fordow site, arguing that this was “[e]ven more serious”⁷²¹. Moreover, like their US and UK colleagues, the French highlighted the new dimensions of Iran’s non-compliance arising from resolution 1747. As Ambassador Ripert argued in March 2009, a “vessel full of weaponry materials [...] departed Bandar Abbas, Iran, for Latakia, Syria, in gross violation of resolution 1747”⁷²².

6.1.1.4 Belgium, Burkina Faso, Costa Rica, Croatia, Japan, Mexico, Panama, and Slovakia

The standard non-permanent members’ approach was to merely state their support for non-proliferation and urge Iran to comply with the relevant resolutions (see section 7.3). However, several non-permanent members also expressed condemnation of Iran’s actions, and suggested that they constituted a violation of international law. For example the Japanese Ambassador Oshima

⁷¹⁴ Sarkozy, 25 January 2008.

⁷¹⁵ Sarkozy, 25 September 2009.

⁷¹⁶ In the first two Council meetings the French still called for Iran’s cooperation in a rather neutral tone. In July 2006 ambassador de la Sablière (31 July 2006) said that “we appeal to Iran to respond positively to the substantive proposals that we made last month” and in December that same year he (de la Sablière, 23 December 2006) explained that the aim of resolution 1737 was “to invite Iran to conform to its commitments”.

⁷¹⁷ de la Sablière, 24 March 2007.

⁷¹⁸ Lacroix, 3 March 2008.

⁷¹⁹ Lacroix, 3 March 2008.

⁷²⁰ Ripert, 15 June 2009.

⁷²¹ Araud, 10 December 2009.

⁷²² Ripert, 10 March 2009.

explained in December 2006 that, “[i]n defiance of resolution 1696 (2006), Iran has refused to take any steps required of it to comply with the measures set out by the International Atomic Energy Agency (IAEA) and the Security Council”, and that, “[o]n the contrary, the situation has worsened, with Iran’s expansion of its enrichment- and reprocessing-related activities”. Similar tone was used by Belgium and Slovakia in March 2007. While the Slovakian representative Matulay described all the UN resolutions that had been passed to date as “proportionate, incremental and targeted responses to Iran’s continued failure to comply with international requirements”⁷²³, his Belgian colleague, Ambassador Verbeke, regretted that Iran had “not met the requirements of the Security Council” and that it had “ignored the requirements of the Security Council and the [IAEA]”. He also explained that “Belgium deplores the lack of cooperation and transparency on the part of Iran”.⁷²⁴

Iran’s conduct was also condemned by Burkina Faso, Costa Rica, Croatia and Panama in connection with the controversial resolution 1803 in the March 2008 Council meeting. The ambassador of Burkina Faso, Mr Kafando, called attention to the negative aspects of the latest IAEA report, and said that “[w]e deeply regret Iran’s position, because all States parties to the [NPT] are bound to fully disclose” information” that would allow the IAEA “to clearly determine the precise nature of the Iranian nuclear programme”⁷²⁵. Croatia, Costa Rica, and Panama each briefly referred to positive developments regarding the resolution of the outstanding issues but mainly focused on the negative ones. As the Croatian representative Mr. Jurica said, “[w]hile some of the findings of the IAEA report are satisfactory, taken as a whole, the report does not paint a positive picture”. As an example of negative findings, he mentioned Iran’s avoidance of “key questions regarding indications of a possible military dimension of its nuclear activities”.⁷²⁶ The Costa Rican Ambassador Urbina gave more credit to positive developments by saying that “we acknowledge and value the progress that has been made with respect to confidence building”, and that “we are very pleased with Iran’s stated intentions to continue working with the International Atomic Energy Agency and to meet its requirements”. At the same time, however, Urbina made clear Iran was still in non-compliance of its obligations and expressed disapproval of the Iranian accusations that the Council actions were politically motivated.⁷²⁷ The Panamanian ambassador, Mr Suescum, in turn, said that, “[d]espite the noteworthy and commendable progress in the process, Panama believes that until we have comprehensive clarity about the present scope of its nuclear programme, Iran will not have fully met its obligations”. He also said that “[i]t does not help Iran to say [...] that it suspended the activities that it agreed to suspend” because “[a]s stated in the [latest IAEA] report [...], Iran has not suspended the activities that it must suspend”⁷²⁸. Finally, Mexico could also be included in this section due to its brief remark in a June 2009 meeting. According to the country’s UN ambassador, Mexico was “concerned about the points raised in the most recent report of the International Atomic Energy Agency (IAEA) of 5 June 2009, which states that Iran is continuing to not comply with Security Council resolutions, to enrich uranium and to build plants that are linked to heavy-water reactors”⁷²⁹.

⁷²³ Matulay, 24 March 2009.

⁷²⁴ Verbeke, 24 March 2007.

⁷²⁵ Kafando, March 3 2008.

⁷²⁶ Jurica, 3 March 2008.

⁷²⁷ Urbina, 3 March 2008.

⁷²⁸ Suescum, 3 March 2008.

⁷²⁹ Heller, 15 June 2009.

6.1.2 Russia and China: pointing to mixed findings and avoiding condemnation

The Russian and Chinese statements were in marked contrast with those of the Western P5. Instead of focusing only on the negative aspect of the IAEA reports, Russia and China pointed to mixed findings and also acknowledged positive developments. With the exception of Medvedev's condemnation of the Iranian activities in Fordow, they also did not refer to any additional forms of non-compliance.

6.1.2.1 Russia

Putin's most critical remarks on Iran's conduct were made in July 2006, as he said, referring to Iran's lack of response to the P5 + one proposals, that he would like "their reaction to be quicker" and "the dialogue based on these proposals to be more constructive".⁷³⁰ Apart from that, Putin refrained from condemning Iran and did not dwell on the issue of non-compliance. In 2007 Putin also acknowledged the progress made in the context of the IAEA-Iran workplan: while in July 2007 he said that, "[r]ecently, we've had some indications that Iran is willing to cooperate with the IAEA"⁷³¹, in December 2007 he explained he was "pleased to note the intensification of contacts between [Iran] and the IAEA". Putin also welcomed "the expansion of cooperation" and said that he expected that all of Iran's "nuclear programmes will be open, transparent and conducted under the supervision of this international organization".⁷³² Putin's Russia nevertheless supported the controversial March 2008 resolution, and in this connection the Russian UN Ambassador Vitaly Churkin did not even mention the Iran-IAEA process. Instead, Churkin described the new sanctions as a response to what he called the Iranian "shortage of cooperation"⁷³³. In December 2006, too, Churkin's tone was closer to the other P5 than Putin's, for he described resolution 1737 as "a serious message to Iran regarding the need to cooperate more actively and more openly with the IAEA"⁷³⁴. In most cases, however, Churkin's tone was softer: for example, he expressed the hope that Iran would "properly and seriously view"⁷³⁵; "correctly and most earnestly consider"⁷³⁶ and "carefully analyse"⁷³⁷ the contents of the UN resolutions⁷³⁸. Iran was also called upon to "take the necessary steps to redress the situation"⁷³⁹; to "choose fully to cooperate with the IAEA"⁷⁴⁰; and to take "[c]onstructive steps [...] to comply with the draft resolution" in order "to mitigate the urgency of the questions relating to Iran's nuclear programme".⁷⁴¹

The most important difference with the other P5 + one group and Russia had to do with the definition of breach: namely, Putin explicitly rejected the interpretation that Iran was in breach of international law. In his *Le Monde* interview of June 2008, the former president, then prime minister, argued as follows:

⁷³⁰ Putin, 6 July 2006.

⁷³¹ Putin, 2 July 2007.

⁷³² Putin, 4 December 2007.

⁷³³ Churkin, 27 March 2008.

⁷³⁴ Churkin, 31 July 2006.

⁷³⁵ Churkin, 31 July 2006.

⁷³⁶ Churkin 23 December 2006.

⁷³⁷ Churkin, 24 March 2007.

⁷³⁸ Churkin, 24 March 2007.

⁷³⁹ Churkin, 31 July 2006.

⁷⁴⁰ Churkin, 24 March 2007.

⁷⁴¹ Churkin 23 December 2006.

I should say that *formally Iran hasn't violated any rules*. It even has the right to carry out enrichment. It only takes a quick glance at the relevant documents to confirm this. There were some claims that Iran hadn't revealed all its programmes to the IAEA. This is what we need to clear up. But to a large extent Iran has revealed its nuclear programmes. I repeat there is no official basis for legal claims against Iran.⁷⁴²

Putin's comment was in clear contradiction with the official Russian position during his own presidency, and it raised the question as to why Russia had supported the UN resolutions against Iran in the first place.

As for Medvedev, in July 2008 his tone was still in line with the Putin's previous neutral tone. At the time, the new president pointed to mixed developments, saying that "there has been some progress in some areas and we remain at a standstill in others"⁷⁴³. In another occasion in July, he first welcomed "the readiness of the Iranian side to negotiate a comprehensive agreement" but also urged it "to cooperate fully with the IAEA to clarify all outstanding issues regarding Iran's nuclear programme"⁷⁴⁴. After the revelations of the undeclared Fordow site in Autumn 2009, however, Medvedev's approach clearly departed from his predecessor. As he explained at the time, Iran's activities at the Fordow site "contradict[ed] the UN Security Council's repeated demands for Iran to halt its enrichment activities"⁷⁴⁵, and were "contrary to UN Security Council demands"⁷⁴⁶. "[T]he worst aspect of the situation", according to Medvedev, was that this newly revealed site "was built in secrecy"⁷⁴⁷. Adding to this condemnatory tone, the president also spoke of a "serious turn" and "the problem of Iran"⁷⁴⁸, and argued that "Iran must cooperate with the IAEA [...] because it is its obligation" and because "this is an absolutely indubitable thing, if it wishes to develop its nuclear dimension, nuclear energy programme". The president specified that "[t]his is its duty and not a matter of its choice, because otherwise a question will be raised all the time: what is it really doing?"⁷⁴⁹. Despite the above comments, neither Medvedev nor the Russian UN ambassadors ever voiced the argument that Iran had breached international law. Indeed, in 2009 the Russian tone at the Security Council was even calmer than before. Consider for example Churkin's laconic remark from December 2009 as he said that, "[a]t present, the situation relating to the Iranian nuclear programme is not simple"⁷⁵⁰. In contrast to the Western P5 discussion about the seizure of Iranian arms shipments, the Russian ambassador also seemed to express implicit criticism of the former's focus on this topic by saying that "it is important that all six States maintain their commitment to the primary goal, which is to assist the International Atomic Energy Agency in establishing the fact that there are no military aspects to Iran's nuclear programme"⁷⁵¹.

⁷⁴² Putin, 1 June 2008.

⁷⁴³ Medvedev, 1 July 2008.

⁷⁴⁴ Medvedev, 18 July 18, 2008.

⁷⁴⁵ Medvedev, 25 September 2009a.

⁷⁴⁶ Medvedev, 25 September 2009b.

⁷⁴⁷ Medvedev, 25 September 2009b.

⁷⁴⁸ Medvedev, 25 September 2009b.

⁷⁴⁹ Medvedev, 15 September 2009.

⁷⁵⁰ Churkin, 10 December 2009.

⁷⁵¹ Churkin, 15 June 2009.

6.1.2.2 China

Like the Russians, the Chinese never accused Iran of having breached international law, even though they sometimes adopted a strict tone. For example, the Chinese officials said that “Iran is under the obligation to honor its commitments”⁷⁵²; that “[i]t is imperative for Iran to fully cooperate with IAEA to restore international community’s confidence on its nuclear programme”⁷⁵³; that “Iran [...] has the obligation to accept effective supervision by the IAEA and to resolve outstanding issues”⁷⁵⁴, and that Iran “should fulfill its due international obligations”⁷⁵⁵. On the other hand, the Chinese were also not keen to point to positive developments, either, except in early 2006. For example, in February 2006, the country’s UN Ambassador Wu Hailong noted that “Iran has continued to facilitate IAEA safeguards and verification activities and provide access to relevant information according to its Safeguards Agreement and the Additional Protocol”⁷⁵⁶. In March 2006 Zhang Yan, Head of the Chinese Delegation in IAEA Board meeting likewise referred to several positive aspects of the latest IAEA report but also to “certain pending issues”. He concluded that “the Agency’s inspection on Iran is making progress and, at the same time, it will take even longer time and need further cooperation and transparency on Iran’s part to reach the conclusion that there are no undeclared nuclear activities in Iran”.⁷⁵⁷ After this, the only positive remarks were heard in March 2008, as Ambassador Wang Guangya said the following:

At present, developments regarding the Iranian nuclear issue are mixed. [...] Iran has clarified a series of outstanding issues such as uranium contamination, polonium experiments and the uranium metal document and provided information similar to that which it had previously provided pursuant to the Additional Protocol. China welcomes the previously mentioned cooperation between Iran and the IAEA. On the other hand, the report also points out that Iran has not suspended uranium enrichment activities, as required by the Security Council resolutions, has started the development of new-generation centrifuges and continues construction of its heavy-water reactor and production of heavy water, while issues relevant to the possible dimensions of Iran’s nuclear programme remain outstanding.⁷⁵⁸

Despite acknowledging the progress regarding the outstanding issues, China thus joined the other P5 in focusing on negative developments.

Like in the Russian case, the Chinese rhetoric was notably subtle in the 2009 meetings. In June 2009 the Chinese UN Ambassador La Yifan noted that the IAEA had “continued its cooperation with Iran on various issues”, and expressed the “hope that Iran will continue its cooperation with the IAEA and resolve outstanding issues at an early date, so as to allay the misgivings of the international community about its nuclear programme”⁷⁵⁹. In December 2009 Ambassador Zhang Yesui noted—as laconically as his Russian colleague—that “[r]ecently, there have been new developments on the Iranian nuclear issue”, and that “Iran has various views regarding the supply of nuclear fuel for the Tehran research reactor”. In contrast to the Western P5’s negative tone, he also argued that “the path towards a resolution of the issue is not completely blocked” and that “Iran is

⁷⁵² Liu, 21 February 2006.

⁷⁵³ Liu, 30 May 2006.

⁷⁵⁴ Liu, 31 July 2006.

⁷⁵⁵ Joint Communiqué of the Ninth Meeting of Foreign Ministers of China, India & Russia, 27 October 2009.

⁷⁵⁶ Wu, 5 February 2006.

⁷⁵⁷ Yan, 14 March 2006.

⁷⁵⁸ Wang, 3 March 2008.

⁷⁵⁹ La 15 June 2009.

still willing to engage in further consultations with the parties concerned to resolve the issue together”.⁷⁶⁰

6.1.3 Iran, Indonesia, Libya, Qatar, South Africa, Tanzania and Vietnam: questioning the P5’s interpretation of law

Iran and six non-permanent members expressed strong objections towards the adopted resolutions on legal grounds. Although Iran’s protestations were more forceful and consistent, they resonated with the non-permanent members’ views particularly in connection with resolutions 1696 and 1803.

6.1.3.1 Iran

The Iranian officials came up with legal counter-arguments against the various definitions on non-compliance. First of all—as discussed already in chapter 5—they did not agree with the IAEA Board’s September 2005 finding of non-compliance. As Mohammad Khazaee recalled in March 2008, the Iranian position was that the country had only been “obliged [...] to inform the International Atomic Energy Agency (IAEA) 180 days prior to feeding nuclear material into its facilities”⁷⁶¹. As Iran did not regard the building of uranium enrichment facilities as falling under the reporting requirements, it also rejected the legal justification for bringing the case to the Security Council. Another Iranian argument against the involvement of the UN Security Council had to do with the Council’s mandate to deal only with issues that threaten international peace and security: Iran’s position—as stated for example by Manouchehr Mottaki in March 2007—was that its “peaceful nuclear activities cannot, by any stretch of law, fact or logic, be characterised as a threat to peace”⁷⁶². (For more on this, see section 6.3) Third, Iran argued that the demand to suspend uranium enrichment represented a breach of the NPT. As Mohammad Khazaee, for example, pointed out, “neither in the IAEA’s Statute, nor in the NPT safeguards, nor even in the Additional Protocol are enrichment and reprocessing prohibited or restricted”, adding that “[t]here is even no limit for the level of enrichment in the said documents”⁷⁶³. He also recalled that in all IAEA Board resolutions suspension had been “a non-legally binding, voluntary and confidence-building measure”, and that the attempt to make it “mandatory through the Security Council has been, from the outset, against the fundamental principles of international law, the [NPT] and IAEA Board resolutions”⁷⁶⁴. Manouchehr Mottaki, in turn, argued in March 2007 that “[t]he Security Council’s decision to try to coerce Iran into suspension of its peaceful nuclear programme is a gross violation of Article 25 of the Charter of the [UN]”, adding that the Council’s requirement for a UN member “to give up their basic rights emanating from treaties” also violated “established principles of international treaty law and the principle set forth in the Preamble to the Charter [...] to establish conditions under which justice and respect for treaty obligations are to be maintained”⁷⁶⁵. Khazaee too argued in March 2008 that “the attempt to make the suspension [of uranium enrichment]

⁷⁶⁰ Zhang 10 December 2009.

⁷⁶¹ Khazaee, 3 March 2008.

⁷⁶² Mottaki, 24 March 2007.

⁷⁶³ Khazaee, 3 March 2008.

⁷⁶⁴ Khazaee, 3 March 2008.

⁷⁶⁵ Mottaki, 24 March 2007.

mandatory through the Security Council has been, from the outset, against the fundamental principles of international law, the [NPT] and IAEA Board resolutions”⁷⁶⁶. Fourth, Iran was of the opinion that it had not only fulfilled all treaty obligations regarding its nuclear activities but also gone into great lengths in cooperating beyond those obligations. For example, President Ahmadinejad argued in September 2006 that “[a]ll our nuclear activities are transparent, peaceful and under the watchful eyes of IAEA inspectors”⁷⁶⁷. The president also stressed that the Iranian “nuclear programme [...] operates within the framework of law”⁷⁶⁸. Manouchehr Mottaki, in turn, argued in March 2007 that Iran had “carried out all its obligations and cooperated to the fullest extent possible, far more than it is obliged to do” and, “[w]ith regard to building confidence around our nuclear activities [...] made every effort at its disposal”⁷⁶⁹. Mohammed Khazaee also said in 2008 that Iran had “provided the Agency with access to declared nuclear material”; “provided the required nuclear material accountancy reports”⁷⁷⁰, and that it was “conducting all its present activities, including the enrichment, under the full and continuous monitoring of IAEA”⁷⁷¹. Moreover, the Iranian officials recalled that their country had already suspended uranium enrichment during its negotiations with the EU3, and also “voluntarily implemented the Additional Protocol for two and a half years to prove its good will to Europe”⁷⁷². Related to this point, Javad Zarif highlighted in December 2006 the extent of Iranian cooperation by suggesting that there had been no “other country with similar technology prepared to be as flexible as Iran”⁷⁷³.

The most significant aspect of cooperation that the Iranian officials felt had been dismissed, however, was the resolution of the outstanding issues in February 2008⁷⁷⁴. Because Iran regarded intelligence information related to the ‘alleged studies’ as fabricated it claimed that the main reason behind the Council’s demands had been removed⁷⁷⁵. As Khazaee explained in connection with the imposition of the third round of sanctions in March 2008, “the actions of the Security Council are unjustifiable because the main pretext on the basis of which consideration of Iran’s peaceful nuclear programmeme was imposed on the Security Council—namely, the outstanding issues—is now resolved and closed”⁷⁷⁶. Ahmadinejad, in turn, said that resolution 1803 “contradicted the reports released by the International Atomic Energy Agency (IAEA) which, as the legal authority, had stated that all the outstanding issues of Iran’s peaceful nuclear programme were resolved and that all the accusations and propaganda against Iran were untrue”⁷⁷⁷. (For more on this, see chapter 8.)

From the Iranian perspective, the explanation for the dismissal of Iranian cooperation—and indeed for the entire Security Council process—was the political motivations of Council members, most notably the US. Indeed, the Iranian perception was that the UN sanctions simply served the purpose of internationalising and supporting hostile US policies aimed to bring down the Islamic Republic. As Ahmadinejad argued in September 2006, [w]e all know that Iran's nuclear issue is an excuse”,

⁷⁶⁶ Khazaee, 3 March 2008.

⁷⁶⁷ Ahmadinejad, 20 September 2006a.

⁷⁶⁸ Ahmadinejad, 24 September 2007.

⁷⁶⁹ Mottaki, 24 March 2007.

⁷⁷⁰ Khazaee, 3 March 2008.

⁷⁷¹ Khazaee, 10 December 2008.

⁷⁷² Ahmadinejad, 25 March 2007.

⁷⁷³ Zarif, 23 December 2006.

⁷⁷⁴ Communication from Iran to the IAEA, 27 August 2007.

⁷⁷⁵ See chapter 5, section 5.1.

⁷⁷⁶ Khazaee, 3 March 2008.

⁷⁷⁷ Ahmadinejad, 14 March 2008.

pointing out that “[i]t’s been 27 years now that we’ve faced the hostility of the U.S. administration in various forms”. He further explained that “from the day one, the U.S. government has been against our nation”⁷⁷⁸. He also stated that the “dispute over Iran’s nuclear issue merely follows political and biased goals”⁷⁷⁹, and that “[w]e are all well aware that Iran’s nuclear issue is a political issue”, and “not a legal issue”⁷⁸⁰. In addition to the US, Iran also indirectly referred to other Council members as being behind the political manoeuvring in the Council. Ahmadinejad explained in September 2007 that “two or three monopolistic powers [...] want to force their word on the Iranian people and deny them their right”⁷⁸¹. He also spoke of ‘bullying powers’ that were “using the UN Security Council as a tool to stop Iranian success in producing nuclear energy”⁷⁸². Mottaki, in turn, described the March 2007 resolution as “an unwarranted move orchestrated by a few of [the Security Council’s] permanent members”⁷⁸³, and explained that “all the schemes of the sponsors of the resolution are dictated by narrow national considerations and are aimed at depriving the Iranian people of their inalienable rights, rather than emanating from any so-called proliferation concerns”⁷⁸⁴. In March 2008, Khazaei also referred to a few countries that “have pursued their politically motivated agenda regardless of Iran’s cooperation with the IAEA and the latter’s report on such cooperation”⁷⁸⁵. Apart from acting themselves based on political considerations, the US and other P5 members (UK and France) were accused of manipulating and putting pressure on the rest of the Security Council, which was seen to explain the majority votes behind the anti-Iran resolutions. This was also seen to apply to the IAEA vote on non-compliance in September 2005, in reference to which Mottaki argued in 2007 that the initiators of the UN resolutions had “manipulated the Board of Governors of the International Atomic Energy Agency (IAEA) and [...] coerced some of its members to vote against Iran on the Board”⁷⁸⁶. He also argued that the same actors had “taken advantage of their substantial economic and political power to pressure and manipulate the Security Council to adopt three unwarranted resolutions within 8 months”⁷⁸⁷, and lamented that the “Council, under the manifest pressure of a few of its permanent members, persists in trying to deprive a nation of its ‘inalienable right’ [...], while that nation has met, and continues to honour, its international obligations”⁷⁸⁸.

6.1.3.2 Indonesia, Libya, Qatar, South Africa, Tanzania and Vietnam

Both Qatar and Tanzania were of the opinion that the first Security Council resolution 1696 was unwarranted, and that the Council should have waited for Iran’s response. As the Tanzanian ambassador argued,

⁷⁷⁸ Ahmadinejad, 20 September 2009.

⁷⁷⁹ Ahmadinejad, 9 April 2007.

⁷⁸⁰ Ahmadinejad, 24 September 2007.

⁷⁸¹ Ahmadinejad, 24 September 2007.

⁷⁸² Ahmadinejad, 9 April 2007.

⁷⁸³ Mottaki, 24 March 2007.

⁷⁸⁴ Mottaki, 24 March 2007.

⁷⁸⁵ Khazaei, 3 March 2008.

⁷⁸⁶ Mottaki, 24 March 2007.

⁷⁸⁷ Mottaki, 24 March 2007.

⁷⁸⁸ Mottaki, 24 March 2007.

...Tanzania is mindful that [...] Iran had offered to respond by 22 August 2006 to the package of proposals [...]. We regret that that Iranian offer was not accommodated. We hope, however, that the willingness for dialogue that was demonstrated by that offer can still be reciprocated.⁷⁸⁹

The Qatari ambassador, in turn, provided the following statement:

We would have seen no harm in waiting a few days so as to exhaust all possible ways and means in order to determine Iran's real intentions and the degree of its willingness to cooperate, particularly since Iran has not rejected the package that was offered to it; it has simply asked for a period of time in which to consider it. This prompts us to ask members of the Council to accede to this request. We have been patient, and, indeed, our Council has waited longer to act on much more burning issues.⁷⁹⁰

In addition to the strict deadline set by the P5 plus one countries, Qatar suggested that the timing of resolution 1696 was made problematic by the simultaneous occurrence of the war between Israel and Lebanon. As Al-Nasser explained, "we do not agree with the submission of this draft resolution at a time when our region is inflamed"⁷⁹¹.

The South African Ambassador Kumalo, in turn, made clear his country was not happy with the adoption of resolution 1747 in March 2007, suggesting that he did not believe the sanctions were really as proportionate and reversible as the other Council members argued. As Kumalo explained, South Africa was "deeply disappointed" that not all of its "constructive amendments", particularly those concerning "language [...] that matched the stated objectives of the sponsors that the resolution would be 'proportionate, incremental and reversible'" were reflected in that resolution. The Indonesian representative, too, can be seen to have indirectly expressed his country's discontent with resolution 1747 by saying that "Indonesia notes that the draft resolution [1747] has accommodated *some* of the concerns of my Government"⁷⁹².

Unlike the P5—who, as seen in the previous sections, either ignored or downplayed the positive developments regarding the resolution of the outstanding issues in March 2008—Indonesia, Libya, South Africa and Vietnam regarded these developments to be so significant as to undermine the legitimacy of resolution 1803. As the Indonesian Ambassador Natalegawa explained, "we note that the Agency considered that all remaining outstanding issues contained in the work plan, with the exception of one issue, have been resolved". In effect, he also said the following:

... the conditions prevailing today are different than those on the eve of the adoption of resolution 1747 (2007). The strategic goals of resolutions 1737 (2006) and 1747 (2007) are being achieved. Iran is cooperating with the IAEA. At this juncture, more sanctions are not the best course.⁷⁹³

Natalegawa also criticised resolution 1803 for representing "an overly one-dimensional characterisation" of the current situation, which was clearly not in synergy with the "complex dynamics and mixed findings" of the IAEA report of 22 February 2008. Moreover, Indonesia seemed to be sceptical about the other Security Council members' characterisation of the sanctions as "incremental, well-targeted and reversible"; as Natalegawa said, "the additional sanctions in the

⁷⁸⁹ Manongi, 31 July 2006.

⁷⁹⁰ Al-Nasser, 31 July 2006.

⁷⁹¹ Al-Nasser, 31 July 2006.

⁷⁹² Jenie, 24 March 2007.

⁷⁹³ Natalegawa, 3 March 2008.

present draft resolution have been *described* as being incremental, targeted at non-proliferation areas and reversible”, and that “we are not convinced that more sanctions—however incremental, well-targeted and reversible—would move us forward”.⁷⁹⁴ From the Indonesian perspective, resolution 1803 was thus unwarranted, wherefore the country abstained from voting.

South Africa’s criticism was even harsher than Indonesia’s, for the country’s ambassador accused other Council members for having purposefully side-lined the IAEA in their rush to impose new measures. As Kumalo argued, resolution 1803 had been put forward without “adequately tak[ing] into account the progress made on the basis of the work plan agreed between the IAEA and Iran”, and without giving the IAEA “a full opportunity to consider the matter”. As he explained, the IAEA’s February 22, 2008 report “clearly shows that all outstanding safeguards issues [...] that originally gave rise to serious concern resulting in the demand for the confidence-building measures, including the suspension of the uranium-enrichment programme, have now [...] been clarified”. He further explained that his country “regrets that the sponsors of the draft resolution have persisted with the same substantive text that they had tabled before the latest [IAEA] report [...] was even issued”.⁷⁹⁵ Kumalo’s criticism contained the implicit argument that the Council action was motivated by political, rather than legal considerations. As Kumalo argued, it was “unfortunate that the Security Council gives the impression that it is in such great haste to decide on a series of further punitive sanctions that it does not wish even to consider the significant progress being made through the IAEA to provide the international community with important factual information on the implementation of the [NPT] safeguards in Iran”. He further explained that

... the adoption of the new draft resolution, which imposes further punitive sanctions, could apparently not even be postponed until the IAEA Board of Governors had a full opportunity to consider the matter and take account of the verbal update of the Director General of the IAEA. That gives the international community the impression that the verification work and important progress made by the Agency is virtually irrelevant to the sponsors of this draft resolution.⁷⁹⁶

Moreover, the ambassador recalled that “[t]he rationale for bringing the Iran issue to the Security Council in the first place was, we were told, to reinforce the decisions of the IAEA and to enhance its authority”, adding that “yet the current draft resolution does not accurately reflect what is happening at the IAEA”. Enforcing the implicit argument about political motivations, the South African ambassador also said that “[w]e are seriously concerned about the implications of this situation for the credibility of the Security Council”⁷⁹⁷.

Libya and Vietnam also did not think that the text of resolution 1803 adequately reflected the latest IAEA report. Whereas the Libyan Ambassador Dabbashi argued that the report demonstrated that “essential progress has been made on the Iranian nuclear issue”; “that the majority of pending issues have been resolved”, and that there was “now greater clarity with regard to Iran’s declared nuclear programme”⁷⁹⁸, the Vietnamese Ambassador Le Luong Minh spoke about “Iran’s cooperation with the IAEA and the progress in the implementation of the IAEA-Iran work plan”. In this connection, both Dabbashi and Minh expressed their frustration about not having even been heard

⁷⁹⁴ Natalegawa, 3 March 2008.

⁷⁹⁵ Kumalo, 3 March 2008.

⁷⁹⁶ Kumalo, 3 March 2008.

⁷⁹⁷ Kumalo, 3 March 2008.

⁷⁹⁸ Dabbashi, 3 March 2008.

on the matter. After referring to the positive developments mentioned in the report, the Libyan ambassador said that “[i]t was our hope that those positive developments would be taken into account and that negotiations and diplomatic contacts would be continuing with a view to resolving contentious issues and with a view to reinforcing the status of the IAEA as the appropriate body to deal with this problem”. Dabbashi also said that “[w]e had asked that the text reflect the content of the latest report of the IAEA Director General and that the draft resolution address the Iranian nuclear programme in the context of concerns related to the Middle East in general”. Making clear that these hopes had not been taken into account, he stated his country’s objections to resolution 1803 by explaining that Libya did “not agree with other Council members about the usefulness of a resolution imposing additional sanctions on Iran, or that this would help us achieve a solution”, and that “it might instead cause the situation to deteriorate”.⁷⁹⁹

In a similar way, the Vietnamese ambassador explained that “Viet Nam actively participated in the process of negotiating the text of the draft resolution [...] and [...] proposed changes to the [...] effect [...] that Iran’s cooperation with the IAEA and the progress in the implementation of the IAEA-Iran work plan be more positively recognized [and] that the authority and role of the IAEA as the body mandated to resolve the nonproliferation issues within the framework of the NPT be more adequately reflected”. Suggesting that these concerns had not been taken into account, the ambassador also said that “[i]t was our hope that those positive developments would be taken into account and that negotiations and diplomatic contacts would be continuing with a view to resolving contentious issues and with a view to reinforcing the status of the IAEA as the appropriate body to deal with this problem”.⁸⁰⁰

6.2 The alleged proliferation intention

While Iran categorically denied any proliferation intention, the Security Council members held differing views as to whether or not Iran’s word was to be trusted. Whereas some made clear they thought the Iranian leadership was lying, others expressed tentative concerns suggesting that they were not convinced about Iran’s assurances, either, and yet others expressed trust in Iran’s intentions.

6.2.1 The US, UK, and Sarkozy’s France: taking proliferation intention for granted

The Western P5—with the exception of Chirac’s France—took for granted that Iran was developing a nuclear weapons programme under the guise of a civilian one. The US and UK even included this assumption in their definition of breach, meaning that they presented Iran as violating its core commitment in the NPT. Although the December 2007 National Intelligence Estimate (NIE)—which contained the assessment that Iran had abandoned a nuclear weapons programme in

⁷⁹⁹ Dabbashi, 3 March 2008.

⁸⁰⁰ Le Luong Minh, 3 March 2008.

2003⁸⁰¹—showed that US intelligence agencies did not share this assumption, all of these three countries assured that this had not changed their approach on Iran.

6.2.1.1 The US

The idea that Iran had a hidden intention to acquire nuclear weapons was taken for granted by the US government to the extent that its claims about Iran's breach of international law were also conflated and overshadowed by this long-standing assumption. For example, in June 2006 Bush explained that "by pursuing nuclear activities that mask its effort to acquire nuclear weapons, the [Iranian] regime is acting in defiance [...] of its treaty obligations"⁸⁰². The president also argued that that Iranians had been "caught [...] cheating"⁸⁰³ and accused Iran of "trying to clandestinely develop a nuclear weapon, or using the guise of a civilian nuclear weapon programme to get the know-how to develop a nuclear weapon"⁸⁰⁴. In August 2007 Bush even went as far as to say that the Iranian government had "*proclaimed* its desire to build a nuclear weapon"⁸⁰⁵.

At the same time, however, there seemed to be a new sense of hesitation—for example, when Bush said in April 2007 that "Iran wants to—they've stated they'd like to have—let me just say, we believe they would like to have a nuclear weapon"⁸⁰⁶, and that "[t]he Iranians have defied international organizations in an attempt to enrich uranium [...] we believe, because they want to have a nuclear weapon"⁸⁰⁷. In hindsight, such hesitation can be seen to have anticipated the publication of the NIE. Paradoxically, however, the report only seemed to make the administration more convinced of Iran's proliferation intention than before. Instead of focusing on the key finding that Iran had already halted its weapons programme, the president referred to those parts of the report showing that Iran did have a secret weapons programme in the past and that the country's enrichment programme continued⁸⁰⁸. His conclusion was that "the NIE in no way lessens [...], but in fact clarifies the threat"⁸⁰⁹. The logic here was that, "[s]ince they tried to hide their programme before" and since they had "the mechanisms still in place to restart their programme", there was nothing "to say they couldn't start it up tomorrow"⁸¹⁰—if they had not done so already⁸¹¹.

Nevertheless, the NIE arguably did have an impact on the Bush administration's rhetoric, as in 2008 the demands to Iran were increasingly explained in terms of the lack of trust created by Iran's past behavior, rather than claims about an on-going weapons programme. For example in March 2008 Bush said that "it's very hard for people to trust the Iranian government because they haven't told the full truth, and that's why the people of Iran have got to understand there are great suspicions right now, not only in the United States, but around the world"⁸¹².

⁸⁰¹ See chapter 5, section 5.1.

⁸⁰² Bush, 19 June 2006.

⁸⁰³ Bush, 22 March 2006.

⁸⁰⁴ Bush 13 January 2006

⁸⁰⁵ Bush, 6 August 2007.

⁸⁰⁶ Bush, 19 April 2007.

⁸⁰⁷ Bush, 20 April 2007.

⁸⁰⁸ Bush (5 December 2007) said, for example, that "[i]t is clear from the latest NIE that the Iranian government has more to explain about its nuclear intentions and past actions, especially the covert nuclear weapons programme pursued until the fall of 2003, which the Iranian regime has yet to acknowledge".

⁸⁰⁹ Bush, 4 January 2008.

⁸¹⁰ Bush, 17 December 2007.

⁸¹¹ Tisdall (2007) in reference to Robert Gates.

⁸¹² Bush, 19 March 2008.

Obama's rhetoric was more cautious than Bush's in that he sought to distinguish between facts and hypothetical issues. For example, in June 2009 Obama first referred to Iran's official position according to which it is against nuclear weapons, adding that "I'm happy to hope that that's true, but in international relations I can't just base things on hope, especially when you see actions to the contrary"⁸¹³. However, this more careful rhetoric did not amount to any fundamental difference of views between Bush and Obama regarding Iranian intentions. This was most apparent in Obama's argumentation for missile defense, in which connection the new president showed that he shared his predecessor's view that a global missile defense system was needed to protect "the United States and Europe from an Iranian ballistic missile armed with a nuclear warhead"⁸¹⁴ (for more on this, see section 6.3). The Obama administration's views on Iran's proliferation intentions could also be seen in the formulation of the demands to Iran. For example, Obama stressed the need for Iran to "abandon its nuclear weapons ambitions"⁸¹⁵, while Vice President Biden said that it would need "to forego the development of nuclear weapons"⁸¹⁶.

As for the American UN ambassadors, during the Bush administration they were explicit in showing that they took Iran's proliferation intention for granted. Ambassador Bolton, for example, explained that Iran had "consistently and brazenly defied the international community by continuing its pursuit of nuclear weapons"⁸¹⁷, whereas Ambassador Wolff—reminiscent of the previous rhetoric on the alleged Iraqi WMD—argued that the Iranian weapons programme was now "slowly and incompletely [...] emerging from the shadows".⁸¹⁸ Ambassador Khalilzad, in turn, first presented a series of incriminating questions based on the 'alleged studies' documents, and then answered the questions himself, concluding that "Iran is hiding weapons work and thereby preserving or establishing options for a nuclear weapons programme".⁸¹⁹ After Obama came to power, however, there was a change of tone at the Security Council: in 2009, the US ambassadors merely spoke about "continuing concern that Iran's nuclear programme has military dimensions"; assured their country "will not waver in its determination to ensure that Iran does not obtain nuclear weapons"⁸²⁰; quoted the IAEA report saying that "Iran continues to make significant progress towards a nuclear weapons capability"⁸²¹, and warned that its failure to accept the fuel swap proposal following the October negotiations "raises serious questions about [Iran's] nuclear intentions"⁸²².

6.2.1.2 The UK

The British PMs, too, took Iran's proliferation intention for granted. For example, Blair called upon Iran to give up its "nuclear weapon and [...] nuclear weapon ambitions"⁸²³. He also said that the

⁸¹³ Obama, 6 June 2009.

⁸¹⁴ Obama, 6 July 2009b.

⁸¹⁵ Obama, 1 April 2009a.

⁸¹⁶ Biden, 7 February 2009.

⁸¹⁷ Bolton, 31 July 2006.

⁸¹⁸ Wolff, 24 March 2007.

⁸¹⁹ Khalilzad (3 March 2008) asked "[w]hy were you secretly working on designs for a nuclear warhead and its miniaturization to fit on a missile – all in violation of your obligations under the [NPT]?", and "[w]hat are you hiding?".

⁸²⁰ Rice, 10 March 2009.

⁸²¹ DiCarlo, 15 June 2009.

⁸²² Rice, 10 December 2009.

⁸²³ Blair, 28 July 2006.

Iranian president was “trying to acquire a nuclear weapon”⁸²⁴; that “Iran is being confronted over its nuclear weapons ambitions”; that if its enrichment process would continue, it would “give them a nuclear weapon”⁸²⁵, and that “their nuclear weapons ambitions appear to continue”⁸²⁶. Brown, in turn, assured that “we take very seriously what the Iranians are trying to do in building up their nuclear capability for nuclear weapons”⁸²⁷. Like the US, Brown also included the assumption of Iran’s proliferation intention in his definitions of breach: as the PM argued in October 2007, “we take very seriously what the Iranians are trying to do in building up their nuclear capability for nuclear weapons”, and continued that “[t]his cannot go unchallenged given that it is a breach of the [NPT]”⁸²⁸. In the same way, he argued in November 2007 that “[t]he greatest immediate challenge to non-proliferation is Iran’s nuclear ambitions, hidden from the world for many years in breach of the [NPT]”⁸²⁹.

Like Bush, Brown was of the opinion that the NIE had “not changed the central problem” in the Iranian nuclear dispute⁸³⁰. Contradicting the IAEA findings, in December 2007 Brown even rejected that the non-military rationales behind Iran’s activities. As the PM claimed, “[t]here is no evidence of a civil nuclear programme and therefore the uranium enrichment that has been part of the work of Iran is a problem for the international community”. He also said that “[t]he central problem is the enrichment of uranium in a situation where there is no civil nuclear purpose that can be detected that Iran is pursuing”, and “no civil nuclear purpose appearing to be there”.⁸³¹ Furthermore, the PM argued that “Iran has not told the truth to the international community about what its plans are”⁸³² and that “Iran’s actions do not make their arguments [about peaceful intentions] convincing”⁸³³.

In connection with the Fordow revelations September 2009, Brown explained that this new site “could not have been for a civil nuclear facility”⁸³⁴, and that “[n]ever again should any nation be able to deceive the international community, and conceal with impunity its pursuit of proliferation”⁸³⁵. Brown also spoke of Iran’s “serial deception over many years”, explaining that the Fordow incident was “the third time [...] they have been caught red-handed not telling the truth about their nuclear intentions”. On the other hand, the PM also showed some signs of hesitation, for he also said that “the level of production [in Fordow] was not sufficient for a civil nuclear facility but *could* have been intended for a [military] nuclear facility”.⁸³⁶

The rhetoric of the British ambassadors at the Security Council was more cautious: they did not directly accuse Iran of having nuclear weapons ambitions. Nevertheless, they expressed strong doubts about the peaceful nature of the programme. For example, Jones Parry said in July 2006

⁸²⁴ Blair, 1 August 2006.

⁸²⁵ Blair, 13 November 2006.

⁸²⁶ Blair, 21 February 2007.

⁸²⁷ Brown, 8 October 2007.

⁸²⁸ Brown, 8 October 2007.

⁸²⁹ Brown, 12 November 2007.

⁸³⁰ Brown 14 December 2007.

⁸³¹ Brown 14 December 2007.

⁸³² Brown, 17 April 2008.

⁸³³ Brown, 26 August 2009.

⁸³⁴ Brown, 26 September 2009.

⁸³⁵ Brown, 16 November 2009.

⁸³⁶ Brown, 26 September 2009.

that “Iran’s nuclear activities and its history of concealment raise pressing questions about whether Iran’s programme is, as it claims, solely for civil purposes”⁸³⁷. Ambassador Sawers, in turn, explicitly stated in March 2008 that “[t]he United Kingdom does not have confidence that Iran’s programme is for exclusively peaceful purposes”, and that “[o]n the contrary, to us their nuclear programme only makes sense as part of plan to develop, at the least, a nuclear weapons capability”⁸³⁸. The same tone continued in 2009, as the British UN ambassadors said that the UK “continues to have serious concerns about Iran’s nuclear programme”; that “the heavy water reactor at Arak [...] is ideally suited to producing plutonium that could be used for nuclear weapons”⁸³⁹, and that, without Iran’s cooperation, “it is impossible to be confident of Iran’s professed peaceful intentions”⁸⁴⁰. Reminiscent of Brown’s rhetoric, Ambassador Parham said in June 2009 that “[i]t is difficult to see how Iran’s current actions are in pursuit of this goal [civil nuclear power programme]”, and that Iran “is continuing to expand its enrichment programme with no apparent civilian purpose”.⁸⁴¹

6.2.1.3 Sarkozy’s France

There was a clear difference between Chirac and Sarkozy regarding their perceptions of Iran’s intentions: while Chirac presented the main problem in the nuclear issue as having to do with the lack of trust (see the following section), Sarkozy shared the US and UK approach of taking Iran’s proliferation intention for granted. For example, in late 2007 Sarkozy argued that “everyone is aware that Iranian leaders are willing to obtain nuclear weapons”⁸⁴²; that nobody regarded the Iranian claim of its peaceful intentions as credible⁸⁴³, and that the Iranian leadership should understand that the country “has better things to do than try to obtain nuclear weapons”⁸⁴⁴. The president’s spokesman David Martinon, too, argued that “nobody believes that Iran’s nuclear enrichment programme is peaceful”⁸⁴⁵, that “everyone knows this programme has a military purpose”, and that there are “strong indications that lead us to this conclusion”⁸⁴⁶.

Like Bush, Sarkozy denied that the NIE had changed the situation, and instead highlighted those parts of the report that dealt with past military nuclear activities⁸⁴⁷ but still a more careful tone was heard after the publication of the report. As Sarkozy said in December 2007: “*if confirmed*”, the international concerns after 2002 about the purpose of Iran’s nuclear activities would be reinforced”⁸⁴⁸. He further explained that the approach to Iran remained unchanged because it was “based on facts”, meaning that the country had “not always answered all questions regarding its past and present activities”, that it was “seeking to master uranium enrichment technology”, and that the

⁸³⁷ Jones Parry, 31 July 2006.

⁸³⁸ Sawers, 24 March 2008.

⁸³⁹ Sawers, 10 March 10.

⁸⁴⁰ Parham, 15 June 2009.

⁸⁴¹ Parham, 15 June 2009.

⁸⁴² Sarkozy, 6 December 2007.

⁸⁴³ Sarkozy, 27 December 2007.

⁸⁴⁴ Sarkozy, 23 September 2007.

⁸⁴⁵ Martinon, 20 September 2007.

⁸⁴⁶ Martinon, 27 September 2007.

⁸⁴⁷ Sarkozy, 27 December 2007.

⁸⁴⁸ Sarkozy, 6 December 2007.

country did “not respect its international obligations”⁸⁴⁹. Moreover, in 2008 Sarkozy said that Iran should “give up nuclear weapons”⁸⁵⁰ and to “provide evidence instead of just stating its [peaceful] intentions”⁸⁵¹, and that “[i]f they have peaceful intentions, then they should accept inspections”⁸⁵². In connection with the disclosure of the Fordow site, the president implied again that Iran was hiding weapons work by saying that “[i]f there is nothing to hide, why prevent Mr. ElBaradei and his team from entering”⁸⁵³, and that that “the size and configuration of this facility, as well as the fact that it was put up clandestinely, are manifestly inconsistent with a peaceful nuclear programme”⁸⁵⁴.

As for the French ambassadors, they generally refrained from speculating about Iran’s intentions, but their insinuating remarks suggested that they shared Sarkozy’s views. For example, Ambassador De La Sablière argued in December 2006 that Iran’s “sensitive activities in the nuclear field [...] do not have a credible civilian application in Iran today”, whereas Ambassador Lacroix said in March 2008 that Iran’s concealed programme was “without a credible civilian use”. Lacroix further explained that the Iranian programme had been developed “through a network that serviced military programmes throughout the world”; that Iran had been “working on various techniques that can be used to develop nuclear weapons”; that it had “received and preserved a document [...] which has no use other than the manufacture of a nuclear weapon”, and that Iran was “also actively developing long range missiles”. Continuing his predecessor’s incriminating tone, Ambassador Araud said in December 2009 that “[i]t goes without saying that, in the absence of a nuclear reactor, having 10 new enrichment sites makes no sense within the framework of a civilian nuclear programme”⁸⁵⁵.

6.2.2 Chirac’s France, Medvedev’s Russia, China, Burkina Faso, Mexico, Congo, Croatia and Panama: tentative concern about Iran’s nuclear programme

Although neither China, France under Chirac, nor Russia under Medvedev accused Iran of having the proliferation intention, they indicated that they were concerned about the country’s nuclear activities. Whereas Chirac’s France and Medvedev’s Russia made clear that they had themselves doubts about Iran’s intentions, the Chinese officials merely expressed their concerns, without specifying what they were based on. Five non-permanent members—Burkina Faso, Mexico, Congo, Croatia, and Panama—also expressed doubts or more tentative concerns about the Iranian nuclear programme, thus allowing the interpretation that they did not have complete trust in Iran’s intentions, either.

⁸⁴⁹ Sarkozy, 29 December 2007.

⁸⁵⁰ Sarkozy, 13 February 2008.

⁸⁵¹ Sarkozy, 12 July 2008.

⁸⁵² Sarkozy, 6 June 2009.

⁸⁵³ Sarkozy, 25 September 2009a.

⁸⁵⁴ Sarkozy, 25 September 2009b.

⁸⁵⁵ Araud, 10 December 2009.

6.2.2.1 Chirac's France

Unlike Sarkozy, Chirac did not take Iran's intentions for granted but instead focused on the problem of lacking confidence in Iran's intentions. While noting that this confidence had "been impaired by the existence of illegal programmemes" in Iran⁸⁵⁶, Chirac still used the conditional tense when he explained that "[w]e can have doubts about the end use of the programme"⁸⁵⁷. The president emphasised that these doubts were caused by Iran's concealment of its nuclear activities:

France, with the international community, cannot accept the prospect of an Iran with nuclear weapons [...] Iran, who has not proved that her nuclear programmeme was designed for peaceful purposes, has to implement the IAEA and UN resolutions and restore the trust she has broken during a long period of concealment of her nuclear activities.⁸⁵⁸

The French prime minister, Dominique de Villepin, in turn, explained in May 2006 that the "objective [...] is to ensure the peaceful nature of the Iranian nuclear programmeme, but it is clear that there are a certain number of negative signs and these are increasing"⁸⁵⁹. In a 2007 interview for the New York Times, the president was quoted as saying that the IAEA had "observed that uranium enrichment was *likely* to lead to military nuclear technology" in Iran, which he argued was "neither normal nor acceptable". At the same time, however, Chirac noted that Iran would have little use for a nuclear weapon: as he argued, "[i]f indeed their real goal is to build a nuclear capacity — in other words a nuclear bomb — it is obvious that that this bomb, the moment it was launched, obviously would be destroyed immediately".⁸⁶⁰ (For more on Chirac's security perceptions, see section 6.3.) Finally, it could be noted that the French ambassadors's insinuating remarks (discussed already in the previous section), contained only doubts and not affirmative claims about Iran's intentions.

6.2.2.2 Medvedev's Russia

Like Putin (see the following section), Medvedev never claimed Iran had the intention to proliferate, and sometimes he even seemed to express trust in Iran's intentions: for example, in mid-September 2009 the Russian president explained that, due to the bilateral ties with the country, Russia was able to "speak of Iran's intentions not by hearsay, not on the basis of the information received from special services of other countries, but proceeding from the reality"⁸⁶¹. On the other hand, however, Medvedev suggested that he had doubts regarding this matter. In July 2009 he said that "Iran's nuclear programmeme can authentically be described as peaceful only if it takes place under the auspices of the International Atomic Energy Agency (IAEA)"⁸⁶². The implication here was that Russia could not describe Iran's programme as peaceful. Departing from the previous line of distancing Russia from the international community's concerns (see following section), Medvedev also described the Iranian nuclear issue specifically as a Russian concern. As he said in

⁸⁵⁶ Chirac, 19 September 2006a.

⁸⁵⁷ Chirac, 19 September 2006b.

⁸⁵⁸ Chirac, 29 January 2007.

⁸⁵⁹ de Villepin, 10 May 2006.

⁸⁶⁰ Chirac, 30 February 2007.

⁸⁶¹ Medvedev, 15 September 2009.

⁸⁶² Medvedev, 5 July 2009.

July 2008, “[t]he situation regarding Iran’s nuclear programme [...] is of concern to the [UN] of course, and to us too”, adding that “[w]e cannot remain indifferent to the development of non-transparent nuclear programmes, and neither can other countries”⁸⁶³.

The most dramatic change in the Russian rhetoric, however, came as a result to the Fordow revelations, which clearly undermined Medvedev’s trust in Iran. In a historic departure from previous Russian position, in late September 2009 Medvedev stated that “we do have various doubts about what Iran is doing”, and characterised the Fordow site “a source of grave concern for all [...] and for Russia in particular”⁸⁶⁴. He also spoke of the need to push Iran “towards making all of its programmes open, so that they are no longer a cause of concern for the Middle East and the entire world”⁸⁶⁵, and argued that “[t]he objective in this particular case is clear – a transparent modern peaceful nuclear programme, and not a programme that raises concerns among the international community”.⁸⁶⁶ Moreover, on the eve of the October 1, 2009 meeting with the P5+1 and Iran, the Russian president echoed Obama’s rhetoric in that he expected Iran to “present convincing evidence of its intent to develop nuclear energy strictly for peaceful purposes”⁸⁶⁷, and argued that the meeting would give Iran “an opportunity to show its good intentions” and to “provide evidence of its intentions to use nuclear energy for peaceful purposes”⁸⁶⁸.

6.2.2.3 China

As a rule, China refrained from speaking about Iran’s intentions, but the Chinese officials indicated that they took Iran’s assurances about the peaceful nature of the programme seriously. As the Chinese Foreign Minister Yang Jiechi said in November 2007, “China [...] appreciates Iran’s repeated declaration of no intention to develop nuclear weapons and its cooperation with the International Atomic Energy Agency (IAEA)”⁸⁶⁹. Like Russians, the Chinese government officials also mostly spoke in general terms about the “collective concern of the international community” regarding the Iranian nuclear issue⁸⁷⁰, thereby distancing themselves from Western proliferation assumptions. At times, however, they explicitly referred to ‘our concerns’ over the Iranian nuclear issue⁸⁷¹, and explained that China was “deeply worried by Iran’s recent resumption of nuclear fuel R&D”⁸⁷² (in February 2006) and “much concerned with the current development of Iranian nuclear issue”⁸⁷³.

⁸⁶³ Medvedev, 1 July 2008.

⁸⁶⁴ Medvedev, 25 September 2009b.

⁸⁶⁵ Medvedev, 25 September 2009b.

⁸⁶⁶ Medvedev, 15 November 2009.

⁸⁶⁷ Medvedev, 25 September 2009a.

⁸⁶⁸ Medvedev, 26 September 2009.

⁸⁶⁹ Yang, 14 November.

⁸⁷⁰ See e.g. Liu, 11 September 2008.

⁸⁷¹ See e.g. Liu, 14 February 2006.

⁸⁷² Wu, 5 February 2006.

⁸⁷³ Liu, 20 March 2007.

6.2.2.4 Burkina Faso, Congo, Croatia, Mexico and Panama

None of the non-permanent Security Council members accused Iran of having proliferation intentions but the strongest expressions of doubt came from Burkina Faso and Mexico. The former's Ambassador Kafando said in March 2008—after pointing to the IAEA's inability to prove the absence of undeclared programmes—that “[o]ur doubts are deepened by the fact that the [latest IAEA] report describes activities linked to uranium enrichment and the development of new-generation centrifuges”⁸⁷⁴. The Mexican UN Ambassador Heller, in turn, referred in June 2009 to “[s]tates that continue to carry out activities that seem to be aimed at using nuclear energy for non-peaceful purposes”⁸⁷⁵, obviously referring to Iran. As for the more tentative concerns of other non-permanent members, the representative of Congo explained in March 2007 that resolution 1747 was “basically and only about ensuring compliance with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)”; that “we understand that the main problem in this case is the lack of trust in the strictly peaceful nature of the Iranian nuclear programme”, and that “that programme has been outside the scope of any controls for almost 20 years”⁸⁷⁶. In the same meeting, the Panamanian ambassador described the resolution at hand as a unanimous “message of clear concern to the people and Government of Iran as regards their nuclear programme”⁸⁷⁷, whereas the Croatian Ambassador said in March 2008 that “[w]e fully share the concerns of the wider international community” regarding the Iranian nuclear programme⁸⁷⁸. Finally, it could be noted that the South African representative also stated in March 2007 that “we share the concern of the IAEA” based on its inability “to reconstruct fully the history of Iran’s nuclear programme and some of its components” because “the necessary level of transparency and cooperation have not been provided by Iran”⁸⁷⁹. However, because South Africa was also calling for increased confidence in Iran’s intentions, its views are discussed in the following section.

6.2.3 Iran, Putin’s Russia, Argentina, Qatar and South Africa: trust in Iran’s intentions

Iran assured that it had no intention to proliferate, and Putin’s Russia and three non-permanent members—Argentina, Qatar and South Africa—suggested that they took these assurances seriously. Putin’s statements also gave the impression that Russia took part in the UN approach mainly to enable addressing other Council members’ doubts about Iran’s intentions. Of the non-permanent members, Qatar seemed to have most trust in Iran’s intentions, whereas South Africa called for increased confidence in response to the country’s cooperation with the IAEA. As for Argentina’s expressions of confidence, they functioned as a polite way of urging Iran to comply with the Council demands.

⁸⁷⁴ Kafando, 3 March 2008.

⁸⁷⁵ Heller, 15 June 2009.

⁸⁷⁶ Gayama, 24 March 2007.

⁸⁷⁷ Arias, 24 March 2007.

⁸⁷⁸ Jurica, 24 March 2007.

⁸⁷⁹ Kumalo, 24 March 2007.

6.2.3.1 Iran

As seen in section 6.2, Iran viewed non-proliferation merely as an excuse for the UN Security Council sanctions. At the same time, its leadership constantly emphasized the country's commitment to the non-proliferation norm and also presented it as one of the most fervent supporters of that norm. Javad Zarif, for example, explained in December 2006 that "[u]nlike some who despise the NPT and international law in general, we have a high stake in preserving, fully implementing, strengthening and universalizing the NPT". He also said that "Iran firmly believes that the days of weapons of mass murder have long passed", and that such weapons "have not brought about internal stability or external security for anyone".⁸⁸⁰ Mohammad Khazaei, too, said in March 2008 that "Iran categorically rejects the development, stockpiling and use of nuclear weapons", adding that this "fundamental position has been reiterated by every senior Iranian official on numerous occasions"⁸⁸¹. Moreover, in Iran's response to the P5+1 package of incentives, it was written that the nuclear issue has "never been viewed as a matter of security in our perspective"⁸⁸². Or, as Manuchehr Mottaki argued in March 2006, "[t]he fact that during all these years of research there has been no diversion of nuclear material towards prohibited activities is by itself a proof of Iran's peaceful intentions"⁸⁸³. Ahmadinejad, for his part, stressed in many occasions that Iran did not believe in nuclear weapons⁸⁸⁴. Although in February 2006 the president suggested that a withdrawal from the was an option in case punitive measures were imposed by the Security Council⁸⁸⁵, at the same time he highlighted his country's commitment to the NPT and the IAEA Safeguards system⁸⁸⁶. The Iranian supreme leader has also repeatedly renounced nuclear weapons. Consider, for example, his speech from September 2009:

They (Western countries) falsely accuse the Islamic republic's establishment of producing nuclear weapons. We fundamentally reject nuclear weapons and prohibit the use and production of nuclear weapons. This is because of our ideology, not because of politics or fear of arrogant powers or an onslaught of international propaganda. We stand firm for our ideology. [...] The US officials who claim that the Iranian missiles are dangerous or that we seek to produce atomic bombs know themselves that such statements are false. But it is part of the policy of Iranophobia that dominates the behavior of these arrogant governments today.⁸⁸⁷

The Iranian leadership thus viewed the Western accusations, not only as resulting from mistrust, but from a calculated campaign against his country, motivated by political enmity. Related to this point, the Iranian officials also expressed their frustration regarding the difficulty of proving wrong the other side's claims about Iran's proliferation intention. Zarif, for example, recalled in December 2006 that "[a]ccusing Iran of having 'the intention' of acquiring nuclear weapons has, since the early 1980s, been a tool used to deprive Iran of any nuclear technology, even a light water reactor or fuel for the American-built research reactor". Zarif added that the "intentionometer" of the sponsors of the UN resolutions "has a rather abysmal record of chronic malfunction". In the same connection, he criticized the EU3 and the United States for not having "presented any proposal on

⁸⁸⁰ Zarif, 23 December 2006.

⁸⁸¹ Khazaei, 3 March 2008..

⁸⁸² Iran's Response to the P5+1 Package, August 2006.

⁸⁸³ Mottaki, 30 March 2006.

⁸⁸⁴ Ahmadinejad, 24 September 2007..

