Toolkit on the Iranian nuclear situation
June 2012

Just as they did with Iraq nearly a decade ago, the drumbeats of war are being to pound. This time, the target is Iran. Media hype around Iran’s alleged nuclear weapons programme has been escalated into a near-frenzy. The assertion is that Iran’s nuclear programme is designed for one thing only—to build a nuclear weapon that it will use to destroy Israel. In reality, however, there is no clear evidence of this. And regardless of any potential “intention” of Iranian leaders, war is not a non-proliferation strategy.

This toolkit contains a short background paper on the current situation with Iran's nuclear programme; talking points that can be used in conversations with friends, family, colleagues, and with government representatives; a sample letter to the editor; a sample letter to parliamentarians; and resources for further information.

You can also download a two-page fact sheet on Iran’s nuclear programme.

Background

In December 2002, Iran’s previously unreported development of a uranium enrichment plant at Natanz became public knowledge. The Iranian government agreed to allow enhanced inspections by the International Atomic Energy Agency (IAEA), the agency responsible for inspections of nuclear facilities of all states parties of the nuclear Non-Proliferation Treaty (NPT). As Iran is a member of the NPT, it has a Comprehensive Safeguards Agreement with the Agency. By November 2004, then-IAEA Director General Mohammed ElBaradei announced there was no evidence that Iran was pursuing a nuclear weapons programme.

However, the IAEA did report a number of violations of Iran’s obligation to declare and report certain nuclear material and activities, indicating that Iran has been less than forthcoming “with respect to the reporting of nuclear material, its processing and its use, as well as the declaration of facilities where such material had been processed and stored.” Though Iran implemented the necessary corrective measures, there continued to be concerns that Iran had pursued designed studies and other work related to the development of nuclear weapons.

It is on this basis that the UN Security Council passed its first sanctions resolution against Iran in December 2006, which required Iran to suspend all enrichment and reprocessing activities. Since
then, the Security Council has passed several additional sanctions resolutions and key governments have passed unilateral sanctions against the country as well.

During this time, however, the IAEA continued to find that there has been no diversion of nuclear material from Iran’s civilian programme to a military programme. In addition, a 2007 National Intelligence Estimate—a consensus report of all 16 US intelligence agencies—stated: “We judge with high confidence that in fall 2003, Tehran halted its nuclear weapons program.” Finally, as former CIA director Ray McGovern noted in a recent article, both US Defense Secretary Leon Panetta and Israel’s Defence Minister Ehud Barak have recently stated that Iran has NOT made the decision to build a nuclear weapon.

But these statements have gone under- or un-reported in the mainstream press. Similarly, the 2007 National Intelligence Estimate has been deliberately undermined by government officials in the US, Israel, and Europe and by leading newspapers ever since it was released. Furthermore, one of most recent reports of the IAEA contains analysis and findings regarding possible military dimensions of Iran’s nuclear programme. None of the information is new, but the report generated increased media frenzy because it “indicates that Iran has carried out ... activities that are relevant to the development of a nuclear explosive device.” However, some legal analysts have argued that the IAEA has no legal mandate to produce such a report on activities that are not directly related to fissionable materials or associated facilities (e.g. Joyner, 2011).

The development of nuclear energy

The NPT actually encourages the development of a civilian nuclear sector. It is considered an “inalienable right” for all members to develop nuclear energy programmes. As nuclear physicist Yousaf Butt noted recently, “Under the NPT, it is not illegal for a member state to have a nuclear weapons capability—or a ‘nuclear option’.” If a country has a fully developed civilian nuclear sector, he explains, it, “by default, already has a fairly solid nuclear weapons capability. For example, like Iran, Argentina, Brazil, and Japan also maintain a ‘nuclear option’—they, too, could break out of the NPT and make a nuclear device in a few months, if not less. And like Iran, Argentina and Brazil also do not permit full ‘Additional Protocol’ IAEA inspections.”

WILPF has been criticizing this aspect of the NPT since it was negotiated in 1968. A treaty aimed at preventing the spread of nuclear weapons should have prohibited the research of nuclear weapon technology, outlawed the production and stockpiling of enriched uranium, and established a programme for the phase-out, rather than promotion, of nuclear power. As the Treaty stands now, however, Iran is not in violation of its commitments. The sanctions imposed on Iran by the UN Security Council and unilaterally by several governments seem to have been designed to serve other interests. “The IAEA’s supposedly neutral role of an international inspectorate is being fundamentally undermined by the political games and warmongering of the Western countries most interested in a new war in the Middle East and regime change in Iran,” argues Butt.

