

The deal that was not

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The uranium transfer agreement reached in Vienna last month between Iran, the International Atomic Energy Agency (IAEA), France, Russia and the United States is a bad deal. Its details are still not public, and Iran refuses to endorse it. Still, its general terms are known: Iran would ship a significant amount of its low-enriched uranium (LEU) stockpile to Russia for further enrichment. That would then be processed into fuel rods (in France) and returned to Iran for use in its Tehran research reactor, under IAEA safeguards. These terms leave some critical matters essentially unresolved.

First, Iran has no right to enrich uranium - not since the IAEA found Iran in noncompliance with its Nuclear Non-Proliferation Treaty (NPT) obligations and referred the matter to the UN Security Council. The Security Council said just that, in five successive Chapter VII resolutions. By negotiating a deal over Iran's illegally enriched uranium that does not even ensure a halt to all future enrichment, the United States, Russia and France - the three powers negotiating with Iran in Vienna - have effectively undermined the UN Security Council and handed a victory to Tehran: Its enrichment can continue.

Second, unless Iran's enrichment activities are verifiably suspended, the deal will gain the international community only a little time. The offer aims to reduce Iran's 1,500-kilogram LEU stockpile to the point where it will not have enough declared fissile material to build a nuclear weapon. It needs a minimum of approximately one ton - and under the deal, Iran would send 1.2 tons abroad by the end of the year. But according to IAEA reports, Iran's centrifuges enrich an average of 2.77 kilograms of uranium per day. At that pace, Iran could quickly replenish its stockpile - it would take it only 253 days to return to the level of one ton. If nothing else changes, we'll be back to square one by next summer.

Third, the deal does not address the issue of undeclared nuclear sites. Given that Iran is still refusing to provide information about the new nuclear power plant it intends to build in Darkhovin; the recent exposure of the clandestine underground enrichment facility at an Islamic Revolutionary Guard Corps base near Qom; and fresh allegations of an underground detonator test site near Tehran, any deal should include at least an

Iranian agreement to immediately implement the Additional Protocol to the NPT that it signed (but did not ratify) in late 2003.

Fourth, the deal disregards various clauses in the aforementioned UN resolutions, which expressly forbid other countries from taking nuclear material from Iran and prohibit Iran from exporting it. Such a deal would require the Security Council to reverse itself - a dramatic and unprecedented step that would no doubt be noted by any other nation planning to undertake a clandestine nuclear program.

That is why Iran can consider this a significant victory: The Vienna agreement has it conceding little in exchange for significant international concessions. Why, then, would it reject such an advantageous deal?

Iran is not interested in solving the nuclear impasse - it is merely seeking to gain its scientists time while shifting the West's red lines. Though bewildering, Iran's diplomatic dance was a familiar one. One spokesman rejected the deal; a second suggested a compromise could still be reached; a third said Iran was still studying the offer; a fourth called the deal the work of the Great Satan; a fifth admonished the other four that it was up to the Supreme Leader; and Iran's president eventually rejected it, but his foreign minister quickly added that there was still room to salvage the deal. Some observers interpreted this as a sign of internal division, yet anyone who has followed the past seven years of negotiations knows that this is how Iran responds to proposals. Having already bagged not only the deal but also its endorsement by the West, Iran is now pushing for more concessions.

Iran used the deal to show how vacuous American ultimatums are. President Barack Obama said Iran should agree to talks by mid-September, or else. Or else what? Iran stretched that deadline to October. Obama thought exposing the clandestine Qom enrichment site to a stunned world would checkmate the Iranians. But Iran, having perfected the game of chess more than a thousand years ago, took its time opening the site to IAEA inspectors - after a thorough clean-up - and made it look like it was a concession, rather than the belated fulfillment of an obligation. By the time the deal was initially sealed in Vienna, Iran had gained another three weeks - and then it proceeded to mock another deadline, by not responding on time.

The international community should prepare for more of the same. Iran will keep its interlocutors hanging, and exploit its Russian backing, European divisions on sanctions and America's lack of resolve to gain more time.

This is why anyone concerned about Iran's nuclear ambitions should breathe a sigh of relief if the deal collapses, and demand of America that it recognize now - and not six months from now - that this deal was engagement's litmus test. Iran flunked, and it is time to use other, tougher means of persuasion.