⁸⁸⁵ Fathi (2006) in reference to Ahmanidejad.

⁸⁸⁶ See e.g. Ahmadinejad, 20 September 2006.

⁸⁸⁷ Khamenei, 20 September 2009.

what measures—short of outright revision of the NPT—would remove their so-called proliferation concerns”.⁸⁸⁸

Paradoxically, Iran explained its failures to report its nuclear activities prior to 2002 in terms of the policy of past policy of restricted access, which was thus based on the persistent suspicions in Iran’s intentions. Zarif’s views on this matter were already mentioned in the background chapter. As he further argued,

As a result (of Iran’s past difficulties with its nuclear partners), Iran was left with no option but to be *discrete* in its peaceful activities. In doing so, Iran remained within the confines of the NPT and did not divert its peaceful programme to military activities. Meanwhile, in order to avoid the U.S.-led restrictions and impediments, Iran refrained from disclosing the details of its programmes, which in nearly all cases—including the most publicized cases of the Natanz enrichment facility and the Arak heavy water plant—it was not obliged to disclose under the terms of its existing safeguards agreement with the IAEA.⁸⁸⁹

This view was also written in Iran’s June 2006 response to the P5+1 package of proposals, which stated that “[w]hen “right versus trust” forms the basic approach in considering the nuclear programme of a State, and this serves as pretext for denial, discreteness in the programme would naturally ensue”, whereas “[c]onversely, a legal and fair approach, entailing unimpeded access to peaceful nuclear technology, would prompt transparency and full monitoring”⁸⁹⁰. In short, the Iranian view was that the US lack of trust in Iran had resulted in Iran’s lack of trust in international nuclear cooperation, which in turn explained the reporting failures that ultimately lead to the international community’s lack of trust in Iran’s intentions.

At the same time, some of Ahmadinejad’s remarks dramatized Iran’s nuclear development to the extent that they arguably corroborated suspicions of the country’s proliferation intention. As the president argued in 2007, “[e]nemies intend to make Iran surrender [...] because they know if Iran passes nuclear energy phase, such victories [of the Iranian nation] will be broad-based in the world in a short period”⁸⁹¹. In April 2009 Ahmadinejad referred to “the recent achievements in Iran’s nuclear activities, which “should be regarded as a major gain towards self-sufficiency, independence, national confidence as well as political victory”, and which “proved that the country should be compared with big powers in this sphere and this indicates that the global equations have changed significantly”⁸⁹².

6.2.3.2 Putin’s Russia

The closest that Putin came to expressing concerns regarding Iran’s nuclear intentions was in September 2006 when he suggested that, if Iran would not accept the Russian offer of conducting its enrichment activities jointly with Russians on the latter’s territory (for more on the Russian proposal, see section 7.1), this could be seen as indication of proliferation intentions: as the president argued at the time, “if a country genuinely want to develop nuclear energy for peaceful

⁸⁸⁸ Zarif, 23 December 2006.

⁸⁸⁹ Zarif 2007, 81.

⁸⁹⁰ Iran’s Response to the P5+1 Package, August 2006.

⁸⁹¹ Ahmadinejad, 24 May 2007.

⁸⁹² Ahmadinejad, 11 April 2009.

purposes this [joint programme] would be sufficient”⁸⁹³. The Russian Foreign Minister Lavrov had also said in January 2006 that “we are concerned by the latest information that Iran declared its intention to resume a number of projects connected with enriching uranium”⁸⁹⁴, while in December 2006 he explained that one of the goals of resolution 1737 had been “to prevent the violation of nuclear weapons non-proliferation regime”⁸⁹⁵.

Although the above comments allowed the interpretation that Putin’s Russia was concerned that Iran could try to acquire nuclear weapons, most of Putin’s comments pointed to the contrary: namely, in marked contrast to the Western P5, Putin expressed trust in Iran’s peaceful intentions. For example, in October 2007 he said the following:

... the President of Iran has already said that in the declaration we signed today there is a reference to the fact that all of the Caspian littoral states belong to the treaty on the non-proliferation of nuclear weapons under the inviolable condition that all our states have the right to develop their peaceful nuclear programmes without any restrictions.⁸⁹⁶

Putin thus suggested that he took Iranian leaders’ word when they said their programme was civilian in nature. As for the NIE report in December 2007, Putin said that it “simply confirms that the Russian side, in formulating its foreign policy position on a given issue, is guided by objective data”. He went on as follows,

And I cannot help but be happy about this. This also bears witness to the fact that there are people in the American administration who believe that we need to speak the truth. And this too pleases me. This shows that we, basing ourselves on objective data, can construct an honest dialogue.⁸⁹⁷

Putin’s comment served as a reminder of the scandal of false information with the Iraqi WMD, which he warned should not be repeated in the Iranian case (see section 8.2).

The clearest expression of trust in Iran’s intentions, however, was made by Putin in the same connection where he denied that Iran had breached any norms—that is, in an interview he gave in the role of prime minister in June 2008. As Putin said then, he did not “think the Iranians are looking to make a nuclear bomb” and that “[w]e have no reason to believe this”⁸⁹⁸. Against this background, it is not surprising that the Putin administration never said Russia was concerned about Iran’s nuclear programme, even though they did recognise the IAEA’s⁸⁹⁹ or the international community’s concerns⁹⁰⁰. Illustrative of the Russian way of distancing itself from these concerns, Putin said in a meeting with Iranian officials in June 2006 that the Russian-Iranian nuclear cooperation “must be done in such a way [...] that the international community has absolutely no worries about weapons proliferation”⁹⁰¹. He also explained in April 2008 that “we are keeping in mind all of the concerns of the international community regarding Iran’s military programmes”,

⁸⁹³ Putin, 9 September 2006.

⁸⁹⁴ Lavrov, 10 January, 2006.

⁸⁹⁵ Lavrov, 25 December 2006

⁸⁹⁶ Putin, 16 October 2007a.

⁸⁹⁷ Putin, 12 December 2007.

⁸⁹⁸ Putin, 1 June 2008.

⁸⁹⁹ Putin, 25 December 2006.

⁹⁰⁰ Putin, 4 April 2008a.

⁹⁰¹ Putin, 15 June 2006.

and then described the joint approach to the Iranian nuclear issue in terms of “ensuring the legitimate interests of Iran in the development of high technology and alleviating the concerns of the international community about non-proliferation”⁹⁰². Finally, it could be noted that the Russian ambassadors at the Security Council never suggested that they doubted Iran’s intentions. Like Putin, the Russian Ambassador Churkin distanced his country from related concerns by only referring to the IAEA’s concerns, or concerns in general⁹⁰³.

6.2.3.3 Argentina, Qatar and South Africa

Three non-permanent members indicated that, instead of having doubts, they trusted Iran’s intentions. Qatar was clearest on this point. As the Qatari ambassador stated in the December 2006 Council meeting, his country had “no suspicions concerning the sincerity of Iran’s intentions as regards the peaceful nature of its nuclear programme”⁹⁰⁴. The country’s ambassador made a similar statement in March 2007, he said that “[w]e do not doubt Iran’s genuine intentions as regards the peaceful purposes of its nuclear programme”⁹⁰⁵. The South African Ambassador Kumalo, in turn, said as part of his overall criticism of resolution 1803 in March 2008 that, “[t]o the extent that all the outstanding issues have now been clarified, at least there ought to be increased confidence in the peaceful nature of the Iranian nuclear programme”. In addition to Iran’s cooperation with the IAEA, Kumalo based this argument on the results of the NIE, which he argued had also changed the situation, and which he recalled had “concluded that Iran does not have a current nuclear weapons programme”. Kumalo added that “[t]he NIE seems consistent with the IAEA’s findings to date”.⁹⁰⁶ The Argentinian ambassador, too, expressed his government’s “confidence that [...] Iran will in the future pursue its nuclear programme exclusively for peaceful purposes, following the parameters established by the International Atomic Energy Agency and the relevant resolutions of the Security Council”. Although this was clearly a polite way of urging Iran to comply with the Council demands, Argentina’s somewhat peculiar explanation for its positive vote—both in July and December 2006—also signalled unwillingness to call Iran’s intentions into question.⁹⁰⁷

6.3 Implications for international peace and security

This section deals with security considerations related with the Iranian nuclear dispute. As regards the views of Security Council members, the discussion is about whether, why, and to what extent they saw Iran and its nuclear programme as a threat to international peace and security. There are sharp divisions on this issue: while some focused on highlighting the Iranian threat or voiced more tentative concerns about its nuclear programme, others criticized what they saw as the excessive

⁹⁰² Putin, 4 April 2008a.

⁹⁰³ See e.g. Churkin, 24 March 2007.

⁹⁰⁴ Al-Nasser, 23 December 2006.

⁹⁰⁵ Al-Nasser, 24 March 2007.

⁹⁰⁶ Kumalo, 3 March 2008.

⁹⁰⁷ As the the Argentine ambassador Mayoral (23 December 2006) explained, “Argentina voted in favour of resolution [...] just adopted, because the resolution reaffirms the inalienable right enjoyed by all States parties to the Treaty on the Non- Proliferation of Nuclear Weapons under articles I and II of the Treaty to develop, research, produce and use nuclear energy for peaceful purposes without discrimination”.

securitisation of other Council members or even viewed the Security Council sanctions as contributing to the escalation of the dispute.

6.3.1 The US, UK and Sarkozy's France: the threat of a nuclear Iran

Particularly the Bush and Blair administrations viewed the nuclear issue as part of a more comprehensive challenge, constituted by what they regarded as Iran's irregular conduct and illiberal 'outlaw' nature. In effect, the US presented the Iranian nuclear programme as a threat to the entire world, and particularly to itself, Israel, the Middle East, and Europe. Even though the ideological tone receded with the Obama and Brown administrations, the US and UK threat perceptions remained largely unchanged. Sarkozy's France seemed to share the Anglo-American threat perceptions, with the distinction that it criticised US missile defence plans which were justified on the basis of the Iranian threat. France also did not accuse Iran of terrorism support.

6.3.1.1 The US

President Bush continued to view Iran in terms of the outlaw state narrative. He made clear that he still thought that Iran belonged to the 'axis of evil'⁹⁰⁸, and repeatedly referred to the country as a 'rogue state' and 'terrorist state'⁹⁰⁹. Indicative of the underlying liberal anti-pluralist narrative, a clear distinction was made by the administration between "countries such as ours", "friends", "free societies"⁹¹⁰, "supporters of democracy"⁹¹¹, and "rational nations"⁹¹², on one side, and Iran, which represented the other side—that is, "non-transparent societies"⁹¹³; the enemies of democracy"⁹¹⁴ and liberty; "terrorists and totalitarians"⁹¹⁵; "Shia extremists"⁹¹⁶; the forces of instability, terror, evil and destruction"⁹¹⁷, and "Islamofascists"⁹¹⁸. This view, according to which Iran was nothing less than an enemy of 'the free world', was mostly expressed in connection with claims about the country's role as the 'world's leading terrorism supporter'⁹¹⁹.

The most alarming issue, from the US point of view, was the alleged Iranian threat to Israel, which was linked with the threat posed by the Iranian nuclear programme. In 2006 Ahmadinejad's widely (mis)quoted comments on how Israel should be "wiped off the map"⁹²⁰ received an even more sinister interpretation as Bush claimed that "the current President of Iran has announced that the

⁹⁰⁸For example, Bush (10 March 2006) recalled that he had labelled Iran and North Korea as belonging to the axis of evil because he was "concerned about totalitarian governments that are not transparent" and "that have stated their intentions to develop nuclear weapons".

⁹⁰⁹Cheney, 7 March 2006; Bush, 23 May 2007.

⁹¹⁰Bush, 13 January 2006.

⁹¹¹Cheney, 7 March 2006.

⁹¹²Bush, 9 August 2007.

⁹¹³Bush, 13 January 2006.

⁹¹⁴Cheney, 7 March 2006.

⁹¹⁵Bush, 31 August 2006.

⁹¹⁶Bush, 23 January 2007.

⁹¹⁷Bush, 28 August 2007.

⁹¹⁸Bush 21 March 2006.

⁹¹⁹Bush 5 September 2006.

⁹²⁰See Steele 2006.

destruction of Israel is an important part of their agenda”⁹²¹. The US ambassadors at the Security Council also presented Iran as harbouring plans of annihilating Israel⁹²². As for the link between such claims and the nuclear issue, in January 2006 Bush first claimed that Iran had plans to destroy Israel, and then continued that “the development of a nuclear weapon [...] would make them a step closer to achieving that objective”⁹²³. The president also argued that “Iran’s active pursuit of technology that could lead to nuclear weapons threatens to put a region already known for instability and violence under the shadow of a nuclear holocaust”⁹²⁴.

The logic by which Iran was seen to threaten the US was intimately connected with claims about its terrorism support. For example, in 2006 Bush likened Iran to al Qaeda, arguing that it had ‘clear aims’ that it shared with the latter—that is, “driving America away from the region and destroying Israel”, and that “[t]o achieve these aims, [Iranians are] funding and arming terrorist groups, which allow them to attack Israel and America by proxy”⁹²⁵. The president also explained that the Iranian-supported Shia extremists represent a “totalitarian threat”, who “slaughter the innocent” and have “wicked purposes”, meaning that “[t]hey want to kill Americans, kill democracy in the Middle East, and gain the weapons to kill on an even more horrific scale”⁹²⁶. Cheney, in turn, explained that “Iranian missile and rocket capabilities already threaten U.S. forces in the Middle East, as well as Israel and our Arab partners”, and then continued by saying that “[g]iven all we know about the Iranian regime’s hatred of America, its vow to destroy Israel, and its ongoing efforts to develop the technology that could be used for a nuclear weapon, that is a danger every one of us must take seriously.”⁹²⁷ Cheney also warned that “the worst outcome would be a situation in which Iran is sort of set loose [...] in that part of the world with an inventory of nuclear weapons, prepared to be used against other nations in the region, or to dominate that part of the globe, and to threaten not only the United States but many of our friends and allies out there, as well”⁹²⁸. Moreover, in one occasion Bush first referred to “the death and suffering that Iran’s sponsorship of terrorists has brought”, and then added that “we can imagine how much worse it would be if Iran were allowed to acquire nuclear weapons”⁹²⁹. In addition to supporting terrorists, Iran was presented as acting itself like a terrorist state in international society. This was apparent in the warnings that Iran could ‘blackmail’ the liberal-democratic world if it had nuclear weapons⁹³⁰.

Moreover, Iran was presented as a direct military threat to Europe. This idea was essential for justifying the controversial US plans to extend its global missile defense system to Europe. For example in April 2007 Bush first explained that “[o]ur intention [...] is to have a defense system

⁹²¹ Bush, 13 January 2006.

⁹²² Ambassador Wolff (24 March 2007), for example, referred to Ahmadinejad’s comments, which he saw as calling for wiping Israel ‘off the map’, and added that they were “in stark contrast to everything for which this body stands”, evidently referring to the norm of non-aggression. He continued that this “contrast is amplified by Iran’s continued well-known role as one of the world’s leading State sponsors of terrorism”. Khalilzad (3 March 2008), too, referred to Ahmadinejad’s comments about Israel, again presenting them literally as “embracing the objective of destroying a Member State of the United Nations”.

⁹²³ Bush, January 2006.

⁹²⁴ Bush, 28 August 2007.

⁹²⁵ Bush, 5 September 2006.

⁹²⁶ Bush, 23 January 2007.

⁹²⁷ Cheney, 11 March 2008.

⁹²⁸ Cheney, 2 November 2007.

⁹²⁹ Bush, 31 August 2006.

⁹³⁰ For example, Bush (29 March 2006) explained that he was “troubled by a non-transparent regime having a weapon which could be used to blackmail freedom-loving nations”.

that prevents rogue regimes from holding Western Europe, and/or America, to hostage”, and then continuing that it would also be in Russia’s “interest to have a system that could prevent a future Iranian regime, for example, from launching a weapon”⁹³¹. In June 2007 Bush again explained that “a missile defense system is aimed at a rogue regime that may try to hold Russia and/or [sic] Europe and the United States hostage”, and then suggested that Iran was one example of such a regime⁹³². Bush also argued that Iran’s missile development posed a treat to Turkey [...], as well as “many of our NATO allies, including Greece, Romania, Bulgaria, and possibly Poland, Hungary, and Slovakia”, on which basis he maintained that “[t]he need for missile defense in Europe is real and [...] urgent”, and that “[b]y deploying effective defenses, we reduce incentives to build ballistic missiles—because rogue regimes are less likely to invest in weapons that cannot threaten free nations”⁹³³.

Obama’s securitising rhetoric was different from Bush’s in many aspects. Firstly, he did not evoke the liberal anti-pluralist narrative of the good and evil, nor use ‘outlaw state’ or related terms. As if rejecting such way of speaking, Obama instead stressed that the Iranian nuclear issue was “not about singling out individual nations”⁹³⁴. Second, in highlighting the threatening nature of Iran’s nuclear programme, Obama tended not to speak of Iran’s intentions but instead focused on the danger of a regional arms race as an unintended consequence of Iran’s actions⁹³⁵. For example, the president argued that Iran with nuclear weapons “could set off a nuclear arms race in the Middle East that would be extraordinarily dangerous for all concerned, including for Iran”⁹³⁶. He also said that, “if Iran obtained nuclear weapons, it is [...] almost certain that other countries in the region would then decide to pursue their own programmes”, resulting in “a nuclear arms race in perhaps the most volatile part of the world”⁹³⁷. Third, even though Obama agreed that “Iran obtaining a nuclear weapon would [...] be a threat to Israel”⁹³⁸, he did not dwell on this issue like the previous administration had done⁹³⁹. To be sure, the Obama administration did not refute the Bush administration’s most extreme claims about Iran’s intentions⁹⁴⁰, either, and it made clear its condemnation of the Iranian leadership’s anti-Israeli rhetoric⁹⁴¹. Instead of claiming that Ahmadinejad’s comments on the Israeli regime should be regarded as a ‘stated intention to destroy Israel’, however, he rephrased the Iranian president as saying “that Israel should not exist”—which he added “would give any leader of any country pause”, and which he thought gave rise to Israel’s “legitimate concerns about the possibility of Iran obtaining a nuclear weapon”⁹⁴². Fourth, Obama’s

⁹³¹ Bush, 30 April 2007.

⁹³² Bush, 7 June 2007.

⁹³³ Bush, 23 October 2007.

⁹³⁴ Obama, 7 July 2009.

⁹³⁵ To be sure, the danger of a regional arms race was also brought up by Bush, even though it was overshadowed by focus on Iran’s aggressive intentions: for example, Bush (13 June 2008) explained that “the consequences of Iran having a nuclear weapon are substantial” because “[i]f the people in the Middle East do not think that the United States and Europe, for example, are going to work to provide security, they will find their own ways to secure themselves”.

⁹³⁶ Obama, 18 May 2009.

⁹³⁷ Obama, 6 July 2009b.

⁹³⁸ Obama 18 May 2009.

⁹³⁹ Obama, 18 May 2009.

⁹⁴⁰ For example, when Gibbs (20 February 2009) was asked whether the US was “trying to convince the Iranian government to [...] not to continue its threat to destroy Israel” – his reply was “[a]bsolutely”, and that “the President on any number of occasions has said that [...] they have to stop threatening Israel and the Israeli people”.

⁹⁴¹ Obama, 21 April 2009.

⁹⁴² Obama, 18 May 2009.

rhetoric was more restrained than Bush's regarding the Iranian threat to the US, even though he still agreed that "Iran obtaining a nuclear weapon" constituted "a threat to the United States"⁹⁴³.

As for the theme of terrorism support, the Obama administration continued to accuse Iran of it but to a much lesser extent. For example, the president said that Iran's "actions over many years now have been unhelpful when it comes to promoting peace and prosperity both in the region and around the world", in which connection he referred to "their attacks or their financing of terrorist organizations like Hezbollah and Hamas, [...], and "their development of a nuclear weapon"⁹⁴⁴. Vice President Biden also made clear that what was worrying about Iran from the US perspective was not only the nuclear issue but "a combination of things", particularly the "linkage between a government that supports terror and terrorists on the one hand, and on the other hand is developing a number of deadlier of weapons"⁹⁴⁵.

However, there was one area in which Obama's rhetoric was indistinguishable from Bush's—namely the promotion of the American missile defense system based on the alleged Iranian threat to Europe. In line with Bush's previous discourse, Obama explained that "we first and foremost are seeking to build a missile defense system that protects the United States and Europe from an Iranian ballistic missile armed with a nuclear warhead"⁹⁴⁶; that "this system is directed at preventing a potential attack from Iran"⁹⁴⁷; that "President Bush was right that Iran's ballistic missile programme poses a significant threat", and that, although "[t]here's no substitute for Iran complying with its international obligations regarding its nuclear programme [...] this new ballistic missile defense programme will best address the threat posed by Iran's ongoing ballistic missile defense programme".⁹⁴⁸ Obama also assured that "if the threat from Iran's nuclear and ballistic missile programme is eliminated, the driving force for missile defense in Europe will be eliminated"⁹⁴⁹.

As for the US ambassadors at the Security Council, they described Iran's conduct as a "direct threat for international peace and stability"⁹⁵⁰, and "a direct challenge to the very principles on which the [UN] was founded"⁹⁵¹. In addition to the nuclear issue, they too based such arguments on a linkage of different issues. Ambassador Khalilzad, for example, explained in March 2008 that because of "Iran's threats towards Israel, its destabilising international role and support for terrorism [...] the international community cannot allow Iran to develop nuclear weapons"⁹⁵². In 2009, the US ambassadors also presented the Iranian arms shipments to Syria as confirming the view of Iran as a threat to international peace and security. As Ambassador Rice explained in December 2009, "[t]he illicit smuggling of weapons from Iran to Syria is not just a sanctions violation; it is also an important factor in the destabilization of an already fragile Middle East"⁹⁵³.

⁹⁴³ Obama, 18 May 2009.

⁹⁴⁴ Obama, 9 February 2009.

⁹⁴⁵ Biden, 8 January 2009.

⁹⁴⁶ Obama, 6 July 2009a.

⁹⁴⁷ Obama, 7 July 2009.

⁹⁴⁸ Obama, 17 September 2009.

⁹⁴⁹ Obama, 7 July 2009.

⁹⁵⁰ Bolton, 31 July 2006.

⁹⁵¹ Wolff, 24 March 2007.

⁹⁵² Khalilzad, 3 March 2008.

⁹⁵³ Rice (10 December 2009) added that "[w]e must ensure that these sanctions are rigorously enforced to ensure that destabilizing weapons are not allowed to flow from Iran to other parts of the Middle East and elsewhere".

6.3.1.2 The UK

Blair's securitising rhetoric was almost indistinguishable from Bush's; he saw Iran's regional role in an exclusively negative light, understanding it in quasi-theological terms as opposition to the forces of freedom and democracy⁹⁵⁴. For example, Blair highlighted the importance of confronting "the serious challenge of Iran" and "its support for terrorism against Israel and for extremists in Lebanon and Iraq"⁹⁵⁵. In his "Clash about civilisations" speech in March 2006 the PM first talked about of the "struggle against terrorism", after which he explained that "when Iran gives support to [...] terrorism, it becomes part of the same battle with the same ideology at its heart". He then went on to present both Iran and Al-Qaeda as enemies of all who "believe in religious tolerance, openness [...], [...] democracy, liberty and human rights administered by secular courts", and suggested that this explained why Iran was trying to "meddle so furiously in the stability of Iraq"⁹⁵⁶. The PM also spoke about "an arc of extremism"⁹⁵⁷; envisioned the threatening prospect of "secular dictators and religious fanatics running the region"⁹⁵⁸; stressed the need to form "an alliance of civilisations [...] against the extremists"⁹⁵⁹; and appealed to people to "wake up" to the Iranian challenge in the context of the "monumental struggle" between the forces of moderation and extremism, in which connection he explained that the forces of extremism that were working through the Iranian government were trying "to pin us back in Lebanon, in Iraq, in Palestine"⁹⁶⁰.

Like Bush, Blair frequently recalled Ahmadinejad's notorious comments on Israel and – consistent with the Bush administration's views – interpreted them in concrete terms as plans to eliminate the Jewish state. For example, Blair argued that "Iran's President has called for Israel to be 'wiped off the map'"⁹⁶¹, while his spokesman explained that "the President of Iran had frequently threatened the very existence of Israel"⁹⁶². The narrative of the great battle between the proponents and opponents of democracy also seemed to explain this seemingly irrational hostility: as Blair remarked, "Israel is a democracy, surrounded by states very often hostile to it"⁹⁶³. Moreover, Blair thought that the Iranian threat reached beyond the Middle East to encompass the entire 'free world', including the UK. On this basis, Blair suggested in March 2006 that, despite their differences, Iran and Al-Qaeda might join forces based on their shared enmity towards "we" – that is, "those who believe in religious tolerance, openness to others, to democracy, liberty and human rights administered by secular courts"⁹⁶⁴. He also said that the international community's concern about the Iranian nuclear programme was "heightened obviously by [...] the fact that people know that Iran is sponsoring and supporting terrorism in different parts of the world"⁹⁶⁵. This kind of a

⁹⁵⁴ For example, Blair (16 July 2006) explained that "there are those out in [the Middle East] region, notably Iran and Syria, who do not want this process of democratisation and peace and negotiation to succeed".

⁹⁵⁵ Blair, 16 October 2006.

⁹⁵⁶ Blair, 21 March 2006.

⁹⁵⁷ Blair, 1 August 2006.

⁹⁵⁸ Blair, 3 August 2006.

⁹⁵⁹ Blair, 16 December 2006.

⁹⁶⁰ Blair, 20 December 2006.

⁹⁶¹ Blair, 1 August 2006.

⁹⁶² Blair, 19 April 2006.

⁹⁶³ Blair, 15 May 2006.

⁹⁶⁴ Blair, 21 March 2006.

⁹⁶⁵ Blair, 31 January 2006.

securitisation of the nuclear issue enabled Blair to present Iran as direct concern for British national security⁹⁶⁶. As he explained in late 2006,

...though the Cold War is over, we cannot be certain in the decades ahead that a major nuclear threat to our strategic interests will not emerge; that there is also a new and potentially hazardous threat from states such as North Korea which claims already to have developed nuclear weapons or Iran which is in breach of its non-proliferation duties; that there is a possible connection between some of those states and international terrorism; that it is noteworthy that no present nuclear power is or is even considering divesting itself of its nuclear capability unilaterally; and that in these circumstances, it would be unwise and dangerous for Britain, alone of any of the nuclear powers, to give up its independent nuclear deterrent.⁹⁶⁷

The alleged Iranian threat was thus made into one of the UK's key justifications for holding on to its own nuclear weapons arsenal. In this connection, Blair again resorted to the American-style rogue state discourse by speaking of "the desire by states, highly dubious in their intentions, like North Korea and Iran, to pursue nuclear weapons capability", and adding that "[t]he notion of unstable, usually deeply repressive and anti-democratic states, in some cases profoundly inimical to our way of life, having a nuclear capability, is a distinct and novel reason for Britain not to give up its capacity to deter".⁹⁶⁸ As in the American version of this discourse, Iran's domestic nature was seen as the core problem. Indeed, Blair even went as far as to suggest that British national security was dependent on a change of regime in Iran, saying that "I don't believe we will be secure unless Iran changes"⁹⁶⁹.

Brown's securitising rhetoric was much more neutral than Blair's. Firstly, Brown did not evoke the liberal anti-pluralist world-view like his predecessor had done. Second, Brown was relatively neutral regarding Iran's rhetoric towards Israel, even though he too made clear that his country deplored the Iranian regime's comments about Israel and that it shared the latter's "concerns over Iranian ambitions to develop a nuclear weapon"⁹⁷⁰. Third, Brown's accusations of Iran's terrorism support were limited to the country's role in Iraq. The PM said for example in October 2007 that "the Iranians have got to get a message [...] that they must not intervene in Iraq in a way that is breeding further violence and supporting terrorism and causing the loss of life [...] and the Iranians must hear the message that interference in another country's affairs as they have done [...] is unacceptable"⁹⁷¹. David Miliband, in turn, said in November 2007 that "Iran could have a secure and valued place in the region but that both in Iraq, and in respect of its refusal to abide by unanimous resolutions in respect of uranium enrichment, it was not living up to that role"⁹⁷². Fourth, Brown's rhetoric was more restrained regarding the implications of the Iranian threat to the UK's nuclear status, even though there was no change of policy in this regard: Brown responded to a question about the need for an independent nuclear deterrent by saying that it had already "been resolved in favour of a weapon", suggesting that this was largely because states like Iran and North Korea were attempting to develop a nuclear weapon⁹⁷³.

⁹⁶⁶ Klare 1995.

⁹⁶⁷ Blair, 4 December 2006.

⁹⁶⁸ Blair, 4 December 2006.

⁹⁶⁹ Blair, 26 May 2006.

⁹⁷⁰ Brown, 26 August 2009.

⁹⁷¹ Brown, 8 October 2007.

⁹⁷² Miliband, 27 November 2007.

⁹⁷³ Brown, 9 July 2009.

Finally—and given the criticism of double standards by Iran and non-permanent council members regarding Israel—one could mention the UK’s views on the different treatment of Iran and Israel. As for Blair, he justified double standards regarding the two countries based on Israel’s security concerns. When asked whether there should be “more specific decisive and concrete action to deal with Israel”, he first said that “we would like to see a region that is free of nuclear weapons” but then added that “it is just worth contemplating for a moment what the President of Iran has been saying about Israel in the past few weeks, which is that it is his belief that Israel should be wiped from the map”, and that “in those circumstances frankly you are not going to get a great deal of cooperation from Israel”⁹⁷⁴. Brown too explained in April 2009 that “[w]e are aware of the widespread assumption that Israel possesses nuclear weapons, but note that the Israeli Government has refused to confirm it”. He then said that, although “[t]he UK continues to call on Israel to accede to the NPT” and “strongly supports the creation of a zone free from [WMD] in the Middle East [...] realistically, Israel is only likely to accede to the NPT as Non-Nuclear Weapon State when political solutions have been found to the tensions in the region”⁹⁷⁵. Like Blair, Brown thus indirectly justified Israeli proliferation but, unlike the former, he did not refer to the Iranian threat in this connection.

British ambassadors, for their part, stressed that the UN Security Council process was based on a perceived threat to international peace and security. As Emyr Jones Parry recalled in December 2006, “[b]earing in mind the Council’s primary responsibility for the maintenance of international peace and security, and in this regard taking with utmost seriousness the threat from the proliferation of [WMD], the Council unequivocally expressed its intention in resolution 1696 (2006) to adopt measures under Article 41 of the Charter [...] in the event of Iranian non-compliance”⁹⁷⁶. In February 2007 he explained that the “Council has considered the threat of proliferation of [WMD] to be a threat to international peace and security since 1992”, adding that “[t]hat underpins our continuing concern at developments in Iran”⁹⁷⁷. Furthermore, in 2009 the British ambassadors argued that “[t]he most recent report of the International Atomic Energy Agency (IAEA) on Iran makes clear yet again the seriousness of the threat of Iran’s nuclear proliferation activities”⁹⁷⁸, and that Iran’s continuing development and acquisition of “proliferation-sensitive technology and materials [...] risks sparking a regional nuclear arms race”, which in turn “would be disastrous for regional stability”⁹⁷⁹.

6.3.1.3 Sarkozy’s France

The threat perceptions of Sarkozy’s France on were close to the Anglo-American assessment, even though Sarkozy’s rhetoric lacked the latter’s liberal anti-pluralism, and included no claims about terrorism support. Consistent with the US and UK rhetoric, Sarkozy described the Iranian nuclear dispute as “one of the most serious threats to security the world”⁹⁸⁰, and explained that “Iranian

⁹⁷⁴ Blair, 11 February 2006.

⁹⁷⁵ Brown, 30 April 2009.

⁹⁷⁶ Jones Parry, 23 December 2006.

⁹⁷⁷ Jones Parry, 23 February 2007.

⁹⁷⁸ Parham, 15 June 2009.

⁹⁷⁹ Lyall Grant, 10 December 2009.

⁹⁸⁰ Sarkozy, 25 May 2009.

research into military nuclear technology is putting the world at grave risk”⁹⁸¹. As for the regional threat, Sarkozy said that “there is not one but many countries in the region who are concerned about Iran’s nuclear ambitions”⁹⁸², and assured that “[w]e stand with the countries of the region which would feel threatened by an Iran with nuclear weapons”⁹⁸³. Above all, he was referring to Israel; indeed – in radical departure from Chirac (see section 6.3.2)—Sarkozy joined the US and UK in the interpretation that Ahmadinejad’s comments about ‘wiping out’ the Israeli regime meant literally “calls for the annihilation of Israel”⁹⁸⁴. Sarkozy also stressed that Iran “threatens to wipe a country [Israel] off the map, not the reverse”⁹⁸⁵; assured that “France will never compromise on Israel’s security”⁹⁸⁶, and argued that Iran’s anti-Israeli rhetoric “reinforces our determination to prevent Iran from getting nuclear weapons”⁹⁸⁷.

As for the alleged Iranian threat to Europe and France, the French president explained in March 2008 that “[e]veryone must be aware today that nuclear missile forces, even distant, can reach Europe in less than half an hour”, and that there were “countries in Asia or the Middle East vigorously developing ballistic capabilities”. In this connection, Sarkozy said that he was “thinking in particular of Iran”, and added that “Iran increases the range of its missiles while serious suspicions weigh on its nuclear programme”, wherefore “the security of Europe is at stake”. Reminiscent of British security rhetoric, Sarkozy then used the Iranian threat to justify France’s nuclear deterrent: apparently referring to the above-described threat, he concluded that “[t]hat’s why we stick to our nuclear deterrent”.⁹⁸⁸

Regarding the double standards in the treatment of Iran and Israel, Sarkozy seemed to share the British view. When asked whether he thought it was “necessary to address [the Iranian] issue in a broader framework that would address [...] Israel’s strength and its essential accession to the Non Proliferation of Nuclear Weapons”, the president answered that “France, with all its partners in the European Union, supports the goal of the states in the region to create a zone free of [WMD] and their delivery systems”, adding however that this was “naturally a long-term objective”⁹⁸⁹. Disarming Israel from its nuclear weapons was therefore necessary but not urgent. It was also secondary to addressing the Iranian proliferation threat; as Sarkozy explained in June 2009, “it is the resolution of the Iranian nuclear crisis that will make possible the construction zone without [WMD] and their delivery systems in the Middle East, and not vice versa”⁹⁹⁰.

Although Sarkozy’s rhetoric lacked the openly ideological tone that defined the Anglo-American characterisations of the Iranian threat, the French president nevertheless seemed to share the related conceptualisation of Iran as an outlaw state. Indeed, this can explain the assumption of Iran’s aggressiveness which underlies the above threat perceptions. Sarkozy also used the term ‘outlaw state’ himself. In a 2007 interview, the president was asked about the use of the expression ‘outlaw

⁹⁸¹ Sarkozy, 23 September 2007a.

⁹⁸² Sarkozy, 20 June 2009.

⁹⁸³ Sarkozy, 6 July 2009.

⁹⁸⁴ Sarkozy, 25 January 2008.

⁹⁸⁵ Sarkozy, 20 June 2009.

⁹⁸⁶ Sarkozy, 24 June 2009.

⁹⁸⁷ Sarkozy, 20 June 2008.

⁹⁸⁸ Sarkozy, 21 March 2008.

⁹⁸⁹ Sarkozy, 20 June 2009.

⁹⁹⁰ Sarkozy, 20 June 2009.

state' in the English version of his book, *Témoignage*. Although Sarkozy first replied that he "wouldn't say that Iran is an 'outlaw nation', a nation on the outside, the remainder of the answer showed that he had adopted the core idea of the American outlaw state concept: as the French president explained, to call Iran an 'outlaw nation' would mean that the Iranian people themselves are on the outside [of the law]", whereas Sarkozy had only meant "some Iranian leaders [that] have set themselves outside the international community".⁹⁹¹ The 2009 election crisis gave further support for this view: as the French president argued at the time, "[t]hese are the same leaders in Iran, who say that the nuclear programme is peaceful and that the election was honest", then adding the rhetorical question "[w]ho can believe them?"⁹⁹².

Finally, it could be noted that the issue of terrorism support set Sarkozy apart from the Anglo-American discourse: the French president never accused Iran of supporting terrorism. As seen in chapter 6, the French UN ambassadors nevertheless joined the US and UK in 2009 in presenting the Iranian arms shipment to Syria as being "designed to destabilize fragile regions and to perpetuate conflicts"⁹⁹³. Like Chirac, Sarkozy also indicated that France recognised Iran's regional role and status—even though such statements lacked credibility when considering the above-mentioned remarks which downplayed the legitimacy of the Iranian regime⁹⁹⁴. Another difference with the US was that, at least in 2008, France still remained critical of the US administration's missile defence plans, despite the fact that it shared the idea that Iran posed a threat to Europe. As written in the Defence White Paper of June 2008, "[t]he response must be related to the threat: Iran has medium-range missile, defense against these missiles may be needed, but the interceptors in Poland are not a solution against these medium-range missiles"⁹⁹⁵.

6.3.2 Chirac's France, Russia and South Africa: criticizing excessive securitisation

Russia and Chirac's France openly criticised the kind of securitising discourse discussed in the previous section. Although Chirac's France agreed shared the view that the possibility of proliferation in Iran posed a serious threat, its concerns were strictly limited to this issue, and Chirac openly objected the Anglo-american tendency of mixing it with other grievances. Russia was even more openly critical of the US presentation of the Iranian threat, thinking that it was only an excuse to justify the American missile defence project, which Russia believed was in reality targeted against itself. South Africa is also included in the discussion due to a brief but sharp remark criticising the Western P5's preoccupation with the nature of the Iranian regime.

6.3.2.1 Chirac's France

In line with the US rhetoric, Chirac argued that "Iran will not achieve security by developing secret programmemes, but rather by fully becoming part of the international community"⁹⁹⁶. He also agreed that there were 'considerable risks' involved in the Iranian nuclear issue, but explained them

⁹⁹¹ Sarkozy, 23 September 2007a.

⁹⁹² Sarkozy, 26 August 2009.

⁹⁹³ Araud, 10 December 10, 2009 .

⁹⁹⁴ Sarkozy, 23 September 2007b.

⁹⁹⁵ Livre Blanc, June 2008.

⁹⁹⁶ Chirac, 28 August 2006.

in rather vague terms as having to do with “the use of a nuclear weapon with the consequences that may entail, and the very serious risk of proliferation this involves”⁹⁹⁷, as well as in terms of “endangering the continuing existence of the multilateral collective security system and stability within the region”⁹⁹⁸. In a similar manner, the French UN ambassadors (also during the Sarkozy administration) expressed general concern about “the dangers that would arise with respect to Iran’s implementation of a policy of *fait accompli*”, noting that, “[i]n that volatile region, it would raise the risk of confrontation”⁹⁹⁹. Thus the French president and ambassadors thought that the Iran’s pursuit of its nuclear programme might lead to potentially dangerous consequences but—in distinction from the Anglo-American rhetoric where all the risks were connected with Iranian intentions— did not specify who they thought might initiate confrontation.

At the same time, Chirac avoided mixing the nuclear issue with other grievances, and was openly critical of the Anglo-American threat scenarios and the related conceptualisation of Iran in terms of the rogue state imagery. In July 2007 Chirac specifically emphasized that “[t]here is the nuclear issue, and then there is Iran in that region, and I do not believe we should mix up these two issues”¹⁰⁰⁰. Although Chirac did recognise that Iran had “its share of responsibility in the current conflict” in Lebanon, he nevertheless believed that “we can discuss it with Iran” and added that, “when the elections took place in Lebanon [...] we had contacts with Iran” and that “Iran was quite co-operative”¹⁰⁰¹. Underlying Chirac’s objection towards mixing issues there was a more fundamental difference with other Western P5 members, for the French president did not share the view that Iran’s role in the region was exclusively negative. On the contrary, he believed that Iran was in a position to exert positive and stabilising influence on the region. As Chirac argued in February 2007, “[a]t the regional level, France considers that Iran is destined to play a role in the region where she must contribute to stability and peace”¹⁰⁰². He also said that Iran had its “rightful place and its rightful role to play in the stability of the region”; called it a “a major country”¹⁰⁰³ with a regional “role commensurate with its millennia-old civilisation”¹⁰⁰⁴, and affirmed that it also possessed a “legitimate right to defend its position” and to “have weight in the region”¹⁰⁰⁵.

Moreover, Chirac was sensitive about the rogue state discourse in connection with Iran. For example, in summer 2006 when the president was asked about “the intransigence [...] displayed by the Iranians”, he responded to the questioner’s choice of words by saying “let’s not use extreme language here”, and then emphasised that “[p]roliferation must be stopped, but Iran isn’t being particularly targeted”¹⁰⁰⁶. Similar attitude was evident in September 2006, as Chirac argued in connection with Iran that “[w]e do not aim to call regimes into question” but “to ensure security in accordance with international law and with due regard for the sovereignty of all countries”¹⁰⁰⁷. The French president had reportedly also urged the UK government in Spring 2006 “to press the Bush administration to soften its approach so it no longer treats Iran as a ‘rogue state’ but engages in

⁹⁹⁷ Chirac, 25 May 2006.

⁹⁹⁸ Chirac, 9 June 2006a.

⁹⁹⁹ Lacroix, 3 March 2008.

¹⁰⁰⁰ Chirac, 26 July 2006.

¹⁰⁰¹ Chirac, 26 July 2006.

¹⁰⁰² Chirac, 1 February 2007.

¹⁰⁰³ Chirac, 26 July 2006.

¹⁰⁰⁴ Chirac, 5 January 2007.

¹⁰⁰⁵ Chirac, 18 September 2006b.

¹⁰⁰⁶ Chirac, 9 June 2006a.

¹⁰⁰⁷ Chirac, 19 September 2006.

wider dialogue with Tehran on terrorism, the Middle East peace process and oil”¹⁰⁰⁸. This kind of criticism was particularly striking as it occurred together with simultaneous political bashing of Syria, which the president described as “a country with which one does not wish to associate”¹⁰⁰⁹ which he urged to “break with its self-imposed isolation”, and “resume its place among nations, while respecting international legality and the sovereignty of its neighbours”¹⁰¹⁰. In contrast to the UK which often presented Iran and Syria as equal in terms of their problematic nature, Chirac also made it clear that the Iranian case was “completely different” from the Syrian one, suggesting that while “the main problem with Iran is [...] the problem of uranium enrichment, the nuclear question”¹⁰¹¹, the latter involved a variety of problems, most notably due to its “strongly minoritarian and very particular regime, which is both judge and judged”¹⁰¹²,

The most fundamental difference with the prevailing Anglo-American security perceptions, however, became apparent in Chirac’s February 2007 *New York Times* interview. There the president denied that Iranian nuclear weapons would in themselves pose a serious threat to anyone, least of all to Israel. As Chirac argued at the time,

...what is dangerous about this situation is not the fact of having a nuclear bomb — having one, maybe a second one a little later, well, that’s not very dangerous. [...] if Iran continues in the direction it has taken and totally masters nuclear generated electricity, the danger does not lie in the bomb it will have, and which will be of no use to it. Where will it drop it, this bomb? On Israel? It would not have gone 200 meters into the atmosphere before Tehran would be razed to the ground.¹⁰¹³

The French president was thus saying the US and UK allegations about the Iranian threat to Israel were absurd, given the fact that the latter already had an effective deterrent in the form of hundreds of nuclear warheads. Related to this point, Chirac also called for a nuclear weapon free zone in the Middle East, thus indirectly calling for Israeli disarmament¹⁰¹⁴. Moreover, Chirac not only focused on Iran when highlighting the danger of a arms race in the region, but instead mentioned US allies Saudi-Arabia and Egypt as potential proliferators:

It is really very tempting for other countries in the region that have large financial resources, to say: “Well, we too, we’re going to do it. We’re going to help out others to do it.” Why wouldn’t Saudi Arabia do it? Why wouldn’t it help Egypt to do so as well? That is the danger. So one has to find a way to settle this problem. That, then, is the military nuclear issue.¹⁰¹⁵

Third, and arguably representing the sharpest kind of criticism towards the US, Chirac suggested that Iran’s potential nuclear ambitions were motivated by regime insecurity and lack of international recognition. As he argued,

One has to know what Iran can withstand or not. [...]. This somewhat fragile regime is afraid [...] of being contested. [...] To maintain the regime of the mullahs, it needs to not be contested or threatened by the international community. And the international community, who is it? It’s the United States. So how

¹⁰⁰⁸ See Brown & McSmith 2006.

¹⁰⁰⁹ Chirac, 23 January 2007.

¹⁰¹⁰ Chirac, 28 August 2006.

¹⁰¹¹ Chirac, 26 July 2006.

¹⁰¹² Chirac, 26 July 2006.

¹⁰¹³ Chirac, 29 January 2007.

¹⁰¹⁴ Chirac, 29 January 2007.

¹⁰¹⁵ Chirac, 29 January 2007.

much of Iran's reaction is about wanting to control military nuclear technology, and how much is a desire to be recognized and respected by the international community and in particular the United States so as to avoid bad surprises that could at one moment or another destabilize the regime of the mullahs? ¹⁰¹⁶

Chirac was thus calling for security dilemma sensibility towards Iran, arguing that a less threatening US position would be key to solving the nuclear issue. Not surprisingly, the above comments created a furore, and as a result Chirac quickly gave a second interview in which he omitted any references to Israel in connection with the argument that Iran would be deterred. Instead, he talked in general terms about the technical ability of countries to destroy bombs before they hit their targets¹⁰¹⁷. Significantly, however, Chirac did not take back the argument about the US as adding to Iran's insecurity and thus motivating its nuclear policy¹⁰¹⁸.

6.3.2.2 Russia

Like Chirac's France, Russia viewed Iran's regional role in positive terms, and it did not link the nuclear issue with other problems, demonise the Iranian regime, nor accuse Iran of terrorism support. In a much more direct and consistent way than Chirac, the Russians also criticised the Anglo-American securitising rhetoric on Iran.

To begin from Iran's regional role, Russia praised it particularly for its positive influence in Afghanistan. While in 2006 Putin spoke about Iran's "very constructive role in resolving all the problems concerning Afghanistan", and added that "Iran is really doing a great deal to normalize the situation in the country"¹⁰¹⁹, in 2007 he explained that "Iran and Russia both pay great attention to normalising the situation in Afghanistan", and that both "have already carried out much work in this direction earlier, and [...] continue to cooperate today, and to cooperate well"¹⁰²⁰. Putin also expressed his wish to see Iran included in a big conference dealing with the Israeli-Palestinian issue¹⁰²¹.

Although Putin's Russia did not regard Iran as a regional threat, it nevertheless recognized the Israeli concerns about Iran¹⁰²². In this connection Putin showed that he, too, believed that Iran had actually stated its goal to destroy Israel, acknowledging that this was one reason for why the latter's nuclear programme seemed so threatening. As the Russian president explained in September 2006,

Iran also has the right to develop advanced technology, and in this sense it is no different to Brazil or South Africa. But we also have to keep in mind that neither Brazil nor South Africa proclaim the goal of another state's destruction and write it into their constitutions, while Iran's leaders, unfortunately, declare it publicly, which is not in the interests of world security nor of Iran's own foreign policy.¹⁰²³

¹⁰¹⁶ Chirac, 29 January 2007.

¹⁰¹⁷ Chirac, 30 January 2007.

¹⁰¹⁸ Chirac, 30 January 2007.

¹⁰¹⁹ Putin, 15 June 2006.

¹⁰²⁰ Putin, 16 October 2007b.

¹⁰²¹ Putin, 13 February 2007.

¹⁰²² See Putin, 18 October 2007.

¹⁰²³ Putin, 9 September 2006.

Medvedev, in turn, openly criticized Iran's anti-Israeli rhetoric, even though he—like Obama around the same time—had dropped his predecessor's argument about Iran's stated intention to destroy Israel. As Medvedev explained in 2009, "Iran should not pronounce such things that it has stated, for example in relation to Israel, when it said that it did not recognize the existence of this state", adding that this was "unacceptable in the modern world, in the modern system of international relations"¹⁰²⁴. Medvedev also seemed to agree that the Iranian nuclear programme constituted at least a potential regional threat: in July 2009, he said—after explaining that the Russian position towards Iran's nuclear programme is the same as that of "the other participants in the nuclear club" and that the programme cannot yet be described as peaceful—that nuclear weapons "pose a threat to all neighbouring countries so of course we need to keep track of this process extremely closely"¹⁰²⁵.

At the same time, however, the Russian officials suggested that Iran itself felt under threat, and this topic clearly overshadowed concerns about the Iranian threat to Israel. This view was highlighted particularly in connection with Russia's justifications of its arms sales to the country. For example, when asked about the Russian-Iranian military cooperation in 2007, Putin explained that Russia had just delivered an anti-aircraft weapon system to Iran so that the country would "not feel it had been driven into a corner" or that "it was in some kind of hostile environment", and that it could instead "understand that it had channels of communication and friends that it could trust"¹⁰²⁶. In another occasion, Putin again stressed "that Iran should not be made to feel that it is surrounded by hostile forces"; that it should not be pushed "into a dead end, into some kind of trap", and that "[t]he Iranian people and leadership must realise that they do have friends in this world, that there are people ready to talk to them, and that there are people they can trust"¹⁰²⁷. A similar idea was expressed by Medvedev in September 2009, as he was asked to comment on rumours that Israel would attack Iran if Russia continued to contribute to the latter's anti-aircraft and anti-missile system. The president replied by saying that the Israeli president had recently assured him that Israel would do no such thing, and arguing that "any supplies of any weapons, all the more defensive weapons, cannot increase tension", and that "on the contrary they should ease it". Medvedev then stressed that "our task is not to strengthen Iran and weaken Israel or vice versa but [...] to ensure a normal, calm situation in the Middle East".¹⁰²⁸ As will be shown in chapter 8, however, elsewhere the Russian officials expressed concern about Israeli and US plans to attack Iran militarily and highlighted the dangers involved in recourse to force. Also in this connection, they showed sensitivity to Iran's security perceptions. For example in February 2007 when Putin expressed concern about what seemed like American preparations for a war against Iran¹⁰²⁹, he mentioned the issue of security guarantees, and posed the question as to whether the members of the international community can "feel that international law really does provide them with solid and reliable

¹⁰²⁴ Medvedev, 15 September 2009.

¹⁰²⁵ Medvedev, 5 July 2009.

¹⁰²⁶ Putin, 10 February 2007a.

¹⁰²⁷ Putin, 10 February 2007a.

¹⁰²⁸ Medvedev, 15 September 2009,.

¹⁰²⁹ As Putin (10 February 2007a) noted, there was "a fairly large naval presence armed with missile technology [...] already deployed in the Persian Gulf" which was "not being used for operations in Iraq", as well as a new initiative which "provides for [...] deploying aircraft carrying units in the region", and which likewise did not seem to be "necessary for resolving the problem in Iraq".

protection today”, or whether “we [...] make unilateral decisions not based on international law part of the practice of international relations?”¹⁰³⁰.

As for the Western P5’s claims that Iran constituted a direct military threat to themselves or Europe, Putin and Medvedev both rejected such a view. The differing threat perceptions here were directly related to the US-Russian missile defense dispute that had begun to unfold already before the US withdrawal from the ABM treaty in 2002. The old dispute culminated again in 2007 with the US plans to extend components of this controversial system to Europe.¹⁰³¹ From the Russian point of view, the US claims about the Iranian threat as the reason for this project were ridiculous. For example, Putin argued in 2007 that “[m]issile weapons with a range of about five to eight thousand kilometres that really pose a threat to Europe do not exist in any of the so-called problem countries”¹⁰³²; that “Iran does not have such a missile system”¹⁰³³, and that “we are being told that this missile defence system is there to defend against something that doesn’t exist”, after which he asked his audience whether they did not think that such claims were “even a little bit funny?”¹⁰³⁴. Vitaly Churkin also stressed that one first has to understand where the “real threats”, as opposed to “fantasy threats” are, and argued that an Iranian missile threat did not exist, for Iran was years away from being able to develop the kind of missiles to which the US was referring¹⁰³⁵. In addition to the lack of technical ability, the Russians argued that Iran had not even plans to develop such a capability¹⁰³⁶, nor the intention to attack Europe. For example, Putin explained that he “would not be so quick to suspect the intentions of our neighbours, and Iran is one of Russia’s neighbours”, and that “Iran has no plans to attack Europe”¹⁰³⁷. Countering US claims about the Iranian threat to itself in this context, Putin also argued that “[n]o one can seriously imagine that Iran would be so bold as to attack the United States”¹⁰³⁸.

The Russians were of the opinion that the US used the Iranian threat as a pretext for larger-scale power-political games that it was playing behind the scenes: as Putin argued, it was “perfectly obvious” that the kind of missile system that the US was after was “not needed to defend against Iranian or—even more obvious—North Korean missiles”¹⁰³⁹ but instead it was “clearly aimed at Russia and its vast nuclear arsenal”¹⁰⁴⁰. Or—according to Vitaly Churkin—it was based on the Cold

¹⁰³⁰ Putin, 10 February 2007a.

¹⁰³¹ The first phase of the dispute centered on the US justifications to withdraw from the ABM Treaty, based on the general threat that it claimed was coming from outlaw states. At the time, Russia refuted the US claims by, first, questioning the accuracy of the threat assessment and, second, by warning that missile defence actually increased global insecurity. For example, Putin (11 June 2000) said that “contrary to what the US claims, no missile threat emanates from the so-called “rogue states” in the Middle East or in Asia”, and that “there is no threat today or in the foreseeable future”. After the US withdrawal from the ABM treaty, the Russian government did not for a long time raise the question of missile defence. However, this did not mean it had accepted the project, which became clear in 2007 as the US began negotiations with Poland and the Czech Republic about the deployment of components of the system on their soil. According to the *Guardian* (23 April 2007), the US-Russian relations were “at their lowest since the end of Cold War” due to the missile defence dispute.

¹⁰³² Putin, 10 February 2007b.

¹⁰³³ Putin, 28 April 2007.

¹⁰³⁴ Putin, 4 June 2007.

¹⁰³⁵ Churkin, 27 March. 2008.

¹⁰³⁶ Putin, 28 April 2007.

¹⁰³⁷ Putin, 8 June 2007.

¹⁰³⁸ Putin, 4 April 2008b.

¹⁰³⁹ Putin, 4 June 2007.

¹⁰⁴⁰ *Guardian*, 2 March 2007.

War mentality of preparing for Russian, and perhaps also to Chinese threats¹⁰⁴¹. Medvedev, too, was of the opinion that cold war mentality still seemed to guide Western security perceptions¹⁰⁴². He also thought that an excessively ideological foreign policy explained the failure of US policies in the Middle East, including in Iran. As he said,

Let us ask ourselves frankly: because the United States is active in Iraq, in Afghanistan, and looking at Iran, is it that the life of the people of the United States of America has become better or more secure? Does the population receive any positive emotions from these activities? Hardly. It seems to me that we should all try to remove the ideology from our foreign policy. The less schemes there are, the better.¹⁰⁴³

The president concluded that the “trouble with the current administration of the United States of America is that it contains too many Sovietologists”¹⁰⁴⁴.

Instead of accusing Iran and its nuclear ambitions for a new potential arms race in the Middle East, Russia warned that it was the US with its missile defence ambitions that increased the danger of a new, global arms race¹⁰⁴⁵. Indeed, Putin accused the Bush administration for aggravating the problem of nuclear proliferation. Referring to US unilateralism, he argued in 2007 that “[t]he force’s dominance inevitably encourages a number of countries to acquire [WMD]”¹⁰⁴⁶. As an important demonstration of Russian-Iranian solidarity vis-à-vis US-Russian hostility, Putin voiced similar criticism during his historic visit in Tehran in October 2007¹⁰⁴⁷.

However, as a result US-Russian talks and what seemed like increasing flexibility on the part of the US on the missile defence issue¹⁰⁴⁸, there was a parallel, new permissive tone which emerged in Russian statements in summer 2007. At the time, Russia seemed to be convinced about the idea of jointly using a radar station in Azerbaijan; this would do away with the need to build new components in Czech and Poland, and enable to placement of the interceptors—as Putin suggested—“in countries allied to the United States through NATO, in Turkey, say, or even in Iraq”¹⁰⁴⁹. Seemingly contradicting the above critical rhetoric, in this connection Putin assured that Russia and US actually had “the same understanding of common threats”, and explained that a joint system involving Russia “would completely eliminate the possibility of missiles falling on European countries”, and that, “as soon as any country, including Iran, completes the first test of its long-range missiles, our intelligence services—both American and Russian ones—will record this”¹⁰⁵⁰. Moreover, Medvedev said in March 2009 that “Russia has taken a clear and straightforward position: let’s work together on a missile defence system and build an effective and reliable shield against various threats, which are indeed many in number”¹⁰⁵¹, and that “Russia is ready to become engaged in this [anti-missile] system, because we are also interested in securing our country and our citizens from threats posed by certain problematic states”. When the

¹⁰⁴¹ Churkin, 27 March. 2008.

¹⁰⁴² Medvedev, 12 September 2008.

¹⁰⁴³ Medvedev, 12 September 2008.

¹⁰⁴⁴ Medvedev, 12 September 2008.

¹⁰⁴⁵ Medvedev, 14 February 2008.

¹⁰⁴⁶ Putin, 10 February 2007b.

¹⁰⁴⁷ Putin, 16 October 2007b.

¹⁰⁴⁸ Putin, 16 October 2007b.

¹⁰⁴⁹ Putin, 8 June 2007.

¹⁰⁵⁰ Putin, 7 June 2007.

¹⁰⁵¹ Medvedev, 3 March 2009.

interviewer then suggested that Russia would probably “not be comfortable” if “the Iranian missiles so closely located to you finally would turn out to be nuclear missiles”, Medvedev agreed by saying that “[w]e wouldn’t like to have any new nuclear missiles along our borders”, and that “[w]e don’t want any new members of the nuclear club”¹⁰⁵².

At the same time, Russia continued to be suspicious of the US, and it also signaled that its view on Iran had not really changed. Whereas Putin said in June 2007 that “we hope that these [US-Russian] talks will not act as a convenient shield under which to begin unilateral action”¹⁰⁵³, Medvedev explained in August 2008 that the Americans “told us they [radar stations and missile bases] are designed to confront the threat posed by rogue states, but then you have to prove that”, and that “[m]eanwhile, our perception is that all these weapon systems are being accumulated around our borders to put further pressure on Russia”¹⁰⁵⁴. In March 2009 he said that Russia continued “to have serious doubts about the missile defence project, at least in the form the previous administration’s plans in this area took”¹⁰⁵⁵.

As for the idea of an Iranian threat, Putin explained in June 2007 that “we do not see this threat, but we accept that it could potentially exist – we are proposing a concrete plan for joint action”. He then continued by saying that “[i]f our partners believe this threat exists, the implementation of our plan would completely neutralise it and there would be no need to complicate the global security situation and jeopardise security on the European continent.”¹⁰⁵⁶ Medvedev, in turn, made the following remarks in July 2009:

In terms of missile defence Poland and the Czech Republic are one thing, Iran is a different one altogether, they are too far apart geographically. I do not understand how people can say that missile defence is linked to the problems of the Middle East. Therefore it seems to me that all these arguments have been developed simply to justify the decisions taken by the previous administration of the United States [...] Iran is Russia’s important partner, [...] we will continue to talk with Iran, our neighbour, our foreign partner. Therefore any insinuations on this topic seem not quite correct to me.¹⁰⁵⁷

In sum, one can say that Russia seemed to be willing to tolerate the US missile defense plans—as well as the related, securitising rhetoric on Iran, even though from the Russian perspective it was based on fantasy rather than reality— as long as Russia was itself included in those plans, and not threatened by the construction of new facilities in Eastern Europe. With this understanding, the US-Russian missile defence dispute seemed to be settled in September 2009¹⁰⁵⁸.

