

**The sanctions' policy of the United Nations Security Council towards the  
Islamic Republic of Iran between 2006 and 2010 with particular regard  
to the E3/EU position**



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A handwritten signature in blue ink, appearing to read 'F. Schumacher', with a long horizontal stroke extending to the right.

*For the laws of nature, as justice, equity, modesty, mercy, and, in sum, doing to others as we would be done to, of themselves, without the terror of some power to cause them to be observed, are contrary to our natural passions, that carry us to partiality, pride, revenge, and the like. And covenants, without the sword, are but words and of no strength to secure a man at all. Therefore, notwithstanding the laws of nature (which every one hath then kept, when he has the will to keep them, when he can do it safely), if there be no power erected, or not great enough for our security, every man will and may lawfully rely on his own strength and art for caution against all other men.*

Part II., Chapter 17; Thomas Hobbes (1651). *Leviathan*.

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## List of Abbreviations

|              |   |
|--------------|---|
| <b>CFSP</b>  | Common Foreign and Security Policy  |
| <b>ESS</b>   | European Security Strategy  |
| <b>E3/EU</b> | The E3 countries France, Germany, the United Kingdom started in 2003 negotiations with Iran. In 2004 Javier Solana, European Unions' High Representative for Common Foreign and Security Policy, joined the group and subsequent the term was renamed to E3/EU. |
| <b>FEP</b>   | Fuel Enrichment Plant   |
| <b>HEU</b>   | High Enriched Uranium   |
| <b>IAEA</b>  | International Atomic Energy Agency  |
| <b>LEU</b>   | Low Enriched Uranium  |
| <b>NCRI</b>  | National Council of Resistance of Iran  |
| <b>NPT</b>   | Non-Proliferation of Nuclear Weapons Treaty   |
| <b>PFEP</b>  | Pilot Fuel Enrichment Plant   |
| <b>SWP</b>   | Stiftung Wissenschaft und Politik/ German Institute for International and Security Affairs  |
| <b>UNSC</b>  | United Nations Security Council   |
| <b>UK</b>    | United Kingdom  |
| <b>US</b>    | United States of America  |
| <b>WMD</b>   | Weapon of Mass Destruction  |

## Chapter 0: Introduction

### 0.1 Outline of the Problem

*“The possibility that Iran is pursuing nuclear weapons presents a challenge we cannot ignore. Many countries in the Middle East – not just Israel – feel threatened by Iran’s increasingly malign role in Iraq, Lebanon and Palestine. They wonder how much worse it would be if Ahmadinejad acquired a nuclear arsenal. I find it unthinkable that a man who questions the existence of the Holocaust should ever possess the weapons to repeat it. Iran’s actions also pose a serious threat to the non-proliferation system. If we let Iran cheat its way to a nuclear bomb, how many other countries will try to, or feel they need to?”* (Beckett, 2006b).

This response of the Foreign Secretary of the United Kingdom, Margaret Beckett, to the adoption of the first United Nations Security Council Resolution (no. 1737) towards Iran in 2006 represents the threat felt by the United Kingdom and the International Community as well as a recognized need for action. In the following pages, I will give a brief description of Iranian nuclear activity and explain why the first Resolution became necessary.

Iran’s nuclear activity has a long history. In 1957, the Islamic Republic of Iran signed an agreement with the US on civil nuclear cooperation (Neuneck, 2006). Eleven years later it signed the Non-Proliferation of Nuclear Weapons Treaty (NPT)<sup>1</sup> as one of the first non-nuclear weapons states and ratified three it years later in 1970 (ibid.). After decades of reduction in nuclear research and nuclear activity, caused by the Islamic revolution, and the demolition of nuclear facilities during the Iraq war, the nuclear program prospered again in the 1990’s due to Russian cooperation (Bruno, 2010).

Skepticism towards the Iranian nuclear program grew with the revelation of secret nuclear facilities by the National Council of Resistance of Iran (NCRI) in August 2002 (Profile for Iran, 2012, Jafarzadeh, 2002). Following this revelation in 2003, the International Atomic Energy Agency (IAEA) started inspections and came to the conclusion that a breach of the NPT, articles 2 and 3, could not be demonstrated, but that it needed to be assured that no nuclear material had been diverted for military use (Neuneck, 2006).

