

افغانستان آزاد – آزاد افغانستان

AA-AA

چو کشور نیاشد تن من مباد بدین بوم ویر زنده یک تن مباد
همه سر به سر تن به کشتن دهیم از آن به که کشور به دشمن دهیم

www.afgazad.com

afgazad@gmail.com

European Languages

زبان های اروپایی

<http://www.aljazeera.com/indepth/opinion/2013/04/201343015211353590.html>

The Iranian nuclear issue and the future of international order

The continuing deadlock with Iran over its nuclear programme is due to a unipolar vision of world order.

Flynt Leverett and Hillary Mann Leverett

5/2/2013

The outlines of a nuclear deal between the P5+1 and Iran have long been obvious: Western recognition of Iran's nuclear rights in return for more intrusive monitoring and verification of Iranian nuclear facilities. With agreement so readily at hand, the Obama administration's refusal to take it is baffling to many international observers. But the reason for American obstinacy becomes clearer when one considers that the Iranian nuclear issue has at least as much to do with the future of international order as it does with nonproliferation.

Conflict over Iran's nuclear programme is driven by two different approaches to interpreting the **Nuclear Non-Proliferation Treaty (NPT)**. These approaches, in turn, are rooted in different conceptions of world order.

In one concept, the rules of international relations are created through the consent of independent, sovereign states and are to be interpreted narrowly. This model is understandably favoured by non-Western states - for it is the only way international rules might constrain established powers as well as rising powers and the less powerful. But it is at odds with the

model favoured by America and its Western partners, which emphasises the goals motivating states to create particular rules in the first place - not the rules themselves, but the goals underlying them. This model also ascribes a special role in interpreting rules to the most powerful states - those with the resources and willingness to "enforce" their concept of global order.

Which interpretation of the NPT ultimately prevails in the Iranian case will go a long way to determine whether a rules-based model of international order can replace a model in which the goals of international policy are defined mainly by America and its partners - frequently in defiance of international legal obligations that Western powers once voluntarily embraced. The NPT is appropriately understood as a set of three bargains among signatories: non-weapons states commit not to obtain nuclear weapons; countries recognised as weapons states (America, Russia, Britain, France, and China) commit to nuclear disarmament; and all agree that signatories have an "inalienable right" to use nuclear technology for peaceful purposes. One approach to interpreting the NPT gives these bargains equal standing; the other holds that nonproliferation trumps the other two.

There have long been strains between weapons states and non-weapons states over nuclear powers' poor compliance with their commitment to disarm. Today, though, disputes about NPT interpretation are particularly acute over perceived tensions between blocking nuclear proliferation and enabling peaceful use of nuclear technology. This is especially so for fuel cycle technology, the ultimate "dual use" capability - for the same material that fuels power, medical, and research reactors can, at higher levels of fissile isotope concentration, be used in nuclear bombs. The dispute is engaged most immediately over whether Iran, as a non-weapons party to the NPT, has a right to enrich uranium under international safeguards.

For those holding that the NPT's three bargains have equal standing - including the non-Western world, virtually in its entirety - Tehran's right to enrich is clear. It is clear from the NPT, from the treaty's negotiating history, and from at least a dozen states having developed safeguarded fuel cycle infrastructures potentially able to support weapons programmes. On this basis, the diplomatic solution is also clear: recognition of Iran's nuclear rights in exchange for greater transparency.

Those holding that nonproliferation trumps other NPT goals - America, Britain, France, and Israel - claim that there is no treaty-based "right" to enrich, and that weapons states and others with nuclear industries should decide which non-weapons states can possess fuel cycle technologies. From these premises, in the early 2000s the George W Bush administration sought a worldwide ban on transferring fuel cycle technologies to countries not already possessing them. Subsequently, the Obama administration pushed the Nuclear Suppliers' Group to make such transfers conditional on recipients' acceptance of the Additional Protocol to the NPT - an instrument devised at US instigation in the 1990s to enable more intrusive and proactive inspections in non-weapons states.