¹⁰⁵² Medvedev, 29 March 2009.

¹⁰⁵³ Putin, 7 June 2007..

¹⁰⁵⁴ Medvedev, 26 August 2008.

¹⁰⁵⁵ Medvedev, 3 March 2009.

¹⁰⁵⁶ Putin, 8 June 2007.

¹⁰⁵⁷ Medvedev, 5 July 2009.

¹⁰⁵⁸ Medvedev (24 September 2009) stated that “we find the decision made by [the Obama] administration to be very reasonable”.

6.3.2.3 South Africa

The South African Ambassador Kumalo briefly voiced his criticism about the Western P5's portrayal of the Iranian threat in March 2007,

...as a matter of principle, [...] the Security Council must remain within its mandate of addressing threats to international peace and security. If the sponsors of the resolution were convinced that the Iranian programme was a threat to international peace, then the Security Council should have been asked to take a decision on a draft that would have concentrated on that, and not to act as if the Iranian Government itself posed a threat to international peace and security.¹⁰⁵⁹

Kumalo was thus seemingly irritated by the fact that the other Security Council members' concerns about Iran seemed to have more to do with preconceptions about the nature of the Iranian regime than with the details of its nuclear programme.

6.3.3 China, Qatar, Tanzania and South Africa: concern about escalation

China was mainly worried about the escalation of the nuclear dispute but its vague rhetoric left unclear whether this concern had to do with Iran's intentions or the conduct of its fellow P5 members. Qatar, Tanzania and South Africa, on the other hand, viewed the UN Security Council resolutions as a potential source of escalation.

6.3.3.1 China

Like Chirac's France and the Russians, the Chinese only focused on the nuclear issue, without linking it with any other aspects of Iran's conduct. Even when asked about the related issue of Iran's missile development, the Chinese Foreign Ministry spokespersons came up with neutral statements, such as "we hope to see a peaceful, secure and stable Middle East" and "[a]ll parties in this region should make positive efforts towards this end"¹⁰⁶⁰; that the "current situation in the Middle East is complicated and sensitive"¹⁰⁶¹. Unlike the Russians, however, the Chinese did not openly criticise the Western P5's securitisation of Iran, either.

In terms of security, the most worrying outcome of the nuclear dispute from the Chinese perspective was its escalation to the point that would endanger regional peace and security. The Chinese officials said, for example, that "[w]e do not wish to see new turbulence"¹⁰⁶² or "disturbance in the Middle East due to the Iranian nuclear issue"¹⁰⁶³, but instead China "hopes to see a peaceful and stable Middle East"¹⁰⁶⁴. This allowed for certain ambiguity, as the Chinese did not as a rule specify exactly what kind of an escalation they had in mind. However, their simultaneous emphasis on the international community's responsibility to practice restraint (see section 7.3) and warnings against military measures (see chapter 8) suggested that China was more concerned of the conduct of its

¹⁰⁵⁹ Kumalo, 24 March 2007.

¹⁰⁶⁰ Qin, 27 November 2007.

¹⁰⁶¹ Liu, 10 July 2008.

¹⁰⁶² Wang, 23 December 2006.

¹⁰⁶³ Jiang, 13 June 2006.

¹⁰⁶⁴ Qin, 4 December 2007.

fellow P5 members than Iran's intentions as a source of potential escalation. For example, the Chinese UN Ambassador La Yifan said in June 2009 that "[w]e oppose the proliferation of nuclear weapons and do not want to see a new wave of turbulence in the Middle East", immediately adding that "[w]e have always called for resolving the Iranian nuclear issue through diplomatic means and in a peaceful way", and that "China has always believed that resolving that issue through diplomatic means is in the interest of peace and security in the Middle East region"¹⁰⁶⁵. The Chinese position was also illustrated in the foreign ministry spokesperson Jiang Yu's remarks in January 2008, as he explained that "[t]he Middle East is already beset with enough problems" and that "[n]obody wants to see further turmoil in the region, even less to bear the consequences of another war there", and then stressed that "[e]ach and every move by the international community vis-a-vis the Iranian nuclear issue should bear this in mind"¹⁰⁶⁶.

One could argue that, underlying the Chinese concerns about the escalation of the crisis, there was the idea that the root cause of the nuclear dispute was the political, bilateral conflict between the US and Iran. At least this idea was expressed by the head of the Chinese foreign ministry's arms control department, Zhang Yan. As he explained in June 2007, "[t]he crux of the Iranian nuclear issue is the deep-rooted distrust and to certain extent long standing hostility between the United States and Iran", and "[t]he nuclear issue is just a reflection of the nature of their relation". Zhang continued that, "in order to address this problem, there must be a process of confidence building between the two major players", adding that "China, on many occasions, has encouraged them [the US and Iran] to engaging in direct dialogue", and that if this would happen, "peaceful solution to this issue will have a brighter prospect".¹⁰⁶⁷

When asked about double standards regarding the treatment of Iran and Israel and whether China was trying to balance the "lopsided international order", the Chinese Foreign Minister Li said in March 2007 that "I can't recall anybody saying that today we have a perfect international political and economic order", and continued as follows:

Your questions show us the picture of a complicated international community full of challenges or even different standards. I think for us our task is to make every effort to meet the common aspirations of the people of the world, to carry out dialogue and negotiation and use other diplomatic means to reduce and resolve these differences and disputes and broaden our common ground so that this world will be turned into a more reasonable and democratic place and we will be able to bring more benefits to the people.¹⁰⁶⁸

The Chinese foreign minister thus did not deny the existence of double standards but did not go as far as to criticise them or mention Israeli nuclear weapons, either.

6.3.3.1 Qatar, Tanzania, and South Africa

Three non-permanent members—Qatar, Tanzania, and South Africa—suggested that the UN resolutions against Iran might, instead of promoting international peace and security, impact

¹⁰⁶⁵ La, 15 June 2009.

¹⁰⁶⁶ Zhang, 5 June 2007.

¹⁰⁶⁷ Zhang, 5 June 2007.

¹⁰⁶⁸ Li, 6 March 2007.

negatively on regional security. They expressed these views in connection with their general criticism of the Security Council resolutions (discussed in section 6.1.3).

To begin from Qatar, its Ambassador Al-Nasser argued as follows in connection with the adoption of resolution 1696,

...the fact that this draft resolution was submitted at this critical time serves to achieve neither the stability of the region nor the unity of the Council. On the contrary, whether we like it or not, it will only intensify the conflagration in our region. Do we really want to see another volcano erupting in this region?¹⁰⁶⁹

Al-Nasser's metaphor of an uncontrolled fire suggested that the passing of resolution 1696, which paved the way for subsequent sanctions, would increase tensions and ultimately lead to a further deterioration of regional security. Such concerns were also heard from the Tanzanian representative, Ambassador Manongi, in the same July 2006 meeting. As Manongi said at the time, it was "the hope of the United Republic of Tanzania that the adoption of today's resolution at this point in time will not serve to further complicate matters in an already volatile region"¹⁰⁷⁰. Thus Tanzania, too, seemed to think that the resolution might have a negative impact on regional security.

The success of resolution 1747 in promoting the goal of peace and security was likewise subject to doubt. As the Qatari ambassador said in March 2007, "[c]ontinued pressure [...] can sometimes have serious consequences, given the already volatile situation in that region of the world"¹⁰⁷¹. South Africa also seemed unconvinced that resolution 1747 would contribute to trust-building and a diplomatic solution (more on this in section 8.1). By simultaneously speaking about the danger of "heightened tensions [...] spiralling out of control, to the detriment of all", and warning that "no one will win through a process of confrontation that could lead to disastrous consequences in a highly volatile region", the South African Ambassador Kumalo also seemed to suggest that the resolution might actually worsen the security situation.¹⁰⁷²

Again in connection with his harsh criticism of resolution 1803, Kumalo warned that, "[g]iven the confidence deficit that existed earlier, we need to move forward in a responsible and balanced manner because we are dealing with a highly sensitive matter that can have serious implications in a volatile region". Kumalo also argued that building "on the progress made through systematic and continued verification work by the IAEA"—which, as noted in section 6.1.3, was not being done from the South African perspective—would "encourage negotiations [...] with a view to reducing tension and further escalation". In particular, South Africa voiced his country's concerns about the dangers contained in "the controversial provision that allows for searches of certain Iranian vessels and aircraft" because, "even subject to very strict limitations, [...] this could spark confrontation and further threaten international peace and security".¹⁰⁷³ Similar criticism as above could be seen to underlie the Indonesian suggestions that resolution 1803 might have a "negative impact"¹⁰⁷⁴, or the Libyan Ambassador Dabbashi's warning that it could "cause the situation to deteriorate"¹⁰⁷⁵.

¹⁰⁶⁹ Al-Nasser, 31 July 2006.

¹⁰⁷⁰ Manongi, 31 July 2006.

¹⁰⁷¹ Al-Nasser, 24 March 2007.

¹⁰⁷² Kumalo, 24 March 2007.

¹⁰⁷³ Kumalo, 3 March 2008.

¹⁰⁷⁴ Natalegawa, 3 March 2008.

¹⁰⁷⁵ Dabbashi, 3 March 2008.

6.3.4 Iran, Qatar and Libya: drawing attention to Israel's nuclear weapons

Iran denied that its nuclear programme posed a threat to anyone and at the same time criticised the Council for ignoring Israel's illegal conduct and nuclear weapons, which from the Iranian perspective posed the greatest threat to international peace and security. Libya and Qatar shared the Iranian criticism of double standards regarding the treatment of Iran and Israel, and a few other non-permanent members—while not openly criticising the Council in this regard—indirectly drew attention to Israel's nuclear status. Their statements were in line with the general NAM calls for establishing a nuclear weapons free zone in the Middle East¹⁰⁷⁶.

6.3.4.1 Iran

As noted already in the previous sections, Iranian officials denied the value of nuclear weapons as a source of security and rejected the view that their country's nuclear programme constituted a threat to anyone. Regarding the latter argument, in Iran's August 2006 response to the P5 plus one package of incentives it was written that "[t]o interpret exercise of the 'inalienable rights' of a state as threats against international peace and security is absurd [...] and outrageous"¹⁰⁷⁷. In making this argument, the Iranian officials often referred to the IAEA's consistent finding that there is no evidence of the diversion of peaceful activities for military use. Mohammad Khazaei, for example, recalled in March 2008 that "[t]he peaceful nature of Iran's nuclear programme has been confirmed by each and every IAEA report in the past several years", and "the Agency does not have any data or evidence indicating that Iran is trying to develop nuclear weapons"¹⁰⁷⁸. Countering the Western P5's claims about their country's aggressive intentions, the Iranian officials pointed to Iran's historical record of non-aggression towards its neighbours. Javad Zarif, for example, recalled in September 2008 that, Iran, "unlike Israel, has never attacked or threatened to use force against any Member of the [UN]"¹⁰⁷⁹, whereas Mohammad Khazaei explained that "the Islamic Republic of Iran has never threatened nor has any intention to threaten other nations"¹⁰⁸⁰.

Contrary to the Western P5's claims, none of Ahmadinejad's statements can be seen as involving military threats to Israel. However, adding fuel to the fire, he also did not bother to clear out the misunderstanding regarding his comments about Israel¹⁰⁸¹. When asked about whether he was "really serious when you say that Israel should be wiped off the face of the Earth", Ahmadinejad avoided a clear answer and instead used the occasion to draw attention to the injustices committed by the Israeli government against Palestinians. When the questioner persisted, Ahmadinejad said the following:

Are you asking me yes or no? Is this a test? Do you respect the right to self-determination for the Palestinian nation? Yes or no? Is Palestine, as a nation, considered a nation with the right to live under humane conditions or not? [...] The politicians in the United States should allow the Palestinians to vote, and then we'll all respect the results. They won't even accept a small Palestinian state. That's why we

¹⁰⁷⁶ See e.g. Ezzat 2010.

¹⁰⁷⁷ Iran's Response to the P5+1 Package, August 2006.

¹⁰⁷⁸ Khazaei, 3 March 2008.

¹⁰⁷⁹ Zarif, 23 December 2006.

¹⁰⁸⁰ Khazaei, 9 September 2008.

¹⁰⁸¹ See Steele 2006.

think the root cause of the crisis must be addressed. Jews, like other individuals, will have to be respected.¹⁰⁸²

The key message conveyed in the above and other similar remarks was that the real criminal and threat to international security was Israel, not Iran. Related to this kind of argumentation, Ahmadinejad also spoke of the “illegal Zionist regime” and of “[t]he brutal Zionists” that “carry out targeted assassinations of the Palestinians [...] and receive medals of peace and support from the big powers”¹⁰⁸³; argued that Iran “would earnestly pursue trial of the Israeli leaders at the [UN] Court specialized in war crimes”, and demanded that “the Tel Aviv regime must be punished and put on trial for committing crimes against humanity in Gaza”¹⁰⁸⁴. Ahmadinejad also called the Israeli regime “a stinking corpse”¹⁰⁸⁵, continued to express doubts about whether the Holocaust really occurred, and estimated that the conduct of the Israeli regime would lead to its ‘annihilation’. For example, in 2006 the president asked “if this [Holocaust] happened in Europe, what is the fault of the Palestinian people?”¹⁰⁸⁶. In 2008 he claimed that Israel’s “war crimes [...] will lead to definite annihilation of the regime”¹⁰⁸⁷ and that “the philosophy of existence of the Zionist regime is now under question and the usurper and fabricated regime is moving towards its annihilation”¹⁰⁸⁸.

Iranian officials also complained about the double standards in the disciplinarian approach that had been adopted towards their country, in contrast to the apparent lack of condemnation of those states, most notably Israel, that were not even members of the NPT and that had already acquired nuclear weapons. For example, in December 2006 Zarif pointed out that “[t]he same Governments that have pushed this Council to take groundless punitive measures against Iran’s peaceful nuclear programme have systematically prevented the Council from taking any action to nudge the Israeli regime towards submitting itself to the rules governing the nuclear non-proliferation regime” and that, “[b]y so doing, they have provided it with wide latitude and even encouragement to indulge freely in the clandestine development and unlawful possession of nuclear weapons”.¹⁰⁸⁹ Referring to the Israeli Prime Minister Ehud Olmert’s 2006 statements where he openly acknowledged Israel’s nuclear weapons status¹⁰⁹⁰, Zarif also argued that Israel’s apparent “reversal of the hypocritical policy of strategic ambiguity” had “removed any excuse [...] for continued inaction by the Council in the face of that actual threat to international peace and security”. He concluded that “nuclear weapons in the hands of an Israeli regime with an unparalleled record of non-compliance with Security Council resolutions [...] and a long and dark catalogue of crimes and atrocities [...] pose a uniquely grave threat to regional and international peace and security”.¹⁰⁹¹ In the same vein, Khazaee argued in March 2008 that the Israeli regime, [...] with hundreds of nuclear

¹⁰⁸² Ahmadinejad, 24 September 24, 2006.

¹⁰⁸³ Ahmadinejad, 26 September 2007.

¹⁰⁸⁴ Ahmadinejad, 30 December 2008a.

¹⁰⁸⁵ Ahmadinejad, 8 May 2008.

¹⁰⁸⁶ Ahmadinejad, 20 September 2006b.

¹⁰⁸⁷ Ahmadinejad, 30 December 2008b.

¹⁰⁸⁸ Ahmadinejad, 8 May 2008.

¹⁰⁸⁹ Zarif, 23 December 2006.

¹⁰⁹⁰ As the Guardian reported in December 2006, the Israeli Prime Minister accidentally broke the long tradition of nuclear as he “let slip during an interview in Germany that Israel did indeed have weapons of mass destruction”. Olmert had said that “Iran, openly, explicitly and publicly, threatens to wipe Israel off the map”, and then asked “Can you say that this is the same level, when they are aspiring to have nuclear weapons, as America, France, Israel and Russia?”. (Luke & Campbell 2006)

¹⁰⁹¹ Zarif, 23 December 2006.

warheads in its possession, poses the most serious threat to international and regional peace and security”¹⁰⁹².

Israel was also mentioned in Iran’s 2006 response to the P5+1 proposals in connection with calls for “confidence-building on security matters”. More specifically, the document recalled “the other party’s commitment to seriously follow up the fulfillment of ‘the nuclear free zone in the Middle East’, particularly the commitment to disarm the Zionist regime from [WMD] and in particular nuclear arms”, and “to convince the countries of the region (middle East) who are not yet signatories to NPT, or are not yet implementing the Additional protocol, to accept NPT membership, and to implement the Additional Protocol”.¹⁰⁹³ In addition to the general threat to international security, Iran also brought up the issue of the Israeli threats towards itself, and called for security guarantees against the use of nuclear weapons by the NWS. (These as well as the Iranian perception of the threat of a US-led military strike will be discussed further in chapter 8.)

6.3.4.2 Libya and Qatar

Libya and Qatar criticised the Security Council of having turned a blind eye to the Israeli nuclear weapons. In December 2006 the Qatari Ambassador Al-Nasser stressed the importance of non-proliferation “especially with respect to Israel”¹⁰⁹⁴, whereas in March 2007 he unambiguously condemned the Council’s double standards with respect to the treatment of Israel and the NPT party members:

Addressing non-proliferation issues, which is the basis for the positive vote to be cast by the State of Qatar, should not be done selectively. We do not see the Council dealing with those issues with different criteria. In our view, the Council is required to follow the same approach towards countries that do not comply with their obligations under the NPT, as well as towards those that do not respect it in the first place.¹⁰⁹⁵

After this, Al-Nasser regretted that “the sponsors of that draft resolution” had not taken into account a proposal “regarding the draft resolution on the establishment in the Middle East of a zone free of nuclear weapons and their means of delivery”—an issue which Qatar had raised also in the two previous Council meetings¹⁰⁹⁶.

The Libyan Ambassador Dabbashi, too, raised the idea of establishing a nuclear weapons free zone in the region. In the same connection, Dabbashi expressed his country’s disapproval of the Security Council’s disregard for Israel’s nuclear weapons, recalling that Israel has refused to join the NPT or subject its facilities to IAEA safeguards. The ambassador suggested that, as long as this continues, “all States in the Middle East can rightly wonder why they do not have the right to have such weapons while Israel does possess them”¹⁰⁹⁷. In another meeting in March 2008, Dabbashi

¹⁰⁹² Khazaei, 3 March 2008.

¹⁰⁹³ Iran’s Response to the P5+1 Package, August 2006.

¹⁰⁹⁴ Al-Nasser, 23 December 2006.

¹⁰⁹⁵ Al-Nasser, 24 March 2007.

¹⁰⁹⁶ Al-Nasser, 24 March 2007.

¹⁰⁹⁷ Dabbashi, 10 December 2009.

condemned the Council and Israel in a tone that some other members used only when referring to Iran's actions. Dabbashi said the following:

We deplore the fact that the Security Council has not attached adequate importance to the issue of Israel's nuclear weapons, in spite of the fact that the Israelis are refusing to accede to the NPT or to submit their facilities to the IAEA safeguards regime. Moreover, Israel has declared that it possesses nuclear weapons but has not respected repeated international calls to disarm. This attitude could have terrible effects on the region and on the world, especially since it, together with the massacres that are being committed in the occupied Palestinian territories right now, demonstrates that the Israeli regime is terrorist and irresponsible and does not take into consideration international law or ethics.¹⁰⁹⁸

The Libyan ambassador continued that "it is extremely important that the Security Council address this subject in a comprehensive way in order to convince all States in the region to accede to the [NPT]", adding that this "could enhance the Security Council's legitimacy, especially with regard to the procedures it can adopt".¹⁰⁹⁹ He also said that "[t]he Council's selectivity has given rise to questions about the Council's true objectives".¹¹⁰⁰ Like the Iranian officials, Dabbashi was thus suggesting that the real threat to international security was Israel, and that double standards with regard to the treatment of these two cases undermined the credibility of the Security Council. Moreover, the Libyan ambassador again expressed his frustration over the Security Council's lack of "appropriate attention to the issue of Israel's nuclear weapons, even though Israel refuses to accede to [the NPT] or subject its installations to IAEA safeguards". He also called for "a non-selective approach"; argued that "[a]ll states, without exception, must subject their nuclear installations to [IAEA] safeguards".¹¹⁰¹

The idea of establishing a nuclear-weapons-free zone in the Middle East was also raised by Indonesia in March 2007¹¹⁰² and by Vietnam in March 2008¹¹⁰³. The Costa Rican ambassador, in turn, referred to proliferation by states that were not part of the NPT, without however making direct references to Israel. He pointed out that the existing "system has been unable to completely halt [...] proliferation", and that "[s]ome countries that are not parties to the [NPT] are developing nuclear weapons programmes with total impunity".¹¹⁰⁴

6.4 Summary of chapter 6

This chapter has shown that the Western P5 played a crucial role in criminalising Iran's conduct. As seen in section 6.1, the US, UK and France repeatedly argued that Iran's nuclear policy violated international law, which they clearly condemned. In addition, these three countries were explicit in condemning new aspects of Iran's irregular conduct, such as its arms shipments to Syria and the clandestine construction of the Fordow facilities. Indeed, the statements of these Western P5 members give a strong impression of Iran as a crime suspect who is presented with charges and found guilty before the 'court', symbolised by the UN Security Council. Section 6.2 added to this

¹⁰⁹⁸ Dabbashi, 3 March 2008.

¹⁰⁹⁹ Dabbashi, 3 March 2008.

¹¹⁰⁰ Dabbashi, 3 March 2008.

¹¹⁰¹ Dabbashi, 3 March 2008.

¹¹⁰² Jenie, 24 March 2007.

¹¹⁰³ Le Luong Minh, 3 March 2008.

¹¹⁰⁴ Urbina, 3 March 2008.

image by showing that the US, UK, and Sarkozy's France also took Iran's proliferation intention for granted. Thus Iran was also accused of cheating and giving a false testimony before the court, as it were. Such accusations were in line with the US, British and French threat perceptions: they argued that Iran and its nuclear ambitions posed a grave military threat to Israel, to the entire Middle East region, to Europe, and the entire world, including themselves. The US, UK, and France thus not only agreed that Iran had violated a shared norm but their claims were particularly incriminating as they listed several violations, which were all seen to be severe and threatening to international order. The Anglo-American discourse in particular suggested that the main explanation for Iran's non-conformity was its low interaction capacity. The US, UK and, to a lesser extent, Sarkozy's France viewed Iran's nuclear defiance as part of a more general pattern of irregular conduct, explainable in terms of the country's domestic nature. Indeed, the sense of urgency in dealing with the Iranian nuclear programme largely derived from the rogue state narrative and the related conceptualisation of Iran as an enemy of the liberal international society. Even though Sarkozy's rhetoric did not go this far in this regard, he seemed to share the Anglo-American threat perceptions and accept the conceptualisation of Iran as a rogue state. Chirac's France, too, condemned Iran's non-conformity and made clear that it constituted an international crime. However, Chirac did not take Iran's proliferation intention for granted but instead stressed the problem of mistrust created by its past safeguards violations. Moreover, Chirac questioned the Anglo-American securitising discourse, and particularly its tendency to mix together different issues. It is possible to see Chirac's attempts to limit the degree of criminalisation in light of Bull's pluralist concern about the implications of norm-enforcement on the target state's membership in international society. Such a refusal to equate normative exclusion with political exclusion was in line with Chirac's positive view of Iran's regional role, as well as his suggestions that the US was partly responsible for Iran's nuclear policy by contributing to its regime insecurity.

The Russian perception of Iran's non-conformity was even further from the other Western P5 than Chirac's. Even though Medvedev adopted an unprecedentedly condemnatory tone in autumn 2009, the Russian leaders never explicitly accused Iran of violating international law. Moreover, Putin once even denied that Iran had violated international norms. Russia also did not as a rule express concerns about the Iranian nuclear programme: while Putin expressed trust in Iran's intentions, Medvedev suggested that he had tentative doubts about those intentions. As for the idea that Iran constituted a threat to Israel, Russia seemed to agree but this issue was clearly overshadowed by opposition to what Russia, too, regarded as excessive securitisation of Iran's nuclear programme by the Western P5. The fact that Russia regarded the claims about an Iranian threat to Europe mainly as an American excuse for its missile defense system indicated that Russia viewed the Western securitising rhetoric above all as a reflection of America's pursuit of national interest, as well as its overly ideological foreign policy orientation. Moreover, Russian statements highlighted the Iran's security needs and its positive regional role. Like with Chirac, the latter point undermined the Anglo-American claims regarding Iran's low interaction capacity. China's statements were similar to Russia's in the sense that China, too, avoided the language of criminalisation and securitisation. In the case of China, however, the definition of breach seemed to be implicitly accepted because the Chinese leaders said nothing to contradict it, and also because China expressed tentative doubts about Iran's intentions. As for China's security perceptions, it did not join the Western P5's security rhetoric but on the other hand it did not criticize it, either. Instead, China settled for rather vague expressions, affirming the norm of non-proliferation and the importance of safeguarding international peace and security, without however specifying why exactly the Iranian nuclear issue

was so worrying from a security point of view. This vagueness allowed for the interpretation that the threat either had to do with Iran's proliferation intentions, the intentions of the fellow P5 members, or both, meaning an escalation of the dispute as a consequence of reckless policies by both sides.

Like the Western P5, seven non-permanent members—Belgium, Burkina Faso, Costa Rica, Croatia, Japan, Panama and Slovakia—condemned Iran's conduct. However, they did not criminalise it nearly to the same degree as the P5, and none of them accused Iran of lying about its real intentions. Six other non-permanent members—Qatar, Indonesia, Libya, South Africa, Tanzania and Vietnam—expressed strong pluralist reservations against the Security Council approach. They questioned the P5's interpretation of international law, suggesting that particularly resolutions 1696 and 1803 were unwarranted. Qatar and South Africa also expressed trust in Iran's intentions, and—together with Tanzania—voiced concerns that the UN resolutions might undermine peace and security instead of preserving it. Libya and Qatar also sought to shift the discussion to double standards with regard to the treatment of Iran and Israel.

Finally, Iran disagreed with the IAEA Board's September 2005 interpretation of non-compliance and, on these grounds—as well as due to what it regarded as the absence of immediate threat to international peace and security—it also rejected the legitimacy of the Security Council involvement. On the other hand, non-conformity with the Security Council demands was also justified in terms of the argument that the Western P5's actions were politically motivated. Underlying both lines of argumentation there was resentment against structural injustice—a problem which Iran thought was built into the US-dominated Security Council.

7 Rights and Responsibilities

This chapter deals with Iran's non-proliferation obligations in the broader context of reciprocal rights and duties, taking into account the other two pillars of the NPT—that is, the NNWS's right to civilian nuclear energy and the NWS's obligations regarding disarmament. Whereas section 7.1 focuses on the relationship between Iran's NPT-given rights and its duties under the UN resolutions, section 7.2 discusses the key actors' statements on the disarmament pillar. Section 7.3, in turn, deals with the question of responsibility beyond the NPT, meaning the key actors' understanding on which party should show flexibility in order to contribute to conflict resolution, and also which party is mainly to blame for the deadlocked situation. The discussion is mainly relevant for condition B of the solidarist paradigm: it can either serve to stress the need for Iran to comply with its obligations—as well as its alleged unreasonableness for not having done this—or to point to mitigating circumstances suggesting that the country's conduct is to some extent understandable, and possibly even reasonable. The Iranian interpretation of relevant rights and responsibilities will also be discussed in each section.

7.1 Iran's obligations in relation to the 'peaceful use' pillar of the NPT

In the following, I will discuss the key actors' views on the Iran's obligations and non-conformity in relation to the NPT's 'peaceful use' pillar. They can either serve to justify the exceptional limitation of Iran's rights by stressing the severity of the country's failure to meet its obligations, or to question this kind of interpretation by pointing to the inviolability of those rights. While the statements of Western P5 and China represent the former view, Russia and several non-permanent members made ambiguous statements on whether they think Iran's rights are inviolable or not. Section 7.1.3 focuses on the Iranian perspective, according to which its rights are absolutely inviolable.

7.1.1 US, UK, France, China, Costa Rica, Croatia, Japan and Panama: stressing the conditionality of Iran's rights

The US, UK, France and China all justified the UN Security Council demands for Iran by stressing the severity of the country's failure to meet obligations. While recognizing Iran's rights to peaceful nuclear energy in general, the Western P5 and China thus did not view these rights as inviolable, but as undermined by Iran's irregular conduct. Four non-permanent members—Costa Rica, Croatia, Japan and Panama—also seemed to subscribe to the view that the limitation of Iran's rights was justified because the latter were conditional of obligations.

7.1.1.1 The US

As noted in chapter 5, the US had for a long time been against any kind of a nuclear programme in Iran but its position changed in the context of the present crisis. Indeed, the Bush administration often underlined that it recognised Iran's nuclear rights. For example, Bush said that the desire of Iranian people "to make [...] greater progress, including the development of civilian nuclear energy [...] is a legitimate desire"¹¹⁰⁵, and that Iran "ought to have a civilian nuclear programme, and that it had "the sovereign right to have civilian nuclear power". However, that sovereign right was not seen to include uranium enrichment; after all, given that the US took Iran's proliferation intention for granted, letting the country have the capacity for uranium enrichment seemed tantamount to allowing it to develop nuclear weapons. As the president argued, "they don't have the right [...] to enrich" and "can't be trusted with enrichment" because "enriching uranium is a step toward having a nuclear weapon".¹¹⁰⁶ Bush also argued that such a capacity would "lead to a weapons programme"¹¹⁰⁷ and that "the West is serious when we talk about stopping them from learning how to enrich" because this "would be [...] a major step for developing a bomb"¹¹⁰⁸.

In line with the official justification for the exceptional demands to Iran, Bush also referred to the lack of trust created by the country's past failure to report its activities. For example in 2008 he

¹¹⁰⁵ Bush, 19 June 2006.

¹¹⁰⁶ Bush, 4 July 2008.

¹¹⁰⁷ Bush, 11 January 2006.

¹¹⁰⁸ Bush, 13 June 2008.

explained that Iran could not “be trusted with the ability to learn how to enrich”¹¹⁰⁹ or “trusted with enrichment” because it had “ignored IAEA in the past”¹¹¹⁰; failed “to report programmes, and not “told the truth about their programme”¹¹¹¹. The president also explained that “[t]hey have proven themselves to be untrustworthy”, and that “to say that [...] it's okay to let them learn to enrich – and assume that that programme and knowledge couldn't be transferred to a programme, a military programme, is [...] naïve”¹¹¹². Once Bush also linked the ban on enrichment to the security of Israel, saying that “you bet you have a sovereign right, absolutely, but you don't have the trust of those of us who have watched you carefully when it comes to enriching uranium because you have declared that you want to destroy democracies in the neighbourhood for example”¹¹¹³.

Instead of going on with nuclear enrichment, the administration argued that the best way for Iran to enjoy its nuclear rights would be to accept the P5+1 offer, which Bush presented as “a rational approach to what they claim is their sovereign right, which is the ability to have nuclear power”¹¹¹⁴. Ambassador Khalilzad, too, said in December 2007 that “[i]f Iran is in fact serious about using nuclear power to meet its energy needs, the best way for it to proceed is to suspend its proliferation sensitive nuclear activities and accept the P-5 plus one offer. The Russian fuel swap proposal (see chapter 5) was presented in the same terms—with the distinction that, instead of an opportunity, the matter was presented mainly as further proof of Iran's proliferation intention due to its rejection of the deal. Vice President Cheney, for example, explained in January 2006 – after saying that it was “pretty clear” that Iran was aiming for a nuclear weapon – that “[i]f what they're really interested in is generating nuclear power [...], they've been offered that opportunity, a guaranteed source of fuel that would be enriched only to the level necessary to run a civilian reactor” by the Russians¹¹¹⁵. In the same vein, Bush explained that the Russian proposal had negated “the need for the Iranian regime to enrich at all”¹¹¹⁶, whereas Ambassador Khalilzad argued that Iran's rejection of the proposal “exposes Iran's false claim that it needs to enrich uranium for civil nuclear power”.

As for Iran's accusations about unequal treatment, Ambassador Wolff refuted the idea of “so-called double standards” as being “simply not true”, but merely “false claims designed to distract the international community and world opinion from the issue at hand”. To enforce this point, he explained that “[m]any other Governments around the world [...] enjoy national civilian nuclear energy programmes without any difficulties, demonstrating that there is no incompatibility between a country's right to a peaceful nuclear energy programme and its non-proliferation obligations”.¹¹¹⁷ Ambassador Khalilzad, too, seemed to be saying in March 2008 that Iran had not been treated differently from any other state as he explained that “[a] total of 17 countries generating nuclear power today purchase their fuel on the international market rather than enrich uranium themselves”. Referring to South Africa, Libya, Brazil, Argentina, Romania, Ukraine and Kazakhstan, he also argued that “[m]any States have made the decision to abandon programmes to produce a nuclear weapon”, and that they did not “lose their right to develop nuclear energy” as a

¹¹⁰⁹ Bush, 4 January 2008.

¹¹¹⁰ Bush, 10 June 2008.

¹¹¹¹ Bush, 4 January 2008.

¹¹¹² Bush, 17 April 2008.

¹¹¹³ Bush, 16 June 2008.

¹¹¹⁴ Bush, 4 January 2008.

¹¹¹⁵ Cheney, 11 January 2006.

¹¹¹⁶ Bush, 2 July 2008

¹¹¹⁷ Wolff, 24 March 2007.

result.¹¹¹⁸ Bush, on the other hand, openly expressed the view that different countries were treated according to different standards, and justly so: when asked about the differences regarding US non-proliferation policy towards India and Iran, he did not deny them but instead explained his administration's hard-line approach towards Iran and the simultaneous controversial decision for nuclear cooperation with India as follows:

...unlike Iran, for example, India is willing to join the IAEA. They want to be a part of the global agreements around nuclear power. Thirdly, India has got a record a nonproliferation. They've had 30 years of not proliferating. Fourthly, India is a democracy and a transparent society. You find out a lot about India because there's a free press.¹¹¹⁹

In another similar occasion, Bush again praised India's status as "nonproliferator" and "transparent democracy", as well as its willingness "to go under the safeguards of the IAEA [...] to make sure that there are certain safeguards", while Iran, on the other hand, was described by Bush as "a nontransparent society [...] certainly not a democracy". Referring to the Iranian government, he also added that "[t]hey are sponsors of terrorism", and that that while "India is heading to the IAEA; the Iranians are ignoring IAEA".¹¹²⁰ Bearing in mind that India is a non-member of the NPT which announced its nuclear weapons in late 1990s —whereas Iran is long-time NPT-member and signatory to the IAEA Safeguards—the above explanation was rather confounding. Bush thus justified double standards based on the criteria of democracy and transparency, which Iran did not meet.

While the Bush administration thus emphasized Iran's identity as the source of mistrust, Obama's argumentation was in line with the Security Council approach and—like the UN ambassadors in the above—he also seemed to deny the existence of any double standards. More specifically, Obama suggested that Iran's rights regarding civilian nuclear power were limited because they were conditional of meeting certain obligations, and proportional to the risks of an arms race in the region. For example, while recognizing Iran's sovereignty; "legitimate energy concerns"¹¹²¹, as well as its right "to a civilian nuclear programme"¹¹²² and "to peaceful nuclear power that meets the energy needs of its people"¹¹²³, Obama stressed that, "[o]n the other hand, the international community has a very real interest in preventing a nuclear arms race in the region"¹¹²⁴, and that "Iran needs to restore confidence in its exclusively peaceful nature"¹¹²⁵. He also explained that "any nation – including Iran – should have the right to access peaceful nuclear power *if* it complies with its responsibilities under the [NPT]"¹¹²⁶. Furthermore, like the American UN ambassadors during the Bush administration, Obama also suggested that the UN Security Council demands to Iran were relatively unproblematic, and that it would also be just as easy for Iran as for any other state to demonstrate the lack of proliferation intention: referring to Brazil, South Africa, and Libya, he explained that "there are countries that have decided not to pursue nuclear weapons" and that "have

¹¹¹⁸ Khalilzad, 3 March 2008.

¹¹¹⁹ Bush, 20 March 2006.

¹¹²⁰ Bush, 22 March 2006.

¹¹²¹ Obama, 1 June 2009.

¹¹²² Obama, 1 April 2009b.

¹¹²³ Obama, 25 September 2009b.

¹¹²⁴ Obama, 1 June 2009.

¹¹²⁵ Obama, 1 April 2009b.

¹¹²⁶ Obama, 4 June 2009.

all made a decision not to pursue nuclear weapons”¹¹²⁷. On the other hand, however, in June 2009 the president seemed to show some understanding of the Iranian protestations of unequal treatment by explaining that, “[t]o the extent that Iran feels that they are treated differently than everybody else, that makes them embattled”¹¹²⁸. Moreover, like Bush had done in relation to the previous fuel swap proposal between Iran and Russia, Obama argued that the new proposal made by the Vienna group in October 2009 would fulfill Iran’s nuclear energy needs in an acceptable way. As he argued, the deal would allow getting “a sizable amount of low-enriched uranium out of the country of Iran, making the world more secure”¹¹²⁹. At the same time this “confidence-building step would have addressed “Iran’s need for medical isotopes”, and created “an opportunity for further progress”¹¹³⁰.

7.1.1.2 The UK

On the one hand, the UK did not seem to regard Iran’s rights as being undermined by the Security Council demands in any way. Brown, for example, assured that “Iran has the same absolute right to a peaceful nuclear programme [...] as any other country”¹¹³¹. The country’s UN ambassadors, too, assured that the suspension of enrichment would not “hinder Iran’s development of a modern, civil nuclear power industry in any way”¹¹³²; that “[w]e are not trying to prevent Iran having such a [civilian] programme”¹¹³³; that “[t]he United Kingdom has made clear many times that we do not deny Iran’s right to civil nuclear power under the Treaty on the Non-Proliferation of Nuclear Weapons”¹¹³⁴, and that “[w]e do not wish to deny Iran its right to civil nuclear power”¹¹³⁵. On the other hand, however, it was evident that the UK officials viewed Iran’s rights as limited and dependent on obligations. This view was expressed for example by Blair in March 2006, as he said he hoped that “the Iranian people in particular realise that we have [...] no desire to stop them having, and indeed their country having, the same rights as everybody else, but with those rights come certain duties and obligations and it is important that they abide by them”¹¹³⁶. He also said that “we understand why you may want to develop civil nuclear power but we do not want a situation where that is used to threaten the outside world”¹¹³⁷, and spoke of the opportunity of reaching a diplomatic solution where both “the rights of Iran” and “the wishes and desires of the international community are respected”¹¹³⁸. The conditionality of Iranian rights was also stressed by Ambassador Lyall Grant in December 2009, as he said that “[w]e *would* support its development of peaceful nuclear energy providing that it meets its international obligations”¹¹³⁹.

The UK also stressed that the international community would be willing to help Iran if it indeed was interested only in developing its civilian nuclear capacity. For example in 2007 Blair said that if the

¹¹²⁷ Obama, 10 July 2009.

¹¹²⁸ Obama, 1 June 2009.

¹¹²⁹ Gibbs, 19 October 2009.

¹¹³⁰ Obama, 3 November 2009.

¹¹³¹ Brown, 17 March 2009.

¹¹³² Jones Parry, 31 July 2006.

¹¹³³ Sawers, 24 March 2007.

¹¹³⁴ Sawers, 10 March 2009.

¹¹³⁵ Parham, 15 June 2009.

¹¹³⁶ Blair, 10 March 2006.

¹¹³⁷ Blair, 8 June 2006.

¹¹³⁸ Blair, 9 June 2006.

¹¹³⁹ Lyall Grant, 10 December 2009.

Iranian “ambition, as they say it is, is for civil nuclear power and for scientific progress, [...] the international community stands ready to help Iran with that, not merely to allow Iran to develop civil nuclear capability, but to help in the development of that civil nuclear capability”¹¹⁴⁰. Brown, too, assured that “the UK and the international community stand ready to help Iran achieve [a peaceful nuclear programme]”. In distinction from Blair, he seemed to suggest that such support could be given to Iran despite its non-compliance with the Council demands: namely, in March 2009 Brown described Iran as “a test case for this new philosophy of the right to civil nuclear power with sanction rule-breakers”¹¹⁴¹. The way to achieve this would be to develop multilateral nuclear fuel banks—a proposal which, looking at Brown’s statements, seemed to have been initiated by the UK. For example, in March 2008 Brown referred to an “idea that Britain has put forward, which is the idea of a uranium bank or bond to say to states that we will help them get civil nuclear power as long as they continue to renounce, under the terms of the [NPT], the idea that they will become nuclear weapon powers”¹¹⁴². A year later, the PM again referred to his country’s leading role in “bringing forward proposals internationally for multilateral control of the fuel cycle” and spoke about its “proposal for a nuclear fuel assurance, or uranium enrichment bond”. The PM also mentioned the possibility of regional nuclear collaboration, which “could be particularly beneficial in regions such as the Middle East where already the Gulf Cooperation Council has proposed a joint nuclear technology programme for peaceful applications”¹¹⁴³. Moreover, in July 2009 Brown said that, given the fact that “there’s energy shortages and energy requirements of different countries, we have got to help countries that abandon the idea of nuclear weapons, or will never take up the idea of nuclear weapons – we have got to help these countries allow civil nuclear power for their energy needs”. At the same time, the PM added that this would also mean “tighter conditions about non-proliferation”¹¹⁴⁴.

The only way for Iran to gain international support for its civilian nuclear programme at the moment, however, would be by giving in to the Security Council demands and by accepting the P5+1 offer. Like other P5 states, the UK officials argued that accepting this “far-reaching and imaginative”¹¹⁴⁵ and “generous offer”¹¹⁴⁶ would give Iran “the greatest benefits”¹¹⁴⁷; an “access to civil nuclear power”¹¹⁴⁸; “everything [Iran] needs to develop a modern civil nuclear power programme, including legally guaranteed supplies of nuclear fuel”¹¹⁴⁹; “help with nuclear technology for civilian use”¹¹⁵⁰; “active support in the building of light-water power reactors”¹¹⁵¹, as well as “participation in a uranium enrichment facility in Russia and legally binding assurances relating to the supply of nuclear material”¹¹⁵². Or, as Ambassador Lyall Grant said in December 2009, the “proposed [fuel swap] agreement showed that the international community does not wish

¹¹⁴⁰ Blair, 5 April 2007.

¹¹⁴¹ Brown, 17 March 2009.

¹¹⁴² Brown, 27 March 2008.

¹¹⁴³ Brown, 17 March 2009.

¹¹⁴⁴ Brown, 10 July 2009.

¹¹⁴⁵ Jones Parry, 31 July 2006.

¹¹⁴⁶ Queen Elizabeth II, 3 December 2008.

¹¹⁴⁷ Brown, 17 March 2009.

¹¹⁴⁸ Brown, 26 August 2009.

¹¹⁴⁹ Sawers, 3 March 2008.

¹¹⁵⁰ Brown, 16 June 2008.

¹¹⁵¹ Jones Parry, 31 July 2006.

¹¹⁵² Jones Parry, 31 July 2006.

to deny Iran its right to civil nuclear power”, and that “the generous E3+3 offer contains everything that Iran needs to pursue a modern civil nuclear power programme”¹¹⁵³.

7.1.1.3 France

As for the French view on Iran’s rights, the French representatives joined other Council members in frequently stressing the right of Iran and other NNWS to civilian nuclear power. President Chirac, for instance, referred to Iran’s “obvious rights [...] with respect to nuclear power”¹¹⁵⁴; assured that the question in the Iranian nuclear issue was not “of contesting Iran’s right to have nuclear technology”¹¹⁵⁵ or disputing its “right to produce civilian nuclear energy”¹¹⁵⁶, and stressed the need to resolve the crisis “in full respect of what Iran is and what its rights are, and in particular in respect of Iran’s right and entitlement to generate electricity using nuclear power plants”¹¹⁵⁷. At the Security Council, the French UN ambassadors likewise explained that “[n]obody in this Council wishes to deny Iran its rights or to prevent the Iranian people from benefiting from nuclear energy for peaceful purposes”¹¹⁵⁸, and that “there is no question of refusing Iran the right to use nuclear energy peacefully”¹¹⁵⁹. Sarkozy, too, frequently assured that France was not opposed to the development of civilian nuclear power in Iran¹¹⁶⁰.

At the same time, however, France agreed with the conclusion that Iran’s rights should not include uranium enrichment. As Chirac argued, in the light of existing non-proliferation treaties, “we can’t agree to her launching and pursuing a process which, especially through enrichment, could in fact lead to her developing a nuclear weapon”¹¹⁶¹. The president also explained that “[w]hat worries us in Iran, it’s not [nuclear energy] as such but uranium enrichment”, which he characterised as “very dangerous”¹¹⁶². Sarkozy, in turn, highlighted the idea that Iran’s rights were conditional of its fulfilment of obligations. He suggested that France would have no problems with Iran enjoying its rights if it would comply with the demand to suspend enrichment¹¹⁶³; argued that he wanted to be both “uncompromising on Iran’s nuclear weapons” and to “bring the civilian nuclear power to countries that need the energy of the future”¹¹⁶⁴, and stressed that “we must show no weakness with those who violate international norms” but “those who respect them are entitled to an access to nuclear energy for peaceful purposes”¹¹⁶⁵. The French UN Ambassadors came up with the same argument: for example, while Ambassador de la Sablière suggested that Iran’s rights depended on whether it would “meet the non-proliferation obligations”¹¹⁶⁶, Lacroix suggested that Iran could enjoy those rights “when it meets its international obligations”. The latter continued that “France, which is committed to distributing such energy, is particularly sensitive to that matter [rights of

¹¹⁵³ Lyall Grant, 10 December 2009.

¹¹⁵⁴ Chirac, 9 June 2006a.

¹¹⁵⁵ Chirac, 25 May 2006.

¹¹⁵⁶ Chirac, 9 June 2006a.

¹¹⁵⁷ Chirac, 9 June 2006b.

¹¹⁵⁸ de la Sablière, 24 March 2007.

¹¹⁵⁹ Lacroix, 3 March 2008.

¹¹⁶⁰ See e.g. Sarkozy, 13 February 2008.

¹¹⁶¹ Chirac, 9 June 2006a.

¹¹⁶² Chirac, 29 January 2007.

¹¹⁶³ Sarkozy, 6 November 2007.

¹¹⁶⁴ Sarkozy, 25 September 2007.

¹¹⁶⁵ Sarkozy, 21 March 2008.

¹¹⁶⁶ de la Sablière, 24 March 2007.

NNWS], but we must bear in mind the dangers that would arise with respect to Iran's implementation of a policy of *fait accompli*".¹¹⁶⁷

As noted in chapter 6, the Sarkozy administration was convinced about Iran's proliferation intentions. Nevertheless, the president suggested that Iran's compliance with the UN demands would be sufficient to remove all doubts and allow it to enjoy its rights like any other country: as he argued in 2008, "from the moment when Iran accepts transparent controls" France will provide it, like any country, with the kind of support that is needed to "benefit from civil nuclear power"¹¹⁶⁸. Regarding the more specific demand concerning uranium enrichment, Sarkozy argued that the fuel provided by Russia was sufficient "for the entire life of the engine" in Bushehr¹¹⁶⁹. On the other hand, the President seemed to doubt whether Iran needed enriched uranium at all: in 2008 he posed the question as to "[w]hat purpose does uranium enrichment serve in Iran, a country that has no civilian use for it?"¹¹⁷⁰.

Like the US ambassadors and Obama, France refuted the idea that Iran had been singled out as a non-proliferation case for political reasons. Reminiscent of what was to become Obama's standard argument later on, Chirac argued that Iran was not "being particularly targeted"¹¹⁷¹. Sarkozy, in turn, stressed France's active role in promoting nuclear power projects in the Islamic world, believing that this would take off the edge of Iran's arguments according to which it was being denied its legitimate rights. As Sarkozy explained in Autumn 2007, "the energy of the future is not intended to be an exclusive possession of the most developed countries", after which he referred to the bilateral nuclear cooperation with Morocco as an example for "Iran that cooperation is possible and that we are not doomed to confrontation"¹¹⁷². Sarkozy also said that "[w]hen I am fighting for there to be a civilian nuclear power in Arab nations, it shows to the Iranians that, in my view, what is prohibited is military nuclear power, not civilian nuclear energy which is the energy of tomorrow"¹¹⁷³.

7.1.1.4 China

Like the Western P5, China simultaneously stressed Iran's rights and obligations, and it seemed to share the view that the former were dependent on the fulfillment of the latter. Acknowledging Iran's rights, the Chinese officials explained that "China respects and recognizes Iran's right to the peaceful use of nuclear energy"¹¹⁷⁴; "Iran's legitimate right on peaceful use of nuclear energy under the NPT should be respected"¹¹⁷⁵, and that "a final solution to the Iranian nuclear issue cannot be found without properly addressing Iran's demand for peaceful use of nuclear energy"¹¹⁷⁶. The Chinese IAEA delegation also stressed the need to ensure "the healthy development of countries'

¹¹⁶⁷ Lacroix, 3 March 2008.

¹¹⁶⁸ Sarkozy, 8 July 2008.

¹¹⁶⁹ Sarkozy, 27 December 2007.

¹¹⁷⁰ Sarkozy, 13 February 2008.

¹¹⁷¹ Chirac, 9 June 2006a.

¹¹⁷² Sarkozy, 23 October 2007.

¹¹⁷³ Sarkozy, 20 September 2007.

¹¹⁷⁴ Wang, 24 March 2007.

¹¹⁷⁵ Chinese Delegation's Statement at the First Session of the Preparatory Committee for the 2010 NPT Review Conference, 11 May 2007.

¹¹⁷⁶ Zhang, 5 June 2007.

peaceful use of nuclear energy”¹¹⁷⁷. Signalling that they nevertheless viewed Iran’s rights as limited, the Chinese officials also said that “[w]e believe that *as long as* Iran fulfils its non-proliferation obligations under the NPT, its right of peaceful uses of nuclear energy should be respected”¹¹⁷⁸ and that “Iran’s rights to the peaceful use of nuclear energy must be respected *provided that* relevant obligations under NPT are observed”¹¹⁷⁹.

Unlike the Western P5, however, China did not seem to think that Iran’s concerns about its rights were entirely unfounded. For example, in May 2006 the foreign ministry spokesperson expressed the hope that the package of proposals that was at the time being developed by the EU3 can “take into full consideration of Iran’s need and concern for peaceful use of nuclear energy”¹¹⁸⁰, and stressed that “a final solution to the Iranian nuclear issue cannot be found without properly addressing Iran’s demand for peaceful use of nuclear energy”¹¹⁸¹. China also urged the other side of the dispute—i.e. the Western P5—to “seriously consider the reasonable concern of Iran”¹¹⁸², and “prevent global economic development and energy security from being undermined”¹¹⁸³. Moreover, China recognised the danger of discrimination in the implementation of non-proliferation norms, and stressed the need to find a lasting solution to the universal dilemmas related with the dual use nature of nuclear energy. For example, The Chinese UN Ambassador Wang Guangya argued that “it is necessary to handle, in a balanced manner, the relations between the peaceful use of nuclear energy and non-proliferation”¹¹⁸⁴, while the Chinese IAEA delegation stated in May 2007 that “correct understanding and appropriate handling of the relation between non-proliferation and peaceful use can make important and practical contribution to [...] the properly [sic] settlement of [...] Iranian nuclear issues and other nuclear issues”, and that “[p]eaceful uses of nuclear energy and non-proliferation should not go against each other rather be complementary and mutually supportive”[sic]. As the Chinese IAEA delegation further argued, “[t]he international community should put heads together, and actively explore effective ways which not only can prevent nuclear proliferation but also ensure the right of peaceful use of nuclear energy based on equality”. The ending—“based on equality”—gained additional meaning from the sentence that followed it: “double standards and selective practice should be discarded and the principle of impartiality and nondiscrimination should be observed.”¹¹⁸⁵

7.1.1.5 Costa Rica, Croatia, Japan, and Panama

Several non-permanent members also seemed to subscribe to the view that the limitation of Iran’s rights was justified because the latter were conditional of obligations. For example, in December 2006 the Japanese representative Oshima first said that Iran, “just as much as any other country”, had the right “to the peaceful use of nuclear energy”, and then expressed the “hope [...] that, in the

¹¹⁷⁷ Zhang, 14 March 2006.

¹¹⁷⁸ Chinese Delegation’s Speech at General Debate in First Session of the Preparatory committee for the 2010 NPT Review Conference, 5 May 2007.

¹¹⁷⁹ Zhang, 5 June 2007.

¹¹⁸⁰ Liu, 30 May 2006.

¹¹⁸¹ Zhang, 5 June 2007.

¹¹⁸² Jiang, 29 June 2006.

¹¹⁸³ Yang, 14 September 2006.

¹¹⁸⁴ Wang, 24 March 2007.

¹¹⁸⁵ Chinese Delegation’s Speech at General Debate in First Session of the Preparatory committee for the 2010 NPT Review Conference, 5 May 2007.

exercise of that right, Iran will fully comply with its international obligations and give its utmost cooperation to the IAEA so that it will be able to enjoy fully the fruits of the peaceful use of nuclear energy”. Oshima also seemed to imply that Iran would do well to follow the Japanese example, adding that “Japan enjoys the right to the peaceful use of nuclear energy to the fullest in full compliance with its international obligations”.¹¹⁸⁶ In a similar manner, the Panamanian ambassador argued that “Iran has the right to develop atomic energy for peaceful purposes and to carry out processes that are indispensable to that end, such as uranium enrichment [...] but the exercise of that right involves equally important obligations, in particular open and transparent inspections [...] of activities and processes linked to the peaceful use of atomic energy”.¹¹⁸⁷ The Croatian representative, in turn, said that “[e]very State has the right to use nuclear energy for peaceful purposes, but it must abide by international obligations”¹¹⁸⁸, while his Costa Rican colleague explained that the right to use nuclear energy was “contingent on the fulfilment of all international obligations”¹¹⁸⁹.

7.1.2 Russia, Argentina, Burkina Faso, Indonesia, Libya, Qatar, Slovakia and Tanzania: ambiguity on Iran’s rights

Like other Security Council members, Russia stressed Iran’s rights to peaceful nuclear energy but—being the only one that was actually engaged in nuclear cooperation with the Islamic Republic—presented itself as respecting Iran’s rights more than others. At the same time, Russia was ambiguous as to whether or not the limitation of Iran’s rights was justified. Several non-permanent members showed similar ambiguity.

7.1.2.1 Russia

When speaking of Iran’s nuclear rights, Putin highlighted the significance of nuclear power for economic development and, reminiscent of China, raised the issue of discrimination in this connection. As the president argued, “all the countries in the world including Iran have the right to implement their plans in the field of high-tech and to use new technologies to promote their own development”¹¹⁹⁰, and “the role of nuclear energy is only set to grow given the limitations on fossil fuels”¹¹⁹¹. Putin also argued that “access to these [nuclear] technologies must be equitable, free, nondiscriminatory and that supervision must be effective”¹¹⁹², and that “we must not and do not have the right to limit the participation of any country within the framework of the current international law on nuclear energy and we must take different countries’ interests into account”¹¹⁹³. Furthermore, referring specifically to Iran, the president said that the “self-restriction” that Russia had called for from Iran to alleviate international concerns “should not amount to infringement of

¹¹⁸⁶ Oshima, 23 December 2006.

¹¹⁸⁷ Arias, 24 March 2007.

¹¹⁸⁸ Jurica, 3 March 2008.

¹¹⁸⁹ Urbina, 3 March 2008.

¹¹⁹⁰ Putin, 15 June 2006.

¹¹⁹¹ Putin, 28 February 2006.

¹¹⁹² Putin, 15 June 2006.

¹¹⁹³ Putin, 16 January 2006.

the right of Iran and its people to have nuclear technology”¹¹⁹⁴, and that the Iranian cooperation with the IAEA need not “in any way infringe on Iran’s plans and right to develop peaceful nuclear technology”¹¹⁹⁵.

In addition to affirming Iran’s rights, Putin criticized the Western policy of restricting the access of countries like Iran to the international nuclear market. As he said, “you can’t just prohibit countries from using nuclear energy and keep that technology only for some countries”—a problem that Putin added concerned “not only [...] Iran but also other countries that would like to develop their nuclear energy sector”¹¹⁹⁶. Distancing Russia from this kind of policy, Putin emphasized that “[t]oday we are probably the only country that cooperates actively and openly with Iran in the sphere of nuclear energy for peaceful purposes and completely assumes its obligations”¹¹⁹⁷, and that “Russia is the only country that is helping Iran carry out its civil nuclear programme”¹¹⁹⁸. Putin’s above criticism of the Western policy of restricted access can also be seen to account for his sympathy for Iran’s stated need to maximize its energy independence: as he remarked in 2007, “many countries with all good reasons want to create their own nuclear energy as a basis for their energy independence”¹¹⁹⁹.

To be sure, the Russo-Iranian cooperation was not always that smooth, either, and some observers saw the delays in Russian fuel shipments in 2007 as indications of a crisis behind the scenes¹²⁰⁰. However, Putin rejected such claims in his remarks to the Iranian media in October 2007.

The fact that the work was begun by one group and then continued by Russian organisations has in itself complicated the situation from the outset, not so much from a political as from a technical point of view. [...] The real difficulty is in the contract itself, in the legal arrangements made for this deal. [...] As for the delivery of fuel for the power plant, in accordance with IAEA regulations, fuel can only be delivered to the facility a few months before the nuclear reactor begins operation. We first have to have a clear understanding of when exactly this will take place.¹²⁰¹

In other words, Putin explained the delays in terms technical difficulties caused by the past US policy of restricted access, which had resulted in the withdrawal the German company Siemens from the Bushehr project before it was finished¹²⁰². As Putin further argued, “no other country was willing to take on this [Bushehr] contract”, and “the German partners who began work on the

¹¹⁹⁴ Putin, 9 September 2006.

¹¹⁹⁵ Putin, 10 February 2007a.

¹¹⁹⁶ Putin, 16 July 2006.

¹¹⁹⁷ Putin, 15 June 2006.

¹¹⁹⁸ Putin, 16 October 2007.

¹¹⁹⁹ Putin, 10 February 2007b.

¹²⁰⁰ According to Pavel Podvig (2007), the fact that Russia had only months before “pledged with great fanfare that the Bushehr reactor would be ready for the first shipment of fuel in March”, and then suddenly claimed that the delivery had to be delayed due to missed payments on the Iranian side seemed “to suggest that Russia is reconsidering its nuclear cooperation with Iran” Instead of representing a radical turn in Russian policy, Podvig nevertheless regarded the delay as a sign of Russia’s hesitation in a context where “the Bushehr project was no longer as commercially attractive as it appeared in the 1990s”, and where “nuclear cooperation with the United States could potentially bring access to the much more lucrative U.S. market”. On the other hand, Podvig pointed to political reasons, arguing that “Russia was strongly committed to finishing the construction, if only to prove that it could complete the project despite U.S. pressure”. He concluded that “[i]n this situation, resorting to delays and hoping that the situation will somehow resolve itself is the only option”. In addition, Podvig argued that the Russian Atomic Energy Agency knew that “abandoning Bushehr now would deal a serious blow to its reputation as a commercial partner”.