Aside from Iran’s promise to sign the Additional Protocol of the NPT, which would have enabled more inspections by the IAEA Board of Governors, the E3 started its negotiations to ensure that Iran would comply with its legal obligations (ibid.). Although Iran never ratified the Additional Protocol, Iranian leaders agreed to the suspension of all enrichment and reprocessing activities in 2003 as a voluntary and unilateral measure to render negotiations over the long-term conditions of Iranian nuclear program possible (Reed, 2006). The following years were characterized by breaches of this agreement, new sets of negotiations, and a new agreement followed by further infringement (Neuneck, 2006).<sup>2</sup>

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<sup>1</sup> See Annex 1

<sup>2</sup> In 2004, the issue worsen due to the absence of transparency and the uncooperative behavior of Iran in the process of seeking clarification (Chronologie der Verhandlungen um das iranische Atomprogramm, 2012). However, the E3/EU and Iran could reach the ‘Paris Agreement’ in December 2004, which included the voluntary suspension of enrichment activities and the corresponding approval by the E3/EU of Iran’s right to use nuclear technology for peaceful purposes under the NPT (ibid.).

Iran finally removed IAEA seals of a nuclear plant in 2005, which was one of the reasons why the IAEA Board of Governors suggested the handover of the case to the United Nations Security Council (UNSC) in September 2005 (ibid.). Lastly, the IAEA officially referred the case to the United Nations Security Council in March 2006, because Iran's unclear intentions and the repeated breach of agreements (ibid.).

In summary, the infringement of the NPT could not be proven. Nevertheless, there are reasons, why the International Community fears Iran's dual use of nuclear technology:

*"In the Middle East, the global powers have created a black and filthy microbe called the Zionist regime, so they could use it to attack the peoples of the region, and by using this excuse, they want to advance their schemes for the Middle East."* (Müller, 2010, p. 6) This quote of the Iranian president Ahmadinejad represents – beside the postulation that Israel has to be *"wiped of the map"* and the description of the holocaust as a *"myth"* – the radical and fundamental view of Iran's president (The American Israel Public Affairs Committee, 2006, p. 2). Furthermore, he is regarded as a hard-liner, supporter of a nuclear bomb and 'Anti-American' politician (Linden, 2006). Moreover, the Islamic Republic of Iran has the ambition of becoming a powerful and influential state, especially in the Middle East (Perthes, 2009). The Legatum Institute (2011) describes these ambitions even more concrete: *"The IRI [Islamic Republic of Iran] wants to be the leader of the billion-plus Muslim world."* (p. 35).

In addition to the precarious nature<sup>3</sup> of the Iranian nuclear program and the radical and aggressive attitude of president Ahmadinejad, as well as other members of the government, Iran is in possession of advanced ballistic missile capabilities (Müller, 2010). Over the past decade, Iran has steadily increased its missile arsenal, but has stressed that this is for security reasons (Council on Foreign Relations, n.d.). At the moment, the largest range missiles are able to reach Israel, Turkey, the Arab Gulf states and parts of southern Russia and southeastern Europe (Legatum Institute, 2011).<sup>4</sup> By the end of 2012, it is expected to have completed the production of missiles capable of reaching all countries in Europe.<sup>5</sup> Even an Intercontinental Ballistic Missile able to reach the US is planned (ibid.). Despite these efforts, the missiles *"have limited military utility because of their poor accuracy"* (Chapter Seven: Middle East and North Africa. The Military Balance, 2011, p. 297).

The combination of these factors leads to a tricky situation for the International Community. Iran, with nuclear weapons, radical and aggressive politicians, and ballistic missiles capable of reaching large parts of the globe, would constitute a permanent threat and an enormous shift of power. Finally, many researchers fear that this will cause a nuclear arms race in the Middle East (cp. Seaboyer & Thränert, 2007, p. 99, Robb & Wald, 2012, p. 57)

## 0.2 Research Question

The outline of the problem already described the reasons for action by the UNSC, here in terms of six Resolutions, with five rounds of sanctions towards Iran between 2006 and 2010. That leads to the main research question and the sub-questions I wish to answer:

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<sup>3</sup> This implies a possible military use of the nuclear capabilities.