Under both Bush and Obama, America has pressed the UN Security Council to adopt resolutions telling Tehran to suspend enrichment, even though it is part of Iran's "inalienable right" to peaceful use of nuclear technology; such resolutions **violate** UN Charter terms that the Council

act "in accordance with the purposes and principles of the United Nations" and "with the present charter". Washington has also defined its preferred diplomatic outcome and, with Britain and France, imposed it on the P5+1: Iran must promptly stop enriching at the near-20 percent level to fuel its sole (and safeguarded) research reactor; it must then follow Security Council calls to cease all enrichment. US officials say Iran might be "allowed" a circumscribed enrichment programme, after suspending for a decade or more; London and Paris insist that "zero enrichment" is the only acceptable long-term outcome.

Non-Western states have, in various ways, pushed back against these efforts by America and its European partners to (in effect) rewrite the NPT. The "**BRICS**" (Brazil, Russia, India, China, South Africa) and the **Non-Aligned Movement** (with 120 countries representing nearly two-thirds of UN members) - have unequivocally recognised the right of Iran and other states to develop safeguarded indigenous fuel cycle capabilities. Since abandoning nuclear weapons programmes during democratisation and joining the NPT, Brazil and South Africa have used their status as nonproliferation exemplars to defend non-weapons states' right to peaceful use of nuclear technology, including enrichment. With Argentina, they resisted US efforts to make transfers of fuel cycle technology contingent on accepting the Additional Protocol (which Brazil has refused to sign), forcing Washington to **compromise**. With Turkey, Brazil brokered the **Tehran Declaration** in May 2010, whereby Iran accepted US terms to swap most of its then stockpile of enriched uranium for fuel for its research reactor. But the Declaration openly recognised Iran's right to enrich; **for this reason**, Obama rejected it.

If non-Western states want to move decisively from a still relatively unipolar world to a genuinely multipolar and rules-based order, the more powerful among them will soon have to call Washington's bluff on Iran-related secondary sanctions.

At the same time, important non-Western states have, to varying degrees, accommodated Washington on the Iranian issue. Officials in China and Russia, the two non-Western permanent members of the Security Council, acknowledge there will be no diplomatic solution absent Western recognition of Tehran's nuclear rights. Yet China and Russia endorsed all six Security Council resolutions requiring Iran to suspend enrichment. They did so partly to keep America in the Council with the issue, where they can exert ongoing influence - and restraint - over Washington; at Chinese and Russian insistence, the resolutions state explicitly that none of them can be construed as authorising the use of force against Iran. Still, they acquiesced to resolutions that **make a diplomatic settlement harder** and that contradict a truly rules-based model of international order.

China, Russia, and other non-Western powers have also accommodated Washington's increasing reliance on the threatened imposition of "secondary" sanctions against third-country entities doing business with Iran. These measures violate US commitments under the World Trade Organisation, which allows members to cut trade with states they deem national security threats but not to sanction other members over lawful business with third countries. If challenged on this in the WTO's Dispute Resolution Mechanism, America would surely lose; consequently, US administrations have been reluctant to actually impose secondary sanctions on non-US entities transacting with Iran. Nevertheless, companies, banks, and even governments in non-Western states have cut back on their Iranian transactions - feeding American elites' sense that,

notwithstanding their illegality, secondary sanctions help leverage non-Western states' compliance with Washington's policy preferences and vision of (US-dominated) world order.

If non-Western states want to move decisively from a still relatively unipolar world to a genuinely multipolar and rules-based order, the more powerful among them will soon have to call Washington's bluff on Iran-related secondary sanctions. They will also need to be more willing to oppose, openly, America's efforts to unilaterally rewrite international law and hijack international institutions for its own hegemonic purposes. By doing so, they will underscore that the United States ultimately isolates itself by acting as a flailing - and failing - imperial power.