¹²⁰¹ Putin, 16 October 2007a.

¹²⁰² See e.g. Mousavian 2008, 34.

project several decades ago subsequently abandoned it”¹²⁰³. In addition to the Germans, Putin pointed out that the South Koreans had also reneged from their related commitments:

There is another circumstance that has complicated this work, and that is that Iran, during the work on building the Bushehr nuclear power plant, signed agreements not only with Russian partners but also with partners in other countries, in the Republic of Korea, for example, who have refused to deliver the equipment promised by the contracts they signed. This has created additional problems and has meant that we have had to find replacement equipment for the equipment not delivered.¹²⁰⁴

Despite these obstacles, Putin recalled the commitment to “see the [Bushehr] project through to its completion”, and assured that Russia was “not backing down from any of [its] commitments”. Unlike Iran’s previous partners, it would live up to the agreement, with which it was “fully satisfied”.¹²⁰⁵

The most marked difference between Russia and the other P5 members, however, had to do with the issue of uranium enrichment: while the latter were united in their view that in the Iranian case the right to nuclear energy did not include the full fuel cycle and uranium enrichment activities, the Russian government gave mixed signals on this matter. While on the one hand Russia’s rhetoric and actions in the UN Security Council demonstrated that it too wanted Iran to give up uranium enrichment (see section 6.1), on the other hand Putin expressed a contrary view. During his 2007 visit to Tehran, the president spoke of “the *inviolable* condition that all our states have the right to develop their peaceful nuclear programmes without *any* restrictions”¹²⁰⁶. Putin made this point even clearer in his 2008 interview: after maintaining that Iran’s conduct did not amount to a breach of international law, he added that “[i]t even has the right to carry out enrichment”¹²⁰⁷. The remarks seemed to be in clear contradiction with the Russian approach regarding the UN Security Council process on Iran.

Even if other Russian officials did not share Putin’s views, they nevertheless acknowledged that the Security Council demands did restrict Iran’s NPT-given rights. This view could be seen for example in Sergei Lavrov’s following remark to Putin just before the IAEA meeting on Iran in February 2006:

We will also try to make use of the argument of Iran’s right to the nuclear fuel cycle once the IAEA experts have cleared up all the questions that have arisen in the past regarding Iran’s nuclear programme. [...] To be honest, we are not overly optimistic in our expectations, but we will try to do all we can to prevent the situation from escalating and keep it on the road to peaceful resolution.¹²⁰⁸

Lavrov’s lack of optimism primarily seemed to focus on the prospects of convincing the Western countries that Iran could be allowed to retain its right to the fuel cycle, rather than Iran’s intentions. The Russian UN Ambassador Churkin, in turn, said in March 2008 that “once confidence in the exclusively peaceful nature of Iran’s nuclear programme is restored, that programme will be

¹²⁰³ Putin, 16 October 2007a.

¹²⁰⁴ Putin, 16 October 2007a.

¹²⁰⁵ Putin, 16 October 2007a.

¹²⁰⁶ Putin, 16 October 2007b. Italics added.

¹²⁰⁷ Putin, 1 June 2008.

¹²⁰⁸ Lavrov, 20 February 2006.

treated in the same way as that of any non-nuclear State party”¹²⁰⁹. In contrast to the Western P5 members who denied that Iran was being particularly targeted, Churkin thus seemed to think that this was indeed the case, and would be so until Iran would meet the UN Security Council’s demands.

Furthermore, like China, Putin stressed that the problems related with dual use technologies were universal in nature, meaning that in principle the Iranian case was no different from other NNWS with uranium enrichment capacity. As the president said in September 2006, “[t]he Iranian nuclear issue is only part of the global problem of the so-called threshold states [...] that want to develop nuclear energy for peaceful purposes” and “[t]his problem is not limited to Iran but is global in scale”¹²¹⁰. Also in 2007 Putin presented the Iranian crisis as a manifestation of an on-going, structural dilemma, explaining that “if the international community does not find a reasonable solution for resolving this conflict of interests, the world will continue to suffer similar, destabilizing crisis because there are more threshold countries than simply Iran”¹²¹¹. In 2008, Putin again remarked that “[a] lot of countries are on the threshold of the peaceful use of nuclear energy”, meaning that “they will need enrichment technology”, and added that, “if they create their own closed cycle to solve the problem, there will always be the suspicion that they could produce military grade uranium”¹²¹². Like UK during Brown’s premiership, Russia also proposed the multilateralization of uranium enrichment as a solution to the Iranian nuclear dispute and other similar problems. In contrast to Brown, who presented international fuel banks as a British initiative, Putin seemed to suggest that this was a Russian idea. For example, after referring to the generally problematic nature of nuclear technology, Putin added that this was “why we have proposed the creation of international nuclear enrichment and processing centres”¹²¹³ and “why we propose carrying out the enrichment on the territory of those countries which are beyond suspicion because they already possess nuclear weapons”¹²¹⁴. Putin also spoke of “our proposal about creating a network of international centres to oversee enriching uranium, to ensure that all countries have access to modern technologies, and that all of the countries who want to use these technologies be able to do so under strict international control, first and foremost, under IAEA control”¹²¹⁵. This kind of an arrangement, he argued, would not only ensure openness in the fuel cycle activities but also provide the NNWS “a guarantee that they will receive the uranium they need and be able to send spent fuel for recycling”¹²¹⁶ and “take into account the interests of the countries wishing to develop modern technology”¹²¹⁷.

In contrast to Putin—and any other P5 leaders, for that matter—Medvedev was rather quiet about the issue of Iran’s rights. However, in July 2008 he said that “[w]e need to motivate the Iranian leadership to demonstrate that its nuclear programme is transparent, and this includes making it possible to discuss the programme’s future if it becomes transparent”¹²¹⁸. This could be seen as

¹²⁰⁹ Churkin, 3 March 2008.

¹²¹⁰ Putin, 9 September 2006.

¹²¹¹ Putin, 10 February 2007b.

¹²¹² Putin, 1 June 2008.

¹²¹³ Putin, 9 September 2006.

¹²¹⁴ Putin, 1 June 2008.

¹²¹⁵ Putin, 15 June 2006.

¹²¹⁶ Putin, 1 June 2008.

¹²¹⁷ Putin, 16 January 2006.

¹²¹⁸ Medvedev, 1 July 2008.

implicit reference to the previous US opposition to any kind of a nuclear programme in Iran. In September 2009 Medvedev also said—in the same connection expressing the historic doubts about Iran’s intentions (see section 6.2)—that “Iran [...] has a right to its own peaceful nuclear programme”, specifying however that “what we are talking about here is solely peaceful nuclear energy and not development of a nuclear weapon”¹²¹⁹.

7.1.2.2 Argentina, Burkina Faso, Indonesia, Libya, Qatar, Slovakia and Tanzania

Like Iran, and unlike the P5, the non-permanent Security Council members often used the adjective ‘inalienable’ when referring to Iran’s rights. While some maintained that there was no contradiction between the concept of inalienable rights and the UN resolutions against Iran, others lamented that in the Iranian case those rights had been restricted.

Libya, Qatar and Slovakia all seemed to deny the contradiction between the notion of inviolability and the Security Council demands for Iran to suspend its fuel cycle activities. For example, the Libyan Ambassador Dabbashi stressed in December 2009 that “[o]ur concern for [...] non-proliferation of nuclear weapons should not lead us to forget the inalienable right of all States Parties to the [NPT] to the peaceful uses of nuclear energy and to develop nuclear technology”¹²²⁰. The Qatari ambassador, in turn, referred to “the full right of States parties to the [NPT] to the peaceful use of nuclear energy under the relevant provisions of the Treaty”¹²²¹, and described Iran’s “right to nuclear energy research and production for peaceful purposes” as an “inalienable right under articles I and II of the [NPT...] that no one can deny”¹²²². He also stressed that “Iran has the right to undertake research on nuclear technology and to use that technology and produce nuclear energy for peaceful purposes”, and that “[n]o one can invoke articles I and II of the NPT to take away that right”¹²²³. In the same way, the Slovakian representative argued in the same March 2007 meeting that his country “would never support any action that would infringe upon that inalienable right of States”¹²²⁴. On the other hand, however, Qatar also assured—referring to the demands for Iran “to address the concerns of the international community about the very nature of its nuclear programme” and “to ensure that it is used exclusively for peaceful purposes” — that “[t]here is no doubt that this is a legitimate demand that we all are making”¹²²⁵. The Slovakian ambassador, in turn, said that “we are fully convinced that the international community is right to ask for guarantees as to the exclusively peaceful nature of Iran’s nuclear programme”¹²²⁶.

Some of the statements of Tanzania and Indonesia suggested that they, too, denied any contradiction between Iran’s rights and its Security-Council-imposed obligations. After affirming the right of the people of Iran to civilian nuclear energy”, the Tanzanian representative Manongi claimed in December 2006 that resolutions 1696 and 1737 did “not in any way seek to constrain

¹²¹⁹ Medvedev, 25 September 2009b.

¹²²⁰ Dabbashi, 10 December 2009.

¹²²¹ Al-Nasser, 23 December 2006.

¹²²² Al-Nasser, 24 March 2007.

¹²²³ Al-Nasser, 23 December 2006.

¹²²⁴ Matulay, 24 March 2007.

¹²²⁵ Al-Nasser, 31 July 2006.

¹²²⁶ Matulay, 24 March 2007.

that right”¹²²⁷. The Indonesian ambassador, in turn, said in March 2007 that “the solution to the issue of Iran should in no way affect or change the inalienable rights of all parties to the NPT, including Iran, to develop and research the production and use of nuclear energy for peaceful purposes, without discrimination, in accordance with the Treaty”¹²²⁸. However, Tanzania and Indonesia also suggested that Iran’s rights were not inalienable after all. Indeed, Tanzania had expressed such a view already in July 2006 by regretting the “failure of diplomatic efforts [...] to achieve a suitable outcome that would have protected the right of Iran to pursue peaceful nuclear activities”¹²²⁹. Indonesia expressed similar sympathy for the Iranian position in March 2008. At the time, the Indonesian Ambassador Natalegawa said that “it is a matter of fact that a State’s effort to exercise its inalienable right to the peaceful uses of nuclear energy borders on the proliferation aspect”. He also explained that “we are often trapped in a vicious cycle, as there is no guarantee given to non-nuclear States regarding the security of supply of nuclear technology and materials for peaceful purposes”, and that “[t]hey remain prone to suspicion in their attempts to exercise their rights”. Natalegawa further argued that “[i]n order to put an end to that cycle, it is imperative for all of us to move forward and in a more creative and constructive manner”, and “to guarantee the security of supply of nuclear technology and materials, including highly enriched uranium”. He concluded that “[s]uch an arrangement would provide certainty, as well as assurances, to Iran, and eventually put an end to the existing suspicions — thereby removing any reason for anyone to question the peaceful nature of Iran’s current enrichment process”.¹²³⁰ Natalegawa thus seemed to imply that Iran had been prevented from enjoying its NPT-given rights to receive international support in the field of civilian nuclear energy. Similar remarks were heard in March 2008 by the ambassador of Burkina Faso, who explained that his country “has stated its reservations about considering a draft resolution [...] on Iran’s nuclear programme, because, as a matter of principle, my country, as a party to the [NPT], recognizes every country’s right to acquire nuclear technology for civilian purposes”¹²³¹.

The most bewildering reference to Iran’s rights was made by Argentina, whose representative justified his country’s positive vote in terms of Iran’s rights. While in July 2006 Ambassador Mayoral explained that Argentina had “voted in favour of today’s resolution bearing in mind that the text adopted reaffirms the right of every State signatory of the [NPT ...] to develop research, production and use of nuclear energy for peaceful purposes without discrimination”¹²³², in December 2006 he argued that Argentina had given its positive vote “*because* the resolution reaffirms the inalienable right enjoyed by all States parties to the [NPT ...] to develop, research, produce and use nuclear energy for peaceful purposes without discrimination”¹²³³. The Argentinian interpretation of the relationship between UN resolutions and Iran’s rights thus seemed to be in complete opposition with Burkina Faso’s above-described concerns.

¹²²⁷ Manongi, 23 December 2006.

¹²²⁸ Jenie, 24 March 2007.

¹²²⁹ Manongi, 31 July 2006.

¹²³⁰ Natalegawa, 3 March 2008.

¹²³¹ Kafando, 3 March 2008.

¹²³² Mayoral, 31 July 2006.

¹²³³ Mayoral, 23 December 2006.

7.1.3 Iran: uncompromised stand on its inalienable rights

As noted already in chapter 6, the Iranian position was that the US Security Council's demand for the suspension of its fuel cycle activities was illegal under article IV of the NPT. However, the Iranian officials often spoke as if their country was being asked to give up its entire nuclear programme, rather than just uranium enrichment. For example, Zarif argued in December 2006 that the aim of the United States and the EU3 was to use the Security Council "to compel Iran to abandon the exercise of its NPT-guaranteed right to peaceful nuclear technology"¹²³⁴, whereas Mottaki explained in March 2007 that his "country is under tremendous pressure to renounce its inalienable right to peaceful use of nuclear energy under the NPT"¹²³⁵. Ahmadinejad, in turn, explained in Autumn 2007 that certain permanent Council members would be satisfied with "nothing [...] except the complete halt of all nuclear activities"¹²³⁶. This kind of interpretation arguably served as a rhetorical tactic by contributing to the domestic support for Iran's nuclear policy, but it also reflected Iran's past difficulties in international nuclear cooperation. Indeed, the Iranian officials frequently referred to these difficulties in justifying their country's stance in the nuclear issue. Ahmadinejad, for example, recalled in 2007 that, in the past, Iran "signed a number of agreements with the US, Canada, France and Germany on non-military and peaceful use of nuclear energy, scientific research and development of technology", but these agreements were subsequently "either cancelled or suspended due to technical and political reasons"¹²³⁷. As a result, he noted that "the Iranian people had to pay a heavy cost in billions of dollars"¹²³⁸. In his 2007 article in the *Journal of International Affairs*, Zarif too noted that it was only in 2004 that "the United States changed its nonproliferation threshold from objecting to any nuclear facility in Iran to objecting to enrichment activities"¹²³⁹. He wrote the following about the Islamic Republic's experiences from international nuclear cooperation in the 1980s:

As Iran was forced to turn to new countries to complete the unfinished projects, a concerted diplomatic campaign to dissuade possible participants in Iran's peaceful nuclear programmes was pursued as a matter of U.S. nonproliferation strategy. As a result, China withdrew from the building of a uranium conversion facility in Isfahan, forcing Iran to complete the project on its own. Several subcontractors were persuaded by the United States to withdraw from the Bushehr power plant, being built by Russia following the German abrogation of the original contract. Russia was subjected to massive pressure to abandon the project. [...] The United States maintained its active opposition to any Iranian nuclear facility, including a light water reactor, throughout the 1980s and 1990s. The pressure on Russia to abandon the construction of Bushehr facility continued until 2004.¹²⁴⁰

Contradicting Putin's assurances that the Russo-Iranian nuclear cooperation was going smoothly, Ahmadinejad also expressed dissatisfaction with the Russians, as he said—referring to the obstacles in the way of Iran's nuclear cooperation—that "[f]or 30 years, we've faced these problems for over \$5 billion to the Germans and then to the Russians, but we haven't gotten anything"¹²⁴¹. Moreover,

¹²³⁴ Zarif, 23 December 2006.

¹²³⁵ Mottaki, 13 March 2007.

¹²³⁶ Ahmadinejad, 26 September 2007.

¹²³⁷ Ahmadinejad, 9 April 2007.

¹²³⁸ Ahmadinejad, 24 September 2007.

¹²³⁹ Zarif 2007, 82.

¹²⁴⁰ Zarif 2007, 81-82.

¹²⁴¹ Ahmadinejad, 24 September 2007.

the president complained that “Iran has not benefited from the advantages envisaged in the [NPT] despite being an IAEA member state for the past 35 years”¹²⁴².

The historical lessons drawn from the policy of restricted access were that the persistent suspicions of the other side would ultimately lead to further demands, and that if Iran wanted to keep its nuclear programme, it should seek maximum independence in managing it, most notably by holding on to the domestic nuclear enrichment capacity. As Zarif explained, Iran had not accepted the Council’s demand for suspension, “which, as many here already know, would not have been their last demand”¹²⁴³. In the same vein, Ahmadinejad explained that “they came to us and said we don’t trust you” and “told us to shut down parts of facilities in Isfahan and Natanz”, and when Iran then “took one step back, they asked for the closure of certain facilities in Isfahan which are not for uranium enrichment at all”, and “demanded for more and told us to close research centers at universities”.¹²⁴⁴ Arguing for Iran’s nuclear independence, Ahmadinejad explained that “Iranians have proved that they do not need those countries who believed without their help no other world states could survive”.¹²⁴⁵ The conclusion about Iran’s need to maximise this kind of independence was also written in Iran’s June 2006 response to the P5+1 package of proposals:

A quarter of a century of denial and deprivation has lead Iran to pursue its nuclear programme on the basis of independence and self-reliance. [...] Repeated breaches and noncompliance by European countries and the United States of their undertakings under the NPT as well as their contractual obligations in cooperation and transfer of technology, before and after the revolution, their imposed sanctions, their failures to supply, and lack of international guarantees in noninterrupted provision of fuel has left no option except to move to produce part of the required fuel domestically.¹²⁴⁶

Iran stressed that it could not risk losing the nuclear programme because it was crucial for ensuring energy security and the country’s capacity for further development. As written in the August 2006 response, Iran regarded nuclear power as “a strategic commodity in the future of world energy”, and while “major European countries continue production of this commodity through heavy investments and large subsidies, Iran too expects that its substantial investments will lead to production so that it would not have to depend on exclusive suppliers”¹²⁴⁷. Ahmadinejad made a similar point by saying that the Western governments had themselves recently “switched to more extensive use of nuclear fuel”, suggesting that fossil fuels were generally not seen as a sufficient source of energy¹²⁴⁸. Khazaei, in turn, explained Iran’s need for nuclear energy and uranium enrichment in terms of the need “to meet the growing needs of our country for energy”¹²⁴⁹. Iran also argued that it needs nuclear power for medical, agricultural and other industrial purposes¹²⁵⁰.

Symbolically, however, the nuclear programme represented much more—that is, an almost miraculous power and key to further development and prosperity in the country. As Ahmadinejad argued in 2008, the development of nuclear programme was “the most significant event in the

¹²⁴² Ahmadinejad, 9 April 2007.

¹²⁴³ Zarif, 23 December 2006.

¹²⁴⁴ Ahmadinejad, 23 February 2007.

¹²⁴⁵ Ahmadinejad, 19 April 2008.

¹²⁴⁶ Iran’s Response to the P5+1 Package, August 2006.

¹²⁴⁷ Iran’s Response to the P5+1 Package, August 2006.

¹²⁴⁸ Ahmadinejad, 9 April 2007.

¹²⁴⁹ Khazaei, 3 March 2008.

¹²⁵⁰ Ahmadinejad, 9 April 2007.

contemporary era”, which would “make a breakthrough in the country's industrial sector in the near future”¹²⁵¹ and “help it remove all existing barriers on its path towards development”¹²⁵². He also boasted that “the Iranian people are currently equipped with the most developed technology”¹²⁵³ and—arguably exaggerating the real amount of self-sufficiency—that “Iran's nuclear technology is totally indigenous and no one can deprive us from such blessing because it is in the mind and heart of our scientists”¹²⁵⁴. From this perspective, it seemed that the other side only wanted to prevent Iran from developing and prospering. For example, the president said in 2007 that the “enemies of Iran are annoyed with progress of the Iranian nation” and that they “have come to the scene to stop Iran from making progress in the field of science and technology”¹²⁵⁵, and “to prevent other nations from developing and advancing”.¹²⁵⁶ The president also said that “[a]fter three years of negotiation and trying to build confidence, the Iranian nation came to the resolute conviction that the main concern of these powers is not the possible deviation of Iran from the rules and regulations of the Agency but its scientific progress”. He warned that “[i]f this trend continues there will be no chance for Iran to enjoy its rights, not even in the next 20 years”.¹²⁵⁷ In 2009, Ahmadinejad again explained that the nuclear issue was “only an excuse to [...] halt the country's scientific development”¹²⁵⁸.

It could be noted that Iran indicated its openness to the same idea that was put forward by the UK and Russia—namely the establishment of a regional consortium for producing nuclear fuel. The proposal was first brought up by Mottaki at the Conference on Disarmament in March 2006. As he explained,

In our view on possibility to resolve the issue could be establishment of regional consortiums on fuel cycle development with the participation of regional countries which have already developed fuel cycle programmes at the national level and intend to develop further their programme for civilian purposes. Such consortiums would be jointly operated by the regional states and the costs and benefits would be shared by the participants. [...]. The facility could also be jointly owned by the sharing countries and the work could be divided based on the expertise of the participants. The regional consortiums would be based under IAEA safeguards [...].¹²⁵⁹

The proposal for a consortium was also briefly mentioned in Iran's response to the P5+one June package of proposals 22 August 22, 2006, where it was written that “Iran's nuclear programme is entirely open to joint investment, operation, development and production”, and that, “[a]s the President has declared, the Islamic Republic of Iran is prepared to implement its nuclear programme through consortium with other countries”.¹²⁶⁰ The same proposal had reportedly also been raised by Iranian negotiators in Autumn 2006 in the negotiations in Vienna and Berlin¹²⁶¹, and it was mentioned in Iran's May 2008 proposal to the P5 plus one, which called for “[e]stablishing enrichment and nuclear fuel production consortiums in different parts of the world, including in Iran”¹²⁶².

¹²⁵¹ Ahmadinejad, 8 April 2008.

¹²⁵² Ahmadinejad, 3 April 2008.

¹²⁵³ Ahmadinejad, 22 September 2007..

¹²⁵⁴ Ahmadinejad, 8 April 2008.

¹²⁵⁵ Ahmadinejad, 9 April 2007.

¹²⁵⁶ Ahmadinejad, 24 September 2007.

¹²⁵⁷ Ahmadinejad, 26 September 2007.

¹²⁵⁸ Ahmadinejad, 14 April 2009.

¹²⁵⁹ Mottaki, 30 March 2006.

¹²⁶⁰ Iran's Response to the P5+1 Package, August 2006.

¹²⁶¹ Zarif, 23 December 2006.

¹²⁶² Iran's proposal to the P5+1, May 2008.

Nevertheless, Iran did not accept proposals that it would give up its indigenous enrichment capacity in return for delivery of enriched uranium from abroad, Ahmadinejad, wondered in 2007 “[w]hy do we need the fuel from you?”. Recalling the past policy of restricted access, he also asked “what is the expectation that you’d give us fuel for nuclear development for peaceful purposes?”, given that “[y]ou’ve not even given us spare aircraft parts that we need for civilian aircraft for 28 years under the name of embargo and sanctions because we’re against, for example, human rights or freedom”. The president then said that the “two or three powers that think that they have the right to monopolize all science and knowledge [...] expect the Iranian people [...] to turn to others to get fuel, to get science, to get knowledge that’s indigenous to itself, to humble itself”, adding that “then they would, of course, refrain from giving it to us, too”.¹²⁶³ Khazaei, in turn, noted in March 2008 that “[t]here has never been nor will there ever be guarantees that our needs for fuel will be completely provided for by foreign sources”, and that “there is no single document that serves as a legally binding international instrument for the assurance of nuclear supplies to guarantee fuel for nuclear power plants”.¹²⁶⁴

On the same grounds, Iran rejected the P5+1 package of proposals as well as the swap deal proposal in 2009. Apart from the fact that those incentives were all conditional of the suspension of uranium enrichment, Iran noted in its June 2006 response that the package contained “ambiguities regarding guarantees of its rights”; that it is “vague on whether recognition of Iran’s right is theoretical or empirical”, and that it is “mute on its scope and exercise” when it comes to the recognition of the country’s “right to peaceful nuclear programme and activity and access to nuclear technology”. More specifically, Iran regarded the package as “vague on nuclear cooperation, transfer of nuclear technology, construction of nuclear power plants in Iran and guaranteed supply of required fuel”, and as containing references that “imply the intention to restrict nuclear cooperation to specific areas”, thus adding to the overall ambiguity. Regretting that its “past experience with some members of [the P5+1] is not positive”, the Iranian document stated that “more detailed negotiations and agreements” were needed for “[c]reating confidence on the firmness, effectiveness and unlimited extent of these collaborations within the scope of the NPT and peaceful activities”.¹²⁶⁵ As for the proposals made to Iran in autumn 2009, the Iranians initially indicated that they would be ready for this confidence-building step but, during the talks in Vienna, rejected the deal. The justification for this was that the conditions set by the P5+1 left too much room for political manoeuvring. As Ali Bagheri, the Deputy Secretary of the Supreme National Security Council, explained in a press interview to the question “Why did Iran object to the nuclear swap deal as was proposed in the Vienna conference in October 2009?”,

That question should be posed in another way. It shouldn't be why Iran rejected the idea, it should be why certain unreasonable conditions were put on Iran. We were told to swap 1,200 kg of Low Enriched Uranium for fuel. Why ask for 1,200 kg? Secondly, we were asked to provide the bulk of our LEU stocks right away. But, we were told that in return, the fuel, which we urgently require to run the Tehran reactor used for making medicines to treat cancer patients, would arrive only after one year. Why one year? Third... our interlocutors have insisted that the swap should take place outside Iran. [...] Our question is: what is the difference between IAEA custody inside Iran and outside Iran?¹²⁶⁶

¹²⁶³ Ahmadinejad, 24 September 2007.

¹²⁶⁴ Khazaei, 3 March 2008.

¹²⁶⁵ Iran’s Response to the P5+1 Package, August 2006.

¹²⁶⁶ Bagheri, 3, May 2010.

Iran thus justified its rejection of the deal based on mistrust on the other side's readiness to meet their own part of the bargain.

7.2 Iran's obligations in relation to the NPT's 'disarmament' pillar

This section deals with Iran's obligations in light of the key actors' statements on the NPT's disarmament pillar. When expressed in connection with the Iranian nuclear issue, such statements have the potential to question the legitimacy of the enforcement measures against Iran by pointing to the imperfect record of the overall implementation of NPT commitments. Whereas the P5 rarely took up the issue of disarmament, Iran and several non-permanent members attempted to shift attention from Iran's non-conformity to the question of the P5's responsibilities as the official NWS in the NPT.

7.2.1 The P5 and Mexico: contentment with the pace of disarmament

Before the inauguration of President Obama in 2009, the only P5 member that even touched upon the topic of disarmament in connection with the Iranian nuclear issue was the UK under Brown's premiership. As for Obama's focus on the P5's disarmament obligations, this was connected with the Iranian issue only in the sense that it was seen to give the P5 even more moral authority to demand Iran to meet its own obligations. This gave the impression that the P5 were content with their own progress towards disarmament, or at least did not think this matter had much to do with the Iranian issue. The only non-permanent member who signalled support for this view was Mexico.

7.2.1.1 The US

The first reference to the NPT's disarmament pillar in the US government's discourse is from 2009, when Obama came to power. Instead of undermining the case against Iran, however, he stressed that the fact that the NWS were now doing something to fulfil their commitments would give them even greater moral leverage over Iran. For example in April 2009 Obama talked about a meeting that he had had with the Russian president "to get started that process of reducing our nuclear stockpiles, which will then give us greater moral authority to say to Iran, don't develop a nuclear weapon"¹²⁶⁷. Referring to a similar meeting in September, he said that "just as we meet our responsibilities, so must other nations, including Iran and North Korea"¹²⁶⁸. The American president was thus suggesting that the NPT obligations equally concerned both NWS and NNWS. Although Obama noted that the process of disarmament would not be completed in his lifetime, he still thought that, if "other countries can look and say the United States is not just talking the talk, but it's

¹²⁶⁷ Obama, 3 April 2009.

¹²⁶⁸ Obama, 26 September 2009.

walking the walk, then I think that will indicate to the Iranians, for example, that the goal here is not to single them out per se¹²⁶⁹.

7.2.1.2 The UK

Blair was as quiet as the Bush administration when it came to the NWS's disarmament commitments: as seen in section 6.3, instead he stressed the need to maintain the UK's national nuclear deterrent because of the danger of proliferation by states like Iran. Brown did not depart from this view but he did put more effort on stressing the importance of disarmament alongside non-proliferation. He did this independently of Obama's disarmament campaign, already in March 2008. Then the PM stressed the need for "a more robust implementation of the [NPT] with the aim of accelerating disarmament among possessor states, preventing proliferation and ultimately freeing the world from nuclear weapons"¹²⁷⁰. Brown also talked about pushing "forward the process of nuclear disarmament" in addition to preventing proliferation and tightening the rules regulating the supply of nuclear materials. According to Brown, the UK proposal for a fuel bank represented one idea "around how [...] we can progress nuclear disarmament generally".¹²⁷¹ In 2009, Brown echoed Obama's arguments by suggesting that being serious about disarmament commitments was linked to success in non-proliferation in general and in the Iranian issue in particular. He said that "[t]he UK would like to see a world free from nuclear weapons" and "by taking a global approach we can better achieve nuclear disarmament in all regions of the world, including the Middle East"¹²⁷². Brown also recalled that "the original deal in the [NPT] was the country that had nuclear weapons would seek to reduce them"¹²⁷³, and assured that "we will try [...] to work with Russia and America to achieve some reduction in nuclear weapons"¹²⁷⁴.

Nevertheless, Brown seemed to share Blair's view that the potential proliferators like Iran justified the UK's retention of its own nuclear arsenal. First of all, Brown made clear that commitment to disarmament did not mean that the UK and the other NWS would immediately give up their arsenal. As the PM explained, "[n]obody is calling on us as part of the [NPT] renegotiations to renounce our weapons". He further argued that "[t]he issue is can you achieve a sensible reduction in nuclear weapons at this stage", and that "[t]he whole point of the [NPT] is that those people who have weapons will be willing to reduce them *as far as is possible*, and, at the same time, those people who don't have nuclear weapons will be given the benefits of civil nuclear power, while at the same time renouncing nuclear weapons".¹²⁷⁵ Second, when asked whether the UK's position still was that "we need our independent nuclear deterrent", Brown answered that this question had already "been resolved in favour of a weapon". He then mentioned Iran, saying that "if you look at where we are at the moment—Iran is attempting to develop a nuclear weapon, [North] Korea is attempting to develop a nuclear weapon [...] I think unilateral action [apparently in disarmament] by the United Kingdom would not be seen as the best way forward" and that what is needed instead is "collective

¹²⁶⁹ Obama, 6 June 2009.

¹²⁷⁰ Brown, 19 March 2008.

¹²⁷¹ Brown, 27 March 2008.

¹²⁷² Brown, 30 April 2009.

¹²⁷³ Brown, 9 July 2009.

¹²⁷⁴ Brown, 9 July 2009.

¹²⁷⁵ Brown, 9 July 2009.

action by the nuclear weapons powers to say that we are prepared to reduce our nuclear weapons—but we need assurances also that other countries will not proliferate them”.¹²⁷⁶

7.2.1.3 France

France hardly touched upon the topic of disarmament in connection with the Iranian issue. While no such references can be found during the Chirac presidency in the research material, there is only one by Sarkozy from September 2009. Even then, the issue of disarmament was overshadowed by Iran’s obligations. As Sarkozy said at the time, “all states are entitled to use peaceful nuclear energy, those with nuclear weapons must progress towards disarmament and those who do not have to have forswear” such weapons. The French president then recalled that the continuation of this agreement depended on whether all states would honor their commitments. Instead of focusing on NWS’s commitments, however, Sarkozy referred to the “growing concern that Iran refuses to honor these commitments, in particular regarding the declaration of all nuclear-related activities”.¹²⁷⁷

7.2.1.4 Russia

While Putin joined the general P5 silence on disarmament, Medvedev mentioned it without however drawing a link to non-proliferation in Iranian nuclear issue. In November 2009 Medvedev said—referring particularly to certain “close European partners”—that “not only the United States and Russia should abandon nuclear arms at some point, but other countries as well should do the same, yet there is no such unity”. He then said – possibly referring to Iran – that “[t]he threshold nuclear countries demonstrate even less understanding of the subject, let alone the countries that are trying to gain unconventional access to nuclear technologies”.¹²⁷⁸

7.2.1.5 China

Even though China acknowledged the injustices and double standards in the existing international system (as seen in section 7.1), no references to disarmament can be found among the research material in connection with the Chinese statements on the Iranian nuclear issue.

7.2.1.6 Mexico

The only non-permanent member who expressed contentment with the NWS’s progress towards meeting their disarmament commitments came from Mexico in June 2009. The country’s UN Ambassador Heller pointed to “[t]he positive disarmament initiatives that we have witnessed recently on the part of some nuclear weapon States”, which he contrasted with the negative conduct of potential proliferators such as Iran. He also pointed to the connection between disarmament and

¹²⁷⁶ Brown, 9 July 2009.

¹²⁷⁷ Sarkozy, 25 September 2009b.

¹²⁷⁸ Medvedev, 2 November 2009.

non-proliferation by saying that “Mexico is in favour of nuclear disarmament through effective and progressive measures that will ensure the credibility and effectiveness of the international system as it pertains to nuclear non-proliferation”. At the same time, however, Heller voiced concerns “about possible delays on the path towards a world free of nuclear weapons”, and noted that “[t]he potential for nuclear arms to proliferate will [...] continue to exist until such weapons are totally eliminated”.¹²⁷⁹

7.2.2 Iran, Costa Rica, Indonesia and Libya: P5’s disregard of disarmament obligations

Iran accused the P5 of being themselves in non-compliance with their own disarmament obligations, and presented this as one reason for why they were in no position to be demanding Iran to accept an exceptional limitation of its rights. Iran also agreed with the other NAM countries that the NNWS needed security guarantees against an attack by NWS. While several non-permanent members referred to the issue of disarmament by recalling that it consisted of three pillars, only a few directly criticised the P5 for ignoring their disarmament commitments.

7.2.2.1 Iran

Iran stressed that the P5 were themselves in non-compliance with their own disarmament obligations, and that this was one reason for why they were in no position to be demanding Iran to accept an exceptional limitation of its rights. Ahmadinejad, for example, asked in 2007 on what grounds those Security Council members that had “failed to abide by their NPT undertakings” and “created the fifth generation of atomic bombs” could “trample upon Iranian NPT rights”¹²⁸⁰, and “question the peaceful purposes of other people who want nuclear power?”¹²⁸¹. The president also spoke about the instability created by “[t]he never-ending arms race and the proliferation and stockpiling of nuclear and other [WMD] and the threats to use them, and the establishment of missile defense systems”¹²⁸². Zarif, in turn, remarked that “old-hand proliferators and suppliers of chemical weapons and nuclear weapon technology can hardly have proliferation concerns”¹²⁸³, whereas Mottaki complained that resolution 1747 had “been adopted against Iran’s peaceful nuclear programme even as the major nuclear powers [...] jeopardize international peace and security by developing new generations of those weapons and threatening to use them”¹²⁸⁴.

Iran also agreed with the other NAM countries that the non-nuclear weapons states needed security guarantees against an attack by nuclear weapons states. Regarding the latter point, Mottaki said at the Conference on Disarmament in March 2006 that “[w]e together with other NAM countries believe that it is the legitimate right of States that have given up the nuclear-weapon option to receive security assurances and call for the negotiation of a universal, unconditional and legally

¹²⁷⁹ Heller, 15 June 2009.

¹²⁸⁰ Ahmadinejad, 9 April 2007.

¹²⁸¹ Ahmadinejad, 24 September 2007.

¹²⁸² Ahmadinejad, 24 September 2008.

¹²⁸³ Zarif, 23 December 2006.

¹²⁸⁴ Mottaki, 24 March 2007.

binding instrument on security assurances”. He further explained that “non-nuclear-weapon States should be effectively assured by nuclear-weapon States that there will be no use or threat of use of nuclear weapons, and efforts to conclude a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued as a matter of priority”.¹²⁸⁵

7.2.2.2 Costa Rica, Indonesia and Libya

Several non-permanent members referred to the issue of disarmament by recalling that the NPT was not only about non-proliferation but consisted of three pillars. The Qatari Ambassador Al-Nasser, for example, said in December 2006 that “the threat of destruction will persist as long as nuclear weapons exist on Earth”, and he also called for “all States to comply with the [NPT]”, and for the “nuclear-weapon States to submit their facilities to the [IAEA] inspection regime”¹²⁸⁶. In the same way, South Africa stated in March 2007 that “there is no basis for arguing that [WMD] are safe in some hands and not in others”¹²⁸⁷, while Ghana appealed “to all States to live up to their international obligations under the Treaty on the Non-Proliferation of Nuclear Weapons: non-proliferation, the right to the peaceful use of nuclear energy and nuclear disarmament”. In this connection, the Ghanaian ambassador expressed the “hope that the Council will pay attention to the issue of selectivity [...] if the international community is to succeed in checking the spread of and eliminating [WMD]”.¹²⁸⁸ The Vietnamese¹²⁸⁹ and Congolese representatives likewise stressed the importance remembering the ‘three pillars’, which the latter added “must be equally observed”¹²⁹⁰.

While the criticism of the P5 in the above remarks was rather implicit, Costa Rica, Indonesia and Libya made bolder remarks. In March 2008, the Indonesian Ambassador Natalegawa emphasised that “the three pillars of the NPT should be pursued in a balanced and non-discriminatory manner”, and that “we should not only emphasize the non-proliferation obligations of [NNWS], but [...] we must also require [NWS] to comply fully with their nuclear disarmament obligations under article VI of the NPT, on which there has barely been any progress so far”. Furthermore, Natalegawa stressed that “any solution [to the Iranian issue] must be guided by the need to protect the integrity of multilateral arrangements, particularly the [NPT], which is fundamentally based upon three main pillars”.¹²⁹¹ The Libyan Ambassador Dabbashi, in turn, explained in December 2009 that “we reaffirm that international peace and security cannot be achieved through the possession of nuclear weapons and other [WMD], or the threat of their use”, adding that “[w]e hope that those States which possess nuclear weapons will uphold their responsibilities in this area”.¹²⁹² In a previous Council meeting that same year, Dabbashi had argued that “a comprehensive and non-selective approach must be adopted towards non-proliferation”, and that “we must deal with questions of non-proliferation and nuclear disarmament in a comprehensive and non-selective way and that all States, without exception, must subject their nuclear facilities to the safeguards regime of the

¹²⁸⁵ Mottaki, 30 March 2006.

¹²⁸⁶ Al-Nasser, 23 December 2006.

¹²⁸⁷ Kumalo, 24 March 2007.

¹²⁸⁸ Effah-Apenteng, 24 March 2007.

¹²⁸⁹ Le Luong Minh, 3 March 2008.

¹²⁹⁰ Gayama, 24 March 2007.

¹²⁹¹ Natalegawa, 3 March 2008.

¹²⁹² Dabbashi, 10 December 2009.

International Atomic Energy Agency”¹²⁹³. The Libyan ambassador even proposed that “[t]he international community should consider expanding the functions of the Agency [IAEA] to include the verification of bilateral nuclear reductions carried out by nuclear States, with a view to achieving the ultimate goal of totally eliminating these nuclear arsenals”¹²⁹⁴.

The sharpest criticism, however, came from Costa Rica, which was the only Security Council member to spell out the implications of this type of double standard for the Iranian case. As the Costa Rican Ambassador Urbina explained in March 2008, his country “cannot endorse the behaviour of some States that demand that others comply with their obligations stemming from the [NPT] and the Comprehensive Nuclear-Test-Ban Treaty, while disregarding some of their own responsibilities”¹²⁹⁵. Urbina noted that the lack of progress in the NWS fulfilment of their obligations not only had to do with the continuing existence of their arsenals, but also their active development of new military nuclear technologies. As the ambassador argued,

...very little has been done to limit future arms races and the concept of deterrent force still holds all of its strategic value for the nuclear-weapon States. If we want real progress in the area of disarmament tomorrow, it is imperative to begin today to create effective conditions for the prevention of proliferation. We are not referring only to stopping horizontal proliferation, meaning the rise of new nuclear-weapon States. It is also necessary to prevent and stop vertical proliferation, meaning the continuous development of new technologies that only encourage competition, mistrust and fear among States.¹²⁹⁶

Urbina also criticised the simultaneous problem of the lack of guarantees against nuclear attacks by NWS: he explained that, at present international environment, there are “weak guarantees that existing nuclear weapons will not be used”. In this connection, he spoke of the NPT’s “intricate architecture of mutual trust” which “does not admit differential obligations”, and argued that “any attempt to breach this mutual trust” was to be condemned.¹²⁹⁷

7.3 Responsibility for breaking the deadlock

This section deals with the question of responsibility beyond legal obligations, meaning the key actors’ perceptions as to which party should show flexibility in order to resolve the deadlocked situation. The discussion therefore points to the extent to which the key actors understood the legal dispute in terms of conflict resolution instead of the solidarist paradigm, and how they viewed their own and each other’s roles in this broader political process. In addition, the following discussion shows that the Security Council members defined Iran’s responsibilities in different ways: while some linked the demands regarding uranium-enrichment with their grievances and demands regarding other aspects of Iran’s conduct, others focused on the UN Security-mandated demands.

¹²⁹³ Dabbashi, 10 March 2009.

¹²⁹⁴ Dabbashi, 10 December 2009.

¹²⁹⁵ Urbina, 3 March 2008.

¹²⁹⁶ Urbina, 3 March 2008.

¹²⁹⁷ Urbina, 3 March 2008.

7.3.1 US, UK, France, Belgium, Burkina Faso, Congo, Japan and Slovakia: Iran's responsibility to make the right choice(s)

Western P5 and several non-permanent Council members focused on Iran's legal responsibilities and suggested that the P5+1 had already done their own share of trust-building. The US, UK and France often stressed that the resolution of the dispute depended on whether Iran's leaders would make the right choice, in which connection they evoked the image of Iran as standing in the crossroads of two paths.

7.3.1.1 The US

In the US government's rhetoric, the Iranian choice in the nuclear dispute was either to remain on "its current confrontational course" or to comply with the UN resolutions and accept the 'generous proposal' made by the P5+1¹²⁹⁸. Bush, for example, explained that "Iran's leaders have a clear choice", that is, to either "accept our offer [the P5+1 package] and voluntarily suspend [uranium enrichment and reprocessing] activities", or "reject our offer", which "will result in action before the Security Council, further isolation from the world, and progressively stronger political and economic sanctions"¹²⁹⁹. Obama also explained that "[w]e believe in dialogue [...] but in that dialogue we will present a clear choice"¹³⁰⁰, whereas press secretary Gibbs stressed that "Iran obviously has two paths that they can choose"¹³⁰¹. The American ambassadors at the Security Council, too, constantly emphasised that the right path was still available for Iran in the sense that the P5+1 proposal was still 'on the table'¹³⁰². Highlighting Iran's responsibility for resolving the deadlock, Ambassador Rice stressed in December 2009 that "Iran has very real responsibilities to fulfill", while "[t]he international community must stand together, firm in ensuring that they are met"¹³⁰³.

Given the fact that the US took Iran's proliferation intention for granted, the right choice about suspending uranium enrichment was inseparable from the demand that Iran should give up its alleged nuclear weapons programme and proliferation intentions. For example, the Bush administration stressed that Iran should give up "its nuclear weapons programme"¹³⁰⁴; its "pursuit of nuclear weapons"¹³⁰⁵, "any ambitions to obtain nuclear weapons",¹³⁰⁶ as well as "its pursuit of a nuclear weapons capability"¹³⁰⁷. Moreover, Iran was urged to come "clean with the international community about the scope of their nuclear activities"¹³⁰⁸, to "tell the world why they had a programme that they didn't report", and to make it clear [...] why they hid it from the world"¹³⁰⁹. In Bush's rhetoric the right choice for Iran was also described in terms of not having "the capacity

¹²⁹⁸ Wolcott Sanders, 21 June 2007; Wolff, 19 September 2007.

¹²⁹⁹ Bush, 19 June 2006.

¹³⁰⁰ Obama, 5 April 2009.

¹³⁰¹ Gibbs, 10 September 2009.

¹³⁰² Bolton, 31 July 2006.

¹³⁰³ Rice, 10 March 2009.

¹³⁰⁴ Bush, 10 April 2006.

¹³⁰⁵ Wolff, 23 December 2006.

¹³⁰⁶ Bush, 19 June 2006.

¹³⁰⁷ Khalilzad, 11 September 2008.

¹³⁰⁸ Bush, 5 December 2007.

¹³⁰⁹ Bush, 17 December 2007.

[...], or the know-how to how to make a nuclear weapon”¹³¹⁰. The Obama administration, too, presented the right choice in terms of the need for Iran to “abandon nuclear weapons”¹³¹¹; “to forego the development of nuclear weapons”¹³¹²; to abandon its nuclear weapons ambitions¹³¹³; “to demonstrate “its peaceful intentions through meaningful dialogue and concrete actions”¹³¹⁴, and to “choose whether they will try to build a weapon or build a better future for their people”¹³¹⁵.

The US suggested that Iran was missing a great opportunity by continuing “to make the wrong choice”¹³¹⁶ and by persisting on the path of defiance and obstruction¹³¹⁷. This was because compliance would “pave the way for a negotiated solution”¹³¹⁸ and “bring Iran real benefits”¹³¹⁹. In addition to economic and technological benefits, the US argued that a compliant Iran would be also accepted as full member of international society. As the US officials argued, making the right choice would bring “access to peaceful civilian nuclear power”¹³²⁰; a chance for “a better future”¹³²¹; “economic and political integration”¹³²², as well as “greater security”¹³²³. As for the prospects on membership in international society—which was clearly something which Iran was not seen to enjoy at the moment—Bush suggested that the right choice would turn the country into “an accepted nation in the world”¹³²⁴; and provide it with a chance to “participate in the international order of things”¹³²⁵ and to be accepted “into the family of nations”¹³²⁶. Obama put even more emphasis on the idea of Iran’s conditional membership in international society. For example, he explained that “[w]e have offered Iran a clear path toward greater international integration if it lives up to its obligations”¹³²⁷—a path whereby Iran can reach out to the international community, engage, and become a part of international norms”, and that “[i]t is up to them to make a decision as to whether they choose that path”¹³²⁸. Obama also expressed the “hope that Iran seizes the opportunity [...] to live up to its international commitments, [...] and to fully join the international community”¹³²⁹, and explained that—if it were to make the right choice— Iran could take “its rightful place in the community of nations, politically and economically”¹³³⁰; play “its rightful role in the community of nations”¹³³¹, and assume its “rightful place in the world”¹³³². Ambassador

¹³¹⁰ Bush 20 April 2006

¹³¹¹ Obama, 23 September 2009.

¹³¹² Biden, 7 February 2009.

¹³¹³ Obama, 1 April 2009b.

¹³¹⁴ Obama, 25 September 2009b.

¹³¹⁵ Obama, 6 April 2009.

¹³¹⁶ Khalilzad, 3 March 2008.

¹³¹⁷ Bush, 10 June 2008.

¹³¹⁸ Wolff, 23 December 2006.

¹³¹⁹ Bush, 19 June 2006.

¹³²⁰ Hadley, 25 April, 2008.

¹³²¹ Obama, 1 April 2009b.

¹³²² Obama, 6 April 2009.

¹³²³ Obama, 26 June, 2009.

¹³²⁴ Bush, 10 April 2006.

¹³²⁵ Bush, 31 March 2006.

¹³²⁶ Bush, 20 April 2007.

¹³²⁷ Obama, 25 September 2009b.

¹³²⁸ Obama, 23 June 2009.

¹³²⁹ Obama, 23 September 2009.

¹³³⁰ Obama, 5 April 2009.

¹³³¹ Obama, 6 April 2009.

¹³³¹ Obama, 10 July 2009.

¹³³² Obama, 10 July 2009.

DiCarlo also said in June 2009 that “[w]e want Iran to be a respected member of the international community, but we recognize that such status confers not only rights but also responsibilities”¹³³³.

Gaining full membership also held the prospect of normalization of US-Iranian relations. This possibility was brought up especially in Spring 2007, as the Bush administration offered to take part in the negotiations directly, on the condition that Iran would verifiably suspend enrichment. If they did this, Bush explained, Iranians could “have a better relationship with countries such as the United States [...] a country that wishes them no harm”¹³³⁴. Moreover, in March 2008 Ambassador Khalilzad addressed the Iranian people at the Security Council, saying that “[w]e want your country to be a full partner in the international community”, and that “if Iran respects its international obligations, it will have no better partner than the United States”¹³³⁵. Obama, in turn, argued that “if Iran chooses a path that abides by international norms and principles, then we are interested in healing some of the wounds of 30 years, in terms of U.S.-Iranian relations”¹³³⁶, and that, “[i]f Iran takes concrete steps and lives up to its obligations, there is a path towards a better relationship with the United States”¹³³⁷.

All this made it look like the nuclear issue could be quickly and easily resolved with a little bit of rationality from the Iranian side—and implied that the only obstacle for a solution was the irrationality of the Iranian leadership. However, the idea of the suspension of uranium enrichment as a key to improved relations with the US and the rest of the world was undermined by the linkage of issues which—as noted in section 6.3—suggested that the US viewed the Iranian regime as the core of the problem. Reflective of the impact of this kind of linkage on the US conception of Iran’s obligations, norm-enforcement regarding Iran’s nuclear activities was occasionally presented as being simultaneously also a response to its other irregular activities. For example the US Ambassador Wolff referred to “Iran’s continued well-known role as one of the world’s leading State sponsors of terrorism” as part of his discussion on the necessity of adopting resolution 1747¹³³⁸. Speaking in 2007, Vice President Cheney, in turn, first mentioned Iran’s uranium-enrichment activities—along with ‘repeated pledges’ to destroy Israel, attempts at toppling the Lebanese government, as well as involvement in Iraq and Afghanistan—and then referred to all of these issues by saying that “[w]e are doing everything we can to resolve this issue diplomatically [...] to try to persuade Iran that they should change their course of action”¹³³⁹. Claims about Iran’s terrorism support were also sometimes mixed with Obama’s discussion regarding the demands to Iran. For example, Obama said that “even as we engage in this direct [nuclear] diplomacy, we are very clear about certain deep concerns that we have as a country”, including the fact that “we find the funding of terrorist organizations unacceptable”¹³⁴⁰. The president also explained that, for Iran to gain “its rightful place in the community of nations [...] comes with real responsibilities, and that place cannot be reached through terror or arms, but rather through peaceful actions that demonstrate the true greatness of the Iranian people and civilization”¹³⁴¹. Vice President Biden, for his part,

¹³³³ DiCarlo, 15 June 15, 2009.

¹³³⁴ Bush, 19 April 2007.

¹³³⁵ Bush, 10 June 2008.

¹³³⁶ Obama, 23 June 2009.

¹³³⁷ Obama, 1 October 2009a.

¹³³⁸ Wolff, 24 March 2007.

¹³³⁹ Cheney, 2 November 2007.

¹³⁴⁰ Obama, 9 February 2009.

¹³⁴¹ Obama, 20 March 2009.

described the “very clear choice” confronting Iran in the following way: “[c]ontinue down the current course and there will be continued pressure and isolation; abandon the illicit nuclear programme and your support for terrorism, and there will be meaningful incentives”¹³⁴².

Moreover, the Bush administration continuously expressed the view that the Iranian regime should be more democratic and that it should be changed. For example, Bush argued, referring to Iran, that “[o]ur nations must not pretend that the people of these countries prefer their own enslavement”¹³⁴³, and that “the Iranian government does need to, in order to rejoin the community of nations, suspend their nuclear enrichment programme, come clean about any past activities, and stop the oppression of their people”¹³⁴⁴. Cheney, in turn, said that Iran “is a nation, whose government I don’t believe serves them well at this point”¹³⁴⁵, whereas president’s counselor Ed Gillespie addressed the Iranians by saying that “to rejoin the community of nations, come clean about your nuclear intentions and past actions, stop your oppression at home, cease your support for terror abroad”¹³⁴⁶ (for more on the Bush administration’s policy regime change, see in chapter 8). Finally, it should be noted that Obama was more careful than Bush in his criticism of the Iranian political system, at least before the election crisis of June 2009. In early June the president still refrained from commenting the coming elections in Iran, and merely expressed his belief in the possibility of change irrespective of who would end up winning the election¹³⁴⁷. Press secretary Gibbs, too, repeatedly refused to answer questions about the administration’s preferred outcome in the Iranian elections, saying for example that “[i]t’s just not the policy of this administration to pick the leaders of other countries”¹³⁴⁸. The tone, however, hardened in connection with Iran’s violent suppression of the Green Movement protests¹³⁴⁹. For example, Obama ‘strongly condemned’ and ‘deplored’ the Iranian government’s ‘violence’ and ‘unjust actions’¹³⁵⁰. He also said that “it’s telling when governments fear the aspirations of their own people more than the power of any other nation”, and called “upon the Iranian government to abide by the international obligations that it has to respect the rights of its own people”¹³⁵¹.

7.3.1.2 The UK

Like the US, the UK government stressed that Iran was responsible for making the right choice. While Blair said that “the choice in the end is one that Iran will have to make”¹³⁵² and that “it really is a matter for Iran as to whether they are prepared to come back into compliance or not”¹³⁵³, Brown stressed that “Iran has a clear choice that only the Iranian leadership can make”¹³⁵⁴. Blair described

¹³⁴² Biden, 7 February 2009.

¹³⁴³ Bush, 3 March 2006

¹³⁴⁴ Bush, 28 January 2008.

¹³⁴⁵ Cheney, 11 January 2006.

¹³⁴⁶ Bush, 28 January 2008.

¹³⁴⁷ Obama, 12 June 2009.

¹³⁴⁸ Gibbs, 17 June 2009.

¹³⁴⁹ For example, Obama (20 June 2009) said that “the Iranian government [...] must respect the dignity of its own people and govern through consent, not coercion”.

¹³⁵⁰ Obama, 23 June 2009.

¹³⁵¹ Obama, 28 December 2009.

¹³⁵² Blair, 5 April 2007.

¹³⁵³ Blair, 16 March 2006.

¹³⁵⁴ Brown, 30 April 2009.

the right choice for Iran as to “come into compliance with its international obligations”¹³⁵⁵; to “come in and participate as proper and responsible member[s] of the international community; to abide “by its obligations under the Nuclear Weapons Treaty” [sic]¹³⁵⁶; and to “abide by, not flout, their international obligations”¹³⁵⁷. Brown, in turn, described it as being to “work with the international community”¹³⁵⁸; to give answers¹³⁵⁹; “to work with us rather than against us”, and to “take advantage of the international community’s willingness to negotiate, including President Obama’s offer of engagement”.¹³⁶⁰

As in US rhetoric, the right choice also meant proving the absence of a nuclear weapons programme and of the proliferation intention. While Blair demanded Iran to stop “trying to acquire a nuclear weapon in breach of international law”¹³⁶¹, Brown said the country should “abandon any military ambitions for its nuclear programme”¹³⁶². Brown also stressed the need for Iran to “be able to prove that you are not developing nuclear weapons”. Although the PM denied that the underlying logic here was “guilty until proven innocent”, he argued that Iran had “accepted an obligation not to have nuclear weapons, but you’ve got to prove and demonstrate that that is the case, if there is a question mark over what you’re doing”, adding that this was seen by most people as a “very fair” demand.¹³⁶³

The UK ambassadors at the Security Council likewise highlighted Iran’s responsibility for taking “the positive path of cooperation” instead of “the path of proliferation” by returning “to talks on the basis of the ambitious package” made by the P5+1¹³⁶⁴, and by removing “any doubt that Iran could develop nuclear weapons”¹³⁶⁵. Iran was called upon “to answer the IAEA’s questions”; “to implement and ratify promptly the Additional Protocol and to implement all measures required by the Agency in order to build confidence in the exclusively peaceful nature of Iran’s nuclear programme”¹³⁶⁶; to “suspend all enrichment-related activities, including any further construction work at Qom”, and to “accept the outstretched hand that is on offer”¹³⁶⁷. Moreover, in December 2009 Ambassador Lyall Grant again stressed that “[w]e are 100 per cent committed to solving [the nuclear dispute] diplomatically”, adding that “[w]e hope that Iran’s leaders are too, but ultimately that is a choice that only they can make”¹³⁶⁸.

Like the US, the UK officials also highlighted the rewards for Iran for making the right choice would include “full economic support”¹³⁶⁹; “the possibility of a different relationship with the international community”¹³⁷⁰; “the opportunity to come into the international community and

¹³⁵⁵ Blair, 31 January 2006.

¹³⁵⁶ Blair, 28 July 2006.

¹³⁵⁷ Blair, 13 November 2006.

¹³⁵⁸ Brown, 26 August 2009.

¹³⁵⁹ Brown, 26 September 2009.

¹³⁶⁰ Brown, 17 March 2009.

¹³⁶¹ Blair, 3 August 2006.

¹³⁶² Brown, 25 September 2009.

¹³⁶³ Brown, 9 July 2009.

¹³⁶⁴ See e.g. Jones Parry, 31 July 2006.

¹³⁶⁵ Jones Parry, 24 March 2007.

¹³⁶⁶ Sawers, 10 March 2009.

¹³⁶⁷ Lyall Grant, 10 December 2009.

¹³⁶⁸ Lyall Grant, 10 December 2009.

¹³⁶⁹ Miliband, 27 November 2007.

¹³⁷⁰ Blair, 5 April 2007.

participate fully”¹³⁷¹; “a transformed relationship with the world from which all would benefit”¹³⁷², and an opportunity for Iran to take its “rightful place as a peaceful and important partner in the world”¹³⁷³; to “rejoin global society”¹³⁷⁴; gain membership in “the international community as a partner”¹³⁷⁵, and to enjoy “a secure and valued place in the region”¹³⁷⁶. The British UN ambassadors, for their part, explained the rewards for compliance in terms of “normal relations with the rest of the world”¹³⁷⁷; “a mature partnership with” the international community¹³⁷⁸; “[a] new relationship between the European Union and Iran”¹³⁷⁹ [...] to our mutual benefit and to the benefit of international peace and security”¹³⁸⁰; “a basis for a transformed relationship with all members of the international community, including with the United States”, and as paving “the way [...] for the start of negotiations which would bring far-reaching benefits to the Iranian people and greater stability to the Middle East”¹³⁸¹, and “substantial opportunities for political, security and economic benefits to Iran and to the region”¹³⁸².

As in the US case, however, what was described as a “very clear”¹³⁸³ and “perfectly simple” choice¹³⁸⁴ was undermined by simultaneous grievances and demands regarding other aspects of Iran’s conduct. These grievances—which were already discussed in section 6.3—suggested that Iran would have to do much more than just suspend its fuel cycle activities to even dream of the above-described benefits. Indeed, the linkage of issues was particularly evident in Blair’s rhetoric on the Iranian choice, which from his perspective was primarily about terrorism support, rather than proliferation. In December 2006, for example, Blair’s characterisation of the crucial Iranian choice seemed to have nothing to do with the nuclear issue:

If Iran wants to reach out, we are there, but if what they are going to do is undermine the government in Iraq, undermine the government in Lebanon, undermine President Abbas in Palestine, well what can we do? We can’t be constructive if that is the way that they are playing things. So I think really the choice lies with them.¹³⁸⁵

Blair also described the unavoidable choice for Iran (and Syria) as being that “they can either come in and participate as proper and responsible members of the international community; or they will face the risk of increasing confrontation”, meaning that “Iran abides by its obligations under the Nuclear Weapons Treaty, [...] Iran and Syria stop supporting terrorism”, and “that instead of trying to prevent the democratically elected government of Iraq fulfil its mandate, they allow it to fulfil its mandate”¹³⁸⁶.