<sup>4</sup> By name are these Shahab-1, Shahab-2 and Shahab-3 with the currently largest range (Council on Foreign Relations, n.d.).

<sup>5</sup> Iran is presently testing the Ghadr-1 and Sajjil missiles (Council on Foreign Relations, n.d.).



- 1) Did the sanctions taken by the United Nations Security Council, consisting inter alia of E3/EU countries, towards Iran between 2006 and 2010, have a marked impact on the development of their nuclear program?
  - a) What was the United Nations Security Council sanctions' policy towards Iran between 2006 and 2010?
  - b) What was the position of the so-called E3/EU in the development of the United Nations Security Council sanctions?
  - c) How did the Iranian nuclear program develop subsequent to the Resolutions?

In this thesis, I want to answer whether the sanction imposed by the UNSC – with the contribution of the E3/EU states of France and the United Kingdom as permanent members plus Germany as a non-permanent member – influence<sup>6</sup> the Iranian nuclear program. To ascertain whether or not there has been influence, I want to introduce the relevant Resolutions, the E3/EU position and finally the development<sup>7</sup> of the nuclear program as a consequence of the Resolutions.

First of all, the medium of sanctions in International Politics will be introduced and afterwards the individual Resolutions. There it will be relevant to see which measures the UNSC chose and how the process was adopted.

Chapter 2 will examine the position of the European Union in general, its strategy concerning WMD and European security, and finally the position of the E3 countries France, Germany and the United Kingdom. As a European, the E3/EU position is particularly important in this case because it will be valuable to examine how the E3/EU behaves in this dispute. It will be interesting to examine whether the E3/EU shows unity in its position towards the Iranian nuclear program or disagreement due to national interests as for instance in the Iraq war<sup>8</sup> (Oswald, 2003). Furthermore, foreign policy is central in shaping a national profile on the world stage. Hence, it will be interesting to see whether the E3/EU states were willing to compromise or whether such a position were only possible through layering to the lowest common denominator<sup>9</sup>. Furthermore, it will be interesting to see whether the E3 countries held to the EU position or if they pursued own strategies. It is important to bear in mind, that this thesis will not analyze the unilateral sanctions' policy outside of the UNSC.

In the third chapter, question c) will be answered by presenting the Iranian actions regarding their nuclear program in the years of 2006 to 2011.

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<sup>6</sup> Referring to Parsons (1963), *"Influence is a way of having an effect on the attitudes and opinions of others through intentional (though not necessarily rational) action-the effect may or may not be to change the opinion or to prevent a possible change."* (p. 38). Thus, it has to be examined whether the UNSC action did have an effect on the development of the Iranian nuclear program in terms of the growth of the program.

<sup>7</sup> Development has to be perceived here as growth of the Iranian nuclear program, respectively what actions were exerted by Iran in the context of the program between 2006 and 2010. Growth in an economic sense means most often the numerical rise of a specific element or indicator (cp. Haderer, Winter, Arentzen, 2000, p. 3397). Hence, growth implies in this context the rise of nuclear activity and nuclear facilities.

<sup>8</sup> The European position towards an invasion of Iraq was characterized by great dissent between the member states (Oswald, 2003). The states considered it not important to develop a common position; in fact the British government, for example, declared its support to the US action whereas Germany announced its refusal of an Iraq war and that it not would take part in an Iraq war (ibid.). This rational and selfish behavior was assessed as a rejection of a Common Foreign and Security Policy (CFSP) (ibid.).

<sup>9</sup> Decisions on a European level or especially in the area of Foreign Policy and Security Policy is often described as *"politics on the lowest common denominator"* (Cramme, n.d., cp. also: FES, 2012, Bendiek, 2010)

Finally, it is important to mention that although sanctions were imposed by the UNSC, negotiations with Iran continued. The International Community followed a dual-track strategy for a desired resolution of the problem (Durkalec, 2011).