Yet as countless experts have pointed out, the sanctions and aggressive posturing toward Iran over its nuclear programme will only strengthen domestic support for the government and possibly even inspire the government to decide to build a nuclear weapon after all.

Iran has indicated that it is receptive to a negotiated settlement, but not one that demands it abandon its uranium enrichment programme. In 2010, Brazil and Turkey negotiated a solution with Iran in which Iran would trade about half of its low-enriched uranium for medical isotopes.
However, the US government rejected this deal, saying it impeded with the “process” undertaken by the UN Security Council.

The main negotiating partners—the “E3+3” or “P5+1” (China, France, Germany, Russia, United Kingdom, United States) and Iran—have held recent talks in Baghdad and Moscow. There is still time for a diplomatic solution, but the harsh sanctions passed at the end of 2011 by the US Senate with a vote of 100-0, over President Obama’s objections, mean that the administration’s hands are somewhat tied. It will be difficult to engage with Iranian officials in good faith with these sanctions as a backdrop. However, diplomacy is the only option.

Talking points

- **To date, there is no evidence that Iran has decided to acquire a nuclear weapon.** Non-compliance under the NPT Safeguards Agreement requires a finding of diversion, or uncertainty regarding diversion, of nuclear materials toward military use. The IAEA has consistently concluded that no diversion had occurred, but says it is not yet in a position to determine the presence or absence of additional undeclared nuclear materials or activities, as it would be in countries that have agreed to a higher verification threshold (known as the Additional Protocol). This is not the same thing as having evidence of a nuclear weapons programme.

- **Iran is currently in compliance with the NPT.** Western governments are concerned about the possible intentions of the Iranian leadership, but theoretical aspirations are not violations of international law. Iran should ratify the Additional Protocol, but so should every other country that has not yet done so.

- **The problem is with the NPT:**
  - **Civilian nuclear energy is legally guaranteed under article IV of the NPT, but this has serious proliferation risks.** The five nuclear weapon states (China, France, Russia, United Kingdom, and United States), along with nuclear weapon possessors Pakistan and Israel, used nuclear reactors to create the materials for their nuclear weapons. India and North Korea acquired nuclear weapons through so-called “peaceful” civilian nuclear programmes. However, nuclear power is never peaceful due to the devastating health and environmental impact. There is no safe way to dispose of the waste produced by nuclear power.
  - **The NPT does not prohibit the research or development of nuclear weapons**—in fact, the Treaty was designed specifically to allow North Atlantic Treaty Organization (NATO) countries to maintain nuclear weapons, ready-to-use, on their territories (some still do today!). The NPT only prohibits receiving nuclear weapons; receiving control over such weapons; manufacturing or acquiring nuclear weapons; and receiving assistance to manufacture nuclear weapons. This legal deficiency can only be addressed through subsequent agreements such as a Nuclear Weapons Convention or establishing a nuclear weapon free zone in the Middle East.

- **There is no military solution to the impasse over Iran’s nuclear programme.** Military action is unwarranted, illegal, will have disastrous consequences, and will be counter-productive. Any military action would likely strengthen the position of hard liners in Iran and unite the population behind them. Given the lack of evidence about Iran’s nuclear weapons programme, it seems that the threats against Iran are aimed at undermining a
country that has a regional influence and access to oil. Iran is currently surrounded by US military bases and Israel and the United States have been engaged in military exercises, bringing air craft carriers into the region.

- **Additional sanctions only make it more difficult to reach a negotiated agreement.** In particular, the unilateral sanctions recently adopted by the US Senate make it nigh-impossible for the Obama administration to engage in good faith negotiations with the Iranian government. Sanctions and calls for regime change must end in order to allow negotiations to succeed.

**Alternative solutions**

- **Promote meaningful negotiations on the basis of reciprocity, if necessary through a credible third-party mediator, such as a neutral country or the United Nations.** Don’t let the West’s other possible interests in the region interfere with a negotiated solution on the nuclear issue.

- **Stop the sanctions.** To enter into negotiations in good faith all countries must be willing to drop the sanctions against Iran and prevent the UN Security Council from adopting any more.

- **Support the establishment of a weapons of mass destruction free zone in the Middle East.** The Iranian government has already issued its support for a process to negotiate such a zone among all member countries of the region in coordination with other key states and the United Nations. All countries of the region, including Iran and Israel, should be encouraged to participate in this process in good faith.