¹³⁷¹ Blair, 3 August 2006.

¹³⁷² Brown, 17 December 2007.

¹³⁷³ Brown, 26 August 2009.

¹³⁷⁴ Brown, 10 November 2008.

¹³⁷⁵ Brown, 25 September 2009.

¹³⁷⁶ Miliband, 27 November 2007.

¹³⁷⁷ Sawers, 3 March 2008.

¹³⁷⁸ Parham, 15 June 2009.

¹³⁷⁹ Jones Parry, 23 December 2006.

¹³⁸⁰ Jones Parry, 23 December 2006.

¹³⁸¹ Sawers, 3 March 2008.

¹³⁸² Quarray, 13 June 2008.

¹³⁸³ Blair, 31 January 2006.

¹³⁸⁴ Blair, 28 July 2006.

¹³⁸⁵ Blair, 16 December 2006.

¹³⁸⁶ Blair, 28 July 2006.

Yet another similarity with the US approach was the open criticism of Iran's domestic system, which—in line with the American outlaw state discourse—suggested that the only lasting solution to the nuclear dispute as well as other problems would be a change of regime in Iran. For instance, Blair said that “Iran is a great country, but it needs a government that is going to recognize that part of being a great country is to be [...] in line with your international obligations and to cease supporting those people in different parts of the world who want, by terrorism and violence, to disrupt the process of democracy”¹³⁸⁷. He suggested the coming wave of democratization in the Middle East was opposed by Iran (and Syria) because they “felt threatened by the prospect of two brutal dictatorships [Iraq and Afghanistan] becoming tolerant democracies”, and because they “could see that change in those countries might result in change in theirs”¹³⁸⁸. Blair also said that “the best thing that could happen in Iran [...] is that the people get the chance to elect the government”¹³⁸⁹. Moreover, the prime minister also talked about Iran's “disregard for the liberty of its own citizens”¹³⁹⁰, and lamented that “the Iranian people have no chance to express themselves”¹³⁹¹, whereas the UN Ambassador Sawers accused the Iranian leaders of “misleading their people” and denying “far-reaching benefits to the Iranian people”¹³⁹². As noted in section 6.3, Blair also did not think the UK would “be secure unless Iran changes”¹³⁹³. Brown, too, described the Iranian choice November 2007 as being between “confrontation with the international community leading to a tightening of sanctions or, if it changes its approach *and ends support for terrorism*, a transformed relationship with the world”¹³⁹⁴. In contrast to Blair, however, Brown generally refrained from linking the nuclear issue with terrorism claims and, reminiscent of Obama's different tone in relation to Bush, he was also more restrained regarding criticism of Iran's domestic nature. However, in the context of the June 2009 election crisis, he too made improved relations and full membership in international society conditional of the country's conduct with respect to human rights¹³⁹⁵.

7.3.1.3 France

Like the US and UK, the French officials saw Iran as facing two alternative paths, the right one of which would provide a way out of the deadlock and the other one worsen the situation. As Chirac explained in 2006, Iran would have to choose between “the positive route in a constructive spirit” and “the route to long-term isolation”¹³⁹⁶. He also said – after expressing his hope that “Iran will provide a positive response to the [P5+1] overtures” – that “[w]e need to be able to re-establish normal relations with Iran”¹³⁹⁷, and that “Iran will not achieve security by developing secret programmes, but rather by fully becoming part of the international community”¹³⁹⁸. While urging Iran to comply, Chirac often expressed his respect for Iran's regional status and sovereignty.

¹³⁸⁷ Blair, 26 May 2006.

¹³⁸⁸ Blair, 1 August 2006.

¹³⁸⁹ Blair, 11 February 2006.

¹³⁹⁰ Blair, 16 October 2006.

¹³⁹¹ Blair, 7 December 2006.

¹³⁹² Sawers, 3 March 2008.

¹³⁹³ Blair, 26 May 2006.

¹³⁹⁴ Brown, 12 November 2007.

¹³⁹⁵ See e.g. Brown, 19 June 2009.

¹³⁹⁶ Chirac, 9 June 2006a.

¹³⁹⁷ Chirac, 26 July 2006.

¹³⁹⁸ Chirac, 28 August 2006.

For example in 2006 he said that “recognition of [Iran’s] role also places it under an obligation [...] to allay apprehensions and to work for regional stability, as befits a responsible great country”¹³⁹⁹. In 2007, he spoke of “Iran’s responsibility to restore confidence by means of a sovereign act”, after which he explained that that the suspension of enrichment “would open the way to cooperation and subsequently to a new partnership in furtherance of stability, peace and prosperity in the region as a whole”¹⁴⁰⁰.

Sarkozy, too, stressed Iran’s responsibility for resolving the deadlock, presenting the Iranian choice as being between growing isolation, on the one hand, and cooperation and return to the international community, on the other hand. For example, he said in June 2008 that “Iran today has a strategic choice to make between cooperation, [...], or increasing isolation”.¹⁴⁰¹ Reflective of his assumptions regarding Iran’s proliferation intention, Sarkozy also demanded that Iran “demonstrate its peaceful objectives”¹⁴⁰²; “give up illegal proliferation activities”¹⁴⁰³, and show its “commitment to prove its peaceful intentions through meaningful dialogue and concrete action”¹⁴⁰⁴. Arguably referring to Obama’s offer of direct talks, Sarkozy argued that the year 2009 would “be decisive for Iran” to make its choice between causing “severe confrontation with the international community” and “come finally to a solution through negotiations”.¹⁴⁰⁵ He also referred to Obama’s offer for talks as “an extraordinary and historic opportunity”¹⁴⁰⁶, to which Iran “must respond now”¹⁴⁰⁷. The French UN ambassadors likewise talked about Iran’s “strategic choice”¹⁴⁰⁸, and stressed that “[t]he ball is now in their court”¹⁴⁰⁹.

Like the other P5 members, the French officials stressed that Iran was seen to have “much to gain”¹⁴¹⁰ from what were described as “substantial”¹⁴¹¹, “very generous”¹⁴¹², “extremely ambitious”¹⁴¹³ P5+1 proposals made by the P5+1. Chirac described those proposals as “both reasonable and worthy of confidence”, and lamented that they had “not yet been accepted” by Iran¹⁴¹⁴. In addition to “full co-operation concerning electronuclear issues” and “economic co-operation”¹⁴¹⁵, the proposals were said to “recognize Iran’s inalienable right to benefit from nuclear energy for peaceful purposes” and enable “a new relationship”¹⁴¹⁶, as well as better integration into the international community¹⁴¹⁷. Somewhat misleadingly—given the fact that the P5+1 package only contained a rather vague reference to potential future dialogue on security issues—Chirac even

¹³⁹⁹ Chirac, 28 August 2006.

¹⁴⁰⁰ Chirac, 5 January 2007.

¹⁴⁰¹ Sarkozy, 20 June 2008.

¹⁴⁰² Sarkozy, 13 February 2008.

¹⁴⁰³ Sarkozy, 25 May 2009.

¹⁴⁰⁴ Sarkozy, 25 September 2009b.

¹⁴⁰⁵ Sarkozy, 16 January 2009.

¹⁴⁰⁶ Sarkozy, 17 November 2009.

¹⁴⁰⁷ Sarkozy, 8 July 2009.

¹⁴⁰⁸ de la Sablière, 23 December 2006

¹⁴⁰⁹ de Rivière, 13 June 2008

¹⁴¹⁰ Sarkozy, 27 August 2007.

¹⁴¹¹ Chirac, 26 July 2006.

¹⁴¹² Martinon, 20 September 2007.

¹⁴¹³ Sarkozy, 29 November 2008.

¹⁴¹⁴ Chirac, 18 September 2006b.

¹⁴¹⁵ Chirac, 26 July 2006.

¹⁴¹⁶ de la Sablière, 24 March 2007.

¹⁴¹⁷ Sarkozy, 25 September 2009b.

suggested that it also involved “cooperation in [...] security areas”¹⁴¹⁸. Sarkozy, too, regretted that “Iran has made no serious response” even though there would have been “a real opportunity to finally solve this crisis in a manner acceptable to all”¹⁴¹⁹. As for the responsibilities of the P5+1 on trying to solve the dispute, France suggested that they had already done all they could. As Ambassador De Rivi re, for example, said in June 2008 that “the E3 + 3 have made every effort possible to renew dialogue with Iran”, including “a series of increasingly generous offers”¹⁴²⁰. After the failed negotiations in Vienna, Ambassador Araud, in turn, noted that Iran had again missed “a unique opportunity to build trust” by refusing to accept the “[t]he most recent offer”¹⁴²¹. Already before those negotiations, Sarkozy had suggested Iran had proven itself unworthy of the P5+1 proposals by its continuing defiance and lack of cooperation. As he argued after the Fordow site revolutions in September 2009,

What prompted the international community to these proposals for dialogue? Nothing. More enriched uranium, more centrifuges and, moreover, a statement from Iranian leaders proposing to wipe a member of the [UN] off the map¹⁴²².

Unlike the US and UK, France did not connect the unmet demands regarding uranium-enrichment to claims about terrorism support—indeed, as seen in section 6.3, France never accused Iran of terrorism support. As for Iran’s ties Hamas and Hezbollah, in September 2006 Chirac simply said the following.

Certainly Iran has an important role to play in the general stability of the region. Everyone knows the possible links between Shiite Iran and Shiite Hezbollah. But we’ve no reason today to say that Iran is playing the worst card. I don’t believe it.¹⁴²³

Sarkozy, however, did mix the Security Council demands with his criticism of Ahmadinejad’s anti-Israel rhetoric. In December 2008, for example, Sarkozy suggested that, on the one hand, “the Iranian nuclear crisis cannot be solved without talking to the Iranian leaders” but, on the other hand he could not sit at the table or “shake hands with a someone that dares to say that Israel should be wiped off the map”¹⁴²⁴. Like the UK, the French president also presented the UN sanctions against Iran as a response to the election crisis, rather than just the nuclear issue. In June 2009, as Sarkozy was asked about European response to the Iranian government’s violence against the opposition, he replied that “our position has always been very consistent” and that “we have always been supporters of strengthening sanctions under the nuclear issue”¹⁴²⁵. Sarkozy’s apparent distaste for the Iranian government also suggested that it would take a lot for Iran to convince Sarkozy of its peaceful intentions. In August 2009, for example, he said “[t]hese are the same leaders in Iran who say that the nuclear programme is peaceful and that the election was honest”, then adding the rhetorical question “[w]ho can believe them?”¹⁴²⁶ Sarkozy made a similar remark in September 2009, referring to Tehran’s assurances that its nuclear programme was peaceful and adding that

¹⁴¹⁸ Chirac, 29 January 2007

¹⁴¹⁹ Sarkozy, 3 September 2008.

¹⁴²⁰ De Rivi re, 13 June 2008

¹⁴²¹ Araud, 10 December 2009.

¹⁴²² Sarkozy, 24 September 2009.

¹⁴²³ Chirac, 19 September 2006b.

¹⁴²⁴ Sarkozy, 8 December 2008.

¹⁴²⁵ Sarkozy, 19 June 2009.

¹⁴²⁶ Sarkozy, 26 August 2009.

“[i]t's the same people who told us that the elections were free, transparent and democratic”, and that he preferred the IAEA to determine who was right¹⁴²⁷. Echoing US and UK rhetoric, Sarkozy also said that “the Iranian people deserve better leaders than they have today”¹⁴²⁸.

7.3.1.4 Belgium, Burkina Faso, Congo, Japan, Slovakia

Several non-permanent members also focused on Iran's responsibilities, thus apparently supporting the view of the P5+1 that they had already done more than their share of trust-building. Belgium and Slovakia were closest to the Western P5 in this regard, for they too evoked the idea of the Iranian choice. As the Belgian representative said in March 2007, “Belgium launches a strong appeal to Iran to pay due heed to the [P5+1] offer”, adding that the principles of “proportionality and reversibility” indicate to Iran “that another path remains open”¹⁴²⁹. The Slovakian ambassador, in turn, stressed that the P5+1 “proposal for a long-term comprehensive agreement [...] is still on the table, and [...] offers Iran the chance to reach a negotiated agreement based on cooperation”. He further explained that “[w]e [...] hope that Iran will seize the opportunity to choose the right path towards a comprehensive long term solution to its nuclear programme that will result in peaceful nuclear cooperation and positive development of relations with the entire international community in the future”. Slovakia also urged Iran “to comply with Security Council requirements and resume negotiations on terms acceptable to the international community”.¹⁴³⁰ Japan and Congo also highlighted Iran's responsibility. For example, the Japanese ambassador appealed to Iran to “seek to resolve this issue at the earliest possible time through diplomatic negotiations in full respect of its international obligations”, adding that this “ought not to be impossible”¹⁴³¹, while Congo urged Iran “to heed our call and to opt for dialogue and cooperation”¹⁴³². The Burkina Fasoan ambassador, in turn, said in March 2008 that Iran should “make a greater effort to cooperate fully with the IAEA, including by providing specific information on its nuclear programme”¹⁴³³. Finally, one could mention Indonesia, whose ambassador very tentatively urged Iran to consider the proposals by saying in March 2007 that, “[s]hould Iran feel it to be necessary to move ahead towards a negotiated solution, the draft resolution provides that opportunity in accordance with the [P5+1] proposals [...], which are still on the table”¹⁴³⁴. As seen in section 7.2, however, Indonesia simultaneously appealed to the P5's responsibilities regarding disarmament.

7.3.2 Russia, China, Argentina, Libya, Panama, Qatar, South Africa, Tanzania and Vietnam: collective responsibility to seek compromise

Unlike the Western P5, Russia and China refrained from presenting Iran as being solely responsible for the deadlock and its resolution. Particularly China stressed that the other side of the dispute also had their respective responsibilities. This suggested that the nuclear dispute represented a collective

¹⁴²⁷ Sarkozy, 25 September 2009.

¹⁴²⁸ Sarkozy, 6 July 2009.

¹⁴²⁹ Verbeke, 24 March 2007.

¹⁴³⁰ Matulay, 24 March 2007.

¹⁴³¹ Oshima, 23 December 2006.

¹⁴³² Gayama, 24 March 2007.

¹⁴³³ Kafando, 3 March 2008.

¹⁴³⁴ Jenie, 24 March 2007.

failure to resolve a political conflict, rather than Iran's failure to act rationally. Several non-permanent members also presented the situation in these terms.

7.3.2.1 Russia

Russia's view of Iran's responsibilities focused strictly demand to suspend uranium-enrichment, meaning that Iran was expected to change its conduct beyond this limited aspect of its nuclear policy. The general tone of urging Iran to comply was also very different from the Western P5. Although the Russian UN Ambassador Churkin characterised resolution 1737 as "a serious message to Iran regarding the need to cooperate more actively and more openly with the IAEA"¹⁴³⁵, most of the time he expressed the demands in the form of a polite suggestion or wish. For example, Churkin expressed the hope that Iran would "properly and seriously view"¹⁴³⁶; "correctly and most earnestly consider"¹⁴³⁷ and "carefully analyse" the contents of the UN resolutions and the statements made by the P5 +1"¹⁴³⁸. Iran was also called upon to "take the necessary steps to redress the situation"¹⁴³⁹; to "choose fully to cooperate with the IAEA"¹⁴⁴⁰; and to take "[c]onstructive steps [...] to comply with the draft resolution" in order "to mitigate the urgency of the questions relating to Iran's nuclear programme".¹⁴⁴¹ Like the other countries of P5+1 group, Russia emphasized that "the door to negotiations with Iran remains open"¹⁴⁴².

Russia also mentioned the rewards that would ensue from cooperation but did not present them as revolutionizing Iran's international relations in the same way as the P5 did. Instead, Russia explained that cooperation would be rewarded with a "solid political settlement of the Iranian nuclear problem"¹⁴⁴³, and "broad international cooperation to meet Iran's energy requirements on the basis of the peaceful uses of nuclear energy"¹⁴⁴⁴. Churkin also stressed "the possibility of revoking" sanctions measures in case of Iranian compliance¹⁴⁴⁵, in which case "members of the Security Council would [also] be prepared to refrain from any further action"¹⁴⁴⁶.

From the Russian perspective, Iran did not alone have responsibility for resolving the crisis. Although Churkin did once say that that "the way the situation develops in future will depend largely on Iran's actions"¹⁴⁴⁷, he stressed that the other side of the dispute also had their respective responsibilities. As the ambassador proposed in March 2008, the P5+1 might also try to show more flexibility by being "prepared to formulate additional proposals for talks, something from which Iran and the entire region can only benefit — economically, politically and in terms of security". He added that "Russia favours a search for fresh approaches to the talks", and that "[i]t is important that

¹⁴³⁵ Churkin, 23 December 2006.

¹⁴³⁶ Churkin, 31 July 2006.

¹⁴³⁷ Churkin, 23 December 2006.

¹⁴³⁸ Churkin, 24 March 2007.

¹⁴³⁹ Churkin, 31 July 2006.

¹⁴⁴⁰ Churkin, 24 March 2007.

¹⁴⁴¹ Churkin, 23 December 2006.

¹⁴⁴² Churkin, 24 March 2007.

¹⁴⁴³ Churkin, 23 December 2006.

¹⁴⁴⁴ Churkin, 31 July 2006.

¹⁴⁴⁵ Churkin, 24 March 2007.

¹⁴⁴⁶ Churkin, 31 July 2006.

¹⁴⁴⁷ Churkin, 24 March 2007.

the members of the group of six countries show a consistent willingness to engage in constructive cooperation with Iran”. Unlike the Western members of the P5, Churkin thus suggested that they had still not done all they could to revolve the crisis. Underlying this view one could see Putin’s characterisation of the nuclear dispute as a “conflict of interests”¹⁴⁴⁸, suggesting a political dispute involving two parties, instead of manifestation of Iran’s intransigence.

As seen in chapter 6, however, Medvedev’s tone became more condemnatory in 2009¹⁴⁴⁹. At the time, Medvedev also joined Obama in viewing the meeting in Vienna an opportunity for Iran “to demonstrate that it also intends to seek out a negotiated solution”, and “to present convincing evidence of its intent to develop nuclear energy strictly for peaceful purposes”¹⁴⁵⁰. Given these expectations, the president’s comment on the results of the meeting implied that Iran was to blame for the lack of progress: as Medvedev said in November 2009, “we are not entirely happy with the pace and scope of this process”. He then expressed the “hope that Iran will pursue a peaceful nuclear programme that will not raise all the questions that our countries and the international community have today”¹⁴⁵¹. Furthermore, in November Medvedev stressed the need for Iran “to comply with the existing rules and not to try to conceal any facilities”¹⁴⁵², whereas Churkin explained in December 2009 that “[w]e expect that Iran will take the signals contained in the IAEA resolution very seriously”. At the same time, however, Churkin recalled that Security Council members also needed “to be patient and calm, and must not let ourselves be overcome by emotion”.¹⁴⁵³

7.3.2.2 China

Like the Russian officials, the Chinese tended to articulate Iran’s obligations in form of a polite suggestion and they did not argue that Iran’s potential compliance would dramatically improve the country’s relations with the rest of the world. The Chinese foreign ministry representatives, for example, expressed the hope that Iran will “faithfully implement relevant resolutions of the Security Council, and continue to cooperate with IAEA”¹⁴⁵⁴; “take seriously and respond actively to the concern and appeal of the international community and display more flexibility in dialogue and engagement”¹⁴⁵⁵, and “take the concerns of the international community seriously”¹⁴⁵⁶. Iran was also urged “to suspend enrichment-related activities”¹⁴⁵⁷; “to practice restraint, attach importance to the extensive appeals and expectations of the international community, earnestly implement the requirements of this resolution and make early response to the package of proposals, so as to create conditions for increasing trust and promoting dialogue and negotiations”¹⁴⁵⁸. However, some of the Chinese UN ambassadors’ remarks were stricter in tone; they said, for example, that “[r]egrettably, the Iranian side has yet to respond positively to the requests”, and that “[r]egrettably and

¹⁴⁴⁸ Putin, 10 February 2007b.

¹⁴⁴⁹ Medvedev, 15 September, 2009.

¹⁴⁵⁰ Medvedev, 25 September 2009a.

¹⁴⁵¹ Medvedev, 15 November 2009.

¹⁴⁵² Medvedev, 7 November 2009.

¹⁴⁵³ Churkin, 10 December 2009.

¹⁴⁵⁴ Liu, 20 November 2007.

¹⁴⁵⁵ Liu, 8 November, 2007.

¹⁴⁵⁶ Qin, 4 March 2008.

¹⁴⁵⁷ Wang, 3 March 2008.

¹⁴⁵⁸ Liu, 31 July 2006.

disappointingly, Iran has yet to respond positively”¹⁴⁵⁹. As for the P5+1 offer, the Chinese UN Ambassador Liu saw it as constituting “an important effort for a comprehensive arrangement which would allow for the development of bilateral relations and cooperation based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of Iran’s nuclear programme”¹⁴⁶⁰.

Like the Russians, the Chinese stressed that Iran was not the only party that was responsible for the deadlocked situation or its resolution. As the Chinese UN Ambassador Liu stressed in July 2006, “[t]he fact that an appropriate solution to the Iran nuclear issue is late in coming is due to lack of trust among the main parties involved”. In effect, the Chinese stressed the equal responsibility of the international community and “all parties concerned” to “make greater efforts along the path of negotiation”¹⁴⁶¹ by exercising restraint, being flexible and doing their share of trust-building. For example, the Chinese officials urged all actors “to remain confident and calm, practice restraint”¹⁴⁶²; “adopt a highly responsible and constructive attitude”¹⁴⁶³; “make continuous efforts to show flexibility”¹⁴⁶⁴; “to exert more pragmatism”¹⁴⁶⁵; “strengthen dialogue and communication, increase trust, reduce doubts and remove each other’s concerns”¹⁴⁶⁶; “enhance mutual understanding, narrow differences through negotiation”¹⁴⁶⁷; “take each other’s concerns into full consideration”¹⁴⁶⁸, and “engage in closer contacts and dialogue on the basis of equality and mutual respect, increase mutual trust and reduce misperceptions”, and “address on another’s concerns”¹⁴⁶⁹, and to “show flexibility and diplomatic wisdom in order to get the Iranian nuclear issue out of the vicious circle of escalation”¹⁴⁷⁰. The Chinese also called for creativity by expressing the hope that “the parties will seek to resume negotiations in a creative and forward-looking manner”¹⁴⁷¹; “explore new ways of thinking and continue to creatively carry out diplomatic efforts”¹⁴⁷²; and “give full play to initiative and creativity and demonstrate determination and sincerity in resuming negotiations”¹⁴⁷³. They also stressed the need to “seek an approach that is acceptable to all for the resumption of negotiations”¹⁴⁷⁴, and noted that diplomatic efforts should also be made “outside the UN Security Council”¹⁴⁷⁵.

Together with the lack of criminalisation of Iran in Chinese rhetoric, the above comments suggested that China regarded the Iranian nuclear dispute as a political conflict which could be solved through a process of conflict management. Based on the remarks of the head of the Chinese Foreign Ministry’s Arms Control Department, Zhang Yan, China regarded US-Iranian enmity as the core of

¹⁴⁵⁹ Wang, 3 March 2008.

¹⁴⁶⁰ Liu, 31 July 2006.

¹⁴⁶¹ Li, 1 February 2006.

¹⁴⁶² Liu, 31 July 2006.

¹⁴⁶³ Wang, 3 March 2008.

¹⁴⁶⁴ Li, 20 September 2006.

¹⁴⁶⁵ Qin, 20 May 2008.

¹⁴⁶⁶ Wang, 24 March 2007.

¹⁴⁶⁷ Yang, 14 September 2006.

¹⁴⁶⁸ Qin, 22 May 2008.

¹⁴⁶⁹ Wang, 3 March 2008.

¹⁴⁷⁰ Chinese Delegation’s Speech at General Debate in First session of Preparatory Committee for the 2010 NPT Review Conference, 5 May 2007.

¹⁴⁷¹ Wang, 23 December 2006.

¹⁴⁷² Liu, 31 July 2006.

¹⁴⁷³ Wang, 3 March 2008.

¹⁴⁷⁴ Wang, 3 March 2008.

¹⁴⁷⁵ Qin, 1 March 2007.

the problem. As Zhang explained, “[t]he crux of the Iranian nuclear issue is the deep-rooted distrust and to certain extent long standing hostility between the United States and Iran”, and that “[t]he nuclear issue is just a reflection of the nature of their relation”¹⁴⁷⁶. The perception that the nuclear dispute was essentially a political conflict between certain Security Council members and Iran was also reflected in China’s concern regarding the potential escalation of the dispute. For example, the Chinese UN Ambassador Wu Hailong said in February 2006 that “the Chinese side hopes that Iran will resume suspension of nuclear fuel R&D activities” and “that other relevant parties will maintain calm, exercise restraint and patience, demonstrate flexibility and avoid escalation”¹⁴⁷⁷. It was also said that “the related parties may continue to keep calm and patient, strengthen mutual trust, show flexibility and avoid adopting measures that may intensify the contradiction”¹⁴⁷⁸; that they should “do more to enhance mutual trust and diffuse suspicion and refrain from taking any actions that might lead to further escalation”¹⁴⁷⁹; “continue to be committed to resolving the problem through negotiation, and refrain from taking actions”¹⁴⁸⁰, and “avoid any move that may further escalate the situation”¹⁴⁸¹, “that will exacerbate the contradictions”¹⁴⁸², or “that may lead to complications or even loss of control”¹⁴⁸³.

While the other P5’s tone regarding Iran’s obligations hardened towards the end of 2009, the Chinese remained the same. In June 2009, for example, the Chinese UN ambassador first said that “[w]e hope that Iran will continue its cooperation with the IAEA and resolve outstanding issues at an early date, so as to allay the misgivings of the international community about its nuclear programme”, but added that “we also hope that the international community will seize this opportunity to intensify its diplomatic efforts on this matter and maintain and promote dialogue with Iran, so as to achieve an early start to negotiations”¹⁴⁸⁴. Moreover, in December 2009 the Chinese Ambassador Zhang pointed out “the path towards a resolution of the issue is not completely blocked”, as “Iran is still willing to engage in further consultations with the parties concerned to resolve the issue together”. At the same time, he addressed his fellow Council members by stressing that this “may require more time and patience on all parts”. Zhang also expressed the “hope that the parties concerned will strengthen the dialogue and cooperation with the IAEA”; “avoid taking further action that could complicate the present situation”, and “continue to be patient and to exercise restraint so as to leave sufficient time and space for the ongoing diplomatic efforts”.¹⁴⁸⁵

7.3.2.3 Argentina, Libya, Panama, Qatar, South Africa, Tanzania and Vietnam

Like Russia and China, several non-permanent members highlighted the collective responsibility of all parties to contribute to the resolution of the nuclear dispute. For example, they called for all

¹⁴⁷⁶ Zhang, 5 June 2007.

¹⁴⁷⁷ Wu, 5 February 2006.

¹⁴⁷⁸ Li, 30 January 2006.

¹⁴⁷⁹ Liu, 14 February 2006.

¹⁴⁸⁰ Qin, 9 March 2006.

¹⁴⁸¹ Liu, 13 April 2006.

¹⁴⁸² Zhang, 14 March 2006.

¹⁴⁸³ Liu, 31 July 2006.

¹⁴⁸⁴ La, 15 June 2009.

¹⁴⁸⁵ Zhang, 10 December 2009.

parties to “show flexibility, wisdom and a sense of responsibility”¹⁴⁸⁶ (Qatar); “to build on the positive aspects of the dialogue and to return to the negotiations under mutually acceptable terms”¹⁴⁸⁷ (Tanzania); “to resume dialogue in order to find a diplomatic solution”¹⁴⁸⁸ (Argentina); “to launch as soon as possible a negotiations process aimed at resolving the conflict that prompted the Security Council to act”¹⁴⁸⁹ (Panama); “work creatively to defuse the confrontation”¹⁴⁹⁰ (South Africa); “to initiate direct negotiations towards this objective as soon as possible”¹⁴⁹¹, and “to continue direct negotiations”¹⁴⁹² (Libya).

As for Iran’s obligations, Qatar urged Iran to “seriously to address the concerns of the international community about the very nature of its nuclear programme”¹⁴⁹³; “to continue down the road of cooperation as set out in the report and to answer IAEA’s questions, build confidence and resolve pending issues”¹⁴⁹⁴, and South Africa encouraged it to provide “the necessary assistance and cooperation to the Agency in its efforts to resolve the outstanding issues as soon as possible, since that will make a substantial contribution to building confidence in Iran’s nuclear programme”¹⁴⁹⁵. The Tanzanian representative also said that “[w]e expect all IAEA members, including the Islamic Republic of Iran, to uphold the obligations set forth in the Treaty”, and that its “programme has to be subjected to a verifiable inspection regime and the safeguards of the International Atomic Energy Agency”. At the same time, however, he took off some of the burden of responsibility from Iran by lamenting that “progress has been painfully slow due to the uncompromising positions pursued by both sides”.¹⁴⁹⁶

At times, however, the non-permanent members put more focus on highlighting the responsibility of the other party of the dispute. For example, the South African ambassador said in connection with his criticism of resolution 1747 that “a great deal of work still lies ahead if the international community hopes to prevent heightened tensions from spiralling out of control, to the detriment of all”, and that “[e]very effort must be made to resume dialogue and enter into meaningful negotiations to find a sustainable long-term solution to this matter”¹⁴⁹⁷. The P5 responsibility was called upon particularly in 2007—2008, in connection with criticism of their apparent disregard of the positive developments in the framework of the Iran-IAEA workplan. For example, in December 2007 the Qatari ambassador called “upon all parties to adopt a policy of restraint and calm and not to attempt to influence the independence of the IAEA, in order to enable it to carry out its responsibilities”¹⁴⁹⁸. In connection with their criticism of resolution 1803 (discussed in chapter 6), the Vietnamese ambassador said that, “while hailing the new progress in cooperation between Iran and the IAEA, we are desirous to see Iran’s efforts positively matched in the coming period”¹⁴⁹⁹, whereas the South African ambassador argued that, “[g]iven the confidence deficit that existed

¹⁴⁸⁶ Al-Nasser, 31 July 2006.

¹⁴⁸⁷ Manongi, 23 December 2006.

¹⁴⁸⁸ Mayoral, 23 December 2006.

¹⁴⁸⁹ Arias, 24 March 2007.

¹⁴⁹⁰ Kumalo, 3 March 2008.

¹⁴⁹¹ Dabbashi, 10 March 2009.

¹⁴⁹² Dabbashi, 10 December 2009.

¹⁴⁹³ Al-Nasser, 31 July 2006.

¹⁴⁹⁴ Al-Nasser, 23 December 2006.

¹⁴⁹⁵ Kumalo, 24 March 2007.

¹⁴⁹⁶ Manongi, 23 December 2006.

¹⁴⁹⁷ Kumalo, 24 March 2007.

¹⁴⁹⁸ Al-Nasser, 23 December 2006.

¹⁴⁹⁹ Le Luong Minh, 3 March 2008.

earlier, we need to move forward in a responsible and balanced manner because we are dealing with a highly sensitive matter that can have serious implications in a volatile region”¹⁵⁰⁰. The Indonesian representative also said in connection with his objections to sanctions that “[a]n atmosphere conducive to the negotiations must be nurtured and promoted”¹⁵⁰¹.

The non-permanent members did not as a rule discuss the P5+1 proposals, not emphasise their generosity. As for the Qatari ambassador’s views on the proposal, in July 2006 he acknowledged that “the efforts made by the six States” in “offering Iran a comprehensive package” was “a bold and commendable step”. As noted before, however, he did not at the time urge Iran to accept the proposal but instead wanted to allow it “more time to study” it¹⁵⁰². Moreover, in December 2006 the Qatari ambassador explained that “[w]e look forward to seeing specific proposals from both parties that can contribute to revitalizing the prospects for a diplomatic solution”, thus suggesting that the P5+1 package was not necessarily the only and the best solution to the dispute¹⁵⁰³.

The non-permanent members also did not as a rule discuss the rewards for Iranian cooperation. The only exception here was Libya, whose UN representative put special emphasis on the need to establish full relations with Iran and to have confidence in its nuclear intentions as a result of compliance. As Ambassador Dabbashi argued in March 2009, finding a solution to the nuclear issue “would open the way for the establishment of full relations and fruitful cooperation with the Islamic Republic of Iran on the basis of mutual respect and international confidence in the civilian nature of Iran’s nuclear programme”¹⁵⁰⁴. In December 2009, Dabbashi again said that solution through Iran’s compliance “would open the way for the development of comprehensive relations and cooperation with the Islamic Republic of Iran on the basis of mutual respect and for the building of international confidence in the peaceful nature of Iran’s nuclear programme”¹⁵⁰⁵.

7.3.3 Iran and Vietnam: the West’s responsibility to give up their hostile policies

Iran believed that it had already shown as much flexibility as it could afford, and that the resolution of the deadlocked situation instead hinged on the readiness of the Western countries to give up their hostile policies towards Iran. Vietnam is also included in this section due to its brief but sharp remark calling for an end to hostile policies towards Iran.

7.3.3.1 Iran

As noted in section 7.1, Iran believed that making concessions in its nuclear policy would only lead to new demands and, ultimately, put an end to its civilian nuclear programme. It was also noted that this lack of trust in the other side’s intentions undermined the credibility of the incentives offered by

¹⁵⁰⁰ Kumalo, 3 March 2008.

¹⁵⁰¹ Natalegawa, 27 September 2008.

¹⁵⁰² Qatar, 31 July 2006.

¹⁵⁰³ Al-Nasser, 23 December 2006.

¹⁵⁰⁴ Dabashi, 10 March 2009.

¹⁵⁰⁵ Dabbashi, 10 December 2009.

the P5+1 in the Iranian eyes. Indeed, in contrast to the drafters' characterisation of the P5+1 package as 'generous', Zarif used the adjective 'infamous' when referring to it in December 2006¹⁵⁰⁶. Undermining the nuclear programme, however, was only seen to be one aspect of the enemies efforts to weaken Iran, which would continue regardless of Iran's nuclear policy. This was because the Security Council actions were viewed by Iran as the latest manifestation of US hostility which stemmed from its opposition towards the Iranian revolution. Reflecting his view on the attitude of other side, Ahmadinejad said in 2006 that, "[i]f we solve [nuclear standoff], then they will bring up human rights", and "[i]f we solve that, they will bring up animal rights"¹⁵⁰⁷. In 2007 he recalled that the US had, "[f]or 28 years, [...] consistently threatened us, insulted us, prevented our scientific development, every day, under one pretext or another"¹⁵⁰⁸. Ultimately, the Iranian leadership believed that its enemies would only be satisfied with the demise of the Islamic Republic and its replacement with another kind of a political system. As Ahmadinejad explained in 2006, "[t]hey want to return Iran to what it was before the revolution, under the shah, when it was really a puppet for the United States"¹⁵⁰⁹. The following year he stressed that the "enemies' opposition to Iran's peaceful nuclear technology is not a mere opposition to technological know-how and industry, rather it is a confrontation between all potentials of the global arrogance and political and managerial potentials of the Islamic Revolution"¹⁵¹⁰. The president also said that the "[e]nemies' goal of preventing peaceful use of nuclear energy is not a technical nuclear position" but their aim is "to eradicate principles of the system's move"¹⁵¹¹.

In a broader perspective, the Iranian officials framed the UN demands as continuation of the long tradition of Western oppression and outside interference in Iran. Thus they appealed to the Islamic Republic's revolutionary heritage, which had taught the importance of resisting unequal treatment. This made resistance to the UN demands seem like a duty and the only choice left for Iran short of compromising its sovereignty and independence. For example, Ahmadinejad said that that "[h]istory has proved that violators of the Iranian nation's rights have been defeated"¹⁵¹², while Khazaei argued that "[h]istory tells us that no amount of pressure, intimidation and threat will be able to coerce our nation into giving up its basic and legal rights"¹⁵¹³. Mottaki, in turn, explained in March 2007 that, "[j]ust as the Iranian nation paid a heavy price for the nationalisation of its oil industry and its eight years of sacred defence, we realize that we must now be prepared to pay the price for our dignity and our independence"¹⁵¹⁴. In effect, the Iranian leadership warned against making any kind of concessions in the nuclear dispute. Ahmadinejad called for vigilance against the other side's mischiefs¹⁵¹⁵ as well as their attempts at trampling on Iran's rights¹⁵¹⁶, and argued that "if we retreat a little bit, they would say that we just retreated under the pressure [and] say to the world that, finally, Iranians stopped their enrichment activities".¹⁵¹⁷ Ahmadinejad also explained

¹⁵⁰⁶ Zarif, 23 December 2006.

¹⁵⁰⁷ Kupchan & Takeyh 2006 in reference to Ahmadinejad.

¹⁵⁰⁸ Ahmadinejad, 24 September 2007.

¹⁵⁰⁹ Ahmadinejad, 24 September 2006.

¹⁵¹⁰ Ahmadinejad, 23 February 2007.

¹⁵¹¹ Ahmadinejad, 24 May 2007.

¹⁵¹² Ahmadinejad, 22 September 2007.

¹⁵¹³ Khazaei, 3 March 2008.

¹⁵¹⁴ Mottaki, 24 March 2007.

¹⁵¹⁵ Ahmadinejad, 30 October 2007.

¹⁵¹⁶ Ahmadinejad, 30 October 2007.

¹⁵¹⁷ Memarian 2006 in reference to Ahmadinejad.

that “[i]f we take a step back, they’ll come rushing forwards”¹⁵¹⁸ and that “if we stop even for one moment, enemies will achieve their goals”¹⁵¹⁹.

In line with the revolutionary idea of Iran as a vanguard of a more just world order, Iran viewed capitulation, not only as reducing its own independence and chances for development but also as setting a precedent for undermining the rights of other NNWS. As Zarif explained in December 2006, “[i]nternational law and international treaties cannot be the subject of arbitrary, fluctuating and self-serving reinterpretations, readjustments or red lines even if they are connivingly imposed through resolutions”, and that “[s]uch a precedent is dangerous for everyone”.¹⁵²⁰ The dangers here had to do with the undermining of the non-proliferation regime, and more generally, with trampling of the rights of all NNWS and developing countries. As stated in Iran’s response to the P5 plus one proposals in August 2006, “[a]ction by the Security Council can shake and devastate the foundations and principles of the [NPT] and the Charter of the [UN]”, and “[d]efending the right to conduct research, develop and use the peaceful nuclear energy is not solely Iran’s responsibility, but indeed the common responsibility for all parties to the NPT”¹⁵²¹.

Religious history was also presented as background for Iran’s policy of resistance. For example, in March 2007 Ahmadinejad stressed “the need to confront and resist with full strength the plots and moves of the enemies of Islam and the Islamic Republic”, after which he referred to the “magnificent example of resistance by Imam Hussein”, the following of which would bring Iran “further prosperity, glory and victory”¹⁵²². The president also explained that “[r]esistance against bullying powers and extremists as well as defending oppressed nations of the world are also among Imam’s aspirations”.¹⁵²³

Persistence on the chosen path of resistance was seen to make Iran victorious, and signify defeat for those who wanted to harm the country, and who were already on the losing side. For example, Ahmadinejad said that “[s]tabilization of Iran’s nuclear right will lead to gathering all world nations under the country’s political banner”¹⁵²⁴, and that the “perseverance of the Iranian nation and the Supreme Leader [...] have made the country victorious in terms of the logic of the nuclear programme”¹⁵²⁵. He further argued that “[a]ll political equations were linked to [...] the way the country would deal with some big powers”, noting that “this was the era of prosperity, victory of justice over injustice and the domination of monotheism”¹⁵²⁶. As for the enemies’ defeat, the president said that “[e]nemies are making use of their last potentials against the Islamic Iran which will bear no fruit”¹⁵²⁷; that they “are under harsh conditions, making their last ditch efforts to deprive the Iranian nation from their legal rights but to no avail”, and that their illegal actions has damaged their own prestige”¹⁵²⁸, and spoiled their own reputation¹⁵²⁹. As for Obama’s diplomatic

¹⁵¹⁸ Ahmadinejad, 23 February 2007.

¹⁵¹⁹ Ahmadinejad, 24 May 2007.

¹⁵²⁰ Zarif, 23 December 2006.

¹⁵²¹ Iran’s Response to the P5+1 Package, August 2006.

¹⁵²² Ahmadinejad, 7 March 2007.

¹⁵²³ Ahmadinejad 2 February 2008.

¹⁵²⁴ Ahmadinejad, 24 May 2007.

¹⁵²⁵ Ahmadinejad, 11 February 2008.

¹⁵²⁶ Ahmadinejad, 11 February 2008.

¹⁵²⁷ Ahmadinejad, 24 May 2007

¹⁵²⁸ Ahmadinejad, 30 June 2007.

¹⁵²⁹ Ahmadinejad, 11 February 2008.

overtures in 2009, they were presented by Ahmadinejad as concrete signs of the other side's defeat. As he argued in August 2009, "now that the western powers have been defeated they are interested in establishment of friendly ties with the Iranian nation", and that they "have sent messages to the Iranian government announcing their readiness to establish amicable ties with the Iranian people"¹⁵³⁰.

Reversing the repeated arguments particularly by the Western P5 that the resolution of the issue depended on whether Iran would make the right choice by complying with their demands, Iran was of the opinion that it was the other side that was facing the crucial choice. In the Iranian response to the P5+1 package, for example, it was said that—given the doubts about the "sincerity of at least some members of the 5+1 in their declared intention to establish comprehensive relations and cooperative exchanges"—"these governments should come forward with assurances, commitments and indications that demonstrate revision in past behavior and absence of intentions to contain Iran or seek a pretext for hostile actions in advance of the negotiations"¹⁵³¹, and that "[e]verything hinges now on your [P5 plus one] interest, inclination and intention"¹⁵³². Ahmadinejad, in turn, argued that "[w]e advise you to correct your mistakes in dealing with Iranian nation"¹⁵³³, and "not to insist on your mistakes"¹⁵³⁴, and that "you should abandon your 'ugly deeds, selfishness and bullying'"¹⁵³⁵. Ahmadinejad also appealed to "the foreign powers in the region 'to return to their own countries'" and—now referring to them as the "ill-wishers and arrogant powers"—"to change their stands and approach towards Iran and in favor of the humanity and Islamic values"¹⁵³⁶.

The US, in particular, would need to change its attitude. As Ahmadinejad explained in 2007, "if the U.S. government puts aside some of its old behaviors" and "recognizes the rights of the Iranian people, respects all nations and extends a hand of friendship with all Iranians", "it can actually be a good friend for the Iranian people, for the Iranian nation", or even be among "its best friends".¹⁵³⁷ Iran's 2006 response to the P5+1 proposals also called for "responsible and logical behavior" from the part of the P5+1 group¹⁵³⁸.

7.3.3.2 Vietnam

In March 2008, the Vietnamese Ambassador Le Luong Minh said the following: "[h]aving decided to vote in favour of the draft resolution, we are strongly convinced that favourable conditions must be created for the peaceful resolution of the Iran nuclear issue, including cessation of hostile policies against Iran, [and] assurance of Iran's legitimate security interests"¹⁵³⁹. In other words, Ambassador Le Luong Minh was suggesting that Iran was currently subjected to policies which were hostile to the degree that they undermined its national security, and which decreased the chances of peaceful resolution.

¹⁵³⁰ Ahmadinejad, 16 August 2009.

¹⁵³¹ Iran's Response to the P5+1 Package, August 2006.

¹⁵³² Iran's Response to the P5+1 Package, August 2006.

¹⁵³³ Ahmadinejad, 25 August 2007.

¹⁵³⁴ Ahmadinejad, 11 February 2008.

¹⁵³⁵ Ahmadinejad, 23 February 2007.

¹⁵³⁶ Ahmadinejad, 22 September 2009.

¹⁵³⁷ Ahmadinejad, 24 September 2007.

¹⁵³⁸ Iran's Response to the P5+1 Package, August 2006.

¹⁵³⁹ Le Luong Minh, 3 March 2008.

7.4 Summary of chapter 7

Like the previous chapter, this one also highlighted Western P5 unity on the key issues that contributed to Iran's criminalisation. It showed that the UK, US and France all viewed Iran's NPT-given rights to peaceful nuclear energy as conditional of obligations, meaning that they regarded the demand for the country to suspend fuel cycle activities as a legitimate response to its past safeguards violations. This view is consistent with the solidarist idea that the law-breaker loses some of its legal rights by breaking the law. This chapter also showed that the Western P5 rarely made a connection between Iran's and their own obligations under the NPT. Even when this issue was taken up by President Obama and Prime Minister Brown, neither presented their own unmet disarmament commitments as undermining the demands they were making for Iran—on the contrary, they suggested that they were doing their best to meet these commitments and that this gave them even more leverage over Iran. The US, UK and France also suggested that—by having offered Iran generous deals in June 2006 in October 2009—they had already done their share of diplomatic efforts. From their perspective, then, Iran alone was to blame for the deadlocked situation (even though this view was somewhat tempered by Obama's criticism of the Bush administration's approach—see chapter 8). Moreover, the Western P5 argued that the resolution of the dispute hinged on Iran's ability to make the right choice by accepting the offers that they had made together with Germany. The fact that Iran did not make this allegedly 'simple' and 'rational' choice was viewed as yet another sign of its low interaction capacity. In practice, however, this choice was complicated by the US and UK tendency to link the nuclear issue with their grievances and demands regarding other aspects of Iran's conduct, which meant that Iran was actually facing several rather vaguely articulated choices, including a more comprehensive change of both foreign policy and domestic identity.

Both Russia and China were in line with the Western P5 on one issue: namely, they were equally oblivious to the connection between Iran's non-proliferation obligations and their own disarmament commitments. China also agreed with the US, UK and France on the conditionality of Iran's rights, whereas Russia clearly set itself apart from the rest of the P5 on this issue. The Russian leaders gave ambiguous statements on whether they regarded Iran's rights as inalienable or conditional: on the one hand the Russian support for the UN resolutions, as well as its related calls for Iran to comply with them, suggested that Russia shared the other P5's views on this matter but, on the other hand, Putin suggested that Iran's nuclear rights, including the right to uranium enrichment, were inviolable. Moreover, while presenting itself as fulfilling its duties in supporting Iran's rights under the peaceful use pillar, Russia criticized the other P5 for not respecting those rights in practice. Although China did not make similar statements, it nevertheless stressed that Iran's concerns about its nuclear rights should be taken seriously, as they were not entirely unfounded. Both Russian and Chinese statements suggested that all parties were equally responsible for trying to find a negotiated resolution and for showing willingness to compromise. Underlying this view, it is possible to see the idea that the nuclear dispute represented a collective failure to resolve a political conflict, rather than just Iran's failure to meet its legal obligations. As part of this kind of rhetoric, Russia suggested that it was not only Iran but also their fellow P5 who were acting unreasonably in the dispute.

As for the non-permanent members, Costa Rica, Croatia, Japan and Panama seemed to agree with the Western P5 and China that the limitation of Iran's rights was justified because the latter were conditional of obligations. Belgium, Burkina Faso, Congo, Japan and Slovakia, for their part, joined the Western P5 in focusing solely on Iran's responsibility to make the 'right choice'. Five of these states—i.e. Belgium, Congo, Croatia, Japan and Slovakia—also did not highlight any mitigating circumstances in a way that might have made Iran's conduct seem more understandable¹⁵⁴⁰.

Burkina Faso, Costa Rica and Panama, on the other hand, did refer to such circumstances: while Burkina Faso expressed reservations towards sanctions on the basis of recognizing the NNWS's NPT-given rights, Costa Rica was the most vocal critic of the P5's unfulfilled disarmament commitments. The latter was also the only one to articulate the implications of such double standards to the Iranian issue. Congo, Ghana, Indonesia, Libya, Qatar, South Africa and Vietnam also raised the issue of the P5's disregard of their disarmament obligations, even though their statements were not as strong as Costa Rica's. In addition, Indonesia lamented the lack of guarantees given to NNWS regarding their rights under the peaceful use pillar. Panama, in turn, agreed with Russia and China—as well as Argentina, Libya, Qatar, South Africa, Tanzania and Vietnam—that all parties were equally responsible for trying to find a negotiated resolution and for showing willingness to compromise.

Iran, for its part, was unambiguously of the opinion that the NNWS' NPT-given right to fuel cycle activities was absolutely inviolable. In addition to this question of principle—which was already discussed in chapter 6—Iran explained its resistance to the UN demands in terms of the lack of trust on the P5. In other words, Iran did not think that the P5 could be trusted in supporting its nuclear programme even if it would give up enrichment activities. On the contrary, Iran believed that concessions would lead to further demands and, ultimately, an end to the entire nuclear programme. In this connection, Iran complained that it had been denied its rights under the peaceful use pillar long before the current crisis. In addition to accusing the P5 for not meeting their obligations in this regard, Iran also criticised them for their unmet disarmament commitments. Moreover, the Iranian officials thought that concessions regarding enrichment were likely to lead to political demands unrelated to the nuclear issue. From the Iranian perspective, the resolution of the dispute hinged on Western powers to give up their hostile policies: illustrative of the deadlock, Iranian statements mirrored those of the western P5 in that Iran, too, claimed that it had shown as much flexibility as it could afford.

¹⁵⁴⁰ Although Slovakia did stress the inviolability of the rights to civilian nuclear power, it saw no contradiction with this issue and the UN demands to Iran (see section 7.1).

8 Norm-enforcement

This chapter focuses mainly on the question of Security Council consensus regarding enforcement measures, i.e. it is relevant for assessing international consensus regarding the third condition (C) of the solidarist paradigm. Despite historic agreement on those multilateral economic sanctions that were already imposed by the Security Council, section 8.1 shows that the actors held different views about the nature and usefulness of sanctions, as well as about their importance in relation to the so-called ‘diplomatic track’. Section 8.2 adds to these divisions by extending the discussion to the more controversial—actual or potential—methods of norm-enforcement, that is, unilateral sanctions and the military option. Iran’s criticism and responses to the P5+1’s approach, as well as its own suggestions for finding a mutually acceptable solution are likewise included in the discussion.

8.1 The ‘dual track’ approach of sanctions and diplomacy

Since 2006, the Security Council members agreed on key points regarding the implementation of sanctions on Iran. They also shared the view that—together with diplomatic engagement—sanctions were part of a so-called ‘dual-track’ approach, which also included diplomacy and which aimed to persuade Iran to change its nuclear policy so as to build confidence in its intentions. The P5 thus seemed to share the belief that they could appeal to the Iranian leadership to change its conduct through the power reasoning and argument. At the same time, it was obvious that in reality they thought that coercion was needed alongside rhetorical persuasion. As shown in the following sections, however, there were differences among different Council members regarding their views on the significance of sanctions and pressure in relation to diplomatic engagement.

8.1.1 US, UK, France, Belgium, Croatia, Italy, Japan and Slovakia: focus on sanctions

The US, UK and France frequently stressed the need to adopt further measures if Iran would continue its policy of defiance, and—as it did—they also argued that sanctions were inevitable. Despite the fact that there were no talks between the P5+1 and Iran until summer 2008, these Western P5 countries suggested, throughout the period under study, that there was also a diplomatic aspect to their ‘dual track’ approach. The views of Belgium, Croatia, Italy, Japan and Slovakia are likewise included in this section due to their affinity with the P5 approach.

8.1.1.1 The US

Anticipating from early on the possibility that Iran would not comply with the UN demands, the Bush administration constantly expressed its readiness to impose new sanctions¹⁵⁴¹ and warned that

¹⁵⁴¹ Bolton (31 July 2006), for example, said that “[w]e need to be prepared [...] that Iran might choose a different path”, and then referred to the intention of the US and some other states “to adopt measures under Article 41 in the event that Iran does not comply”.

Iran's persistence on the path of defiance and obstruction¹⁵⁴² would lead to further action¹⁵⁴³, "further isolation", and "financial difficulty"¹⁵⁴⁴. This also applied to the Obama administration, which likewise made clear that it was "not foreclosing a range of steps, including much stronger international sanctions, in assuring that Iran understands that we are serious"¹⁵⁴⁵. Obama also spoke of "increased isolation" and "international pressure" as an alternative to Iran's current path¹⁵⁴⁶, and said that, "if Iran does not respond to serious negotiations and resolve this issue in a way that assures the international community that it's meeting its commitments, and is not developing nuclear weapons, then we will have to take additional actions and [...] serious additional sanctions, remain a possibility"¹⁵⁴⁷. Moreover, the US officials highlighted the inevitability of the sanctions whenever they were imposed, stressing that Iran's conduct had left the Security Council "no choice but to act"¹⁵⁴⁸. Furthermore, the US officials put a lot of emphasis on calling for vigilance in the implementation of sanctions, and repeatedly voiced the concern that sanctions measures were not being sufficiently implemented by other countries and might thereby end up being ineffective¹⁵⁴⁹.

Despite their focus on sanctions, both the Bush and the Obama administration put a lot of effort in highlighting their determination to solve the Iranian nuclear issue 'diplomatically', thus showing that they too supported the diplomatic track. In the case of the Bush administration, however, the diplomatic track remained only a hypothetical possibility, as direct negotiations remained conditional of Iran meeting the demand to suspend enrichment. As Bush argued in April 2007, "we've said to the Iranians, we will talk with you, but first do what the world has asked you to do, and suspend the enrichment of uranium". He justified the refusal to negotiate with Iran by saying that "just talking for the sake of talking doesn't yield positive results", and that, "[a]s a matter of fact, it can reaffirm behavior that is not in our interests".¹⁵⁵⁰ Indeed, the meaning of diplomacy during the Bush administration primarily referred to the activity of convincing others about the need to contain the country through sanctions. For example, Bush explained that "the first choice" to deal with the Iranian issue is "to do it diplomatically [...] and that's why we're working on the sanction regime"¹⁵⁵¹. In 2008 the president claimed that he had changed the US foreign policy "to make it more multilateral because I understand that diplomacy without consequences is ineffective", and that "the only way to achieve consequences through diplomacy is for there to be a universal application, in this case, of sanctions"¹⁵⁵². The big change to which Bush referred was thus the fact that now other countries had finally joined the US in imposing sanctions against Iran.

At the same time, it was also clear that a lot remained to be done to create support for further sanctions. As Bush explained, his government was "rallying friends and allies around the world to isolate the [Iranian] regime, to impose economic sanctions"¹⁵⁵³; "calling upon to the world" to

¹⁵⁴² Bush, 10 June 2008.

¹⁵⁴³ See e.g. Bush 19 June 2006.

¹⁵⁴⁴ Bush, 4 January 2008.

¹⁵⁴⁵ Obama, 18 May 2009.

¹⁵⁴⁶ Obama, 5 April 2009.

¹⁵⁴⁷ Obama, 23 September 2009.

¹⁵⁴⁸ Khalilzad, 3 March 2008.

¹⁵⁴⁹ For example, Khalilzad (11 September 2008) said that "we have encountered a number of attempts by Iran to avoid sanctions through the use of deceptive financial practices", and that "[v]igilance is a matter for each Member State".

¹⁵⁵⁰ Bush, 20 April 2007.

¹⁵⁵¹ Bush, 12 May 2008.

¹⁵⁵² Bush, 13 June 2008.

¹⁵⁵³ Bush, 28 August 2007.

pressure Iran¹⁵⁵⁴, and “convincing others to join us on this Iranian issue”¹⁵⁵⁵. Yet another indication on the focus on the sanctions track, the Bush administration expressed its satisfaction with the diplomatic process particularly after the decisions to bring the Iranian case to the Security Council and to impose sanctions on it. For example, in March, after the imposition of the UN Security Council's 30-day deadline for Iran to stop uranium enrichment, the president expressed his contentment with the diplomatic progress¹⁵⁵⁶. When asked whether the referral of the Iranian case to the UN Security Council was not actually a sign of diplomatic failure, he denied this, saying instead that diplomatic options were “just beginning”¹⁵⁵⁷.

From the perspective of the Bush administration, the sanctions were, above all, messages to the Iranian people. As Bush explained, the aim of the sanctions was to convince “people inside of Iran that there's a better way forward”. He added that, “I constantly speak to the Iranian people and make it clear to them that the isolation that they're now suffering and the economic deprivation that is occurring as a result of isolation is a result of their government's decisions”.¹⁵⁵⁸ Bush also said he believed “that pressure [...] will cause the people inside of Iran to have to make a considered judgment about whether or not it makes sense for them to continue to enrich or face world isolation”. After this he again stressed that the US had “no qualm with Iranian people” that were only “being misled by their government”¹⁵⁵⁹. Some of Bush's remarks allowed the interpretation that, in addition to the need to change their government's policies, sanctions also pointed to the need for the Iranian people to change their entire government. For example, Bush said that “the Iranian people don't need to live under this kind of conditions”; that “threatening the world has caused there to be isolation”, and that “these good folks could have leadership that enables them to have a better economy and a better way of life”¹⁵⁶⁰. Addressing the Iranian people in another occasion, Bush also said that “you can do better than this current government; you don't have to be isolated; you don't have to be in a position where you can't realize your full economic potential”, and “the United States of America will continue to work with our friends and allies in the Security Council and elsewhere to put you in a position to deny you your rightful place in the world, not because of our intention, because of your government's intention”¹⁵⁶¹. (For more on regime change, see chapter 8.2)

The inauguration of the Obama administration held the promise of a fundamental change in the US approach towards Iran. The new president expressed from early on his readiness to engage directly with Iran “without conditions”¹⁵⁶². In this regard, he vocally set himself apart from the Bush administration by criticizing the latter's lip-service to the diplomatic track. As Obama said in May 2009, “part of the reason that it's so important for us to take a diplomatic approach is that the approach that we've been taking, which is no diplomacy, obviously has not worked”. He referred to

¹⁵⁵⁴ Bush, 11 January 2007.

¹⁵⁵⁵ Bush, 10 May 2007.

¹⁵⁵⁶ As Bush (29 March 2006) argued, “I am pleased with the progress we have made on the diplomatic front. As you know, there are now talks of a presidential letter out of the United Nations, and my Secretary of State, working with Ambassador John Bolton, are [...] trying to make sure that there is common consensus, particularly amongst the P5 plus Germany.”

¹⁵⁵⁷ Bush, 28 April 2006.

¹⁵⁵⁸ Bush, 4 January 2008.

¹⁵⁵⁹ Bush, 9 January 2008.

¹⁵⁶⁰ Bush, 19 June 2007.

¹⁵⁶¹ Bush, 9 August 2007.

¹⁵⁶² See for example Obama, 4 June 2009.