### 0.3 Scientific Relevance

The Iranian nuclear issue is a hot topic in the media because of new negotiation rounds and threats of Israel towards Iran.<sup>10</sup> For the reasons previously mentioned, the issue is both explosive and complex for the International Community. In addition, the topic ranks highly on the agenda of many politicians: The former German Foreign Minister Steinmeier (2005-2009) for example, identified the Iranian nuclear program in 2006 as the “*greatest*” challenge in his hitherto term of office (Steinmeier, 2006a)<sup>11</sup>. Also his French colleague, Bernard Kouchner (2007-2010), described this issue as “*the most pregnant with threats for the future*” (Kouchner, 2007). However, due to the indecisiveness of the politicians, not knowing what to do, the high priority of the issue was not conveyed to the public (Pahl, 2005).

The consequence of the highly topical relevance, scientific research and discussion concerning UNSC sanctions towards Iran or its nuclear program after 2006 is scarce. Therefore, much relevant research is published in scientific journals and by think tanks.<sup>12</sup> Here is important to mention the dominance of American scholars and think tanks dealing with this subject. Especially the ‘Carnegie Endowment for International Peace’, the ‘Council on Foreign Relations’, the ‘Nuclear Threat Initiative’, the ‘United States Institute of Peace and Wisconsin Project on Nuclear Arms Control’, which publishes ‘Iran Watch’ are credible sources for this topic and retain experts on this theme.<sup>13</sup> One reason for the greater number of institutes dealing with this matter in the US, compared to Europe, might be the long standing conflict between the US and Iran.<sup>14</sup> Nevertheless, the research experts of the ‘German Institute for International and Security Affairs’ (SWP) have also actively participated in this debate.<sup>15</sup>

I will try to apply a new approach in this thesis by describing the UNSC sanctions, assessing the behavior of the E3/EU, and the three leading states in the process, and lastly analyzing the progression of the Iranian nuclear program.

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<sup>10</sup> Cp. e.g. Abdo, 2012, Vestring, 2012, heb/dpa/AFP/dapd, 2012, Salloum, 2012, Wergin, 2012

<sup>11</sup> Also, in his first year as Minister for Foreign Affairs, Guido Westerwelle (2010) shared Steinmeiers’ view: “*Today the uncontrolled proliferation of nuclear weapons is probably the most serious threat to our security.*”

<sup>12</sup> Cp. e.g. Brumberg, Lopez & Wright (2010), Bruno (2010), Council on Foreign Relations (n.d.), Durkalec (2011), Lopez & Cortright (2004), Perthes (2008), Perthes (2009), Sadjapour (2007)

<sup>13</sup> For example, the Carnegie Endowment for International Peace comes with the highly esteemed experts on this topic such as George Perkovich, Amy Reed and Karim Sadjapour (cp. e.g. Perkovich, 2007, Reed, 2006, Sadjapour, 2007). This applies also to the Council on Foreign Relations with experts such as Greg Bruno and Ray Takeyh as staff members (cp. Bruno, 2010, Takeyh & Maloney, 2011). The Nuclear Threat Initiative works with a range of partners on projects for the reduction of global threats deducing inter alia from nuclear weapons. Furthermore, their own staff, as for instance Deepti Choubey and Richard Sabatini, is also high regarded in this policy area (cp. e.g. Choubey, 2010, Sabatini, 2010). Lastly, Iran Watch represents a comprehensive and valuable source for government documents and statements of politicians in charge (cp. e.g. Beckett, 2006b, Steinmeier, 2006).

<sup>14</sup> After the seizure of the US Embassy in Iran in 1979 and the subsequent hostage crisis, sanctions were imposed for the first time on Iran by the US (Takeyh & Maloney, 2011). The tensions between Iran and the US endured over the following decades fueled by the Iran-Iraq war, the Iran-contra crisis or the reinforcement of sanctions under the Clinton administration (ibid). Finally, the US Government pushed the referral to the UNSC and the implementation of sanctions (ibid.).

<sup>15</sup> Cp. Rudolf, 2007, Perthes, 2008, Kempin & Kupferschmidt, 2007, Heise, 2007

Extensive research has been done on the Iranian nuclear program (cp. e.g. Neuneck, 2006; Legatum Institute, 2011); additionally, also some scholars assessed the single Resolutions (e.g. Reed, 2006; Brumberg, Lopez & Wright, 2010). Regrettably, most researchers neglect the role of the European Union in this process, while focusing on the powerful opinion of the US government, or the tensions caused by the positions of Russia and China (e.g. Sadjapour, 2007). SWP is one of few institutions that has published research on this topic (e.g. Perthes, 2008; Heise, 2007; Kempin & Kupferschmidt, 2006).

