

Rocky Road to Nuclear Deal

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Jan 2, 2014

ABOUT THE AUTHORS

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Brief Analysis

Many hazards line the path to a comprehensive nuclear accord with Iran, including the unraveling of multilateral sanctions and efforts by the Iranian parliament to assert a role in national decisionmaking.

Since the October start of nuclear talks in Geneva, two distinct trends have marked the periphery: (1) a premature push for political and economic outreach to the Iranian government by European countries, particularly Italy; and (2) efforts by the Majlis to regulate the content of a nuclear deal -- through legislation that could upend the final accord if it fails to guarantee specific "rights," including set levels of uranium enrichment, and safeguard the continued construction and operation of key facilities including those at Fordow, Natanz, and Arak. Most recently, this has been manifested in a January 2 report of the addition of two Majlis deputies (or parliamentarians) to the negotiating team.

Rouhani: Italy "Gateway to Iran's Interaction with Europe"

From December 21 to 23 -- in the company of twenty journalists -- Italian foreign minister Emma Bonino became the first European foreign minister in a decade to pay a state visit to Tehran. The trip followed a flurry of diplomatic exchanges between the two countries, including the visit of an Italian deputy foreign minister to Iran only three days after Hassan Rouhani's inauguration as president; a November stopover in Rome by Iranian foreign minister Mohammad Javad Zarif; and, only a week before Bonino's arrival, a Tehran visit by former Italian prime minister -- and former foreign minister -- Massimo D'Alema. Amid these events, on the sidelines of the September UN General Assembly meeting in New York, Rouhani also met with Italian prime minister Enrico Letta -- who, according to media reports, is planning a groundbreaking visit to Tehran in 2014. Said Bonino, "Italy is eagerly ready to take the positive developments in relations between the two countries forward and prepare the ground for boosting cooperation in a wide spectrum of activities in the fields of economy, industry, energy, tourism, and research and science." Rouhani meanwhile hailed Italy as "the gateway to Iran's interaction with Europe."

These gestures by Italy, which assumes the rotating EU presidency in summer 2014, are fueled in part by its marginalization vis-à-vis other European countries in nuclear negotiations over the past decade. This sentiment was

even publicly communicated by Letta during his September meeting with Rouhani at the UN General Assembly, and Letta, in turn, was reassured by Rouhani of his nonobjection to a "P5+2" group. In his 2011 memoir, which details the 2003-2005 nuclear negotiations led by the EU-3 (Britain, Germany, and France), former German foreign minister Joschka Fischer cited an Italian "obsession" with preventing Germany -- a key player in nuclear negotiations over the past decade -- from being "given any position above Italy." Indeed, Rouhani, who cited Fischer's account in his own 2011 memoir of the nuclear negotiations, is aware of Italy's precarious position and opportunities to exploit it. Bonino herself admitted to this intra-EU competition prior to her Tehran trip when she expressed satisfaction at a press conference that Italy's outreach to Iran had been "followed by many other countries" and described the Geneva talks as "endors[ing] Italy's intuition."

Beyond seeking to overcome perceived marginalization, Italy's push for engagement with Iran is inspired by its "diplomacy of growth," which seeks to reinvigorate the "Italian system." Outside the Iranian context, this drive has been asserted in Bonino's volunteering of an Italian port for the transfer to American vessels of chemical arms transported from Syria. At one point in the late 2000s, Italy served as Iran's largest European trading partner. Over the past decade, Eni, the multinational Italian oil and gas company, has won several billion-dollar contracts to develop the South Pars gas field and Darquain oil field.

Italy views its outreach to Iran in purely economic, rather than ideological, terms. However, [Iranian government documents, along with Rouhani's own writings, \(http://www.washingtoninstitute.org/policy-analysis/view/rouhanis-negotiating-strategy-divide-and-isolate\)](http://www.washingtoninstitute.org/policy-analysis/view/rouhanis-negotiating-strategy-divide-and-isolate) explicitly articulate a geopolitical strategy that ties European outreach to the disruption of U.S. diplomatic goals. By reaching out to Europe, Rouhani has claimed, not only can Iran procure greater foreign investment and international legitimacy, but it can also drive a wedge between the EU and U.S. strategic outlooks, in effect isolating the United States and its clout over the Iran issue.

Iranian Parliamentarians Seek Prestige, Eye Congress

On November 20, 100 Iranian parliamentarians out of 290 -- most from the hawkish National Security and Foreign Policy Committee -- endorsed a draft bill titled "The Obligation of the Government to Protect Nuclear Rights." The bill, if passed, would have required Iran's negotiating team to incorporate fourteen separate measures into a final accord. Prominent demands included (1) the continued development of enrichment sites and centrifuge technology; (2) the protection of the right to uranium enrichment up to 20 percent; and (3) the completion of the Arak heavy-water reactor for plutonium production. Another stipulation, targeting the P5+1 parties specifically, called on the Iranian parliament to "retaliate against any of the nuclear negotiating side's government institutions that have imposed unfriendly sanctions against the institutions and personalities of the Islamic Republic of Iran."