Iran's continuing terrorism support and proliferation activities, which demonstrated that Bush's policy of "not talking [...] clearly hasn't worked", and that it was time to "try something new, which is actually engaging and reaching out to the Iranians".¹⁵⁶³ In another occasion, Obama argued that "[i]nstead of arresting the danger; in the last six years, the danger has grown". The new president then promised that "[w]e're determined to change that", which was "why we will pursue direct, principled diplomacy with Iran with the overriding goal of preventing them from acquiring nuclear weapons".¹⁵⁶⁴ Obama also spoke of "tough, direct diplomacy", which he argued was the best way to make Iran "set aside ambitions for a nuclear weapon".¹⁵⁶⁵

As a demonstration of the genuineness of his attempt to engage Iran, Obama adopted a new kind of rhetorical style, which was similar to Clinton's reconciliatory rhetoric from late 1990s. This kind of rhetoric could be heard in Obama's Nowruz speech in March 2009 and the Cairo speech in June 2009. In both occasions the president first referred to the history of bilateral conflict between the US and Iran—saying that "[w]e have serious differences that have grown over time",¹⁵⁶⁶ and that "[f]or many years, Iran has defined itself in part by its opposition to my country, and there is in fact a tumultuous history between us".¹⁵⁶⁷ Like Clinton in late 1990s, in this connection Obama also acknowledged that, "[i]n the middle of the Cold War, the United States played a role in the overthrow of a democratically elected Iranian government".¹⁵⁶⁸ He then continued that, "[r]ather than remain trapped in the past, I've made it clear to Iran's leaders and people that my country is prepared to move forward"¹⁵⁶⁹; that "[m]y administration is now committed to diplomacy that addresses the full range of issues before us, and to pursuing constructive ties among the United States, Iran and the international community", and that "[w]e seek [...] engagement that is honest and grounded in mutual respect".¹⁵⁷⁰ Obama also said that "[t]his process will not be advanced by threats"¹⁵⁷¹, and recognized that "that [t]here's been a lot of mistrust built up over the years, so it's not going to happen overnight".¹⁵⁷² As part of this reconciliatory rhetoric, Obama was much more careful than Bush when it came to criticism of the Iranian political system (see also section 7.3). In his Nowruz speech, for example, the new president made a historic exception to the common American habit of sidelining the Iranian government while sending messages to its people by simultaneously addressing both the Iranian people and their leaders. In effect, positive remarks—such as "you are a great civilization" and "common humanity [...] binds us together"—as well as his call for a brighter "future with renewed exchanges among our people, and greater opportunities for partnership and commerce—where also directed to the Iranian government".¹⁵⁷³

Given that Iran no longer seemed interested in negotiations, however, for the most part of 2009 it remained unclear what diplomatic engagement would mean in practice. In effect, Obama soon adopted a tougher line and new sense of urgency by setting an unofficial end-of-the-year deadline for Iran to begin negotiating. As the president said in May 2009, "by the end of the year I think we

¹⁵⁶³ Obama, 18 May 2009.

¹⁵⁶⁴ Biden, 5 May 2009.

¹⁵⁶⁵ Obama, 2 June 2009.

¹⁵⁶⁶ Obama, 20 March 2009.

¹⁵⁶⁷ Obama, 4 June 2009.

¹⁵⁶⁸ Obama, 4 June 2009.

¹⁵⁶⁹ Obama, 4 June 2009.

¹⁵⁷⁰ Obama, 20 March 2009.

¹⁵⁷¹ Obama, 20 March 2009.

¹⁵⁷² Obama, 9 February 2009.

¹⁵⁷³ Obama, 20 March 2009.

should have some sense as to [...] whether we're starting to see serious movement on the part of the Iranians". He added that, "[i]f that hasn't taken place, then I think the international community will see that it's not the United States or Israel or other countries that are seeking to isolate or victimize Iran; rather, it is Iran itself which is isolating itself".¹⁵⁷⁴ In June he said that "we do want to make sure that by the end of this year we've actually seen a serious process move forward, and I think that we can measure whether or not the Iranians are serious", and that, although "there's no guarantees that they respond in a constructive way [...] that's part of what we need to test".¹⁵⁷⁵ Elsewhere, too, Obama warned that "we are reaching a critical point"; that "I'm not just going to talk just for talking sake", and that "[i]f I don't see meaningful progress in these talks, then that will indicate to me that the Islamic Republic is not serious".¹⁵⁷⁶

The idea of negotiations 'without conditions' was somewhat undermined by the fact that the old rhetoric of the 'Iranian choice' continues, suggesting that the only acceptable outcome still remained Iran's full compliance with the UN demands. For example, in April 2009 Obama said that "[w]e believe in dialogue [...] but in that dialogue we will present a clear choice", after which he evoked again the familiar Iranian choice between compliance and isolation¹⁵⁷⁷. The rhetoric on the Iranian choice intensified towards the October 2009 negotiations. As press secretary Gibbs explained in September, the diplomatic approach was "at a point in which we are about to confront face-to-face on behalf of the world the intention of the Iranians and their nuclear programme", and to "give them the opportunity to state for the world and to demonstrate through its actions, not just its words, its responsibilities"¹⁵⁷⁸. Obama, for his part, explained that "when we meet with them [Iranians...], they are going to have to come clean and they are going to have to make a choice: Are they willing to go down the path which I think ultimately will lead to greater prosperity and security for Iran, giving up the acquisition of nuclear weapons, and deciding that they are willing to abide by international rules and standards in their pursuit of peaceful nuclear energy; or will they continue down a path that is going to lead to confrontation?"¹⁵⁷⁹. Moreover, after the Geneva meeting, he built up the expectations by stressing that this 'constructive beginning' "must [also] be followed by constructive action by the Iranian government", and that "Iran must demonstrate through concrete steps that it will live up to its responsibilities with regard to its nuclear programme"¹⁵⁸⁰.

The sense of urgency and impatience intensified before and after the Vienna negotiations. For example, Gibbs stressed in September that "this is not talk for talk sake", recalling that "there's a specific agenda and specific problems" and threatening that "if they're not dealt with responsibly by the Iranians that stronger measures will be developed and implemented to ensure that they do"¹⁵⁸¹. Obama, in turn, said on the day of the negotiations that "[i]f Iran does not take steps in the near future to live up to its obligations, then the United States will not continue to negotiate indefinitely, and we are prepared to move towards increased pressure"¹⁵⁸². As it began to seem that Iran would reject the new swap deal offer—and as Obama's unofficial end-of-the-year deadline drew closer—a

¹⁵⁷⁴ Obama, 18 May 2009.

¹⁵⁷⁵ Obama, 1 June 2009.

¹⁵⁷⁶ Obama, 4 June 2009.

¹⁵⁷⁷ Obama, 5 April 2009.

¹⁵⁷⁸ Gibbs, 29 September 2009.

¹⁵⁷⁹ Obama, 25 September 2009a.

¹⁵⁸⁰ Obama, 1 October 2009b.

¹⁵⁸¹ Gibbs, 30 September 2009.

¹⁵⁸² Obama, 1 October 2009a.

new sanctions resolution again began to seem inevitable. As Obama's press secretary explained at the time, if the Iranians would not live up to their responsibilities, "then time will run out and we will move to the next step"¹⁵⁸³. At the Security Council meeting in December 2009, Ambassador Rice, too, suggested that new sanctions were needed; as she said, "[s]hould Iran continue to fail to meet its obligations, the international community will have to consider further actions"¹⁵⁸⁴.

8.1.1.2 The UK

Like the US, the UK focused on the non-diplomatic track, stressed the inevitability of sanctions, and called for vigilance in their implementation. Criticising Iran's continuing defiance and refusal to engage with the P5+1 in a serious manner¹⁵⁸⁵, the UK officials warned that persistence on the wrong path would lead to "tougher sanctions"¹⁵⁸⁶; "continued confrontation"¹⁵⁸⁷, and "isolation through the potential pressure of sanctions, not just from Britain, but from many other countries"¹⁵⁸⁸. Or, as Brown argued in August 2009, it would lead to a situation where Iran would be "ostracised and excluded because of [its] decision to break the [NPT] and to hide from the world what they are doing to build up nuclear-weapon power"¹⁵⁸⁹. He also said in June 2008 that, "if Iran continues to ignore united resolutions to ignore our offers of partnership, we have no choice but to intensify sanctions"¹⁵⁹⁰. The British UN ambassadors, in turn, explained in July 2006 and September 2008 that "there was no alternative but to seek today's resolution"¹⁵⁹¹, and that "given the absence of cooperation by Iran, we have no alternative but to start a discussion with our partners on further measures"¹⁵⁹². As an example of British concerns over vigilance in the implementation of sanctions, the ambassadors argued in December 2006 and March 2007 that it was "vital that all states implement the resolution [1737] as fully and comprehensively as possible"¹⁵⁹³, and that "[w]e urge vigilance over the supply of heavy weapons to Iran", and "restraint in making finance available to the Government of Iran"¹⁵⁹⁴.

Indeed, the UK suggested that firmness was the most important asset in dealing with Iran. For example, Blair said in February 2007 that "the tougher we are in insisting that Iran comply and indeed be prepared to take tough measures on sanctions and diplomatic action if they don't, then the more likely we are to get the result we want". He also stressed that "[a]ny sign of weakness is absolutely fatal"¹⁵⁹⁵. Brown, too, called for firmness and stated his readiness to back further sanctions. For example in October 2007 Brown said that "we are prepared to step up sanctions, both UN sanctions and EU sanctions, and nobody should be in any doubt about our resolve on these issues and our determination to bring together the whole international community to make it clear to

¹⁵⁸³ Gibbs, 16 December 2009.

¹⁵⁸⁴ Rice, 10 December 2009.

¹⁵⁸⁵ For example, Sawers (11 September 2008) expressed his disappointment "that Iran has not engaged seriously, despite the refreshed offer from the EU 3+3".

¹⁵⁸⁶ Brown, 17 March 2009.

¹⁵⁸⁷ Brown, 30 April 2009.

¹⁵⁸⁸ Brown, 26 September 2009.

¹⁵⁸⁹ Brown, 26 August 2009.

¹⁵⁹⁰ Brown, 16 June 2008.

¹⁵⁹¹ Jones Parry, 31 July 2006.

¹⁵⁹² Sawers, 11 September 2008.

¹⁵⁹³ Jones Parry, 23 December 2006.

¹⁵⁹⁴ Jones Parry, 24 March 2007.

¹⁵⁹⁵ Blair, 27 February 2007.

Iran that such behaviour that is unacceptable has got to be brought to an end”¹⁵⁹⁶. Indeed, the most important thing for Brown seemed to be for Iran to “be in no doubt about our seriousness of purpose”¹⁵⁹⁷. He also emphasised the importance of “leav[ing] people in no doubt about both the risk that is entailed for the world community [...] by Iranian ambitions for nuclear weapons, but at the same time our determination as nations working together [...] to take the action that is necessary through sanctions”¹⁵⁹⁸. The Queen, too, threatened in December 2008 that “[p]ressure on Iran will only grow if [Iran] fails to come to the negotiating table”¹⁵⁹⁹.

The UK praised the international unity behind the sanctions and expressed the view that these measures were having an effect. As Blair explained, “over Iran [...] the unity of the UNSC has been excellent”¹⁶⁰⁰ and that, “[o]ver Iran [...] Europe and the USA have not been closer since the Iraq conflict”¹⁶⁰¹. Brown, in turn, said he firmly believed “that the sanctions [...] on Iran are [...] having an effect already”¹⁶⁰², that they “are working”, and “that we should step them up if it becomes necessary and they will be shown to be working even more successfully”¹⁶⁰³. In April 2008, the PM referred to “high inflation in Iran that is not properly disclosed by the regime”, suggesting that it partly demonstrated “the effect that sanctions are actually beginning to have on that country”¹⁶⁰⁴. On the one hand, he suggested that the message of the sanctions was directed at Iranian leadership. As Brown argued, this kind of policy would send “the strongest possible message [...] that we take this seriously”¹⁶⁰⁵, and “make it absolutely clear to the Iranian regime that we will not accept the course that they are embarked upon”¹⁶⁰⁶. However, underlying this view there also seemed to be the idea of appealing to the Iranian people. While Blair addressed the Iranians by saying that “[t]he disagreements we have with your government we wish to resolve peacefully through dialogue” and by emphasizing that “we bear you no ill will”¹⁶⁰⁷, Brown’s message to them was that “you do not have to choose the path of confrontation”¹⁶⁰⁸.

As for the ‘diplomatic track’, the UK joined the Bush administration in rejecting the idea of direct diplomacy with Iran. When asked about the possibility of engaging Iran, Blair suggested that there was nothing to talk about, because Iran was already aware of the choice it would have to make. As the PM explained in August 2006:

...the thing that always surprises me about this is that people talk about this issue of engagement with Iran and Syria as if there was some doubt about what we were saying, or where we stood, or maybe the message hadn't been clear enough. Actually the message is absolutely clear, the message is if you stop supporting terrorism, if you stop trying to acquire nuclear weapons and breach your international obligations then we are willing to have a partnership with you, but if you export terrorism around the region and destabilise democracy in Iraq, we will confront you. [...] I am afraid I have come to the

¹⁵⁹⁶ Brown, 23 October 2007.

¹⁵⁹⁷ Brown, 12 November 2007.

¹⁵⁹⁸ Brown, 23 October 2007.

¹⁵⁹⁹ Queen Elizabeth II, 3 December 2008.

¹⁶⁰⁰ Blair, 30 July 2006.

¹⁶⁰¹ Blair, 2 February 2006.

¹⁶⁰² Brown, 23 July 2007.

¹⁶⁰³ Brown, 23 October 2007.

¹⁶⁰⁴ Brown, 17 April 2008.

¹⁶⁰⁵ Brown, 23 October 2007.

¹⁶⁰⁶ Brown, 23 October 2007.

¹⁶⁰⁷ Blair, 4 April 2007.

¹⁶⁰⁸ Brown, 16 June 2008.

conclusion that this is not an issue of communication, it is not that people can't read our handwriting, it is actually that they lack the will to do what they need to do and we need to make sure they have that will.¹⁶⁰⁹

Blair thus thought negotiations with Iran on any of the issues of concern would be useless because Iran was continuing its dubious activities both in the nuclear field and terrorism support. Again in 2007, Blair said that “we are perfectly happy to talk to them, it is not a problem with talking to them, the question is what is the conversation about, given that they are saying they are not going to suspend enrichment, they are still supporting extremism in Iraq, in Lebanon, in Palestine, and they are not showing any signs that they are prepared to stop doing that”¹⁶¹⁰. Under these circumstances, the British talk about a ‘dual track’ approach seemed not to reflect reality. Indeed, as evident in the Queen’s remarks from December 2008, the diplomatic track only referred to the hypothetical possibility of talks in case Iran would accept the P5+1 offer. As she said that “[t]he UK Government fully supports the ‘dual-track’ policy of pressure and engagement”, specifying that, “[o]n the pressure side”, there were the UN and the EU sanctions and, on the other, the “generous [P5+1] offer”¹⁶¹¹.

The on-going talk about the ‘dual-track strategy’ in 2009 thus disguised a change of approach, as the UK was now also going to take part in Obama’s new direct diplomacy, without conditions. As the British UN ambassadors explained prior to the October 2009 talks with Iran, “[w]e and our partners in the E3+3 continue to pursue a dual-track strategy”¹⁶¹²; “[t]he E3+3 has made clear that it wants to engage with Iran”, and “[w]e hope that Iran will quickly decide to do so and move quickly to take forward the offers of engagement by both the United States and the international community”¹⁶¹³. Like Obama, Brown had high expectations from the October 2009 meeting. The previous month he said, for example, that “[w]e would need to see serious development leading up to the October 1st meeting”¹⁶¹⁴ and that the “October 1st meeting is a chance for Iran to come to the international community and to answer some of the questions that have been raised of it”¹⁶¹⁵. Given the high expectations, the fruitless meeting in Vienna merely seemed to confirm the uselessness of diplomatic engagement with Iran: in November 2009 Brown resorted to the familiar old rhetoric on sanctions, arguing that, given Iran’s rejection of the October offer, “it is now not only right but necessary for the world to apply concerted pressure to the Iranian regime”¹⁶¹⁶. The UN ambassador Lyall Grant, in turn, said in the December 2009 meeting at the Security Council that, “[i]f Iran continues to choose not to engage with us, we shall need to seek further sanctions”, and that its refusal of the Vienna group’s offer had demonstrated “once again [Iran’s] unwillingness to engage seriously with the international community”. He also said that, “[i]nstead of engaging with us, Iran chooses to provoke and dissemble”.¹⁶¹⁷

¹⁶⁰⁹ Blair, 1 August 2006.

¹⁶¹⁰ Blair, 27 February 2007.

¹⁶¹¹ Queen Elizabeth II, 3 December 2008.

¹⁶¹² Sawers, 10 March 2009.

¹⁶¹³ Parham, 15 June 2009.

¹⁶¹⁴ Brown, 25 September 2009.

¹⁶¹⁵ Brown, 26 September 2009.

¹⁶¹⁶ Brown, 16 November 2009.

¹⁶¹⁷ Lyall Grant, 10 December 2009.

8.1.1.3 France

Although in September 2006 Chirac still stated his reservations against sanctions—saying that “[e]xperience has shown that sanctions never lead to anything positive, especially with a great and proud people that have an ancient civilization like Iran”¹⁶¹⁸—by the end of the year France had become a supporter sanctions by giving its vote to resolution 1737. Even after this, Chirac still tentatively signalled his reluctance to impose sanctions: in February 2007 he explained that “of course we can go further and further, higher and higher up the scale in our reactions on both sides” but that this was “certainly not our thinking and our intention”, for “we wanted [...] to reach a result [...] that would comply with both N.P.T. obligations and I.A.E.A. controls”¹⁶¹⁹. At the same time, however, the president expressed support for the chosen approach by highlighting the importance of international unity: he argued that, “if we split, it’s a great victory in a way for those in Iran who have the hardest line”¹⁶²⁰.

Sarkozy, in turn, stressed the inevitability of sanctions as a response to Iran’s persistence on the wrong path. He repeatedly stressed Iran’s wrong decisions which left the Security Council no other choice than to impose further sanctions. For example, in 2007 the president said that it was “necessary that the community continues to increase international pressure on Iran”¹⁶²¹, and that, “to prevent Iran from having nuclear weapons, we must strengthen sanctions”¹⁶²². In 2008 he explained that “Iran refuses to listen to reason”, wherefore it was “necessary to take steps to make it understand that we will never accept an Iran with nuclear weapons”¹⁶²³, and that, “[a]s Iran chose a *fait accompli*, we have no choice but to strengthen its isolation”¹⁶²⁴. After welcoming the broad support for resolution 1803 in March 2008, Sarkozy said that “Iran must understand that the price to pay to continue to flout its international obligations will increase”¹⁶²⁵. In 2009 he explained that he continued “to believe that [...] the sanctions policy remains relevant”¹⁶²⁶, and that, “[i]f Iran persists in refusing to comply with its international obligations, we will lend our support to new measures to isolate the Iranian regime”¹⁶²⁷.

As noted in the background chapter, France was also active in campaigning for the unilateral European sanctions against Iran. As Sarkozy argued in February 2008, the Iranian “*fait accompli* [...] requires new sanctions by the Security Council and the European Union”, as well as “withdrawal of companies who have economic financial relations with that country”¹⁶²⁸. When asked whether this new approach of unilateral sanctions—which would have direct consequences for French companies, such as Total or Gaz de France—did not signify a major break from the past, Sarkozy explained that “France will not have two languages”, and that “therefore we strongly recommend to French companies to refrain from going to Iran while sanctions procedures

¹⁶¹⁸ Chirac, 19 September 2006b.

¹⁶¹⁹ Chirac, 30 January 2007.

¹⁶²⁰ Chirac, 30 January 2007.

¹⁶²¹ Sarkozy, 27 December 2007.

¹⁶²² Sarkozy, 23 September 2007b.

¹⁶²³ Sarkozy, 25 January 2008.

¹⁶²⁴ Sarkozy, 13 February 2008.

¹⁶²⁵ Sarkozy, 27 March 2008.

¹⁶²⁶ Sarkozy, 20 March 2009.

¹⁶²⁷ Sarkozy, 6 July 2009.

¹⁶²⁸ Sarkozy, 13 February 2008.

have been determined by the international community”. He added that, “if the sanctions are not sufficient, I want a third round of stronger sanctions, provided that sanctions can only work”.¹⁶²⁹

The French president too mostly spoke of convincing or persuading Iran leadership to change its behaviour but occasionally also suggested that the purpose of the sanctions was to send a message for the Iranian people. He also believed that the sanctions were having an effect. As the president claimed in late 2007, “sanctions have yielded initial results by pushing Iranian leaders towards greater transparency”, and that “[s]o this proves that they do make the regime think”¹⁶³⁰. In 2008 he again explained that “I do not share the opinion of those who believe that sanctions are useless”¹⁶³¹. Reflecting the view that the sanctions were directed at the Iranian people, he said they would make Iranian society realize the stalemate brought about by the attitude of some of their leaders, which would then lead to “a genuine debate within the Iranian political and civil society” as well as realization that “Iran, like any other country in the world, cannot survive complete isolation”¹⁶³².

As for the French UN ambassadors, they too stressed the inevitability of new sanctions and, like the US and UK, called for vigilance in their implementation. De La Sablière, for example, said in March 2007 said that “the Iranian leaders did not make the choice that the international community had hoped for”, wherefore “the Security Council had no choice but to act”¹⁶³³. Ambassador Ripert, in turn stressed in March that “the responsibility of all and of the Security Council Committee established pursuant to resolution 1737 (2006) is rigorously to implement the rules of the Security Council”, and that “the activity and vigilance of the Committee must be strengthened”.¹⁶³⁴ In June he said that “it is up to us, the Member States, to fully apply the sanctions that were adopted following Iran’s repeated violations of its obligations”, and that “[w]e must insist on the [...] the need for very strict vigilance on our part”¹⁶³⁵. The French UN ambassadors also stressed that the chosen approach was not meant to be punitive. Instead, the sanctions were ‘proportionate’ and ‘reversible’¹⁶³⁶, and aimed at “ensuring the credibility of our approach”¹⁶³⁷—or, more specifically, that they were aimed at the leadership and seek “to penalize the Iranian *people* as little as possible”¹⁶³⁸. This seemed to be at odds with the Bush administration’s interpretation according to which punishing Iranian people was a necessary intermediate goal to reach the ultimate goal, which was a change of regime which in turn was seen to result in change of nuclear policy.

As for the diplomatic track, Sarkozy suggested that it, too, existed alongside the sanctions. For example, in November 2008 he said that the European approach to the Iranian nuclear issue “relies on two pillars: the firmness and dialogue”, meaning that, while being firm, “we must at the same time, maintain an open channel discussions with Tehran”¹⁶³⁹. Sarkozy also believed that sanctions contributed to a diplomatic solution. For example, the president argued that “this crisis will be

¹⁶²⁹ Sarkozy, 23 September 2007b.

¹⁶³⁰ Sarkozy, 9 October 2007.

¹⁶³¹ Sarkozy, 20 June 2008.

¹⁶³² Sarkozy, 23 September 2007b.

¹⁶³³ de la Sablière, 31 July 2006.

¹⁶³⁴ Ripert, 10 March 2009.

¹⁶³⁵ Ripert, 15 June 2009.

¹⁶³⁶ de la Sablière, 31 July 2006.

¹⁶³⁷ Lacroix, 3 March 2008.

¹⁶³⁸ de la Sablière, 24 March 2007

¹⁶³⁹ Sarkozy, 29 November 2008.

resolved if firmness and dialogue go hand in hand”¹⁶⁴⁰; that there was “no opposition between firmness and dialogue”¹⁶⁴¹, and that adopting the former did not mean dialogue would not be wanted because that dialogue in this case had “been made possible by the expression of a certain firmness”¹⁶⁴². At the same time, France affirmed the general P5 position of conditional diplomacy, saying for example in March 2008 that “[w]e reaffirm that we are always willing to engage in dialogue with Iran on the basis of [P5+1] proposals”¹⁶⁴³.

Like in the case of the UK, there was nothing in the French rhetoric in 2009 that would have indicated a change of approach regarding openness for negotiations with Iran, even though the conditions for talks had obviously also been dropped by France. On the contrary, it was suggested that the European approach had been somehow different from that of the Bush administration. As Sarkozy argued, “the new U.S. administration has chosen to join us on the path of difficult dialogue”¹⁶⁴⁴, and that “the US seems willing to engage in a difficult dialogue, just like its European partners have done since 2003”¹⁶⁴⁵. At the time, Sarkozy also said that “[w]e are counting on a diplomatic solution and to meet this challenge”¹⁶⁴⁶, and that “[d]ialogue is essential if we are to convince the Iranians that it is in their interest and that of their country to give up their illegal nuclear programme”¹⁶⁴⁷.

As Iran was not responding to the P5+1’s new diplomatic approach, in August 2009 Sarkozy lamented that there was no positive response to our proposals whatsoever by Iran”, and that even though the Six were prepared to negotiate, they could not do it without “a partner who is prepared to negotiate seriously”. He then explained that “if Iran does not change policy, the question of a very substantial strengthening of sanctions will be posed”, in which connection he again reiterated “France’s support of tough economic sanctions”.¹⁶⁴⁸ He also explained that “the helping hand of President Obama [...] can not indefinitely remain extended for leaders who do not respond” to it¹⁶⁴⁹. Prior to the October 1 negotiations, in September 2009, Sarkozy threatened that “if by December there is not a radical change of policy by the Iranian leadership, sanctions will be undertaken”¹⁶⁵⁰. After the October negotiations, Sarkozy explained that “we are now at a turning point”, that France noted and took seriously the Obama administration’s stated policy of reaching out to Iran, and urged Iran to seize that historic opportunity. He also referred to the proposal made to the Iranians to produce fuel for civilian purposes with their uranium”, highlighting that “Iranian leaders have an extraordinary and historic opportunity to show their willingness to cooperate in putting everything on the table, and that “the patience of the international community is not infinite”¹⁶⁵¹. Finally, as it had become clear that Iran would not accept the deal after all, in December France was again proposing further sanctions. Again giving the impression that at least the European members of the P5+1 group had all along been open to negotiations, Ambassador Araud explained in December

¹⁶⁴⁰ Sarkozy, 25 September 2007.

¹⁶⁴¹ Sarkozy, 6 November 2007.

¹⁶⁴² Sarkozy, 6 December 2007.

¹⁶⁴³ Sarkozy, 27 March 2008.

¹⁶⁴⁴ Sarkozy, 25 May 2009.

¹⁶⁴⁵ Sarkozy, 8 March 2009.

¹⁶⁴⁶ Sarkozy, 4 February 2009.

¹⁶⁴⁷ Sarkozy, 10 February 2009.

¹⁶⁴⁸ Sarkozy, 26 August 2009.

¹⁶⁴⁹ Sarkozy, 31 August 2009.

¹⁶⁵⁰ Sarkozy, 25 September 2009c.

¹⁶⁵¹ Sarkozy, 17 November 2009.

2009 that, “[s]ince 2003, we have tirelessly sought to open negotiations with Iran”, and that “for several months now we have involved the United States at the highest level in order to engage Iran in dialogue”. He then said that the “country has responded to none of our proposals”. Araud concluded that “Iran has placed itself in a dangerous deadlock”, and that it is “continues to do its utmost to violate five Security Council resolutions, to reject the slightest confidence-building measures, and to refuse dialogue and transparency after the major revelations that have just been made, we must draw all the necessary conclusions and move on to a new resolution involving sanctions”. He added that “France, for its part, is prepared” to do so, and that “[t]here is no longer any reason to wait”.¹⁶⁵²

8.1.1.4 Belgium, Croatia, Italy, Japan and Slovakia

Belgium, Croatia, Italy, Japan, and Slovakia are included here because, of those non-permanent members that spoke in the Security Council, they were the only ones to express unreserved support for the UN resolutions and the more general P5+1 approach. For example, the Japanese UN Ambassador Oshima characterised resolution 1696 “as a balanced text”, which represented “endorsement by the broad international community of the efforts by [...] (the EU-3) and other partners to achieve non-proliferation in a vital region of the world”. Oshima also said that “Japan believes that the important issue of nonproliferation should be resolved through diplomatic and peaceful means”, adding that “[t]he adoption of today’s resolution constitutes, in our view, a path of such diplomatic efforts”.¹⁶⁵³ The Belgian UN ambassador, in turn, thought that resolution 1737 served “to demonstrate the resolve of the international community to monitor the integrity of the nuclear non-proliferation regime” and that it also reflected “the unanimous resolve expressed by the Security Council [...] to take appropriate additional measures since Iran has ignored the requirements of the Security Council and the [IAEA]”¹⁶⁵⁴. The Slovakian ambassador, for his part, said in March 2007 that “Slovakia supported [all the previous UN resolutions] because they are proportionate, incremental and targeted responses to Iran’s continued failure to comply with international requirements as originally expressed by the IAEA Board”¹⁶⁵⁵. As for resolution 1803, it was welcomed by the Belgian¹⁶⁵⁶ and Croatian ambassadors¹⁶⁵⁷, whereas the Italian representative—in the country’s only statement made in September 2008—aligned himself with the P5+1 approach by explaining that, “[c]onsistent with the position of the European Union, Italy remains committed to solving the Iranian nuclear issue through a dual-track approach based on political dialogue and full implementation of [the previous UN] resolutions”¹⁶⁵⁸.

¹⁶⁵² Araud, 10 December 2009.

¹⁶⁵³ Oshima, 31 July 2006.

¹⁶⁵⁴ Verbeke, 23 December 2006.

¹⁶⁵⁵ Matulay, 24 March 2007.

¹⁶⁵⁶ Matulay (3 March 2008) stated that “we welcome [the adoption of resolution 1803] by a very large majority”.

¹⁶⁵⁷ Jurica (3 March 2008) likewise welcomed resolution 1803, along with “the commitment of the Foreign Ministers of the six countries to continue all diplomatic efforts to resolve the issue”.

¹⁶⁵⁸ Terzi di Sant’Agata, 11 September 2008.

8.1.2 Russia and China, Burkina Faso, Congo, Ghana and Panama: cautious reservations about sanctions

Although Russia and China stood behind the adopted UN sanctions resolutions, they also called for engagement in favour of isolation, and frequently expressed general reservations about the usefulness of sanctions as a policy tool. Arguably concerned with their own relations with Iran, they also highlighted the limited nature of the UN sanctions and criticised the additional sanctions imposed on Iran by the Western P5. As for Burkina Faso, Congo, Ghana and Panama, they voted for the resolutions and did not question the effectiveness of sanctions but still made statements that could be seen to point to certain problems.

8.1.2.1 Russia

Like Chirac's France, in 2006 Russia still stated its opposition to any kinds of sanctions against Iran. Although Putin did express impatience about Iran's lack of response to the P5+1 proposal in summer—saying that that “we cannot wait endlessly” and that “in our opinion this [Iranian response] could happen even sooner”—he softened the remark by saying that “of course in these circumstances we have to take into account the position of the Iranian authorities”, and that “we should get ahead of ourselves and force the situation”. After this, he said that he “would prefer this problem not to be taken back to the Security Council or to talk about sanctions”.¹⁶⁵⁹ Also in other occasions in summer 2006, the president warned that even mere talk about sanctions “could create unfavourable conditions for beginning the negotiating process”¹⁶⁶⁰, and stressed that “[w]e have not reached that point yet”¹⁶⁶¹, and that it was “too early to talk about sanctions”. What was needed instead was “a detailed and profound discussion with the Iranian leadership”.¹⁶⁶²

In July 2006, as the pressure was mounting from the part of the Western P5 to take action, Putin was calling for patience from the international community, saying that “if we start imposing sanctions right now, without even waiting for Iran's response to the [P5+1] proposal [...], we will simply undermine this positive process that had just begun to emerge”. He then cautioned against taking “any hasty steps in this regard”, noting that “these are the kinds of issues where haste is detrimental”, and that “[t]his problem has been going on for several years now”, and asking “what will change if we wait another three weeks?”.¹⁶⁶³ He also said that, even more counterproductive than “waiting endlessly” would be “to get the problem into an impasse from where we won't know how to get out”¹⁶⁶⁴. Russia nevertheless voted for resolution 1696 in the July 2006 Council meeting, in which the Russian Ambassador Churkin said that, “[i]f Iran does not comply with the provisions of the resolution, members of the Security Council have expressed the intention to take appropriate action under Article 41 of Chapter VII Charter”. However, in September 2006 Putin still argued that, “we should reflect together with our partners [...], and hold additional consultations with the Iranians before imposing any kind of sanctions”, and that “[i]t would be better if we managed to

¹⁶⁵⁹ Putin, 6 July 2006.

¹⁶⁶⁰ Putin, 17 July 2006.

¹⁶⁶¹ Putin, 17 July 2006.

¹⁶⁶² Putin, 2 June 2006.

¹⁶⁶³ Putin, 12 July 2006.

¹⁶⁶⁴ Putin, 6 July 2006.

avoid having to impose sanctions of any kind”¹⁶⁶⁵. However, such reservations did not prevent Russia from supporting the three subsequent sanctions resolutions against Iran. Moreover, in March 2007 and 2008, Churkin referred to further measures by stressing that “any further steps taken by the Security Council, if necessary, will also be exclusively peaceful ones”¹⁶⁶⁶, and that, “if necessary, the Council will adopt further measures”¹⁶⁶⁷. Churkin also expressed his belief in the effectiveness of the sanctions. In 2008 he explained that, although the negotiations were not going well at the moment, the sanctions were working¹⁶⁶⁸. Putin, for his part, indicated that he stood behind the chosen approach by stressing the importance of international unity. As he argued in April 2008, “we are keeping in mind all of the concerns of the international community regarding Iran's military programmes, and thus far we have worked constructively with all parties to this process, right up until the UN Security Council's resolution”. He continued by saying that “the important thing is our unity on this issue” and that “[w]e are ready to continue to work in a similar vein.”¹⁶⁶⁹

Nevertheless, Russia continued to express its reservations against further sanctions. For example, in May 2007 Putin said that one should “not drive the situation into deadlock”¹⁶⁷⁰, and in October 2007 he asked “[w]hy exacerbate the situation now, pushing it towards deadlock and threatening sanctions and military action?”¹⁶⁷¹. Russia also highlighted that sanctions were reversible, that they were not punitive, that they were only a means to an end, rather than a goal in themselves, and that engagement was more important than sanctions. Churkin, for example, made clear that sanctions would be suspended and a “solid political settlement of the Iranian nuclear problem” reached as soon as Iran would suspend uranium enrichment¹⁶⁷², and that the sanctions were “in no way aimed at punishing Iran”¹⁶⁷³. The Russian ambassador also highlighted Russia's positive influence in the Security Council, arguing that when Russia had joined the process in 2006, the discussion had revolved exclusively around sanctions, and that it had been Foreign Minister Lavrov that eventually persuaded others of the importance of the diplomatic track.¹⁶⁷⁴ Putin, too, argued in April 2008 that “instead of putting pressure on Iran it would be better to examine what can be done to make Tehran more open”¹⁶⁷⁵.

Arguably concerned about the effects on Russian-Iranian relations, the Russian officials put a lot of effort in highlighting the limited nature of the sanctions. For example, Churkin stressed in December 2006 that “cooperation with Iran in areas and using resources that are not restricted by the draft resolution [1737] shall not be subject to the draft resolution's restrictions”¹⁶⁷⁶. A few days later, the Russian foreign minister explained to Putin that Russian support for resolution 1737 had been an attempt to find a balance “between the three following goals – first, to prevent the violation of nuclear weapons non-proliferation regime; second, to ensure continuing talks with Iran on its

¹⁶⁶⁵ Putin, 9 September 2006.

¹⁶⁶⁶ Churkin, 24 March 2007.

¹⁶⁶⁷ Churkin, 3 March 2008.

¹⁶⁶⁸ Churkin, 27 March 2008.

¹⁶⁶⁹ Putin, 4 April 2008a.

¹⁶⁷⁰ Putin, 24 May 2007.

¹⁶⁷¹ Putin, 25 October 2007.

¹⁶⁷² Churkin, 23 December 2006.

¹⁶⁷³ Churkin, 24 March 2007.

¹⁶⁷⁴ Churkin, 27 March 2008.

¹⁶⁷⁵ Putin, 4 April 2008a.

¹⁶⁷⁶ Churkin, 23 December 2006.

nuclear programme; and third, not to jeopardize legitimate contacts with Iran in other spheres”. The third argument referred to the fact that Russia had been able to accept the resolution because the text no longer contained formulations that would have interfered with the Bush project. As Lavrov further explained, “Iran is open for full-scale cooperation in legitimate spheres outside the ban – trade and economy, for example”, and “[t]hus, the resolution fully takes into account economic interests of Russia and other partners of Iran”. Both Lavrov and Churkin described the UN resolutions as “compromises”.¹⁶⁷⁷ Indeed, as Cole J. Harvey explains, Russia had accepted resolution 1737 on the condition that it “made an exception for materials intended for light-water reactors of the kind the Russia is building at Bushehr, including low-enriched uranium that will fuel that reactor”.¹⁶⁷⁸ As for resolution 1747, Churkin explained in March 2007, “the new resolution does not in any way alter the provisions of [the previous] resolution”, meaning that “[t]he freezing of financial activities will [...] not prevent payments from being made by the natural or legal persons listed in the annexes to resolution 1737” or 1747, and that “the activities authorized by the Security Council in the area of trade and economic cooperation can continue”. Again, in September 2008 Russian Ambassador Dolgov noted—in contrast to the statement by the US representative Khalilzad stressing that paragraph of resolution 1803 that “calls on all States to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in Iran”—that “[w]e believe that this call is solely a reminder to States to fulfil the relevant requirements of [...] resolution 1737”. This meant that “the reference [...] to specific Iranian banks does not impose new restrictions regarding financial ties with the credit organizations of Iran” but “[i]t was mentioned solely to send Iran a further political message on the need to comply” with the UN requirements. Dolgov added that “[s]tates have the right to determine for themselves how they will be vigilant in the context of paragraph 10 of resolution 1803”.¹⁶⁷⁹

After the March 2008 resolution, the Russian criticism of sanctions hardened, and at the same time Medvedev also criticized other Council members’ eagerness to impose such measures. Whereas in July 2008 the president said that “[i]t cannot be simply a case of we pass a resolution, and come what may, you have to comply otherwise we will look at tough international sanctions”¹⁶⁸⁰, in September 2008 and July 2009 he said that “[w]e certainly do not need to roll out any new sanctions now”¹⁶⁸¹. As for additional, unilateral sanctions, Medvedev warned in July 2008 that “we should not undertake action that would provoke the Iranian leadership and lead to the imposition of additional, unilateral sanctions”, and that “I really do not understand why the European Union recently took this kind of decision”. He then added that “[e]ither we are talking to them or we are trying to provoke them in various little ways”.¹⁶⁸² Also in July 2009 Medvedev argued that additional sanctions would “only deteriorate the situation”.¹⁶⁸³

Instead of sanctions, Medvedev highlighted the need for creating incentives for Iran to cooperate. In 2008 he said that, “with regard to the ‘problem programmes’ in the countries concerned we need to use a system of positive incentives”; that “[a] system based on incentives is a lot more comprehensible and, most important, it is easier to explain, easier to put before our difficult

¹⁶⁷⁷ Lavrov, 25 December 2006.

¹⁶⁷⁸ Harvey & Sabatini 2010.

¹⁶⁷⁹ Dolgov, 11 September 2008.

¹⁶⁸⁰ Medvedev, 1 July 2008.

¹⁶⁸¹ Medvedev, 12 September 2008.

¹⁶⁸² Medvedev, 1 July 2008.

¹⁶⁸³ Medvedev, 5 July 2009.

negotiating partners”¹⁶⁸⁴, and that “[w]e need to motivate the Iranian leadership to demonstrate that its nuclear programme is transparent”¹⁶⁸⁵. Also in September 2009, Medvedev argued that “[o]ur task is to create a system of incentives that would allow Iran to achieve the goal of peaceful use of nuclear energy, but which would not allow for the creation of nuclear weapons”¹⁶⁸⁶. He also said that “Iran needs a set of motives to behave appropriately”; that “before speaking of applying additional sanctions, we should make full use of the existing possibilities” and “encourage Iran”, and that “we should be absolutely confident that we have no other options and that our Iranian colleagues do not hear us for some reason”.¹⁶⁸⁷

The revelation of the previously undisclosed Fordow site, however, apparently changed the Russian position on sanctions. On the one hand, in September 2009 Medvedev still stressed the importance of incentives¹⁶⁸⁸, and repeated that “as a rule, sanctions result in nothing”¹⁶⁸⁹; that they “rarely lead to productive results”¹⁶⁹⁰, and that “sanctions are [not] the best means of obtaining results”¹⁶⁹¹. On the other hand, the president indicated that Russian patience was now also running out, and pointed to the potential need of resorting to further action. This was evident in that the above reservations were followed by remarks such as “sometimes sanctions are necessary”¹⁶⁹² and that, “in some cases, the use of sanctions is inevitable”¹⁶⁹³. Medvedev also explained that, although he did not want to “go into sanctions’ effectiveness, [...] sometimes there is no other option”; that “if we fail in these objectives, we will have to consider other steps”¹⁶⁹⁴, and that, if the incentives [offered in the coming negotiations] do not work and cooperation does not develop, then other mechanisms come into force”¹⁶⁹⁵. Moreover, in November 2009 Medvedev first said that he “would not like all this to culminate in international legal sanctions because sanctions, as a rule, are a road in a very tricky and dangerous direction”, but added that “if there is no progress, nobody can exclude such a scenario either”¹⁶⁹⁶. In this connection, Medvedev also seemed to suggest that Russia might in the future limit its civilian nuclear cooperation with Iran. As he said in November 2009,

...the nuclear ambitions of Iran [...] can be achieved within the programme on the peaceful use of nuclear energy under IAEA supervision. Nobody is against this. It is only necessary to comply with the existing rules and not to try to conceal any facilities. If agreements are reached on programmes of uranium enrichment and its subsequent peaceful use in Iran, we will then gladly take part in such programmes. But if the Iranian leadership takes a less constructive position, hypothetically anything is possible then.¹⁶⁹⁷

Moreover, after expressing his dissatisfaction with the negotiations with Iran, the president said later in November that “no process can go on forever”; that “[n]egotiations exist not for the sake of enjoying the process itself, but in order to reach practical objectives”, and that “[i]f the results are

¹⁶⁸⁴ Medvedev, 1 July 2008.

¹⁶⁸⁵ Medvedev, 1 July 2008.

¹⁶⁸⁶ Medvedev, 24 September 2009.

¹⁶⁸⁷ Medvedev, 15 September 2009.

¹⁶⁸⁸ Medvedev, 25 September 2009b.

¹⁶⁸⁹ Medvedev, 15 September 2009.

¹⁶⁹⁰ Medvedev, 24 September 2009.

¹⁶⁹¹ Medvedev, 25 September 2009b.

¹⁶⁹² Medvedev, 15 September 2009.

¹⁶⁹³ Medvedev, 24 September 2009.

¹⁶⁹⁴ Medvedev, 25 September 2009b.

¹⁶⁹⁵ Medvedev, 26 September 2009.

¹⁶⁹⁶ Medvedev, 2 November 2009.

¹⁶⁹⁷ Medvedev, 2 November 2009.

not forthcoming we still have at our disposal the various instruments mentioned earlier in order to move the process forward by other means”¹⁶⁹⁸. Nevertheless, in December 2009 Security Council meeting the Russian ambassador maintained a positive tone, saying that, although “it is still not possible to have substantive negotiations with the Iranian side”, the P5+1 “have not discarded the possibility of renewed dialogue with a view to reaching a comprehensive resolution of all issues”¹⁶⁹⁹.

8.1.2.2 China

What had previously seemed like China’s unconditional resistance to any kind of sanctions against Iran began to change in spring 2006, as China gave its vote to the IAEA resolution that enabled sending the Iranian issue to the Security Council. When asked about this decision, a FM spokesman explained that “there is still room to solve the issue within the IAEA framework” but at the same time noted that “there are now some difficulties in the process of negotiation aimed to solve this issue. He also emphasised that IAEA resolution “doesn’t [automatically] mean the reference of the Iranian nuclear issue to the UN Security Council”.¹⁷⁰⁰ Moreover, in September 2006 the Chinese premier Wen Jiabao said – after being asked whether China would oppose sanctions against Iran – that “imposing sanctions will not *necessarily* get us there, and may even prove counterproductive”¹⁷⁰¹. While continuing to be critical of sanctions, it was thus clear that by autumn 2006 China had already begun to warm up to them.

Like in the Russian case, the subsequent Chinese support for the UN Security Council approach was accompanied by reservations towards sanctions—with the distinction the Chinese officials, unlike their Russian colleagues, never made statements threatening that non-compliance would lead to further measures¹⁷⁰². For example, after China had given its positive vote for two rounds of sanctions against Iran, the Assistant Foreign Minister Cui Tiankai “appealed to all parties concerned to [...] break the vicious cycle that the Security Council passes new sanctions and Iran’s nuclear activities escalate correspondingly”¹⁷⁰³. Moreover, in June 2007 the head of the Arms Control Department of the Chinese Ministry of Foreign Affairs, Zhang Yan, argued that sanctions “could not address the root causes of the problem”, and that, on the contrary, such an approach “often [...] complicates the situation”; “hardens the position of the opponents”, and thus “renders the issue more difficult to settle”. He also stressed that their purpose “is to facilitate Iran’s cooperation with the international community, rather than to corner Iran or to achieve a regime change. However, Zhang also said that, “[o]f course, we don’t totally deny the merits of putting appropriate pressure when situation requires”.¹⁷⁰⁴ Other Chinese officials stressed that the sanctions were only a means to an end, that they were not punitive in nature, and that they were reversible¹⁷⁰⁵. The Chinese also warned that one should not be too hasty in imposing sanctions. The Foreign Minister Yang, for

¹⁶⁹⁸ Medvedev, 15 November 2009.

¹⁶⁹⁹ Churkin, 10 December 2009.

¹⁷⁰⁰ Kong, 7 February 2006.

¹⁷⁰¹ Wen, 6 September 2006. (Italics added)

¹⁷⁰² The only exception was ambassador Liu’s (31 July 2006) comment “in the event that Iran fails to comply with the resolution, the Security Council will work to adopt appropriate measures under Article 41 of the United Nations Charter to persuade Iran to comply with the resolution and the requirements of the IAEA”.

¹⁷⁰³ Cui, 3 May 2007.

¹⁷⁰⁴ Zhang, 5 June 2007.

¹⁷⁰⁵ Yang, 21 March 2008.

example, stressed in June 2007 that “[e]nough time and space should be set aside for diplomatic efforts to resume talks as soon as possible and seek a proper solution to the issue”¹⁷⁰⁶. Zhang Yan, too, explained that solving the Iranian nuclear issue “is a time consuming process” which “[o]ne cannot expect to solve [...] overnight”, and that, although “dialogue and negotiation may not provide a quick solution [...] it brings less harm to the innocent population of the countries concerned [than resorting to pressure, sanctions or use of force]”.¹⁷⁰⁷

Moreover, like the Russian, the Chinese UN ambassadors emphasised the limited nature of the sanctions. Ambassador Wang Guangya, for example, stressed in December 2006 and March 2007 that the sanctions were “limited” in that they “target proliferation-sensitive nuclear activities and the development of nuclear-weapon delivery systems”, and that they should neither harm the Iranian people nor affect normal economic, trade and financial exchanges between Iran and other countries”. He also said that resolution 1747 had not changed the fact that “[t]he assets freeze [...] does not prevent a person or entity designated in the annexes [...] from making payments due under contracts entered into before that person or entity was listed in cases covered by paragraph 15”. In connection with the March 2008 sanctions resolution, Wang Guangya said that the “measures are not targeted at the Iranian people and will not affect normal economic and financial activities between Iran and other countries”. The Foreign Ministry spokesperson Liu, too, stressed in 2008 that any actions taken against Iran in the nuclear issue “should not affect or impair normal economic and energy cooperation with Iran”¹⁷⁰⁸. The above statements received additional meaning in the context of the Sino-US disagreement regarding the appropriate extent of isolating Iran. The disagreement came to the surface in June 2006, after the US Department of Treasury had sanctioned Chinese companies accusing them of helping Iran to produce WMD. The Chinese Foreign Ministry spokesperson commented on the matter as follows:

The U.S. government failed to provide any convincing evidence and applied its own domestic laws in imposing sanctions of assets freeze on China Great Wall Industry Corporation and three other Chinese firms. That was groundless and extremely irresponsible. China expresses its strong dissatisfaction and firm opposition. [...] China and the U.S. have common interest in non-proliferation and have conducted fruitful cooperation. The above-mentioned move by the U.S. has seriously undermined Sino-U.S. cooperation in this regard and is not conducive to the development of bilateral ties. We urge the U.S. to alter its above decision and completely abandon the erroneous practice of inflicting sanction and pressure.

¹⁷⁰⁹

A similar situation emerged in 2007 and 2008, as the US criticised oil deals between Iranian and Chinese companies¹⁷¹⁰. In 2008, China was also criticised for being engaged in arms deals with Iran, to which Chinese officials likewise responded by stressing that “[t]he trade between Iran and China as well as other countries are normal economic exchanges and cooperation between sovereign states”; that they had “nothing to do with Iran's nuclear programme”, and they did “not violate relevant resolutions of the UN Security Council”¹⁷¹¹.

¹⁷⁰⁶ Yang, 4 June 2007.

¹⁷⁰⁷ Zhang, 5 June 2007.

¹⁷⁰⁸ Liu, 28 February 2008.

¹⁷⁰⁹ Jiang, 15 June 2006.

¹⁷¹⁰ See Liu, 20 November 2007 and Liu, 28 February 2008.

¹⁷¹¹ Qin, 4 March 2008.

Like Russia, China remained critical of any additional, unilateral sanctions against Iran. When asked about the matter in October 2007, the FM spokesperson Liu said that “China does not approve of easily resorting to the use of sanctions in international relations”, and that “[i]mposing new sanctions against Iran while the international community and Iran endeavor to resolve the issue through dialogue will only complicate the issue”¹⁷¹². In November 2007 Liu said that the “unbridled use of sanctions, unilateral sanctions in particular, will do no good to the resolution”¹⁷¹³.

Like the other Council members, the Chinese officials put a lot of emphasis on the need to find a diplomatic solution. For example, in 2008 a Chinese IAEA Ambassador Wu Hailong said that, “[a]lthough there are some difficulties in the course of negotiation, the parties concerned should not give up diplomatic efforts”, and that, “[s]o long as there is hope, no matter how slim it might be, we have to make maximum efforts”¹⁷¹⁴. At the same time, in 2006-2008 it was not made explicit that diplomacy in the P5+1 context was dependent on Iran’s approval of the P5+1 offer –which the Chinese officials, along with other P5, emphasised was still ‘on the table’¹⁷¹⁵. Like the UK, France and Russia, China also did not indicate that there would have been a change in the P5+1 approach in 2009. Instead, the Chinese UN ambassador merely said in June 2009 that “[r]are opportunities exist in connection with restarting negotiations on the matter”¹⁷¹⁶.

8.1.2.3 Burkina Faso, Congo, Ghana and Panama

In this connection, one could also mention Burkina Faso, Ghana Congo and Panama, for their statements seemed to suggest awareness of certain problems in the use of sanctions, even though this did not amount to criticism of the Council’s approach. To begin from Congo and Burkina Faso, they considered it necessary to stress that at least their support for the sanctions was based purely on legal consideration and not motivated by any kind of hostility against Iran. As the Congolese ambassador stressed in March 2007, “Congo believes that this is basically and only about ensuring compliance with the [NPT]”, and that “[t]he vote we will cast shortly should therefore not be interpreted as an expression of any sort of hostility or punitive measure”¹⁷¹⁷. In a similar manner, the representative of Burkina Faso said in March 2008 that, “with the sole purpose of encouraging Tehran to make a greater effort to cooperate fully with the IAEA, [...] Burkina Faso voted in favour of the resolution”, adding that “[f]or my delegation, the purpose of these additional measures is not to choke or harm Iran—much less to outlaw it—but simply to encourage it to be more cooperative with the IAEA and to show transparency in its nuclear programme”¹⁷¹⁸. As for the Panamanian view on the sanctions, its representative reminded other Council members that “whenever the Council adopts a resolution to impose sanctions, that clearly is a failure of the political process”¹⁷¹⁹. The same argument was repeated one year later, as the Panamanian ambassador said that “we hold that the imposition of coercive measures reflects a failure of diplomacy on this issue”, and added that “I stress that this is a failure by all parties, not only those of us seeking clarity about the nature

¹⁷¹² Liu, 26 October 2007.

¹⁷¹³ Liu, 13 November, 2007.

¹⁷¹⁴ Wu, 5 February 2006.

¹⁷¹⁵ Wang, 24 March 2007.

¹⁷¹⁶ La, 15 June 2009.

¹⁷¹⁷ Gayama, 24 March 2007.

¹⁷¹⁸ Kafando, 3 March 2008.

¹⁷¹⁹ Arias, 24 March 2007.

of the Iranian nuclear programme with a view to making substantive progress towards the resolution of this disturbing situation”¹⁷²⁰. Finally, one could mention Ghana, whose views were heard in March 2007: as noted in chapter 7, Ambassador Effah-Apenteng did express cautious criticism the Council’s selective approach, but at the same time explained that “Ghana has joined the consensus on [resolution 1747] because we believe in the non-proliferation of [WMD]”¹⁷²¹.

8.1.3 Iran, Indonesia, Libya, Qatar, South Africa and Tanzania: objections to the chosen approach

Iran denied the effectiveness of sanctions, viewing them as continuation of the old US policy of containment, which it was accustomed to resisting. As for the diplomatic track, it suspected that the other side was not seriously interested in finding a negotiated solution, which it thought was particularly evident in March 2008. The criticism by Indonesia, Libya, Qatar, South Africa, Tanzania and Vietnam towards the adopted resolutions resonates with Iran’s objections to the Council approach. With the exception of Qatar in July 2006 and Indonesia in March 2008, these non-permanent members’ statements were strikingly inconsistent with their positive votes. (See table 2)

8.1.3.1 Iran

Iran assured that sanctions would not make any difference on its nuclear policy. To take some examples, Iranians declared that despite the attempts by the enemies “to create number of problems and obstacles for our development projects”¹⁷²² and to apply “rotten means, such as psychological warfare and economic sanctions”¹⁷²³, “no amount of allegations, pressure or intimidation”¹⁷²⁴ could “weaken the resolve of the great Iranian nation”¹⁷²⁵, which would “never bow to any pressure”¹⁷²⁶; “give up the rights even one iota”¹⁷²⁷; “retreat even a millimetre”¹⁷²⁸, nor “withdraw from its peaceful nuclear activities”¹⁷²⁹. Instead of allowing “others to impose their unjust demands” on them¹⁷³⁰, the Iranians would “defend all their rights to the end”¹⁷³¹. Ahmadinejad also said that “no one can hinder Iran’s scientific progress”¹⁷³²; that “no one dares to stand in the way of the Iranian nation”¹⁷³³, and that the Iranian nation will “overcame all sanctions and with reliance upon almighty God”¹⁷³⁴.

¹⁷²⁰ Suescum, 3 March 2008.

¹⁷²¹ Effah-Apenteng, 24 March 2007.

¹⁷²² Ahmadinejad, 14 April 2009.

¹⁷²³ Ahmadinejad, 22 September 2007.

¹⁷²⁴ Khazaei, 10 December 2008.

¹⁷²⁵ Mottaki, 24 March 2007.

¹⁷²⁶ Ahmadinejad, 30 June 2007.

¹⁷²⁷ Ahmadinejad, 30 October 2007.

¹⁷²⁸ Memarian 2006 in reference to Ahmadinejad.

¹⁷²⁹ Ahmadinejad, 9 September 2007.

¹⁷³⁰ Khazaei, 3 March 2008.

¹⁷³¹ Ahmadinejad, 23 February 2007.

¹⁷³² Ahmadinejad, 12 August 2007.

¹⁷³³ Ahmadinejad, 14 April 2009.

¹⁷³⁴ Ahmadinejad, 8 April 2008.

As for that theory behind sanctions which assumed that economic difficulty would turn the Iranian leaders against their government, Iranian officials assured that it was flawed. For example, Mottaki said in March 2007 that, “[i]f certain countries have pinned their hopes on the possibility that repeated resolutions would weaken the resolve of the great Iranian nation, they should not doubt that they have once again faced a catastrophic intelligence and analytical failure vis-à-vis the Iranian people’s Islamic revolution”. He then emphasized the national unity regarding the country’s nuclear policy, pointing out that “[p]robably at no other time in Iran’s history have its entire people been so solidly behind a national demand”. In effect, Mottaki continued, “even the harshest political and economic sanctions or other threats” would be “far too weak to coerce the Iranian nation into retreating from its legal and legitimate demands”¹⁷³⁵. Zarif, in turn, explained that the US attempts to “hypocritically [...] court” the Iranian people—against the background of nearly three decades of “jeopardizing the lives and safety of Iranian civilians”—were “to no avail”¹⁷³⁶. Ahmadinejad, for his part, highlighted national unity¹⁷³⁷, and said that the global powers which “mobilized to throw obstacles on way of Iran’s success and development [...] assumed that issuance of anti-Iran resolutions would affect the eighth parliamentary elections but the massive turn out of people thwarted this plot”¹⁷³⁸.

Ahmadinejad made clear he did not believe in the sincerity of the other side’s willingness to find a negotiated solution. For example, in 2006 the president argued that “the U.S. administration [...] destroys chances for constructive talks”¹⁷³⁹, and in 2007 he recalled the past US policy of “spreading lies, rumors, and deception, waging psychological war, terror and intimidation”, and described the enemies’ way of negotiating as follows: “[w]hile fully acknowledging in private sessions Iranian nation’s (absolute) rights, they bargain them in direct talks so as to take advantage”¹⁷⁴⁰. Khazaei, in turn, explained in December 2008 that Iran had “repeatedly expressed its readiness for constructive dialogue on this issue”, but the problem was that it “has always found the same countries that make such baseless allegations against our country unprepared to engage in serious negotiations”¹⁷⁴¹. From the Iranian perspective, the other side’s insincere commitment to the diplomatic track had been apparent already in 2003—2006, when it became clear that it viewed suspension of uranium-enrichment as an end rather than means for negotiated solution. Whereas Ahmadinejad recalled in 2006 that the voluntary suspension of enrichment during the Khatami administration had not lead anywhere¹⁷⁴², Zarif explained that the reason for this was that “the United States, and apparently the EU-3 — in spite of what they told us [...] wanted [...] that Iran should ‘make a binding commitment not to pursue fuel cycle activities’”, and that this was “the only outcome that they were and are ready to accept from these so-called negotiations”¹⁷⁴³. Khazaei, too, pointed out that, during the negotiations between the EU3 and Iran “it became clear that those insisting on suspension were indeed aiming to prolong and ultimately perpetuate it, and

¹⁷³⁵ Mottaki, 24 March 2007.

¹⁷³⁶ Zarif, 23 December 2006.

¹⁷³⁷ For example, Ahmadinejad (3 April 2008) said that the global powers which “mobilized to throw obstacles on way of Iran’s success and development [...] assumed that issuance of anti-Iran resolutions would affect the eighth parliamentary elections but the massive turn out of people thwarted this plot”.

¹⁷³⁸ Ahmadinejad, 3 April 2008.

¹⁷³⁹ Ahmadinejad, 24 September 2006.

¹⁷⁴⁰ Ahmadinejad, 30 October 2007.

¹⁷⁴¹ Khazaei, 10 December 2008.

¹⁷⁴² Memarian 2006 in reference to Ahmadinejad.

¹⁷⁴³ Zarif, 23 December 2006.

consequently to prevent the Iranian nation from exercising its legal rights”¹⁷⁴⁴. Mottaki, in turn, lamented that suspension had “turned out to be an instrument for imposing the arbitrary permanent cessation of our peaceful programme”¹⁷⁴⁵.