- **Promote nuclear disarmament, not discriminatory non-proliferation.** France, Israel, the United Kingdom, and the United States, the four most hardline supporters of sanctions and potential military action against Iran’s nuclear programme, all possess nuclear weapons themselves. This double standard will only encourage other states to seek to acquire nuclear weapons, not prevent them from doing so. France, the UK, and the US are legally obligated to eliminate their nuclear weapons, pursuant to article VI of the NPT. They must be held to account for this obligation.

- **Make a global commitment to developing sustainable, renewable energy and a global moratorium on nuclear energy.** All countries should forgo the capacity to produce nuclear fuel and instead should commit resources to energy efficiency and faster development of renewable sources of energy. All states should join the International Renewable Energy Agency and move resources from military spending to renewable energy.
Sample letter to editor

Dear Editor,

Iran is much in the news because of its alleged nuclear ambitions. Threats of war are emerging from Israel and the United States—some of their representatives claim that to stop Iran from producing a nuclear weapon they should attack Iran militarily.

However, both Israel and the United States have nuclear weapons themselves. Israel will not even join the nuclear Non-Proliferation Treaty (NPT), of which Iran is a member. Iran has not violated its NPT commitments and there is no evidence that it has decided to build nuclear weapons. Israel and the United States, along with the United Kingdom and France (also nuclear weapon possessors) are unwilling to eliminate their nuclear arsenals, yet want to pursue war to prevent another country from potentially developing nuclear weapons.

The world does not need another nuclear state. However, diplomatic brinksmanship and threats of military strikes take us closer to that precipice. Governmental leaders need to work toward a regional solution that addresses wider security concerns, such as a regional nuclear weapon free zone. They should also promote meaningful negotiations on the basis of reciprocity, if necessary through a credible third-party mediator, such as a neutral country or the United Nations.

In the meantime, a voluntary ban on the production of fissile materials (plutonium and enriched uranium) needed to make a bomb would be a confidence-building measure benefiting all.

It is well past time all governments renew their commitments to rid the world of nuclear weapons. It is only by working together that this goal can be achieved. There is no military solution to the Iranian crisis.

Sincerely,

[Your Name Here]
Sample letter to parliamentarians

Dear Representative,

As one of your constituents, I’m writing to insist that you take any and all action available to you to prevent a military response to the current Iranian nuclear situation. There is no military solution to this situation and military action will only make things worse. Please direct the [Foreign Ministry/State Department/Diplomatic Service] to pursue good faith negotiations that will prevent the escalation of this situation, and to examine and undertake all other possibilities, such as establishing a nuclear weapon free zone in the region.

I call on you to promote meaningful negotiations with Iran on the basis of reciprocity, if necessary through a credible third-party mediator, such as a neutral country or the United Nations. I request that you ask parliamentary questions or submit motions supporting a diplomatic approach to this situation.

As a short term, face saving measure, I fully support the idea of a regional moratorium on the production of materials related to nuclear weapons. This could take the shape of a politically binding agreement, by all states in the region, to stop the enrichment or production of fissile materials (plutonium and uranium). This could also pave the way for the implementation of numerous UN General Assembly resolutions calling for a nuclear weapon free zone in the Middle East, a much more sustainable and just solution than any military action.

In 2003, the war on Iraq was “justified” by the supposed threat of weapons of mass destruction. That war has further destabilized the already volatile Middle East. The 2003 threat proved to be false, but the destruction caused by the war cannot be undone. Any actions that would provoke a similar response to the Iranian situation will also be devastating to the region.

I look forward to your positive response to this letter, and to hearing from you what steps you have taken to prevent military intervention in Iran.

Sincerely,

[Your Name Here]
Resources for more information

**Text of the nuclear Non-Proliferation Treaty (NPT)**

**Lawyers Committee on Nuclear Policy**: excellent analysis from 2004–2007, most of which is still highly relevant today

**Anti-war.com**: organized a *Day of Mass Action to Stop War on Iran on 4 February 2012* and will likely hold follow-up events; they also have an *ongoing resource page*

**United for Peace and Justice**: has a page on “Manufacturing the Iran Threat” that includes links to various groups working to prevent war

**Map of military bases surrounding Iran**

**An appeal to US and Israeli service members to stand down from orders to attack Iran**

**Books and articles**


Dan Joyner, “*Iran’s Nuclear Program and the Legal Mandate of the IAEA*,” *JURIST—Forum*, 9 November 2011.

Yousaf Butt, “*Foreign Policy: Stop The Madness*,” NPR, 23 January 2012.


Cesar Jaramillo, “*Would an attack on Iran be legal?*,” Project Ploughshares, February 2012.