Even as this bill was ultimately shelved, another draft bill, titled "The Obligation of the Government to Enrich Uranium to 60 Percent," was submitted on December 25 and has since gathered more than 200 signatures -- far greater support than the first bill had garnered. According to [the text of this latest bill.](http://www.farsnews.com/newstext.php?nn=13921008000548)

<http://www.farsnews.com/newstext.php?nn=13921008000548> the imposition of new sanctions by any of the P5+1 members or the failure of the talks would require Iran to resume the full range of its activities at Fordow, Natanz, and Arak, joined by uranium enrichment to 60 percent for use by "submarines and oceangoing ships." The bill tacitly justifies this latter measure by citing the central role of seafaring in Iranian trade and the imposition of "American and Western sanctions" in limiting refueling opportunities for Iranian tankers. Iran is not believed to have the technology to build nuclear-powered ships. Moreover, enrichment to 60 percent represents a critical step on the way to full weapons-grade uranium. Commenting on the bill, one of its main proponents, Majlis deputy Alaeddin Boroujerdi, chairman of the National Security and Foreign Policy Committee, stated, "The Westerners, in

the Geneva accord, have guaranteed that no new sanctions will be imposed against the Iranian nation. The Majlis's bills for new nuclear activities will be used as leverage [to ensure this]."

Rouhani faces a triad of threats from the parliament, which he has addressed on seven separate occasions since his election -- often out of necessity to smooth over differences. The first of these threats comes from traditional hardliners who oppose his outreach to the West -- mostly consisting of members of Ayatollah Muhammad Taqi Mesbah-Yazdi's "Steadfastness Front"; the second comes from members of the National Security and Foreign Policy Committee who are resentful over being excluded from the negotiating team, despite demands made by the negotiation team to the Foreign Ministry; and third are rank-and-file parliamentarians who seek to reassert the Majlis's role as a branch of government coequal with the executive. These parliament members have threatened to call Foreign Minister Zarif before the Majlis for questioning and potential dismissal -- the technical term is "interpellation," according to Article 89 of the Iranian constitution -- for his actions as nuclear negotiator, in addition to recently threatening to bring twelve of Rouhani's ministers before the parliament. Zarif's predecessors did not face a similar threat because they were not also Majlis-approved ministers.

For his part, Rouhani, a former five-term member of parliament, still enjoys broad personal and structural support within the institution. Most important, parliament speaker and former nuclear negotiator Ali Larijani, who is supportive of the nuclear team's work, wields significant power over what measures can come to the floor. And even if legislation were passed against the spirit of the talks, it could still be vetoed by the Guardian Council -- the clerical body loyal to Supreme Leader Ali Khamenei, which to this point has supported Rouhani's negotiations with the West and which could overrule the Majlis, based on Article 110 of the constitution, for serving as a policymaking rather than a lawmaking body.

And it is Khamenei who looms largest over the parliamentary scene. Although Articles 77 and 125 of the Iranian constitution grant the Majlis priority in approving international "treaties, protocols, contracts, and agreements" -- fueling the perception that it can regulate the nuclear deal -- over the last decade-plus of nuclear negotiations Khamenei's personal approval has always superseded this constitutional mandate. Both the 2003 Tehran Declaration and 2004 Paris Agreement concluded between Iran and the EU-3 were done without parliamentary approval -- with parliamentarians voicing their objections frequently ever since. In his otherwise patient dialogue with the parliament, Rouhani has relied on the authority of the Supreme Leader, such as in a November 10 speech to the Majlis when he cited that authority nine times. "The Supreme Leader clearly declares his ideas, and we (the executive and the Majlis) should prepare plans to execute them," Rouhani said in a recent address.

Conclusion

As the nuclear negotiations move forward, the P5+1 faces the central challenge of extracting Iranian concessions on its nuclear program. For U.S. policymakers, this task requires ensuring continued buy-in to the multilateral sanctions regime until a comprehensive and lasting agreement is reached. Should Iran suspect weakening Western resolve to maintain the sanctions, such as in Italy's efforts to reinvigorate trade and investment with Iran before the completion of a nuclear deal, then Tehran could feel a reduced urgency to reach a comprehensive solution. By contrast, if such outreach to Iran is made conditional on a full resolution of the nuclear impasse, then the P5+1's leverage will be enhanced.

Meanwhile, a contrast can be observed between the Rouhani and Obama administrations' responses to developments in their respective legislatures. Regarding the Iranian parliament's bill mandating 60 percent enrichment should talks fail, the Rouhani administration has not objected or even warned that such legislation could harm negotiations. Indeed, Deputy Foreign Minister Abbas Araqchi said on December 29, "Whatever is passed in the

parliament and becomes a law will be binding for us." Yet in response to bills in the U.S. Congress that would impose harsher sanctions should the talks fail, the Obama administration has expressed vigorous opposition.

Lastly, a central theme in Iran since the beginning of the Geneva talks has been the desire for "dignity," and respect for the "progress and achievements" of Iranian science and industry. This desire for dignity while pursuing rational self-interest has been enshrined in the Iranian government's three-pronged motto for the negotiations: "dignity, wisdom, and expediency." As the nuclear talks continue, allowing the Iranians a tacit "dignity valve" will be an important prerequisite for their subsequent pursuit of expediency and granting of concessions.

Steven Ditto is an independent Middle East analyst and author of the Washington Institute study [Reading Rouhani: The Promise and Peril of Iran's New President](http://www.washingtoninstitute.org/policy-analysis/view/reading-rouhani-the-promise-and-peril-of-irans-new-president). (<http://www.washingtoninstitute.org/policy-analysis/view/reading-rouhani-the-promise-and-peril-of-irans-new-president>)



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