Another indication of the other side’s lack of commitment to the diplomatic track, from the Iranian perspective, was the rush with which it had pushed for the UN process and resolutions. As Mottaki said in March 2006, “[a] hasty decision to involve the Security Council with Iran’s case while the technical activities of the Agency are still required is yet another indication of political maneuvering by some Western countries”¹⁷⁴⁶. The quick adoption of resolution 1696 in July 2006, in turn, was interpreted by Iran as a “hasty and unwarranted action” which “impaired the path of negotiation and understanding” and put “good faith of Iran’s interlocutors [...] in serious doubt”¹⁷⁴⁷. It also enforced the view that the P5+1 “package was aimed at stalemating diplomacy and instigating pressure in place of understanding, cooperation and improvement of relations that it claimed”¹⁷⁴⁸. As noted already in chapter 6, Iran thought that the other side’s attitude was particularly evident in their dismissal of Iran’s cooperation on the resolution of the outstanding issues in February 2008. As Khazaei explained in March 2008, “those who did not want to allow the Agency to discharge its technical duties spared no efforts to undermine the momentum generated by the conclusion and implementation of the work plan [regarding the ‘outstanding issues’] and resorted to a systematic and relentless campaign of false claims, propaganda, intimidation and pressure aimed at the Agency, its Director General, some members of the Security Council and the work plan”.¹⁷⁴⁹ Khazaei also argued that a few countries had “pursued their politically motivated agenda regardless of Iran’s cooperation with the IAEA and the latter’s report on such cooperation”, adding that “their unwarranted efforts to put the Agency and its officials under pressure and to influence its reports are well known and need no elaboration”¹⁷⁵⁰.

Nevertheless, Iran simultaneously expressed its readiness for trying to resolve the crisis through further negotiations¹⁷⁵¹— on the condition that the P5+1 would give up their precondition that Iran first suspend its fuel cycle activities. As Mottaki argued in May 2008, “Iran still maintains that constructive interaction and reasonable and just negotiations, without preconditions, and based on mutual respect, is the basic solution”¹⁷⁵². He stressed that Iran regarded suspension as “neither an option nor a solution”, while “[t]he only way forward” was for the other side “to abandon unwise preconditions and return to the negotiating table in good faith”¹⁷⁵³. Ahmadinejad, in turn, called for dialogue “under fair and equal conditions”¹⁷⁵⁴, and argued that Iran “does not negotiate with anyone on its ‘legitimate’¹⁷⁵⁵, ‘legal’, and ‘absolute’ rights¹⁷⁵⁶, and that, “[i]f conditions are to be set for the

¹⁷⁴⁴ Khazaei, 3 March 2008.

¹⁷⁴⁵ Mottaki, 13 March 2007.

¹⁷⁴⁶ Mottaki, 30 March 2006.

¹⁷⁴⁷ Iran’s Response to the P5+1 Package, August 2006.

¹⁷⁴⁸ Iran’s Response to the P5+1 Package, August 2006.

¹⁷⁴⁹ Khazaei, 3 March 2008.

¹⁷⁵⁰ Khazaei, 3 March 2008.

¹⁷⁵¹ For example, Ahmadinejad (26 September 2007) said that the Iran had “always been ready and now is prepared for constructive talks”.

¹⁷⁵² Mottaki, 13 May 2008.

¹⁷⁵³ Mottaki, 24 March 2007.

¹⁷⁵⁴ Ahmadinejad, 30 October 2007.

¹⁷⁵⁵ Ahmadinejad, 9 September 2007.

¹⁷⁵⁶ Ahmadinejad, 30 October 2007.

talks, it is the Iranian nation that should do so and you, who are the law-breakers and bullies, cannot dictate terms for dialogue”¹⁷⁵⁷.

Another thing that Iran wanted was an end to the sanctions through the reversal of the Security Council process, and referral of the Iranian case back to the IAEA. As Mottaki argued in March 2007, the UN resolutions and sanctions only “aggravate an issue that could be easily resolved”¹⁷⁵⁸. He further explained that, “if the 5+1 countries refer back Iran’s nuclear issue from the Security Council to IAEA, my country will be prepared to offer the necessary guarantees in order to create confidence regarding non-diversion of its nuclear programme”¹⁷⁵⁹. Ahmadinejad, in turn, explained in September 2007 that the “right legal path [...] goes through the Agency away from illegitimate and political impositions by the arrogant powers”¹⁷⁶⁰, while Khazaee said in March 2008 that “Iran’s peaceful nuclear programme should be dealt with solely by the Agency”¹⁷⁶¹. Third, and as noted already in chapter 7, Iran wanted its NPT-given rights to be clearly acknowledged and called for “more detailed negotiations and agreements” which would address the ambiguities contained in the P5+1 package¹⁷⁶².

It was also noted that in this connection Iran—like the UK and Russia—had brought up the proposal for the establishment of a regional consortium for producing nuclear fuel (as discussed in section 7.1). According to Zarif, however, this proposition seemed to have been completely dismissed by the other side. As he explained in December 2006, the proposal for a regional consortium was almost “an exact replica of the main proposal of the IAEA experts on multinational approaches to nuclear fuel cycle activities published on 22 February 2005”¹⁷⁶³. He then asked “[d]id the Iranian readiness to implement these ideas almost verbatim not present a unique opportunity”, and whether there was “any other country with similar technology prepared to be as flexible as Iran?”. Zarif also noted that Iran’s proposal concerning the establishment of an international consortium for enriching uranium on Iranian soil had been “initially considered very promising, leading to public statements of progress after those meetings — a prognosis that was rapidly and astonishingly reversed even before the ministerial meeting of the five-plus-one”. Zarif also complained that all the other proposals put forward by Iran had likewise been dismissed. Leaving unmentioned the 2003 offer of bilateral talks with the US (discussed in chapter 5), Zarif referred to other proposals Iran had made to the EU3 and wondered why the EU3, which had initially considered those proposals “to contain positive elements”, did not come up with any suggestions as to “how those positive elements could be enhanced or how the points of divergence could be bridged?” He then suggested that the Europeans had been discouraged by the US from seeking a mutually acceptable solution with Iran at the time.¹⁷⁶⁴ Mottaki, in turn, complained in March 2007 that resolution 1747 had “been adopted at a time when not only have all rational proposals and initiatives to return to a negotiated solution been neglected, but also certain countries have not even

¹⁷⁵⁷ Ahmadinejad, 30 October 2007.

¹⁷⁵⁸ Mottaki, 24 March 2007.

¹⁷⁵⁹ Mottaki, 13 March 2007.

¹⁷⁶⁰ Ahmadinejad, 26 September 2007.

¹⁷⁶¹ Khazaee, 3 March 2008.

¹⁷⁶² Iran’s Response to the P5+1 Package, August 2006.

¹⁷⁶³ As Zarif (23 December 2006) recalled, the IAEA proposal had called for “creating, through voluntary agreements and contracts, multinational, and in particular regional, MNAs for new facilities based on joint ownership, drawing rights or co-management for front-end and back-end nuclear facilities, such as uranium enrichment”.

¹⁷⁶⁴ Zarif, 23 December 2006.

allowed such proposals to be presented”. Mottaki concluded that “[t]he only interpretation that can be made of the rush to adopt this resolution and prevent negotiations is that there are ulterior motives on the part of the sponsors and a lack of political will to find solutions”.¹⁷⁶⁵ Saeed Jalili, in turn, referred in October 2008 to Iran’s letter and the subsequent phone conversation with Solana in the August of that year, in which connection Iran had suggested their representatives have a meeting to discuss remaining “ambiguities and questions”.¹⁷⁶⁶ The fact that such a meeting had not taken place seemed to Jalili as yet another example of the other party’s tendency to resort “to levers of pressure instead of offering answers to questions and trying to remove ambiguities”, which in turn reinforced Iran’s “doubt that some powers look at talks as merely a tactical and temporary tool”.¹⁷⁶⁷

Finally, it could be noted that the historic talks in Autumn 2009—where the US attended ‘without conditions’ and where the P5+1 focus on the demand for suspension made way for confidence-building—seemed to be compatible with many of the above concerns. Indeed, the Iranians themselves initially indicated that they would be ready for this confidence-building step (see chapter 5). However, as noted in chapter 7, Iran later rejected the deal, arguing that it left too much room for the other side’s political manoeuvring. However, at the end of the speech where Bagheri explained the Iranian position he said that “we have not closed the door for talks regarding the exchange outside Iran” and that “Iran wants interaction on this issue”.¹⁷⁶⁸

8.1.3.2 Indonesia, Libya, Qatar, South Africa and Tanzania

This section deals with the non-permanent members views on the effectiveness of the Security Council sanctions in contributing to a diplomatic solution. Particular attention is paid to ambiguity, as some of the non-permanent members’ critical statements were clearly inconsistent with their support for Council resolutions. As noted already in chapter 6, Qatar and Tanzania objected to resolution 1696, thinking that it was premature and might impact negatively on regional security. Arguably their reservations were based on the concern that sanctions might undermine diplomatic efforts. This argument was made more explicitly by Qatar in March 2007, as Ambassador Al-Nasser explained that “[w]e do not view sanctions as an appropriate means of pressure” because, “[o]n the contrary, sanctions can sometimes complicate matters and, in our opinion, signal another failure at diplomatic efforts”. Al-Nasser also argued that “[c]ontinued pressure does not help to build confidence, which is already lost between the two parties”, and—as noted already in section 6.3.3—that “it can sometimes have serious consequences, given the already volatile situation in that region of the world”.¹⁷⁶⁹ This time Qatar nevertheless gave a positive vote (see table 2).

South Africa, Indonesia and Libya also suspected that the sanctions resolutions might undermine diplomatic efforts. As noted in chapter 6, the South African representative Kumalo expressed his discontent already in March 2007, as he warned that confrontation—which he apparently saw as one potential result of sanctions—“could lead to disastrous consequences in a highly volatile region”. South Africa nevertheless voted for the resolution, saying, rather unconvincingly, that

¹⁷⁶⁵ Mottaki, 24 March 2007.

¹⁷⁶⁶ Jalili, 7 October 2008.

¹⁷⁶⁷ Jalili, 13 October 13, 2008.

¹⁷⁶⁸ Bagheri, 3 May 3 2010.

¹⁷⁶⁹ Al-Nasser, 24 March 2007.

“[w]e hope, therefore, that support for this draft resolution will not be perceived as an obstacle to future negotiations”¹⁷⁷⁰. The South African objections became even more vocal in March 2008. At the time, Kumalo argued that resolution 1803 risked “jeopardiz[ing] any of the gains made”, building “on the progress made through systematic and continued verification work by the IAEA”, and thus undermined “negotiations [...] with a view to reducing tension and further escalation”¹⁷⁷¹.

The Indonesian Ambassador Natalegawa, in turn, provided the following assessment of the situation in March 2008:

...we are not convinced that more sanctions — however incremental, well-targeted and reversible — would move us forward in resolving the question of Iran’s nuclear programme. Will they instead have a potential negative impact at a time when progress is being made? [...] We need to pose the question whether imposing more sanctions is the most sensible course of action to instil confidence and trust and engender cooperation between all the parties concerned. It is our belief that, ultimately, lack of confidence and trust lies at the heart of the matter. We must avoid more of the same.¹⁷⁷²

Natalegawa also warned that “[a]ny interruption of [the] confidence-building process [based on the IAEA-Iran work plan] will only threaten to unravel the important gains that have been made”¹⁷⁷³. Reflecting Indonesia’s own conclusion, according to which, “[a]t this juncture, more sanctions are not the best course”¹⁷⁷⁴, the country abstained from voting. To reiterate from section 6.6.3, Libya for its part did “not agree with other Council members about the usefulness of [resolution 1803], or that this would help us achieve a solution” because it believed that, on the contrary, it might “cause the situation to deteriorate”¹⁷⁷⁵. While the Vietnamese statement in March 2008 was much less direct in this regard, it could be seen to reflect a similar concern (see section 6.1.3).

Like Russia and China, Tanzania, Vietnam, and South Africa expressed concerns about the limits of the sanctions¹⁷⁷⁶. South Africa, for example, stated in March 2007 that, “[w]hile South Africa recognizes that the Security Council may be called upon to impose coercive measures such as sanctions, we believe those measures should be utilized with great caution and only to support the resumption of political dialogue and negotiations to achieve a peaceful solution”¹⁷⁷⁷. As noted in section 6.3.3, South Africa was particularly concerned about that provision in resolution 1803 which allowed inspections of cargoes from Iran. In addition, Kumalo drew attention to “the restrictions on dual-use goods and on loans and credits”, which he stressed “must not be allowed to have a negative impact on the civilian population of Iran”. In contrast to the Western P5’s calls for vigilance which focused on maximising the implementation of sanctions, the South African ambassador also highlighted the responsibility of all Council members to “exercise the highest

¹⁷⁷⁰ Kumalo, 24 March 2007.

¹⁷⁷¹ Kumalo, 3 March 2008.

¹⁷⁷² Natalegawa, 3 March 2008.

¹⁷⁷³ Natalegawa, 3 March 2008.

¹⁷⁷⁴ Natalegawa, 3 March 2008.

¹⁷⁷⁵ Dabbashi, 3 March 2008.

¹⁷⁷⁶ While in December 2006 the Tanzanian ambassador stressed that “the provisions of the resolution [1737] should [...] not constrain other legal and commercial transactions that have no bearing on non-proliferation” (Manongi, 31 July 2006), in March 2008 the Vietnamese ambassador explained that his country had proposed changes to resolution 1803 to the effect “that the right of States to carry out normal international trade activities be respected; and that implementation by States of provisions of the draft resolution must be in accordance with their national legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements” (Le Luong Minh, 3 March 2008).

¹⁷⁷⁷ Kumalo, 24 March 2007.

degree of scrutiny and oversight of the implementation of sanctions to ensure that there are no unintended consequences and that the focus remains solely on the nuclear programme”.¹⁷⁷⁸

Moreover, the South African and Indonesian ambassadors stressed in March 2008 that suspension was only a means to an end. Recalling the general context of critical statements towards resolution 1803 by these two countries, one could argue that these affirmations contained doubts that other Council members actually did view the ban on enrichment as an end in itself. Kumalo said that “[t]he suspension of enrichment activities may under no circumstances become a goal in itself”, and also that “it is incumbent on the Council to assure Iran that the call for suspension is not a smokescreen for any indefinite suspension or termination”¹⁷⁷⁹. Natalegawa, in turn, argued that “[t]he suspension of enrichment-related activities is an instrument” and “a means to an end” but not “an end by itself, isolated from developments in Iran’s cooperation with the IAEA”¹⁷⁸⁰. Indonesia, South Africa and Qatar also highlighted the reversibility of the UN sanctions.

Moreover, Indonesia seemed to suggest that some Council members were too focused on sanctions. In connection with resolution 1835 in September 2008, Ambassador Natalegawa first stressed the importance of “the commitment to a negotiated solution of the issue as part of the dual-track approach”, and then added that “[s]uch a dual-track approach must have the same common objectives and must not cancel one another out”. The ambassador also highlighted his country’s determination “to ensure that the Council’s resolutions add value and do not lessen it, and that they provide incentives, and not disincentives, to negotiations”. He then stressed that resolution 1835 did “not provide for additional sanctions against Iran”—“[i]f it did”, he added, “we would not have been able to support it”.¹⁷⁸¹

One issue which seemed to divide non-permanent members was whether the UN resolutions should be characterised as punitive or merely ‘persuasive’ in nature. While both Qatar and South Africa—together with Panama—described the sanctions against Iran as “means of pressure”¹⁷⁸²; “new coercive measures”¹⁷⁸³; “coercive measures”¹⁷⁸⁴, and “further punitive sanctions”¹⁷⁸⁵, others stressed the non-punitive and non-coercive nature of the adopted sanctions¹⁷⁸⁶.

Despite the above doubts about the consequences to regional security, each of the above-mentioned countries (with the exception of Indonesia in March 2008) gave their positive votes for the sanctions resolutions against Iran (see table 2). In each case, the justifications for this were somewhat peculiar, suggesting that Qatar, Tanzania, Libya and South Africa had agreed to give their positive votes for other reasons than that of ensuring Iranian compliance with the NPT. Tanzania, for example, explained that it had voted for resolution 1696—which, to reiterate, it

¹⁷⁷⁸ Kumalo, 3 March 2008.

¹⁷⁷⁹ Kumalo, 3 March 2008.

¹⁷⁸⁰ Natalegawa, 3 March 2008.

¹⁷⁸¹ Natalegawa, 27 September 2008.

¹⁷⁸² Al-Nasser, 24 March 2007.

¹⁷⁸³ Arias, 3 March 2008.

¹⁷⁸⁴ Kumalo, 24 March 2007.

¹⁷⁸⁵ Kumalo, 3 March 2008.

¹⁷⁸⁶ For example, in the March 2007 meeting, the Indonesian representative also stated his country’s “view that the purpose of the draft resolution is not to punish the Government or people of Iran, but to be a vehicle for persuading the Iranian Government to comply with previous resolutions of the Council and resolve outstanding issues” (Jenie, 24 March 2007).

viewed as potentially having a negative impact on regional security—“essentially because it precludes the use of force as an option in engaging the Islamic Republic of Iran”¹⁷⁸⁷. This gave the impression that either Tanzania viewed the resolution as a lesser of two evils—the other one being war, for which sanctions might be an alternative—or simply because this was the only positive thing about the resolution. As for Qatar’s justification, Ambassador Al-Nasser argued in December 2006 that “[o]ur vote is prompted by our concerns over the safety of Iranian nuclear facilities”¹⁷⁸⁸. As Michael Spies notes, it seemed as if the Qatari ambassador was responding to an entirely different resolution¹⁷⁸⁹. Al-Nasser then went on about the issue of nuclear safety, arguing that “we must not risk the potential benefits of cooperation with the IAEA in guaranteeing nuclear safety, particularly since this draft resolution would impede delivery of equipment necessary for the Iranian nuclear programme, which could have dangerous repercussions for the nuclear safety issue”. Given the fact Al-Nassar himself noted that the resolution would reduce rather than strengthen nuclear safety, and taking also into account Qatar’s on-going reservations about the potential risks of the sanctions approach as well as the stated trust in Iranian intentions (see chapter 6), Qatar’s justification was thus highly contradictory. The South African justifications for voting resolutions 1747 and 1803 had to do with affirming the previous Council decisions. Whereas in March 2007 Kumalo justified his country’s seemingly inconsistent approach in terms of “concern about the need to build international confidence in Iran’s nuclear programme”¹⁷⁹⁰, in March 2008 his explanation was that “the only reason we will vote in favour of the resolution is to preserve the previous decisions of the Council that Iran has not fully implemented”¹⁷⁹¹. The most interesting example of inconsistency between rhetoric and actions, however, was Libya. As seen above, the Libyan ambassador clearly stated that he thought resolution 1803 was not only useless but also potentially dangerous, and that the Council’s double standards with respect to non-proliferation were ‘deplorable’. Nevertheless, Libya supported the resolution, providing the following explanation:

Because the countries that formulated the text of the draft resolution before us have taken into consideration some of the concerns we share with other members — and while, although the majority of Council members consider that it is useful to adopt a draft resolution of this kind, we do not share that view — we have decided to join the unanimous opinion in the Council and to vote in favour of the draft resolution, so that the Security Council can speak with a single voice.¹⁷⁹²

Libya thus justified its positive vote in terms of giving its support to other Council members who believed in the usefulness of the resolution.

8.2 Other options

The US and UK made clear from the beginning that they would not necessarily limit their options of dealing the Iranian nuclear issue to P5+1’s dual track approach. Instead, they reserved for themselves the possibility of resorting to military measures in case the multilateral approach would not work by stressing that all options were ‘on the table’. Thus they also did not rule out unilateral sanctions which would go beyond the more limited UN sanctions. France also did not rule out

¹⁷⁸⁷ Manongi, 31 July 2006.

¹⁷⁸⁸ Al-Nasser, 23 December 2006.

¹⁷⁸⁹ Spies 2007.

¹⁷⁹⁰ Kumalo, 24 March 2007.

¹⁷⁹¹ Kumalo, 3 March 2008.

¹⁷⁹² Dabbashi, 3 March 2008.

military action, and it also campaigned for unilateral sanctions imposed by the EU. While the US was clearly promoting a change of the Iranian regime from within, the UK and particularly France distanced themselves from such a subversive approach—even though their statements too suggest that they would have welcomed such a change.

8.2.1 The US and UK: keeping all options ‘on the table’

Both the US and UK indicated that the military option was not off the table—and the Bush and Blair administrations did not even rule out the possibility of attacking Iran with nuclear weapons. Moreover, both seemed to give Israel a blank check to conduct a ‘pre-emptive’ attack on Iran’s nuclear facilities. The Bush administration was openly promoting a regime change in Iran through its material and rhetorical support for the Iranian opposition, whereas Obama toned down the rhetoric on this issue. While Blair said the UK would welcome but ‘not insist’ on such a change, France denied that the objective was to change the Iranian regime.

8.2.1.1 The US

In addition to the P5+1’s dual track approach, the Bush administration constantly stressed that “all options are still on the table”¹⁷⁹³ thus making clear that the military action—either unilateral or multilateral—was not ruled out as a strategy to deal with Iran’s non-compliance. Such rhetoric culminated in April 2006, as Bush even refused to rule out the possibility of a nuclear strike against Iran: when asked whether the talk about all options “include[d] the possibility of a nuclear strike”, Bush merely repeated that “[a]ll options are on the table”¹⁷⁹⁴. At the time, the media responded to the hardening rhetoric, pointing to “[t]he parallels to the run-up to war with Iraq”¹⁷⁹⁵, and reporting on rumours about the administration’s plans to bomb Iranian sites, or even bring about a regime change in the country¹⁷⁹⁶. The president, however, denounced such claims as “wild speculation”¹⁷⁹⁷, and continued to emphasise the differences between Iraq and Iran. He said, for example, that the two issues “are different stages of diplomacy”, because “in Iraq there was a series of unanimous resolutions that basically held the Iraqi government to account, which Saddam Hussein ignored”, whereas “[t]he Iranian issue is just beginning to play out”.¹⁷⁹⁸ When asked a similar question in another occasion, Bush said that “Iraq went through 16 different Security Council resolutions”¹⁷⁹⁹. In retrospect, such arguments were undermined by the subsequent UN resolutions against Iran.

The Obama administration continued to stress that military action remained among the options of dealing with Iran. Although Obama had signaled in his Nowruz speech that the diplomatic process around the Iranian nuclear issue would “not be advanced by threats”¹⁸⁰⁰, he also said that “direct

¹⁷⁹³ Cheney, 24 February 2007.

¹⁷⁹⁴ Bush, 18 April 2006.

¹⁷⁹⁵ Clarke & Simon 2006.

¹⁷⁹⁶ Hersh 2006.

¹⁷⁹⁷ Bush, 10 April 2006.

¹⁷⁹⁸ Bush, 20 March 2006.

¹⁷⁹⁹ Bush, 28 April 2006.

¹⁸⁰⁰ Obama, 20 March 2009.

diplomacy has to be pursued without taking a whole host of other options off the table”¹⁸⁰¹ and that “we do not rule out any options when it comes to U.S. security interests”¹⁸⁰². Gibbs in turn explained that “it would be a mistake to take any option off the table”¹⁸⁰³, while Vice President Biden said that “we’ll [...] draw upon all the elements of our power – military and diplomatic, intelligence and law enforcement, economic and cultural – to stop crises from occurring before they are in front of us”¹⁸⁰⁴. Biden also explained that, “[i]f our efforts to address this problem through engagement are not successful, we have greater international support to consider other options”, adding that “[w]e must sometimes act alone, but it's always stronger when we act in unison”¹⁸⁰⁵. Irrespective of the seriousness of Obama’s engagement, it was thus at the same time seen as paving the way for the military option.

The American UN ambassadors did not engage in the rhetoric emphasising all options but they did imply that, apart from the adoption of further sanctions, continuing non-compliance would have a negative impact on Iran’s security. For example, the UN ambassadors warned that continuing on its current course would make Iran “less, not more, secure”, and explained that “the best way to ensure its security and end its international isolation is to abandon the pursuit of nuclear weapons and take steps needed to restore international confidence”¹⁸⁰⁶.

Both the Bush and Obama administrations gave their silent support to the Israeli threats about a ‘pre-emptive strike’ against Iran’s nuclear facilities. For example, Bush suggested that the Israeli strike against the Syrian nuclear facility in 2007 had sent a message to Iran “that people are going to take care of their security needs”, and that “your desire to have a nuclear weapon, coupled with your statements about the destruction of our close ally, has made it abundantly clear to everybody that we have got to work together to stop you from having a nuclear weapon”¹⁸⁰⁷. Moreover, in May 2008 Bush said that “of course Israel will try to join the main forces led by the United States of America and the President to try and stop the Iranians from continuing their efforts”¹⁸⁰⁸. Moreover, when asked again to comment on “an emerging debate in Israel about a military option against the nuclear installations in Iran”, Bush first expressed his sympathy with Israeli concerns by saying that “if you were living in Israel you’d be a little nervous, too, if a leader in your neighborhood announced that [...] he’d like to destroy you”¹⁸⁰⁹, and then said that “now is the time for all of us to work together to stop them”. Instead of commenting on the potential Israeli attack, then, the president allowed for the interpretation that such a strike could be part of the international efforts at non-proliferation in the Iranian case.¹⁸¹⁰ In line with American security commitments for Israel, the Bush administration also stated its readiness to defend Israel against Iran militarily. This was done in connection with the allegations of Iran’s intentions to ‘annihilate’ and ‘destroy’ Israel. For example, Bush explained that “we will use military might to protect our ally, Israel”¹⁸¹¹, and that, “in Iran, we’re dealing with a country where the leader has said that he wants to destroy Israel”,

¹⁸⁰¹ Obama, 21 April 2009.

¹⁸⁰² Obama, 25 September 2009a.

¹⁸⁰³ Gibbs, 29 September 2009.

¹⁸⁰⁴ Biden, 7 February 2009.

¹⁸⁰⁵ Biden, 5 May 2009.

¹⁸⁰⁶ Wolff, 23 December 2006.

¹⁸⁰⁷ Bush, 12 May 2008.

¹⁸⁰⁸ Bush, 14 May 2008.

¹⁸⁰⁹ Bush, 10 June 2008.

¹⁸¹⁰ Bush, 10 June 2008.

¹⁸¹¹ Bush, 20 March 2006.

adding that “[m]y belief is that the United States will defend our ally”¹⁸¹². In May 2008 Bush referred to “an important role of the United States to stand with democracies and to stand strong against terrorists” – for example standing by the side of “Israel against the existential threat of a nuclear weapon with Iran”¹⁸¹³.

The Obama administration followed its predecessor’s policy of silent support for Israeli threats. For example when Gibbs was asked in May 2009 about the US and Israeli rhetoric in the last two or three years against Iran, he simply said that “I don’t think I would match the rhetoric of President Obama with the rhetoric of Iranian leadership in threatening and vowing to seek the capability”¹⁸¹⁴, thus suggesting there was nothing particularly wrong about the Israeli rhetoric. In July he said, when asked about a potential Israeli strike against Iran that “[w]ell, I think the President has said that countries make security decisions for themselves”¹⁸¹⁵. When Obama was asked in June which would be worse for “America’s prestige in the Muslim world – “[a]n Iranian government that has nuclear weapons, or an Israeli military strike on Iranian nuclear facilities?”, he said that he was “not going to engage in these hypotheticals” but the rest of his answer pointed to the former possibility; as Obama explained, “Iran possessing a nuclear weapon would be profoundly destabilizing to the region -- not just with respect to Israel’s response, but the response of other Arab states in the region, or Muslim states in the region that might be concerned about Iran having an undue advantage”¹⁸¹⁶. Unlike Bush, however, Obama never said that that the US would defend Israel militarily against Iran. When the press secretary was once asked about the matter, he refused to answer, saying that he was “not going to get into hypotheticals”¹⁸¹⁷.

As noted in the previous chapters, particularly the Bush administration did not hide its wish to see a regime change in Iran, and it clearly believed this represented the only lasting solution to the nuclear issue. It was also noted in section 8.1.1 that the Bush administration’s theory behind sanctions was based on the idea of persuading the Iranian people to bring about such a change from within. In line with such assumptions, the Bush administration directly supported Iran’s domestic opposition by providing them material support. In 2006, the administration was granted \$66,1 million¹⁸¹⁸ “[t]o support the Iranian people’s efforts to win their own freedom” and to “organize and challenge the repressive policies of the clerical regime”. Also at the level of rhetoric, the Bush administration made clear that America would help the Iranian people to bring about a better future with a new regime, and that the transformation of Iran would be part of the greater project of democratising the Middle East.¹⁸¹⁹ As Bush explained, the US “must stand with reformers and dissidents and civil society organizations, and hasten the day when the people of these nations can determine their own future and choose their own leaders”¹⁸²⁰. Obama, on the other hand, sought to take distance from these questionable activities—arguably heeding the criticism by Iranian civil society activists that they were now all “accused by Iran’s government of being American spies

¹⁸¹² Bush, 3 October 2007.

¹⁸¹³ Bush, 14 May 2008.

¹⁸¹⁴ Gibbs, 18 May 2009.

¹⁸¹⁵ Gibbs, 31 July 2009.

¹⁸¹⁶ Obama, 1 June 2009..

¹⁸¹⁷ Gibbs, 22 May 2009.

¹⁸¹⁸ Katzman 2012.

¹⁸¹⁹ Bush, 24 February 2006.

¹⁸²⁰ Bush, 3 March 2006.

because a few groups in America used these funds”¹⁸²¹. As noted before, the change was reflected in Obama’s more careful rhetoric on Iran’s domestic system. The Obama administration also decided to cut the funding to Iranian opposition and instead focus “on less controversial media programmes and educational and cultural exchanges” by introducing the so-called Near East Regional Democracy programme¹⁸²².

8.2.1.2 The UK

Like Bush, Blair was repeatedly faced with questions concerning possible war plans against Iran. His standard response was to deny that anyone would be threatening Iran with military action; that nobody was targeting Iran, and that “[w]e don’t want a conflict with Iran, we have got enough on our plate doing other things”. Like Bush, he also insisted that “Iran is not Iraq” and that “[n]obody is talking about military invasion”.¹⁸²³ When pressed on the matter, however, the British PM admitted that he shared the US position, for he too refused to rule out the military option. This first hit the news in February 2006, as Blair said that no option was “off the table”¹⁸²⁴. When asked to explain why he had refused to rule out military action, “including targeted nuclear strikes against Iran”, Blair answered that “it is not very sensible at this moment in time to send a signal of weakness, we want to send a signal of strength”¹⁸²⁵. Blair’s views were not fully shared by the rest of the government, for the soon-to-be-fired Foreign Minister Jack Straw described any military attack on Iran as “inconceivable”, and a nuclear strike as “completely nuts”¹⁸²⁶. By May 2006, however, Blair too seemed to have changed his position with respect to a nuclear strike against Iran, now calling it “absolutely absurd”¹⁸²⁷.

When Gordon Brown took over as prime minister, it was immediately clear that he was not going to depart from his predecessor’s policy regarding the military option: as Brown said in July 2007, “I am not one who is going forward to say that we rule out any particular form of action”¹⁸²⁸. When asked about the matter, Brown consistently indicated that, although at the moment he was ready only to use sanctions diplomacy, he would not “not rule out anything” regarding the future tactics¹⁸²⁹. Moreover, when asked about the UK’s stance regarding the apparent US approval of an Israeli attack against Iran, Brown evaded the question by repeating the US government’s remark that “the talk was about hypothetical questions”¹⁸³⁰. Here it could be noted that, like their American colleagues, the British ambassadors did not bring up the military option in the Security Council context.

As for the UK position on regime change, the previous chapters indicate that at least the Blair administration shared the US view that the Iranian regime was the core problem in the nuclear dispute. It was also noted in section 6.1.3 that Blair even suggested that the UK would not be secure

¹⁸²¹ Kalbasi 2009.

¹⁸²² Curtis 2011.

¹⁸²³ Blair, 24 May 2006.

¹⁸²⁴ Tempest 2007.

¹⁸²⁵ Blair, 24 April 2006.

¹⁸²⁶ See Alfano 2006.

¹⁸²⁷ Blair, 8 May 2006.

¹⁸²⁸ Brown, 23 July 2007.

¹⁸²⁹ Brown, 8 October 2007.

¹⁸³⁰ Brown, 8 July 2009.

until there was a change of government in Iran. Although Blair also talked about the importance of “supporting democratic forces in Iran who want to have a proper democracy”¹⁸³¹—and although at the time the UK was reported to have been involved in American democracy-promotion activities under the framework of the Iran Syria Operations Group¹⁸³²—Blair suggested that the UK was not pursuing a policy of regime change in Iran. As he explained in July 2006, “being proper members of the international community does not mean, though I would love to see both Syria and Iran proper democracies, [...] that we insist that they change their government or even their system of government, although of course we want to see change in those countries”¹⁸³³.

8.2.2 France: military option as the final, catastrophic solution

Chirac did not really touch upon the issue of military measures against Iran—except in the rather in his February 2007 interview, where he implied that such a possibility posed a security threat to Iran (see section 6.3). However, on a few occasions he voiced his resentment towards the military option by expressing the wish “to prevent a conflict, of any kind”¹⁸³⁴; by saying that dialogue “must prevail”¹⁸³⁵ and that it was “preferable to a clash”¹⁸³⁶ and “confrontation”¹⁸³⁷, and by stressing that “only dialogue will enable us to reach a positive outcome”¹⁸³⁸. However, when confronted with the question as to whether France would in the future be prepared to back military action to prevent Iran from acquiring nuclear weapons, Chirac did not give a negative answer, either. Instead, he said that “[t]hen we’ll see if there are grounds for reaching some other conclusion”¹⁸³⁹. The French PM de Villepin also seemed to be somewhat ambiguous about the military option, explaining that “even if we rule out military action, we will of course draw all the lessons from any refusal to cooperate from Iran by adopting appropriate measures”¹⁸⁴⁰.

The French ambiguity about the military option continued during the Sarkozy administration. As Sarkozy argued in August 2007, everyone knows the “catastrophic alternative” to sanctions and a diplomatic solution: “an Iranian bomb or the bombing of Iran”¹⁸⁴¹. These words sparked a lot of discussion regarding the French position on the military option, which the president’s spokesperson David Martinon was repeatedly asked to clarify. Martinon reiterated that the president “needed to escape the catastrophic alternative between a nuclear Iran and military operations against it”, stressing that “[i]n saying this, he wished to remove this catastrophic alternative”¹⁸⁴². The French Foreign Minister Bernard Kouchner also drew media attention in September 2007 as he argued that the international community should “prepare for the worst if Iran would refuse to abandon its nuclear programme”, clarifying that “[t]he worst [...] is war”¹⁸⁴³. When Martinon was again asked

¹⁸³¹ Blair, 23 January 2006.

¹⁸³² Dinmore 2006.

¹⁸³³ Blair, 26 May 2006.

¹⁸³⁴ Chirac, 18 September 2006a.

¹⁸³⁵ Chirac, 19 September 2006a.

¹⁸³⁶ Chirac, 18 September 2006a.

¹⁸³⁷ Chirac, 19 September 2006a.

¹⁸³⁸ Chirac, 10 May 2006.

¹⁸³⁹ Chirac, 10 May 2006.

¹⁸⁴⁰ de Villepin, 10 May 2006.

¹⁸⁴¹ Sarkozy, 27 August 2008.

¹⁸⁴² Martinon, 5 September 2007.

¹⁸⁴³ Kouchner, 18 September 2007.

to interpret the above remarks, he argued that the interviewer had misunderstood Kouchner's words, and that "[o]ur path is the path of seeking a political solution"¹⁸⁴⁴. Sarkozy, too, said that, despite the "extremely difficult" situation in Iran, "France does not want war"¹⁸⁴⁵.

These complex formulations also prompted a *New York Times* reporter in September 2007 to ask Sarkozy for clarification. In his response, the president stressed that "between these two extremes [Iranian bomb and the bombing of Iran] there is a path for negotiations, for sanctions, for firmness, and for discussion", and continued as follows:

It is not true that there is no solution other than submission or war. There is a whole range of decisions that the international community must take in order to convince the Iranians that they are headed toward a dead end. Just as we succeeded in convincing the North Koreans. Just as we succeeded in convincing the Libyans. We are not condemned to the two extremes.¹⁸⁴⁶

When asked whether France would be prepared to use force to prevent Iran from obtaining a nuclear weapon, Sarkozy argued that "that is precisely the choice I reject in my expression — 'either acceptance or force'". He further described this artificial choice as a "trap" and as being "exactly what the Iranian leaders want".¹⁸⁴⁷ The interviewer persisted, asking whether it was "correct to say that at this stage, for France as for the United States, 'All options are on the table?'". Sarkozy replied:

For me the question regarding Iran is not to know whether or not we are close to the United States. The question is to maintain the unity of the international community with regards to Iran. After that, I'll leave it up to the commentators to judge whether we are closer or less close. What's more the expression, "All the options are on the table," is not mine. And I do not make it mine. I have explained what our strategy was and I will stick to it. That's it. I am quite ready to talk about the United States. But I am not determining my position based on the position of the United States alone. The Russian position, the Chinese position, they count for getting sanctions. We can't have as the alpha and the omega the French position or the position of the United States.¹⁸⁴⁸

Sarkozy thus refused both to rule out and not to rule out the military option. At the same time, he thought that talking about war was counterproductive:

This is an international crisis that must be managed with a great deal of sang-froid, with a great deal of firmness, with a great deal of thought. That is what I am trying to do. In any case, I will not go further. That's that. Because it is not France's policy. There's no point in mentioning other alternatives. It's completely counter-productive.¹⁸⁴⁹

Moreover, in the French Defence White Paper of June 2008 it was written that "[w]e must meet Iranian challenge in the same manner as that of North Korea, meaning direct multilateral engagement, arms control, security assurances and economic assistance", and that "[t]he allies of

¹⁸⁴⁴ Martinon, 20 septembre 2007.

¹⁸⁴⁵ Sarkozy, 20 September 2007.

¹⁸⁴⁶ Sarkozy, 23 September 2007.

¹⁸⁴⁷ Sarkozy, 23 September 2007.

¹⁸⁴⁸ Sarkozy, 23 September 2007.

¹⁸⁴⁹ Sarkozy, 23 September 2007.

America should not resort to force as the United States has not exhausted all other ways to solve the problem”¹⁸⁵⁰.

Finally, regarding the prospect of an unilateral Israeli attack on Iran’s nuclear facilities, Sarkozy described this as “absolute disaster”, in which connection he nevertheless expressed solidarity for the former by stressing that “Israel must know that Israel is not alone”¹⁸⁵¹. Sarkozy also clearly stated that the French objective was not to change the Iranian regime: in January 2008 he explained that “the sanctions are necessary to convince the leaders Iran to return to the negotiating table [...] because our objective is not regime change but rather the inclusion of Iran in the region as a positive actor as soon as it will respect international law”¹⁸⁵².

8.2.3 Russia: ruling out the military option

Russia was the most vocal opponent of military action against Iran: as Putin said in June 2006, “[w]e are against the use force in any circumstances”¹⁸⁵³. Consistent with this position, the Russian UN ambassadors took great care to emphasize that the resolutions that had been passed did not authorize the use of force. For example, Churkin said that “[i]t is crucial that, as follows unambiguously from the resolution, any additional measures that could be required in the future in order to implement the resolution rule out the use of military force”¹⁸⁵⁴. He also said that “the measures provided for in the draft resolution [...] commit no use of force”¹⁸⁵⁵, “preclude the possibility of the use of force”, and call “for no use of force whatsoever”. Furthermore, Churkin stressed that “any further steps taken by the Security Council, if necessary, will also be exclusively peaceful ones”, and that the potential further measures will be taken “on an exclusively peaceful basis”¹⁸⁵⁶. The Russian UN ambassadors also said that “[w]e remain convinced that the effective resolution of the Iranian nuclear problem can be achieved only through political and diplomatic efforts”¹⁸⁵⁷, and that “ways effectively to resolve the Iranian nuclear problem are to be found exclusively in the political, diplomatic and legal framework”¹⁸⁵⁸.

What seemed to worry the Russians most was the possibility of unilateral military action by the US. An early example is from a Cabinet meeting in February 2007, where Sergei Lavrov explained to Putin that the resumption of negotiations between the Six and Iran was “not an easy task because, on the one hand, the Iranian leadership has still not provided satisfactory answers to the International Atomic Energy Agency’s questions, and on the other hand, there are increasingly frequent and worrying predictions that air strikes will be launched against Iran”. Putin then asked whether Lavrov meant “strikes that do not have UN Security Council

¹⁸⁵⁰ Livre Blanc, July 2008.

¹⁸⁵¹ Sarkozy, 9 July 2009.

¹⁸⁵² Sarkozy, 18 January 2008.

¹⁸⁵³ Putin, 2 June 2006.

¹⁸⁵⁴ Churkin, 23 December 2006.

¹⁸⁵⁵ Churkin, 23 December 2006.

¹⁸⁵⁶ Churkin, 3 March 2008

¹⁸⁵⁷ Churkin, 24 March 2007.

¹⁸⁵⁸ Churkin, 23 December 2006.

authorization”, to which the latter replied that “[n]one of those who are talking about such a possibility have mentioned any such authorization”¹⁸⁵⁹.

Putin also warned his Western partners against repeating the mistakes that had been done in dealing with Iraq. In July 2006, for example, Putin first agreed that “we want to prevent new threats from emerging and [...] to prevent the proliferation of [WMD]” but “[t]he question is only about what means we use to achieve these goals”. After this he recalled the scandal in Iraq, which demonstrated that “our partners are sometimes mistaken, to say the least”, and which functioned as “an illustration of the kind of impasse” to which the Iranian issue might also be heading¹⁸⁶⁰. Putin also recalled that “we have negative examples of what happens when we hurry to make a decision on such sensitive and delicate issues”¹⁸⁶¹. Moreover, in October 2007 he asked “[w]hy exacerbate the situation now, pushing it towards deadlock and threatening sanctions and military action?”, and added that he did “not think that running around like a madman with a razor, brandishing it in all directions, is the best way to resolve problems of this kind”.¹⁸⁶² Vitaly Churkin expressed similar suspicions towards the rationality of Russia’s P5 partners when he first admitted that negotiations with Iran were not going well at the moment, and then insisted that the sanctions were working and that one needed to be patient and not do anything crazy, thus arguably warning against military action¹⁸⁶³. The above warnings were connected with Russia’s general criticism of US unilateralism. For example in February 2007 Putin expressed the hope that the assurances given to the Russian foreign minister that the US was not planning a military intervention in Iran “really do correspond to reality”, adding that “at the same time, I think that people in Iran and throughout the entire world remember very well how events developed in Iraq”. Putin also noted that there was “a fairly large naval presence armed with missile technology [...] already deployed in the Persian Gulf” which was “not being used for operations in Iraq”—as well as a new initiative which “provides for not only increasing the military contingent on Iraqi soil itself, but also for deploying aircraft carrying units in the region”. Referring to the obvious conclusion that the US was preparing for a war against Iran, Putin said that “[a]ll of this together does raise questions and gives us some cause for concern”.¹⁸⁶⁴ Moreover, after the publication of the December 2007 NIE report, Putin was asked whether he thought the recently-published NIE report would “reduce the likelihood of military actions against Iran?”. The president answered by saying the following:

If this CIA report has been published simply to divert the Iranians' attention from the real preparations for military action, something that is theoretically possible, then I believe that this would be very dangerous because any military action against Iran would represent yet another very big mistake. [...] If we assume that the report was actually published to provide an objective picture of events, [...] I cannot help but be happy about this. This also bears witness to the fact that there are people in the American administration who believe that we need to speak the truth.¹⁸⁶⁵

¹⁸⁵⁹ Lavrov, 26 February 2007.

¹⁸⁶⁰ Putin, 12 July 2006.

¹⁸⁶¹ After this he again mentioned Iraq, saying that “in this region we have situations from which no one knows how to get out, situations developing like, for example, the one in Iraq”, and that “[f]or that reason we do not need to rush the issue”. (Putin, 13 July 2006)

¹⁸⁶² Putin, 25 October 2007.

¹⁸⁶³ Churkin, 27 March 2008.

¹⁸⁶⁴ Putin, 10 February 2007a.

¹⁸⁶⁵ Putin, 12 December 2007.

Putin's above comment thus not only highlighted the dangers of military action against Iran, but it also contained criticism of the previous dishonesty and lack of objectivity by the Bush administration.

Medvedev, too, highlighted the dangers of military action. To reiterate his remarks from section 8.1, Medvedev said that it could not simply be that "we pass a resolution, and come what may, you have to comply otherwise we will look at tough international sanctions, and ultimately even a military operation", for "[t]his is a dangerous approach"¹⁸⁶⁶. In September 2008 he argued that "there are no battlefield solutions to this problem, although we know that some of those involved in international relations have scripted such scenarios"; that "[w]e believe such a scenario is unacceptable, extremely dangerous for peace and for the region", and that, "[i]n fact, it is so dangerous that I do not even need to explain why, since it's obvious to everyone"¹⁸⁶⁷. Also in November 2008 the president stressed that "any hard-line action" by the US on Iran "would be very dangerous"¹⁸⁶⁸. When asked about whether Russia would give support to Iran if Israel would attack it, the president replied as follows:

Russia cannot support anybody or act in such situation. We are a peaceful state and we have our own understanding of our defense strategy. This is the first point. The second point. We have our allies with which we have concluded one or other agreements. In case of Iran we do not have obligations of this kind. But it does not mean that we would like to be or will be impassable [sic] before such developments. This is the worst thing that can be imagined. I have already commented on this issue. Let us try together to reason upon it. What will happen after that? Humanitarian disaster, a vast number of refugees, Iran's wish to take revenge and not only upon Israel, to be honest, but upon other countries as well. And absolutely unpredictable development of the situation in the region. I believe that the magnitude of this disaster can be weighted against almost nothing.¹⁸⁶⁹

Medvedev thus highlighted the magnitude of the catastrophe that would follow from an Israeli strike on Iran. As for the phrase according to which Russia would not be 'impassable' in such a situation, it could be interpreted as meaning some kind of non-military counter-action to Israel's conduct.

8.2.4 China, Argentina, Congo, Libya, South Africa and Tanzania: cautious opposition to military measures

China and five non-permanent members—Argentina, Congo, Libya, South Africa and Tanzania—suggested that they were also against any military measures towards Iran. However, their argumentation was more subtle than Russia's in that it did not amount to clear and absolute rejection of the use of force, nor did it contain criticism towards the Western P5's threats towards Iran.

¹⁸⁶⁶ Medvedev, 1 July 2008.

¹⁸⁶⁷ Medvedev, 12 September 2008.

¹⁸⁶⁸ Medvedev, 16 November 2008.

¹⁸⁶⁹ Medvedev, 15 September 2009.

8.2.4.1 China

For the most part, China seemed to avoid the topic of military measures against Iran, and instead it stressed the need to find a negotiated solution. For example, the Chinese representatives stressed that peaceful dialogue and diplomatic negotiations would be “the best solution”¹⁸⁷⁰, and “the only way out”¹⁸⁷¹. It was also said that “[a]ny measure the Security Council is to take should be conducive to a proper solution to the issue through peaceful talks”¹⁸⁷²; “help enhance diplomatic efforts rather than aggravate conflicts and lead to confrontation”¹⁸⁷³, and “be conducive to achieving” a peaceful settlement of the nuclear crisis¹⁸⁷⁴. It was also said that “in handling the Iran nuclear issue, [...] maintaining international and regional peace and stability remain the premise and ultimate objective” and that “[n]o actions should deviate from that goal”¹⁸⁷⁵. Furthermore, the Chinese officials said that “[w]e hope to see peace and stability prevail in the Middle East” which was why the Iranian nuclear issue should be resolved peacefully through negotiation”¹⁸⁷⁶; that “China [...] advocates peaceful resolution of the Iranian nuclear issue through diplomatic efforts and negotiations”¹⁸⁷⁷.

In some occasions, however, China was more direct in expressing its objection to a military solution. For example, when a Chinese foreign ministry spokesman was asked in early 2006 about the possibility of the US-led military action against Iran, he said that “we should not resort to use of force when solving the difference in the international relations [sic] and the dispute between different countries”¹⁸⁷⁸. When asked to comment on Bernard Kouchner’s remark on the need to prepare for a possible war with Iran, the Chinese government representative said that China regards a peaceful settlement as the best option, and also stated China’s opposition to the threat of force in international relations.¹⁸⁷⁹ Moreover, when asked for a comment on Israeli threats to attack Iran’s nuclear facilities in 2008, the FM spokesperson Liu said that “[a]ny resolution by force is unthinkable”, and that “China always upholds that the [Iranian nuclear] issue should be resolved peacefully through dialogue and negotiation”¹⁸⁸⁰.

8.2.4.2 Argentina, Congo, Libya, South Africa and Tanzania

Several non-permanent members expressed their opposition to the military option indirectly by highlighting that the adopted resolutions did not authorise the use of force against Iran. As noted already in section 6.3, the Tanzanian ambassador said in July 2006 that his country had “voted in favour of the resolution essentially because it precludes the use of force as an option in engaging the

¹⁸⁷⁰ Yang, 4 June 2007.

¹⁸⁷¹ Liu, 31 July 2006.

¹⁸⁷² Qin, 27 February 2007.

¹⁸⁷³ Wang, 24 March 2007.

¹⁸⁷⁴ Qin, 6 December 2007.

¹⁸⁷⁵ Wang, 24 March 2007.

¹⁸⁷⁶ Qin, 6 December 2007.

¹⁸⁷⁷ Chinese Delegation’s Speech at General Debate in First Session of the Preparatory committee for the 2010 NPT Review Conference, 5 May 2007.

¹⁸⁷⁸ Kong, 7 February 2006.

¹⁸⁷⁹ Jiang, 18 September 2007.

¹⁸⁸⁰ Liu, 26 June 2008.

Islamic Republic of Iran”¹⁸⁸¹. The Argentinian representative, in turn, noted with “satisfaction that the resolution [1737] was adopted unanimously and under article 41 of the [UN] Charter” because this meant that there was “no possibility under resolution 1737 (2006) of recourse to the use of force”¹⁸⁸². Reminiscent of the Chinese rhetoric, the Congolese ambassador said in March 2007 that his country “believes that the solution to this crisis is to be found through dialogue and negotiation, without any threats to use force”¹⁸⁸³, whereas the South African Ambassador Kumalo said in March 2008 that “South Africa does not want to see a war break out over the nuclear programmeme in Iran”¹⁸⁸⁴. Reminiscent of Russia’s openly critical rhetoric, Libyan Ambassador Dabbashi, in turn, explained in December 2009 that “what happened in Iraq should not be allowed to occur again anywhere else in the world”. However, the fact that he added to this the phrase “especially when it is based on groundless information” allowed the interpretation that a war might not be completely out of question if based on *verified* information.¹⁸⁸⁵

Here one could also recall the statements by Costa Rica, Qatar and Vietnam from section 7.2, for it is possible to see their criticism of the P5’s unfulfilled responsibilities as partly directed to the threats of military action against Iran. This kind of interpretation is possible, for example, in connection with the Libyan Ambassador Dabbashi’s argument that “international peace and security cannot be achieved through the possession of nuclear weapons and other [WMD], or the threat of their use”, and his call for “those States which possess nuclear weapons” to “uphold their responsibilities in this area”.¹⁸⁸⁶ Costa Rica’s similar remarks focused on the problem of the lack of guarantees given to NNWS against nuclear attacks by NWS: as Ambassador Urbina explained, at present international environment, there are “weak guarantees that existing nuclear weapons will not be used”¹⁸⁸⁷. The Qatari Ambassador Al-Nasser, in turn, stressed “the importance of strengthening confidence and preventing the causes of proliferation”¹⁸⁸⁸, which could be seen to refer to insecurity as a cause for proliferation. Finally, one could recall the Vietnamese Ambassador Le Luong Minh’s call for the “cessation of hostile policies against Iran”, in which connection he also mentioned the need for “assurance of Iran’s legitimate security interests”¹⁸⁸⁹.

8.2.5 Iran: readiness to act in self-defence

The Iranian leadership acknowledged that they were potential targets to military action in the name of non-proliferation. Ahmadinejad, for example, explained in 2007 he said that “the arrogant powers have repeatedly accused Iran and even made military threats against it over the last two years”¹⁸⁹⁰, and that “[t]hey said that ‘if Iran rejects the demands, the country will be isolated or it will be attacked’”¹⁸⁹¹. Nevertheless, the president assured that his country would not be intimidated. For example in 2006 the president argued that Iran no longer felt the military threat from the US,

¹⁸⁸¹ Manongi, 31 July 2006.

¹⁸⁸² Mayoral, 23 December 2006.

¹⁸⁸³ Gayama, 24 March 2007.

¹⁸⁸⁴ Kumalo, 3 March 2008.

¹⁸⁸⁵ Dabbashi, 10 December 2009.

¹⁸⁸⁶ Dabbashi, 10 December 2009.

¹⁸⁸⁷ Urbina, 3 March 2008.

¹⁸⁸⁸ Al-Nasser, 23 December 2006.

¹⁸⁸⁹ Le Luong Minh, 3 March 2008.

¹⁸⁹⁰ Ahmadinejad, 26 September 2007.

¹⁸⁹¹ Ahmadinejad, 14 April 2009.

even though he admitted that it had still done so in the previous year. Referring to the recent deployment of an American nuclear aircraft carrier to the Persian Gulf, he then remarked that “[t]wo aircraft carriers are coming, so what?”, adding that “[a]ctually I believe the fact that they’re coming shows that nothing is going to happen” and that “[i]f they leave the area then that is dangerous – that reveals that they have plans”.¹⁸⁹² The president also said that “they do not have the courage to attack us”¹⁸⁹³; that “[t]he Iranian nation is progressing toward development and enemies will not be able to harm it”¹⁸⁹⁴; that Iran “has no fear of enemies’ hue and cry and psychological warfare”; that “[t]he Iranian nation and its government are not concerned about the threats posed by corrupt powers”¹⁸⁹⁵, and that “no world power would ever dare to think of attacking the Iranian land or its interest”¹⁸⁹⁶. In 2008 the president said that “[t]he enemies for many times threaten to take military action against Iran to urge us suspend our nuclear programme but to no avail”¹⁸⁹⁷. Even if the threats would be carried out, the president argued that Iran was powerful enough to defend itself. For example, Ahmadinejad said that “[w]e don’t need weapons [sic] at all” because “[w]e’re strong enough to defend ourselves”¹⁸⁹⁸; that “Iran has passed through the vulnerable point and its enemies are not able to harm the nation”¹⁸⁹⁹, and that “[t]he Iranian nation is stronger and more experienced than ever and [...] powerful enough to defend its country”¹⁹⁰⁰. Moreover, Ahmadinejad described the Iranian power as being “of an extent that no major power can dare jeopardize the security and interests of the Iranian nation”¹⁹⁰¹, and that “Iran’s armed forces will firmly cut off the hands of any attackers who are to pull trigger against the Iranian nation”¹⁹⁰². Such statements were heard almost exclusively in the president’s speeches, while the other officials did not engage in this kind of rhetoric. Ambassador Khazaei, on the other hand, stated in his September 2008 letter to the Security Council that, “in accordance with its inherent right under Article 51 of the Charter of the [UN], Iran would not hesitate to act in self-defence to respond to any attack against its territory and people”¹⁹⁰³.

As for the US efforts to support Iranian opposition movements, Ahmadinejad used it to explain all domestic disagreements. While in February 2007 the president explained that the “[e]nemies have pinned hope on certain individuals inside the country who chant for disdain and surrender”, and that “there are agents inside the country who impose pressure on the nation instead of resisting enemies”¹⁹⁰⁴, in November 2008 he said that “today, more than any other time, the country is in need of unity, solidarity, and cooperation”, adding that “the enemies are trying to create discord among the people and various branches of the government”¹⁹⁰⁵.

¹⁸⁹² Memarian 2006 in reference to Ahmadinejad.

¹⁸⁹³ Memarian 2006 in reference to Ahmadinejad.

¹⁸⁹⁴ Ahmadinejad, 9 September 2007.

¹⁸⁹⁵ Ahmadinejad, 12 August 2007.

¹⁸⁹⁶ Ahmadinejad, 22 September 2009.

¹⁸⁹⁷ Ahmadinejad, 8 April 2008.

¹⁸⁹⁸ Ahmadinejad, 20 September 2006b.

¹⁸⁹⁹ Ahmadinejad, 24 May 2007.

¹⁹⁰⁰ Ahmadinejad, 22 September 2009.

¹⁹⁰¹ Ahmadinejad, 17 April 2008.

¹⁹⁰² Ahmadinejad, 22 September 2009.

¹⁹⁰³ Khazaei, 9 September 2008.

¹⁹⁰⁴ Ahmadinejad, 25 February 2007.

¹⁹⁰⁵ Ahmadinejad, 18 November 2008.

While Ahmadinejad's political rhetoric focused on downplaying the significance of US threats, other officials also took up the Israeli threats, and in this connection called for an end to such policies. For example, in his 2008 letter to the UN Secretary-General and the Security Council, Khazaei complained that "the Israeli regime, emboldened by the absence of any action on the part of the [UN] [...], continues its unabated outrageous and vicious threats against the Islamic Republic of Iran and its officials". In this connection, he referred to the Israeli Defence Minister Ehud Barak's repeated threats "to use force [...] by recycling the same tired, yet insolent, statement that the said regime will use 'any option' against the Islamic Republic of Iran". Khazaei continued that "[t]hese dangerous threats of resorting to criminal acts against the officials of a sovereign country, or threatening to use force against a Member of the [UN] not only constitute manifest violations of international law and contravene the most fundamental principles of the Charter of the [UN], but are against the basic values of the civilized world". After calling for "a resolute and clear response on the part of [...] the Security Council" to those threats, he lamented that the inaction of the Security Council "vis-à-vis the previous threats of the said regime against Iran and other countries of the region has emboldened it to continue its unlawful behaviour and policies and to openly threaten to use force against Members of the [UN] or to resort to criminal acts against their officials".¹⁹⁰⁶ Moreover, Iran's 2006 response to the P5+1 package suggested that Iran set as a condition for demonstrating its own "goodwill" and guaranteeing "that it would not abandon its membership in IAEA and NPT "[t]he commitment and guarantee of the negotiating partners to prevent and protest all hostile and restrictive acts against [...] Iran including any scientific, technical, political, economic and commercial embargo and any kind of military aggression or threat",¹⁹⁰⁷. In other words, Iran suggested that it might withdraw from the non-proliferation regime if its security would continue to be threatened. Here one could also recall Mottaki's calls for NWS to provide security guarantees for the NNWS (see chapter 7.2)

8.3 Summary of chapter 8

The US, UK and France were the greatest believers in sanctions; they frequently stressed the need to adopt further measures and described the already adopted sanctions as inevitable. While Obama acknowledged and criticized the absence of real diplomacy until 2009, in the case of the UK and France the rhetoric of the 'dual track' approach disguised this problem. At the same time, the UK and France suggested that it was Iran's unreasonable reluctance to pursue serious negotiations that had all along prevented success on the diplomatic front. Such arguments can again be seen in terms of the solidarist explanation that Iran's conduct resulted from low interaction capacity. Both the US and UK reserved for themselves the possibility of military attack against Iran. In the case of the Bush and Blair administrations, the use of nuclear weapons was not ruled out either. At the same time, these two countries refrained from condemning Israeli threats of a 'pre-emptive' attack on Iran's nuclear facilities and even suggested that Israel was contributing to the P5+1 approach. Although France did not engage in similar rhetoric and stressed the disastrous consequences of war against Iran, it also did not rule out the military option. Russia and China stood behind the adopted UN sanctions resolutions, which they apparently viewed as contributing to the resolution of the issue. At the same time, however, Russia and China frequently expressed general reservations about

¹⁹⁰⁶ Khazaei, 9 September 2008.

¹⁹⁰⁷ Iran's Response to the P5+1 Package, August 2006.

the usefulness of sanctions as a policy tool. Arguably concerned with their own economic and other relations with Iran, they also highlighted the limited nature of the UN sanctions and criticised the additional sanctions imposed on Iran by the Western P5. As for military action, Russia warned that it would be disastrous for regional order and also against international law. A similar view seemed to underlie China's more cautious opposition to the military option.

The statements of five of non-permanent members—Belgium, Croatia, Italy, Japan and Slovakia—supported the Western P5 view on sanctions and the dual track approach: these countries spoke positively about the adopted approach, without expressing any reservations about sanctions. Four others—Burkina Faso, Congo, Ghana and Panama—were closer to Russia and China, meaning that they did not question the effectiveness of the UN resolutions but still expressed cautious, general reservations about sanctions. The strongest criticism came from Indonesia and Libya, who suggested that sanctions were undermining attempts on the diplomatic front. In this connection, one could also recall the concerns voiced by Qatar, South Africa and Tanzania (see section 6.3.3) regarding the potential negative impact of sanctions on international order, which was obviously based on similar reasoning. The statements of all of these six countries—with the exception of Qatar in July 2006 and Indonesia in March 2008—were strikingly inconsistent with their positive votes for enforcement measures. As for the non-permanent members' views on the military option, cautious opposition similar to China's was heard from Argentina, Congo, Libya, South Africa and Tanzania.

Finally, Iran argued that sanctions would not have any impact on its conduct. It viewed the multilateral UN sanctions as continuation of the old US policy of containment, which it was accustomed to resisting. At the same time, the Iranian officials again explained their country's non-conformity based on the need to protect their country's sovereign interests and to resist injustice. As for Iran's view on the P5+1's diplomatic track, it was of the opinion that the other side was not seriously interested in finding a negotiated solution. Regarding the talk about the military option, the Iranian officials downplayed the threat, called for the condemnation of Israeli threats from the international community, and stated their country's readiness to act in self-defense.

PART III CONCLUSIONS

This final part of the thesis draws conclusions based on the empirical analysis. Chapter 9 deals with the more empirical, first part of the research question regarding the appropriateness of the solidarist paradigm in understanding the Iranian nuclear issue. Chapter 10, which answers the second part of the question, ends the thesis with policy recommendations and discussion on the broader implications of this case for the nonproliferation regime and international society more generally.

9 Validity of the Solidarist Paradigm in Describing UN Security Council Process on Iran

In this chapter I consider whether and to what degree the five conditions of the solidarist paradigm have been met in the case of the UN Security Council process on Iran. Hence section 9.1 discusses the extent of Security Council consensus about the definition of Iran's breach (condition A); section 9.2 assesses the consensus regarding the need for relevant enforcement measures (condition B); section 9.3 deals with indications of ulterior motives behind the Council's ostensibly Rationalist approach (condition C); section 9.4 seeks to assess whether Iran's conduct can be regarded as unreasonable (condition D), whereas section 9.5 addresses the question as to whether the Security Council sanctions can be seen to have promoted their stated goals (condition E). In addition to assessing whether the five conditions are met, I will also place the pluralist and solidarist arguments in the theoretical table according to their relevance to the three traditions (see table 3 at the end of this chapter).

9.1 Definition of breach

This section considers the applicability of the solidarist paradigm in the Iranian nuclear issue from the point of view of condition A—that is, the Security Council consensus regarding the definition of breach. Based on the discussion in chapter 3, the assessment of this condition can be seen to depend on whether and to what extent the Council members characterised Iran's conduct as illegal and viewed it as a threat to international peace and security.

The UK, US, and Sarkozy's France not only focused on Iran's past reporting failures and non-compliance with the Security Council resolutions when highlighting the country's violations, but they also drew attention to additional issues, such as the Fordow site revelations and arms shipments which were banned under the UN resolutions (section 6.1.1). What is more, they took Iran's proliferation intention for granted, and also included it in their definition of breach (section 6.2.1). This assumption was part of a broader set of assumptions about Iran's low interaction capacity, which was understood in both Realist (Hobbesian) and Revolutionist (ideological) terms: especially in the case of the US and UK, proliferation concerns were inextricably linked with the idea that Iran was a rogue state with hostile intentions. This hostility was seen to be directed towards the US and the UK, their allies, and the liberal-democratic world more generally. In effect, the US, UK and Sarkozy's France suggested that the Iranian nuclear programme posed a grave

military threat to Israel, to the broader Middle East region, to Europe, and the entire world, including themselves. (See section 6.3.1) Thus their solidarism was justified in terms of both Rationalist concerns about international order and Realist concerns about national security. Given that both Iran's breach and its negative implications for international peace and security were defined by these actors in such strong terms, they clearly represented a solidarist position with respect to condition A.

Eight other countries—Chirac's France, Belgium, Burkina Faso, Costa Rica, Croatia, Japan, Panama and Slovakia—also indicated that Iran had breached international law. However, they remained within the minimal, formal definition of the breach (referring either to Iran's past reporting failures or its defiance of Security Council resolutions, see section 6.1.1). Although Chirac's France, Burkina Faso, Croatia and Panama did express tentative doubts about Iran's intentions—thus expressing a Rationalist concern about international order—they did not automatically assume that Iran was trying to get a nuclear weapon (section 6.2.2). While these eight countries can thus also be counted in the consensus required by condition A, they did not seem to think that the problem had to do with Iran's interaction capacity.

Russia and China, on the other hand, never stated that Iran had breached international law. While the statements of China and Medvedev's Russia can be regarded as neutral with respect to the legality of Iran's conduct, Putin argued that Iran had not really even breached international law. (section 6.1.2) Given that Putin also expressed trust in Iran's intentions (section 6.2.3), his views with respect to condition A can be seen as pluralist instead of solidarist. Medvedev, however, did express some concerns about Iran's nuclear programme (section 6.2.2), on which basis his position with respect to condition A could be described as weak solidarism. As for China's security perceptions, it settled for rather vague and ambiguous security rhetoric which allowed for the interpretation that the threat either had to do with Iran's proliferation intentions, the intentions of the fellow P5 members, or both, meaning an escalation of the dispute as a consequence of reckless policies by both sides (section 6.3.3). Combined with the lack of criminalisation in Chinese statements, its position, too, can be seen to represent weak solidarism with respect to condition A.

Finally, six non-permanent members criticized the UN resolutions on Rationalist grounds, arguing that the P5's interpretation of international law was flawed (section 6.1.3). While Qatar and Tanzania thought that resolution 1696 was premature, Indonesia, Libya, South Africa and Vietnam regarded resolution 1803 as unfounded, given Iran's cooperation with the IAEA on the outstanding issues. Thus Qatar, Indonesia, Libya, South Africa, Tanzania and Vietnam cannot be counted into the consensus required by condition A of the solidarist paradigm. Qatar's pluralist position in this regard was reinforced by simultaneous expressions of trust in Iran's intentions (section 6.2.3). As for South Africa, it indicated that its previous concerns regarding the outstanding issues were reduced due to Iran's cooperation with the IAEA prior to the March 2008 resolution (section 6.2.3).

Finally, one could mention Argentina, whose representative did not use the language of criminalisation, and was clearly unwilling to call Iran's intentions into question (section 6.2.3). Thus Argentina's position can be regarded as representing weak pluralism. As for the remaining seven non-permanent members who either made no statements in the Council (Austria, Denmark, Greece, Peru, Turkey and Uganda), or whose statements seemed irrelevant for the discussion

(Gongo, Ghana and Italy), their views are regarded as neutral with respect to condition A of the solidarist paradigm.

In sum, the majority of Council members—that is, eleven countries which represented over one third of the entire membership and which included four permanent members—can be described as solidarist with respect to condition A. In other words, they seemed to agree that Iran had breached international law in a way that threatened international peace and security. The same amount of countries was neutral regarding the issue of breach. On this basis, it can be said that condition A was met, even though some caveats remain due to the pluralist arguments by Russia and six non-permanent members.

9.2 The perceived need to undertake enforcement measures

This section seeks to determine the Security Council members' position regarding condition B—i.e. their views on the need to undertake norm-enforcement measures against Iran. Although the analysis takes into account both rhetoric and actions, priority is given to voting behavior. In effect, positive votes for the UN resolutions together with positive rhetoric about sanctions can be seen to reflect strong solidarism regarding the enforcement measures. As for the more ambiguous rhetoric containing both support and reservations for norm-enforcement measures, this will also be regarded as solidarist as far as it is accompanied by positive votes for the UN resolutions. On the pluralist side, opposition to enforcement measures both at the level of rhetoric and actions—meaning either a negative vote or abstention from voting for the UN resolutions—can be seen to stand for pluralism. However, reservations towards sanctions coupled with ambivalent voting behavior must be regarded as contradictory, meaning neither pluralist nor solidarist.

The US, UK and France were by far the greatest believers in sanctions; they always gave positive votes, frequently stressed the need to adopt further measures, and described the already adopted sanctions as inevitable. The Western P5 thus advocated strong solidarism with respect to condition B. Argentina, Belgium, Costa Rica, Croatia, Italy, Japan and Slovakia can also be counted into this group: they gave their votes to the adopted resolutions and spoke positively about the Security Council approach. (See section 8.1.1) All of these countries can be seen to have expressed a Rationalist concern for international order as the rationale behind norm-enforcement measures.

Russia and China, too, supported the already adopted UN sanctions, and apparently viewed them as contributing to the resolution of the issue. Unlike the Western P5, however, they did not highlight the inevitability of sanctions, and they frequently expressed general reservations about the usefulness of sanctions as a policy tool. Both suggested that sanctions might undermine diplomatic efforts and thus be counterproductive. Alongside the solidarist argument that norm-enforcement was contributing to international order, Russia and China thus also suggested that this might not be the case. Furthermore, these two P5 members highlighted the limited nature of the already-adopted UN sanctions, and Russia criticised the Western P5 for their eagerness to adopt more sanctions. Given this mixture of support and concerns about the limits of the already existing sanctions, as well as reservations concerning any further measures, one could characterise the Russian and Chinese approach to enforcement measures as weak solidarism. Weak solidarism can also be seen

to characterise the approach of four non-permanent members—Burkina Faso, Congo, Ghana and Panama—who voted for the resolutions and did not question the effectiveness of the UN sanctions but still made statements that pointed to certain problems in the chosen approach. (See section 8.1.2)

As for those non-permanent members—Denmark, Greece and Peru—who voted for the UN resolutions in 2006 but who made no statements before the Council, their approach can be seen to reflect a concern for the international normative order and counted as solidarist with respect to condition B. As for Austria, Mexico, Turkey, and Uganda, their position towards enforcement measures must be considered neutral, for they were in the Council in 2009 when no resolutions were adopted and made no statements concerning enforcement measures¹⁹⁰⁸.

Indonesia, Libya, Qatar, South Africa and Tanzania stood out from the rest in terms of their distinctively pluralist rhetoric against the UN resolutions against Iran. In addition to questioning the legitimacy of the Council approach from a legal perspective (section 6.1.3), they all suggested that the adopted resolutions would have a negative impact on trust-building and diplomatic efforts (8.1.3). Related to this argument, Qatar, South Africa and Tanzania also suspected that the resolutions might end up undermining international peace and security instead of preserving it (6.3.3). Despite their arguments against norm-enforcement, none of these countries can be seen to be consistently pluralist. In the Qatari case, rhetoric and actions seemed to be at odds in December 2006. Indonesia, on the other hand, only came to have major objections to the chosen approach in March 2008—after having given a positive vote for resolution 1737 in the previous year. Thus their position must be regarded as contradictory with respect to condition B. Libya, South Africa, Tanzania and Vietnam, on the other hand, always gave their positive votes despite their critical rhetoric. As precedence is here given to actions over rhetoric, the position of these four countries with regard to condition B must be regarded as solidarist.

In sum, an overwhelming majority—that is, 23 countries which represented 80 per cent of Security Council membership between 2006 and 2009—supported the enforcement measures against Iran, thus showing that condition B was met. The discrepancy between the pluralist rhetoric and solidarist actions of certain non-permanent members did not amount to a consistent pluralist position, but it still represented an anomaly which can be seen in the theoretical table (see table 3 at the end of the chapter) and which will be discussed further in section 9.3.

9.3 Ulterior motives of the enforcers

As explained in chapter 3, condition C determines that international consensus on the need for norm-enforcement measures should be based on a limited Rationalist concern for international peace and security. For the Security Council to meet this condition, the statements of its members should therefore be in line with the non-proliferation concerns of the UN resolutions, reflecting an underlying concern for international peace and security. However, if the Council members'

¹⁹⁰⁸ After the period under study, however, Austria, Mexico and Uganda voted for resolution 1929 in June 2010, whereas Turkey gave a negative vote and spoke strongly against the resolution.

interpretation of the situation seems to be driven to a significant degree by Realist considerations of expediency or enmity, or by a Revolutionist desire to replace the Iranian political system, this can be regarded as an indication of ulterior motives and thus give rise to pluralist skepticism regarding condition C.

As noted already in connection with condition A, the nonproliferation concerns of the US and UK were inextricably linked with the idea of Iran as a rogue state with hostile intentions. In line with the Hobbesian meaning of low interaction capacity, this involved the tendency to interpret Iran's nature and intentions in the worst possible light. As far as one agrees that the Hobbesian assumptions about the nature of the Iranian threat reflect a sound assessment of reality, the enmity and mistrust reflected in the Anglo-American statements could be seen to be in line with the solidarist paradigm. One cause for skepticism here, however, is that Realism also seemed to be present in the US and UK statements in the sense of expediency and national security: in the US case this was visible in the argumentation for the missile defense system, whereas the UK used the Iranian threat to justify the maintenance of its own nuclear arsenal. Given the huge power asymmetry between both of these countries and Iran, these arguments do seem to be somewhat out of proportion—especially in light of the absence of military threats against other countries in Iranian rhetoric (see section 6.3.4). Indeed, the assessment that Iran's conduct represented low interaction capacity is not supported by the analysis on Iranian statements (for more on this, see following section). All this can be seen to suggest that the UK and UK were motivated by expediency and enmity, rather than just Rationalist concerns about international order. Moreover, the fact that these two countries presented Iran's allegedly hostile intentions in terms of ideological opposition to the democratic ideas that they themselves professed to be promoting pointed to Revolutionist rationales. This assessment finds even more support in the poorly disguised desire of both of these countries to see a change of regime in Iran (see sections 7.3 and 8.2.1).

As for Sarkozy's France, it was more focused on Rationalist concerns over the nuclear issue, but also shared the Anglo-American mistrust and enmity towards Iran: as seen in section 6.3.1, Sarkozy, too argued that Iran had aggressive intentions towards Israel and Europe and that its leaders could not be trusted. The fact that France indirectly justified its nuclear arsenal in terms of the alleged Iranian threat to Europe can also be seen in terms of Realist expediency. Furthermore, Sarkozy's occasional comments regarding Iran's outlaw nature suggested that he partly shared the Revolutionist idea that the nature of the Iranian regime was the core of the problem in the nuclear dispute (see sections 6.3.1 and 7.3.1). Thus the statements of Sarkozy's France also give rise to pluralist scepticism on the same grounds as those of the US and UK, albeit to a lesser extent.

The above assessment about the Western P5's motivations finds support from the inter-subjective perceptions among the Security Council members. Here I would like to recall the critical views expressed by Chirac's France, Russia and six non-permanent members mainly regarding US and UK approach. To begin from Chirac, his emphasis on not mixing the nuclear issue with other concerns or claims about Iran's domestic nature can be seen as critique of the Revolutionist tendencies of the US and UK. Related to this point, the former French president also directly criticised these two fellow P5 members for their rogue state rhetoric, and viewed their claims about Iran posing a military threat to Israel as being out of touch with reality. Moreover, the fact that Chirac indirectly pointed to the selectiveness in choosing to focus on the proliferation threat posed

by Iran—rather than by US allies—suggested that he viewed American non-proliferation concerns as being shaped by Realist considerations of expediency or enmity. (See section 6.3.2).

Russia, too, criticised the American discourse on Iran as representing excessive securitisation. Russia believed this was mainly the result of expedient politics: the Russian leaders regarded the claims about an Iranian threat to Europe as an American excuse for its missile defense system. In other words, Russia viewed the Western security rhetoric regarding Iran's nuclear programme largely as a reflection of America's pursuit of national interest. In addition to expediency, however, Russia also implied that the US was acting based on clouded judgment. This was apparent in the frequent Russian warnings against repeating the mistakes of the Iraq war; criticism of the US administration's lack of objectivity and its tendency to base its actions on 'fantasy threats', and the suggestion that Bush administration's unilateralism was contributing to the problem of proliferation rather than preventing it. Furthermore, the Russian officials indicated that the US position towards Iran was reflective of its overly ideological foreign policy orientation, which again pointed to the Revolutionist tradition. (See sections 6.3.2 and 8.2.3)

The pluralist objections voiced by six non-permanent members—Indonesia, Libya, Qatar, South Africa, Tanzania and Vietnam—suggested that the P5's actions in connection with resolutions 1696 and 1803 had been unreasonable. While this does not necessarily imply that they viewed those resolutions as having been motivated by political considerations, the statements by South Africa and Vietnam in March 2008 made this point rather explicitly¹⁹⁰⁹. In the same connection, South Africa criticized other Council members for mixing their views on the Iranian regime with the nuclear issue, thus suggesting that norm-enforcement was motivated by Revolutionist considerations. (See sections 6.1.3, 6.3.2 and 8.1.3).

While the above statements by Russia and the three non-permanent members give support to pluralist scepticism regarding condition C of the solidarist paradigm, they also raise some questions about their own motivations. Given Putin's ambiguity about the definition of breach, coupled with Russia's apparent lack of concern about the implications of the Iranian nuclear policy on international peace and security, it is unclear why Russia supported the enforcement measures in the first place¹⁹¹⁰. Instead of Rationalist concerns about the end use of the Iranian nuclear programme, it is possible to argue that Russia might itself have been motivated by the need to maintain good relations with the US—in which case its support for enforcement measures could also be seen to be partly motivated by Realist expediency. Another sign of this was that Russian criticism towards the American security discourse on Iran quickly receded when it seemed that the US and Russia might reach an agreement in the missile defense dispute.

As for the critical rhetoric by South Africa and Vietnam, it was strikingly inconsistent with their positive votes for enforcement measures. This also applies to Libya, which was very critical of the

¹⁹⁰⁹ As noted in section 8.1.3, South Africa, in turn, accused other Council members for having purposefully side-lined the IAEA in their rush to impose new measures, in a manner that according to its representative questioned the credibility of the Security Council. The Vietnamese ambassador, in turn, called for the cessation of hostile policies against Iran, as well as some sort of security assurances for the country (see section 7.3.3).

¹⁹¹⁰ Although an in-depth analysis of Russian policy is beyond the scope of this study, the above discussion seems to be compatible with the assessment, presented for example by Alexander Pikayev (2010) that Russian policy was driven by the competing strategic objectives of maintaining good relations with the West, on the one hand, and not endangering Russian nuclear and other cooperation with Iran, on the other hand.

UN resolutions but still gave its positive vote. This suggests that these three non-permanent members were motivated by something else than non-proliferation concerns—possibly by the kind of Western pressure as described by Ogilvie-White in connection with IAEA Board resolutions (see chapter 5). This observation might also apply to Qatar in December 2006 and to both Qatar and Indonesia in March 2007, when their critical rhetoric also seemed to be at odds with their voting behaviour (see section 8.1). However, given the limitations of this study regarding the foreign policy cultures and priorities of the above mentioned countries—as well as the lack of information about what was going on behind the Security Council scenes—any further speculation along these lines is clearly beyond the scope of this analysis.

Finally, it should be stressed that the Council was united regarding the general concern for non-proliferation. Moreover, most countries appeared to be motivated purely by Rationalist, normative considerations, and they also did not seem to doubt the integrity of their fellow Security Council members. These include China and ten non-permanent members—Belgium, Burkina Faso, Congo, Costa Rica, Croatia, Italy, Japan, Mexico, Panama and Slovakia (see chapters 6 and 7). While their statements can therefore be regarded as being in line with the solidarist paradigm with regard to condition C, those non-permanent members who made no statements before the Council—i.e. Austria, Denmark, Greece, Peru, Turkey, and Uganda—must be regarded as neutral with respect to this issue.

In sum, the rationales of the US, UK and, to a lesser extent, Sarkozy's France seemed to go beyond Rationalist concerns about non-proliferation, encompassing both Realist and Revolutionist tendencies. This interpretation finds support in the critical statements of Russia, Chirac's France, three non-permanent members. It was also noted that the positive votes of both Russia and the six non-permanent members who voiced strong pluralist arguments seemed to be influenced to some degree by peer pressure. On the other hand, the Rationalist concern about nonproliferation was highlighted by almost all Council members, and several countries seemed to be acting only based on this rationale. Bearing in mind the key role of the Western P5 in pushing for the sanctions resolutions in the Security Council, however, my conclusion is that condition C of the solidarist paradigm was not met.

9.4 The question of Iran's (un)reasonableness

The aim of this section is to assess the reasonableness of Iran's non-compliance, and on this basis determine whether or not condition D of the solidarist paradigm is met. In line with the formulation of this condition in chapter 3, the task is to determine whether Iran's conduct can be viewed as unreasonable—either in the sense of low interaction capacity or a flawed interpretation of norms—rather than a reasonable rejection of those norms based on overriding normative or political justifications. In practice, this requires an attempt to understand the rationales behind Iran's statements in light of the prevailing political circumstances. The Security Council members' views on Iran's rationales are also included in the discussion as indications of inter-subjective perceptions.

To be sure, Iranian justifications are bound to appear rather insignificant for anyone who takes its proliferation intention for granted. If Iran's policy has indeed from the beginning been based on

premeditated deceit, the actual nonconformity—i.e. breach of the country's core commitments as a member of the NPT—remains unjustified and can thus be regarded as unreasoning disregard for norms. Indeed, this kind of logic can be seen to characterise the views of the US, UK and Sarkozy's France, who took Iran's proliferation intention for granted and who viewed its nonconformity as a symptom of a more general problem of low interaction capacity (see section 9.1). However, the fact that the IAEA has not found evidence of an ongoing nuclear weapons programme in Iran after intrusive inspections—combined with the fact that the evidence of nuclear-weapons related activities as a rule refers to the period prior to 2003—points to the need to understand Iran's position in its own terms¹⁹¹¹.

Looking at Iranian rhetoric in chapters 6—8, the first thing to note is that it is not in line with the idea of low interaction capacity. In other words, Iran's rejection of international law was not absolute but limited to challenging the legal validity of the IAEA finding of noncompliance, and particularly the UN Security Council demand of halting its fuel cycle activities. While this can be seen in terms of the Revolutionist rejection of international society's institutions, Iran's counter-arguments drew extensively from the existing international law, and thus also represented a Rationalist appeal to normative ambiguity. (See section 6.1.3) In this regard, the Iranian position found support by Russia in connection with the latter's conflicting statements on whether or not Iran had violated international law (section 6.1.2), and on whether Iran's rights were inalienable or conditional. Here one could also mention the reservations by Burkina Faso regarding resolution 1803 on the grounds of what the country apparently viewed as inalienable NPT rights. (See section 7.1.2) Iran's position nevertheless had little legal validity against the IAEA and UN Security Council decisions. Indeed, given the previous finding that there was a significant consensus within the Security Council that Iran had breached international law (see section 9.1), Iran's argumentation can be regarded as flawed from a legal perspective.

Iranian protestations also relied to a great extent on its conceptions of justice and legitimacy, and the perception that the country had been treated unfairly: in addition to arguing that the IAEA and the UN Security Council approach were politically motivated, Iran complained about double standards and criticized the P5 for the failure to live up to their own commitments under the NPT. Iran's counter-arguments in this regard can be seen to represent the Revolutionist tradition, and they cannot be dismissed as entirely baseless. As argued in the previous section, the most active enforcers were indeed acting based on ulterior motives. While one may disagree on the significance of these motives for the overall approach, the double standards between Iran's treatment and that of other countries who have a history of Safeguards violations¹⁹¹², or who have obtained nuclear weapons, are more obvious. The same can be said about the P5's disregard of their own obligations under the NPT. The interpretation that Iran has been treated unfairly also finds support in the statements of some Security Council members. Whereas Libya and Qatar attempted to shift the discussion from Iran's nuclear programme to Israel's nuclear weapons (section 6.3.4), Costa Rica, Indonesia and Libya condemned the P5's disregard of their disarmament obligations (7.2.2). In addition, Russia expressed sympathy for Iran's complaints that the other P5 had not fulfilled their

¹⁹¹¹ See e.g. IAEA report 16 November 2012.

¹⁹¹² As noted in chapter 5.1, Safeguards reporting failures by Egypt and South Korea have not ended up being defined as constituting non-compliance (Elbaradei 2011, 216-217).

obligation to support Iran's rights under the peaceful use pillar prior to the nuclear crisis (see section 7.1.2).

From the Realist perspective of prudence, however, it would be unreasonable for Iran or any other country to pursue its particular conception of justice to the detriment of its interests. Indeed, Iran's nuclear policy has come with a huge cost, even though in the period under study that cost was still much lower than after the subsequent unilateral sanctions. How have Iranian decision-makers come to the conclusion that those costs are worth bearing? The answer to this question, I argue, has to do with three different types of insecurities. The most explicitly stated rationale in this regard had to do with energy security, meaning that Iran did not regard the nuclear-related incentives mentioned in the P5+1 package as credible (see section 7.1.3). Given that Iran had in fact been excluded from the international nuclear market long before the current crisis (see section 4.3), the energy security argument seems plausible. It could be noted that Iran's mistrust in this regard was recognized by Russia and Indonesia: while Russia criticized the past policy of restricted access, Indonesia lamented the lack of guarantees to NNWS regarding the supply of nuclear technology (see section 7.1.2). Thus these two countries can be seen to have made a pluralist argument referring to overriding political motivations in the Realist sense.

The argument about energy security was part of a broader assumption that the US policy of containment, as well as related attempts to keep international pressure on Iran, would only end with a change of regime in Iran (see section 6.1.3). In effect, Iran argued that compliance with the zero enrichment demand could not be expected to lead to other economic and political incentives either, as the US was likely to shift its focus to other concerns and demands (see section 8.1.3). Regarding this point, Iranian rhetoric was thus consistent with Chubin's description of the 'slippery slope' problem, as described in section 5.3.3¹⁹¹³. Bearing in mind the constraints that the US faced domestically for reversing its containment policy (section 4.3)—as well as the empirical analysis which highlighted the Bush administration's unwillingness to have any negotiations with Iran (section 8.1.1), and the Revolutionist tendencies manifested by the three Western P5 members (see previous section)—Iranian suspicions cannot be dismissed as mere paranoia. Indeed, when one adds to this the conditionality of the P5+s offer for negotiations, it does not seem unreasonable to assume that compliance might actually have undermined Iran's national interest (see sections 5.1 and 8.1.1).

In addition to the above considerations, Iran's mistrust towards the US had obvious implications for those aspects of security which were not explicitly mentioned in the Iranian rhetoric. First of all, there was the issue of regime security. As is apparent in all the sections dealing with the Iranian rhetoric, the Iranian leaders presented the nuclear dispute as an independence struggle. Indeed, the Iranian justifications for its resistance to the UN Security Council measures highlight the connection between the nuclear dispute and Iran's national identity much in the same way as described Homeira Moshirzadeh in section 5.2¹⁹¹⁴. Irrespective of whether it had been reasonable or

¹⁹¹³ Chubin 2006, 88.

¹⁹¹⁴ In line with her argument, the articulation of Iran's nuclear policy can be understood in terms of the discourse independence, justice and resistance. The discourse of independence could be seen, for example, in statements highlighting Iran's past difficulties in accessing the international nuclear market, which suggested that Iran should pursue maximum independence in its nuclear policy. As for the discourse of justice, this was most visible in statements stressing the contradiction between the UN demands and Iran's NPT-given rights, as well as in other statements pointing to double standards. (see sections 6.1 and 7.1) The discourse of resistance, in turn, was based on the view that

not to make uranium enrichment as a sign of victory in that struggle, this nevertheless raised the domestic political stakes¹⁹¹⁵. In effect, any concession—particularly a major concession such as giving in to the zero enrichment demand—would have a high domestic political cost, especially in case that compliance would turn out to be against Iran’s interests. While this can be regarded as a reasonable concern, domestic considerations have also been seen to explain what can be regarded as the less reasonable Iranian decision to reject the first compromise proposal made by the P5+1 in October 2009 (see section 5.1).

The second unstated aspect of insecurity is of a military nature. Even though Iranian leaders assured that they were not intimidated by threats and denied that their nuclear programme had a military rationale, it is hardly insignificant that the threat of pre-emptive war was hanging over Iran throughout the period under study. Even though Israel was more active than the US in issuing such threats, Iranians were as aware as anyone else that such threats increased the possibility of US involvement in military action against Iran. When one adds to this the lessons of Iraq and North Korea, as well as the US tendency to treat Iran as part of the same rogue state category, Iran’s policy of keeping the door open for a nuclear deterrent seems more prudent than unreasonable.

Finally, one could recall those statements by Security Council members that can be seen to support some of the above arguments. Indonesia and Qatar suggested that sanctions were potentially contributing to Iran’s mistrust (see section 8.1.3), and Russia and Chirac’s France showed sympathy for Iran’s security considerations: whereas Russia warned against repeating the mistakes in Iraq and argued that Iran should not be made to feel like it was cornered and surrounded by hostile forces, Chirac suggested that Iran’s nuclear policy was partly motivated by regime insecurity, to which the US was contributing (see section 6.3.2).

In sum, although Iran’s Rationalist arguments pointing to the illegality of Security Council actions must be considered flawed, its Revolutionist justifications are rather well-founded. At the same time, they do not alone explain the country’s readiness to withstand the political and economic costs. Only when one takes into account Iran’s lack of trust towards the P5+1—and the underlying Hobbesian dynamics of the US-Iranian conflict—does Iran’s position begin to appear reasonable. Whereas the argument about energy security can be seen to have played a greater role in the early years of the confrontation, the resulting escalation has arguably highlighted the importance of regime and military insecurity in Iranian calculations. For obvious reasons, particularly the latter concern remains unstated: in other words, admitting that its nuclear programme has a military rationale would show that Iran is indeed reneging on its core commitments as a NPT member. Thus my conclusion regarding condition D of the solidarist paradigm is that Iran’s conduct seems reasonable, partly due to justice considerations but mostly because of the overriding political considerations.

the UN approach was politically motivated— and, more specifically, driven by US attempts to undermine the Islamic Republic (sections 6.1 and 7.1).

¹⁹¹⁵ As noted in section 5.2, opinion polls conducted in 2007 and prior to that time indicate that a majority of Iranian people support the country’s engagement in nuclear fuel cycle activities. (Devlen 2010, 61; Kraig & Kahwaji 2006, 212)

9.5 Effectiveness of the UN sanctions in achieving their goals

This section addresses the question as to whether the Security Council sanctions can be seen to have promoted their stated goals (condition E). This question must be assessed by taking into account the larger context of the P5+1 strategy, which is said to consist of both diplomacy and sanctions and which the members of this group referred to as the ‘dual track’ approach. However, given the fact that the diplomatic track existed only hypothetically for the most part of the period under study, in reality the P5+1 strategy relied almost exclusively on sanctions. The UN resolutions define the short term goals of this strategy as being the suspension of “all enrichment-related and reprocessing activities” and of “work on all heavy water-related projects”, resolution of the outstanding issues regarding Iran’s past activities, as well as the ratification of the Additional Protocol by Iran¹⁹¹⁶. As for the long-term goals, the Security Council resolutions point to the need “to find a negotiated solution guaranteeing that Iran’s nuclear programme is exclusively for peaceful purposes”, so as to ensure “the maintenance of international peace and security”¹⁹¹⁷. In addition, the P5+1’s June 2006 proposal to Iran states that “[o]ur goal is to develop relations and cooperation with Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of Iran’s nuclear programme”¹⁹¹⁸. In short, the strategy is based on viewing a complete cessation of Iran’s fuel cycle activities as a short term goal and a precondition to the long-term goal of a negotiated solution, and as serving the underlying broader objectives of nonproliferation as well as the maintenance of international peace and security.

At the time of writing the UN Security Council sanctions have been in place for seven years, and none of the above goals have been reached. This leads to the immediate conclusion that norm-enforcement, as well as the broader P5+1 approach, has been ineffective. Bearing in mind the analysis on Iran’s motivations in the previous section, this conclusion was hardly surprising: the demand for zero enrichment was simply unrealistic, as compliance would have endangered Iran’s fundamental national interests. The problem of mistrust which underlay these overriding political considerations was aggravated by the absence of negotiations between Iran and the P5+1 until most of the Security Council sanctions had been adopted¹⁹¹⁹. In addition to the Bush administration’s unwillingness to negotiate with what it regarded as a rogue state, the lack of diplomacy was also a direct result of the prioritization of goals in the UN resolutions: in other words, the short-term goal of zero enrichment formed an obstacle to the long-term goal of dispute settlement. The result was a diplomatic deadlock, accompanied by escalatory dynamics marked by Hobbesian mistrust on both sides.

As for the UN Security Council views on this matter, the doubts expressed by Indonesia, Libya, Qatar, South Africa and Tanzania (see sections 6.3.3 and 8.1.3) pointed to the interpretation that the UN sanctions might be counterproductive. Moreover, the statement by Russia, China, and seven non-permanent members suggested that the coercive approach alone was not enough and implied that the enforcers should show more flexibility (see section 7.3.2). President Obama also seemed to have a clear idea about many of the above problems when he came to power, and on this basis he

¹⁹¹⁶ See e.g. UN Security Council resolution 1737.

¹⁹¹⁷ UN Security Council resolution 1737

¹⁹¹⁸ P5+1’s proposal to Iran, June 2006.

¹⁹¹⁹ As noted in section 5.1, the first meeting between the P5+1 and Iran was held in summer 2008.

took steps to change both the US and the broader P5+1 approach. First, he understood the importance of negotiation and the need to overcome the Hobbesian dynamics of mistrust between the US and Iran as a precondition for talks (see section 8.1.1). Second, he seemed to understand that the P5+1 would need—at least temporarily and implicitly—to withdraw from their zero enrichment demand in order to enable confidence-building and the search for a negotiated solution. This was visible in the October 2009 negotiations, which focused on finding a compromise deal that fell short of the previous P5+1 demands but would nevertheless have served as a confidence-building step (see section 5.1).

The failure of these efforts was followed by increasing escalation in 2010. On the Iranian side, this involved enrichment up to 20 per cent and on the enforcers' side, it led to a new UN Security Council resolution, as well as the imposition of unprecedentedly harsh unilateral sanctions (see section 5.1). The latter are indicative of the fact that even the Western P5 members do not believe that the UN Security Council sanctions are sufficient to change Iran's conduct. Of course, the logic behind current oil and Central Bank sanctions is different from the one proposed above: instead of concluding that coercion in general does not work, the US and EU assumption seems to be that particularly crippling sanctions are needed to accelerate Iran's compliance—either by changing its leaders' cost-benefit calculations, or by bringing about a regime change from within. Assuming that the analysis on Iran's motivations in the previous section is correct, this is wishful thinking, to say the least. By increasing domestic instability and adding to escalatory conflict dynamics, the crippling sanctions can only be expected to aggravate Iran's concerns. This makes the argument about the sanctions' effectiveness rely on the possibility that they succeed in bringing about a regime change in Iran. Even if this would happen, there is no guarantee that the potential new regime would choose to comply with the UN resolutions.

It should be noted, however, that there has been a slight change of argumentation about the sanctions' effectiveness after the period under study: namely, the recent oil embargo has been justified as having made Iran more forthcoming in the nuclear negotiations¹⁹²⁰. Given Iran's readiness to negotiate on a compromise deal at a much earlier stage of the crisis when the stakes were still relatively low—and recalling the fact that this opportunity was for a long time ignored by the P5+1 due to their zero enrichment demand (see chapter 5.1)—this argument is hardly convincing. To quote Daniel Joyner,

...the West's sanctions programme is the reason that Iran pulled back from the negotiation table in the first place. To now claim that [...] sanctions have had a successful effect of bringing Iran back to the negotiating table is to ignore this broader view of history of the crisis [...] and the material role that Western sanctions have played in actually creating and intensifying the crisis.¹⁹²¹

The political capital invested by the P5+1 on imposing sanctions, and the economic and humanitarian costs borne by the Iranians, thus seem to have been unnecessary. Although the oil embargo has undoubtedly contributed to Iran's interest in finding a way out of the current deadlock, for the above-stated reasons this cannot be taken as proof of the effectiveness of the sanctions in

¹⁹²⁰ Consider, for example, the statement by US Treasury Under-Secretary for Terrorism and Financial Intelligence, according to which Iranians are “increasingly isolated—diplomatically, financially and economically [...] I don't think there is any question that the impact of this pressure played a role in Iran's decision to come to the table. (Joyner 2012 in reference to David Cohen)

¹⁹²¹ Joyner 2012.

delivering their stated goals, nor does it suggest that the overall sanctions strategy has been successful¹⁹²².

In sum, it can be said that the UN sanctions have been ineffective to date, and they are also unlikely to produce the desired results in the future. Condition E of the solidarist paradigm thus seems not to be met. This is because of the mutually incompatible goals which are written into the UN resolutions, and which prioritize coercion over negotiation. This situation clearly contributed to the escalatory Hobbesian dynamics which underlies the nuclear dispute and which undermined the possibilities of moving towards the long-term goal of a negotiated resolution. Paradoxically, it also highlighted the deterrent value of the nuclear programme from the Iranian perspective, thus actually increasing the risk of proliferation. In addition to being unworkable, the UN sanctions and the broader P5+1 approach thus seem to have been detrimental to international order.

9.6 Summary of the findings

To summarise the findings of this chapter, the Iranian nuclear issue can be seen to be in line with the solidarist paradigm with regard to those conditions which are directly related with international consensus. As seen in section 9.1, the majority of Council members can be described as solidarist with respect to condition A, meaning that they seemed to agree that Iran had breached international law in a way that threatened international peace and security. Thus condition A was met. Solidarism with regard to condition B was even clearer: an overwhelming majority of Security Council membership supported the enforcement measures against Iran. This consensus allowed norm-enforcement and—together with the consensus about breach—also gave it international legitimacy. To reiterate Bull's view on this matter, "if the international community can be brought to agree in a particular case as to which side is engaging in police action and which in crime; if the claims of the former to represent international society as a whole are in fact given credence by the active or passive support of a preponderance of states, then it may well be that it is upon Grotian principles that the international order should be shaped"¹⁹²³. The assessment of the Security Council approach regarding the next two conditions, however, pointed to important caveats. Condition C of the solidarist paradigm was not seen to be met. While the Council was united regarding their concerns about non-proliferation, the rationales of the most active and powerful norm-enforcers—the US, UK and, to a lesser extent, Sarkozy's France—went beyond such Rationalist concerns. Regarding condition D, it was argued that Iran's refusal to comply with the UN Security Council demands cannot be viewed as unreasonable, given that compliance might have jeopardized such fundamental interests as energy, regime and military security. Although Iran's underlying rationales can be understood in terms of Hobbesian Realism, this is not due to low interaction capacity vis-à-vis the rest of international society. Instead, it is a reflection of the political context, defined by long-standing conflicts between the US and Iran, on the one hand, and Israel and Iran, on the other hand. The conclusion regarding the most crucial condition E directly followed from this assessment:

¹⁹²² See also the Iran project report (December 2012), which states that "It seems doubtful to us that the current severe sanctions regime will significantly affect the decisionmaking of Iran's leaders — any more than past sanctions did — barring some willingness on the part of sanctioning countries to combine continued pressure with positive signals and decisions on matters of great interest to Iran".

¹⁹²³ Bull 1966, 70.

given that the UN sanctions did not change Iran's conduct but instead contributed to the escalation, they must be viewed, not only as ineffective, but also as detrimental to international order.

The final conclusion, therefore, is that although the solidarist paradigm appears to be confirmed by UN Security Council consensus, it is inappropriate for either understanding or addressing the core problems in the nuclear dispute. These problems have to do with the conflict between the preponderant enforcer and the target state, and they are better understood in terms of Hobbesian Realism than Grotian Rationalism. Because of this conflict, both the US and Iran had much more at stake in the nuclear dispute than just norm-enforcement. The US apparently viewed international sanctions as promoting, not only non-proliferation, but also containment and regime change in Iran. This ambivalence about US goals—together with the demand for zero-enrichment prior to any negotiations between the P5+1 and Iran—highlighted the need for independence and survival in Iranian calculations, and thus arguably contributed to the risk of proliferation. The pluralist counter-arguments expressed by a minority of Council members with respect to the last three conditions can be seen to signal awareness of these underlying problems. However, this was not enough to undermine the solidarist approach, which—paradoxically—gained further credence by the increasingly obvious military rationale behind Iran's nuclear programme.

NON-CONFORMITY	REALISM	RATIONALISM	REVOLUTIONISM
<i>Solidarist explanations pointing to unreasonableness</i>	low interaction capacity (Hobbesian) France (Sarkozy)*, UK, US	flawed interpretation of norms France, UK, US & Belgium, Burkina Faso, Costa Rica, Croatia, Japan, Panama, Slovakia	low interaction capacity (ideological) France (Sarkozy)*, UK, US
<i>Pluralist explanations pointing to reasonableness</i>	overriding political considerations France (Chirac)*, Russia & Indonesia	normative ambiguity Russia & Burkina Faso	perceived injustice Russia & Costa Rica, Indonesia, Libya, Qatar, Vietnam
NORM-ENFORCEMENT	REALISM	RATIONALISM	REVOLUTIONISM
<i>Solidarist arguments for norm-enforcement</i>	national security France (Sarkozy)*, UK, US	positive effect on international order US, UK, France, Russia, China & Argentina, Belgium, Burkina Faso, Congo, Costa Rica, Croatia, Denmark, Ghana, Greece, Italy, Japan, Mexico, Panama, Peru, Slovakia (Indonesia, Libya, Qatar, South Africa, Tanzania, Vietnam)**	doctrinal uniformity France (Sarkozy)*, UK, US
<i>Pluralist arguments against norm-enforcement</i>	expediency / enmity France (Chirac)*, Russia & South Africa, Vietnam	negative effect on international order (Russia, China)** & Indonesia, Libya, Qatar, South Africa, Tanzania, Vietnam	doctrinal imperialism France (Chirac)*, Russia & South Africa

Table 3: pluralist and solidarist arguments by the UN Security Council regarding norm-enforcement on Iran (2006—2009)

* Contradictions in the French position had to do with the different views of the two presidents in the period under study.

** While the support of Russia and China for UN resolutions was accompanied by reservations regarding the use of sanctions, the six non-permanent members' pluralist rhetoric was accompanied by positive votes for the UN resolutions.

10 Policy implications and discussion

10.1 Way forward in the nuclear dispute

This study highlights the negative effects of norm-enforcement in a context where the relations between the principal norm-enforcer and the target state are defined by asymmetrical political conflict. The key problem in the Iranian case was that the route of negotiation—which would have been the immediate and preferred choice for dealing with the dispute from a Rationalist perspective—was open but left unexplored in the formative years of the dispute. On the one hand, this seems to have been due to American confidence that Iran could be coerced with sanctions. On the other hand, it had to do with the domestic obstacles which prevented the US from talking to Iran, and which predisposed the US to seeing the country in terms of both the Hobbesian and Revolutionist idea of low interaction capacity. The 2002 revelations served not only to bolster this view, but also gave the opportunity to convince others of the need for multilateral normative exclusion. The paradox here was that the norm-enforcement approach that was adopted in 2006 contributed to Iran's defiant and seemingly unreasonable stance, which seemed to confirm the solidarist paradigm and pointed to the need for further coercive measures. The result has been a potentially destructive cycle of escalation.

There is thus an urgent need for new approach. This is being gradually realized by the US and the rest of the P5+1 group, who have not been entirely blind to the above problems. As noticed in chapter 8, in 2009 President Obama began to stress the importance of trust-building and—behind the scenes—he also seemed to have acknowledged the need to withdraw from the zero enrichment demand so as to make room for a compromise solution. Such efforts could be seen as attempts to move away from the solidarist paradigm and the underlying Hobbesian Realist dynamics towards what could be called Lockean Rationalism, meaning a logic of interaction where the other side is treated, not necessarily as a friend, but as a sovereign actor capable of reasoning and settling disputes through negotiation (see section 3.1.1). To use more contemporary language, this approach could be called conflict management¹⁹²⁴. Unfortunately, Iran's refusal of the fuel swap deal quickly ended and discredited this approach, leading both parties to raise the stakes in the confrontation and re-confirming the solidarist paradigm (see chapter 5.1).

Reflecting the P5+1 assumption that sanctions and diplomacy go hand in hand, there has been a partial return to the conflict management approach in the shadow of the current oil embargo. As noted in chapter 5, three rounds of negotiations were held between Iran and the P5+1 in spring and summer 2012. Although the P5+1's Baghdad proposal continued to reflect an excessive belief in sanctions and a lack of appreciation of Iranian concerns, zero enrichment was not among the stated demands¹⁹²⁵. Indeed, there have also been some other signs that the US is in the process of

¹⁹²⁴ Bercovitch & Regan (1999) define conflict management as “an attempt by actors involved in conflict to reduce the level of hostility and generate some order in their relations”. They also explain that this can lead either to “a complete resolution of the issues in conflict” or to “an acceptable settlement, ceasefire or partial agreement”.

¹⁹²⁵ As noted in section 5.1, the P5+1 demanded that Iran suspend all activities regarding uranium enrichment up to 20 percent; give away 140 kilograms of its 20 per cent enriched uranium, and suspend activities at the Fordow enrichment plant. In return, they offered to help Iran build a new light water reactor, to deliver spare parts for Iranian airplanes, and not to impose new sanctions—even though the oil and Central Bank sanctions would nevertheless be imposed. (See Tirman & Maleki, 11 June 2012)

reconsidering the zero-enrichment demand¹⁹²⁶. At the same time, sanctions continue to be based on that demand, and the P5+1 are still calling for Iran to “fully comply with its obligations under the relevant UN Security Council and IAEA Board of Governors resolutions”¹⁹²⁷. The goals of current P5+1 approach thus seem somewhat ambiguous, to say the least.

A half-hearted conflict management approach based on vague policy goals and new take-it-or-leave-it offers runs the risk of failure and a new phase of escalation. Based on the analysis in this thesis, I would argue that what is needed instead is full commitment to conflict resolution, meaning genuine efforts to find a mutually acceptable compromise. Given the concerns on both sides, the basic formula for an agreement in fact seems relatively simple: the P5+1 acceptance of an Islamic Republic with a uranium enrichment capacity in exchange for Iran’s willingness to limit that capacity and accept intrusive inspections. The main challenge is therefore not so much about finding the right formula, but about overcoming the formidable obstacles on both sides to accepting compromise. Indeed, instead of mere policy adjustments, a conflict resolution strategy would require nothing less than a paradigm shift on two levels.

The first shift would need to involve the broader international society, meaning a general turn away from Grotian solidarism towards a more pragmatic approach. To put it simply, it would mean accepting that the short-term goals written into the UN Security Council resolutions will not be achieved. While this can be seen to undermine UN Security Council authority, some of that authority could still be restored if the long-term goal of confidence-building and the broader nonproliferation objectives were reached through a compromise solution. The second paradigm shift that is required concerns the bilateral US-Iranian relations, which will have to be removed from the Hobbesian realm of Realism¹⁹²⁸. The first and most urgent measure would be to try to put an end to the military threats and talk about red lines, as this is affecting Iran’s decision-making regarding the need for a nuclear deterrent. Second, given that Iran’s mistrust is largely based on regime insecurity, the US needs to assure Iran that there are limits to the US policy of containment. Instead of mere tactics, such assurances should reflect an actual change of mentality, based on the acknowledgement that entertaining the hope of a regime change in Iran has not helped to solve any problems in 30 years and, on the contrary, it has unduly postponed diplomatic efforts and undermined their credibility in the context of the nuclear dispute. A complete change of mentality at all levels of both US and Iranian decision-making is obviously not possible. However, a gradual process towards that direction could be initiated by secret bilateral negotiations and facilitated by a potential nuclear deal in the multilateral context¹⁹²⁹.

¹⁹²⁶ When asked about the Secretary of State Hillary Clinton’s remark that “Iran could possibly enrich uranium at some point in the future under very strict conditions”, Gary Samore (White House coordinator for arms control and weapons of mass destruction terrorism) responded as follows: “if Iran were to satisfy the UN Security Council that its nuclear intentions were peaceful, then we would have no objection to Iran engaging in the full suite of peaceful nuclear activities. Up to this point, Iran has not been able to persuade anybody, frankly, that its nuclear intentions are peaceful. That’s why the Security Council continues to demand full suspension as the initial step they can take.” (Samore, 7 April 2011).

¹⁹²⁷ Obama, 18 June 2012

¹⁹²⁸ This view is shared by many Americans and Iranians—including Javad Zarif (2007) who was quoted in chapter 5 as stressing the need to transcend the enemy paradigm in the relations between the two countries. To take an example from the US side, John Limbert (2009) has highlighted the need for the two countries to solve their differences through negotiation.

¹⁹²⁹ For rumours of ongoing secret diplomacy between the US and Iran, see Tobin 2012.

Thus my proposal is partly line with what Ogilwie-White calls a pluralist approach to the Iranian nuclear dispute, with some caveats. To reiterate from chapter 5, Ogilwie-White argues that this would include “[c]autious, careful engagement, and compromise” in the negotiations; a move away from the disciplinarian approach to Iran’s non-compliance; “an end to assertions that ‘all options are on the table’ to deal with noncompliance”, as well as “strenuous efforts to reassure [...] Tehran that hidden and overt agendas based on a desire for regime change no longer exist”¹⁹³⁰. Regarding the latter point, it should be emphasized that it is unlikely to succeed without the above-discussed paradigm shift in US-Iranian relations. One could also add that giving up the goal of regime change is better understood as a move from Revolutionism to Rationalism, rather than from solidarism to pluralism. Finally, it should be noted that there is nothing—except the rather crude pluralist-solidarist dichotomy—to suggest that the proposed changes would undermine the nonproliferation regime. In other words, the Lockean or pluralist approach to conflict resolution in the Iranian nuclear dispute does not require the reduction of nuclear transparency, nor a general regression to a ‘less advanced’ international society. On the contrary, such an approach and the much more likely prospect of a compromise deal in the nuclear dispute on this basis would help to prevent Iran’s withdrawal from the NPT¹⁹³¹ and to strengthen the verification regime which is already in place.

10.2 Systemic implications

This study has shown that, while international norm-enforcement is increasingly possible in the contemporary world, diplomatic dispute settlement still seems to be extremely difficult—at least when the other party of the dispute has been labelled as a ‘state criminal’ and an outsider of the society liberal-democratic states. It has also shown that it is possible for multilateral norm-enforcement to take place and appear entirely legitimate, and yet end up undermining international peace and security. This is not to say that norm-enforcement could not work in some cases, nor does it question the assumption that coercion is more likely to contribute to international order when it has multilateral support. However, it points to the need to look beyond the surface of normative discourse and legal practice, so as to better understand the underlying political context. The theoretical framework developed in this thesis provides some tools for such understanding by throwing light on potential explanations behind both nonconformity and norm-enforcement. Most importantly, it draws attention to the fact that norm-enforcement is not always Rationalist nor reasonable, and highlights the need to try to understand the reasons behind nonconformity. The fact that such understanding seems to be lacking particularly in cases where the US has played a double role as both enforcer and conflict party could be seen as indicative of evolution towards a more hierarchical and exclusive—though not necessarily more solidarist—international society. Indeed, like the previous Iraqi case, the Iranian one can be viewed as symptomatic of the ‘tyrannical’ tendencies associated with the emergence of a ‘world state’¹⁹³². The analysis also suggests that pluralist dissent from outside the Western core of international society should not be so easily dismissed as attempts at “swimming against the tide of societal evolution”¹⁹³³, as it can contain valuable insights about the practical limits of hierarchy in what is still essentially an anarchical society of sovereign states.

¹⁹³⁰ Ogilwie-White 2010, 127.

¹⁹³¹ Iran has indicated it will withdraw from the NPT if attacked (see e.g. Dahl 2012).

¹⁹³² See Prozorov (2006, 89-90) and Koskeniemi (1995, 348).

¹⁹³³ Ogilwie-White 2010, 119-120.

The thesis thus raises crucial questions about the legitimacy of contemporary practices of international exclusion and their impact on international order. On the one hand, the findings lend support to calls for UN Security Council reform, so as to make this institution more representative of international society and to add legitimacy to its decisions¹⁹³⁴. On the other hand, they give reason for further concern about the potential demise of the NPT. In addition to the much discussed domino effect of proliferation that might follow were Iran to go nuclear and withdraw from the treaty, there is also another reason for concern—namely the belief among the NWS that arms control can be achieved by means of war, as well as their tendency confuse the goals of non-proliferation and regime change¹⁹³⁵. In this sense, Iran is not an isolated case. The Iraqi example was briefly discussed in the introduction, where it was noted that the stigma of crime associated with the Iraqi regime ultimately proved to be more important for justifying the 2003 invasion than actual evidence of a nuclear weapons programme. This sent a clear message to other potential targets of US-imposed regime change—most notably North Korea¹⁹³⁶ and Iran—that acquiring nuclear deterrent might actually be necessary if they wished to avoid a similar fate. The Libyan regime change—which took place eight years after the country had given up its nuclear weapons programme—can be seen to support this conclusion. While Iran has not yet been attacked, the threats of war against Iran—in contrast to the absence of any such rhetoric towards North Korea—does add yet another dubious lesson to the previous ones.

Of course, most states will not be so concerned about their survival as to pay the price of ending up as international pariahs. Indeed, here one could also recall the ‘identarian’ function of norm-enforcement¹⁹³⁷; from this perspective, the Iranian and other similar cases have shown the rest of the world that the lack of nuclear transparency and defiance of UN Security Council resolutions can lead to stigmatization and an extremely costly confrontation with the dominant powers of international society. They also show that, if the state in question is not deemed sufficiently democratic, the aim of norm-enforcement is likely to be, not only non-proliferation, but also regime change. Given the double standards which are also obvious in these cases, the more implicit but nevertheless important lesson is that the above-described normative boundary only seems to become effective when it coincides with a political boundary which is drawn by the US, based on its particular friend-enemy distinctions. On this basis, one can postulate that only those states that have reason to believe they might end up on the wrong side of the latter boundary are likely to view proliferation as an insurance against regime change. This, in turn, suggests that the non-proliferation norm is increasingly dependent on the nature of relations between the US and the rest of the world.

The optimistic future scenario is that new cases of potential proliferation will not arise, or they remain rare enough not to create systemic imbalance or a deterioration of the normative basis of international society. The pessimistic scenario, however, is that regime insecurity created by the contemporary practices of normative exclusion leads to further proliferation. It might also contribute to an increasing perception among NNWS that the non-proliferation regime is not only

¹⁹³⁴ See e.g. Vargas Toro 2008.

¹⁹³⁵ See e.g. Lodgaard 2011, 80.

¹⁹³⁶ North Korea announced its withdrawal from the NPT on the eve of the Iraq war, in January 2003.

¹⁹³⁷ As noted in chapter 2, Addis (2003, 592-593) argues that, rather bringing about compliance with norms in specific cases, an even more important function of the UN Security Council is to mark the normative boundaries of international society by declaring “who and what is a threat to international peace and security” and “what actions and values are deemed inconsistent with the image and nature of the community”.

unjust, but that it no longer serves their national interests. While the first scenario might be possible to achieve by staying on the current course, I would argue that the best way to prevent the second one is to begin showing more sensitivity to the NNWS' concerns regarding both security and justice. In this regard, one would do well to recall Bull's idea of the special responsibility of the NWS, according to which "some measure of appeasement of the Have Nots" is required by the Haves to maintain "at least something of their position, and that, with regard to nuclear weapons, this means that "the nuclear Haves should themselves practise discipline and restraint in their own nuclear weapons policies, while [...] at the same time balancing this with the risks and responsibilities they have as guarantors of the security of certain non-nuclear countries"¹⁹³⁸. Another good advice has to do with the inescapably political nature of international law. As Casper Sylvest writes,

...all attempts to apply the law are inescapably political, expressing a particular viewpoint. This situation requires that our use of international law must display a balance between the lure of expedient politics and the wider prospects of justice that credibly favours the latter. In short, it should be based on restraint."¹⁹³⁹

The above calls for what could be called 'great power' responsibility are also relevant to the paradigm shifts discussed in the previous section: there, too, the key is to balance the current disciplinarian approach to nonproliferation governance with more restraint and pragmatism. A greater commitment to such virtues by the NWS could help to restore the lost trust in the non-proliferation regime by showing that, despite reflecting the unequal nature of international society, this system can still help to maintain international peace and security by serving the collective interest of its members.

10.3 Final Remarks

Similar conclusions as have been made in this thesis could undoubtedly have been, and in fact have been reached by other means¹⁹⁴⁰. Indeed, the study might have benefited from a more extensive use of the existing literature on coercive diplomacy and on the use of negative sanctions vs. positive inducements. At the same time, I would argue that this study has provided an alternative to the the rational choice approach which often defines such literature. It has done so by highlighting ideational factors and the importance of different world views in shaping the political context in which decisions about both norm-breaking and norm-enforcement are made. At the same time, the conceptual framework has its own limitations. Although the concepts of pluralism and solidarism have been helpful in organizing the discussion regarding the value of norm-enforcement, they are also vague and potentially misleading. One of the key problems is that the English School definition of these terms involves an association between particular situation-specific positions regarding norm-enforcement and entire world-views and assumptions about what international society should be like. In reality, however, belief in the normative advancement of international society does not necessarily mean belief in norm-enforcement and being sceptical of coercive measures is not

¹⁹³⁸ Bull 2000, 136.

¹⁹³⁹ Sylvest 2008, 423.

¹⁹⁴⁰ For example Jakobsen (2007)—who operates on the concept of 'coercive diplomacy'—concludes by writing that "it is hard to see the regimes in North Korea and Iran giving up their nuclear programmes as long as they have good reason to believe that the United States is seeking their overthrow", and that "Western policy makers would [...] be well advised to strive harder to prevent the need for [coercive diplomacy] from arising in the first place".

always reflective of cynicism about the possibilities of international progress. From this perspective, the inclusion of the three traditions of Realism, Rationalism and Revolutionism into the discussion can be seen to have given a better idea of the different world-views, or 'logics of anarchy', which can be expected to underlie debates on norm-enforcement. Of course, they too are only imperfect simplifications of complex reality. In retrospect, one shortcoming of the theoretical framework is the failure to capture the more contingent and psychological aspects of international politics, and to describe conflict dynamics beyond the extreme example of Hobbesian anarchy. Indeed, another genre which is absent from this thesis and which might have been even useful is conflict resolution theory¹⁹⁴¹. Given that the policy recommendations given here point to the need for a conflict resolution approach, one obvious implication for further research is to apply insights from the academic field of conflict resolution to give more practical suggestions as to how to deal with the Iranian nuclear dispute and other similar cases.

¹⁹⁴¹ As an example, one could mention the insights from consistency theory, which have been applied from psychology to conflict resolution by Deutsch, and which explain why conflict parties sometimes keep raising the stakes even to their own peril (1973, 37-38).

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