In addition, there is a vital debate on European Foreign Policy (CFSP) in general, the legal aspects and the behavior of the member states in the process (Wessel & den Hertog, 2012, Wessel, 2012, Sijursen, 2011, Tonra, 2011). However, these aspects are not discussed extensively in this thesis.

Furthermore, the theoretical framework applied has scientific relevance. By virtue of the core assumptions of anarchy plus the most important ambitions of security and survival, a neo-realist perspective can help to explain the pursuit of nuclear weapons (Klimas, 2007). Notwithstanding the fact that neo-realism sketches a *“rather grim picture of world politics”*, this is a predominant theory of International Relations (Mearsheimer, 1994/95, p. 9, Lamy, 2008). The theory of neo-realism relies for most of its assumptions on the work of realists, as for example Morgenthau (1946) (cp. Schörnig, 2006). Scholars such as Waltz (1979), Baldwin (1993), Mearsheimer (1994/95) and Gilpin (1981) enhanced this basic understanding of world politics with their own accentuations on specific phenomena. Most academics refer to Waltz’s (1979) *“Theory of International Politics”*. This emphasizes the significance of the structure of the international system for the decisions taken by States<sup>16</sup>. Suitable to the basic debate on nuclear proliferation, Sagan and Waltz (1995) published arguments supporting nuclear proliferation as a medium for deterrence, but also holding in contrast that more proliferation is worse overall<sup>17</sup>. Nevertheless, the depth of this debate is not relevant for this thesis. Recently, Kenneth Waltz argued that Iran should get a nuclear bomb to gain a durable military balance, which would eventually lead to more stability in the Middle East (Waltz, 2012).

Lastly, after the *“so-called decade of sanctions”* there has been academic debate about the effectiveness of sanctions and conditions for success (Rudolf, 2007, p. 7; cp. e.g. Cortright & Lopez, 2000; Baldwin, 2000). Researchers assessed the impact of sanctions on i. e. Libya, Yugoslavia and Iraq, as well as the unilateral sanctions’ policy of the US towards Iran (e.g. Kaempfer, Lowenberg & Mertens, 2004; Lopez & Cortright, 2004; Jentleson & Whytock, 2005/06). However, the assessment of the success of the sanctions is not the target of this work.

## 0.4 Theoretical Framework

The theoretical framework used in this thesis is neo-realism. In principle, according to a neo-realist perception, the international system consists of two elements (Schörnig, 2006): As already mentioned, the determining element for State’s behavior in the opinion of Waltz (1979) is the structure of the international system, what he calls Anarchy: *“Anarchy is the ordering principle of international structure”* (Waltz, 1979, p. 91). This means the lack of a world government or higher authority (Waltz, 1979). The second element of the international system, influenced by anarchy and central unit, are States (Schörnig, 2006). For the understanding of States, three characteristics are relevant:

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<sup>16</sup> Cp. Chapter 0.4 in this thesis

<sup>17</sup> Waltz thesis: *“The likelihood of war decreases, as deterrent and defensive capabilities increase. Nuclear weapons, responsibly used, make wars hard to start.”* (Sagan & Waltz, 1995, p. 388)

Firstly, States are seen as unitary actors, minimizing the importance of domestic attributes (Schimmelfennig, 2010). Furthermore, they stand out through a coherent course of action and the central target – survival (Waltz, 1979). Secondly, the ‘units’ of the international system act rationally and choose the option with the highest benefit (Keohane, 1989). Because of constant insecurity in the international system, possible actions of other States have to be incorporated in the considerations of States (Schörnig, 2006). A third and final attribute for the perception of States, the capabilities of States, are important. The power of States is the only characteristic which varies among these. However, according to Waltz (1979) the capabilities of States are hard to measure: *“The economic, military, and other capabilities of nations cannot be sectored and separately weighed.”* (p. 131). Therefore, he argues *“size of population and territory, resource endowment, economic capability, military strength, political stability and competence”* are important parameters in determining the capabilities (ibid. p. 131).<sup>18</sup>

Waltz defines the structure of the international system as independent from the ‘units’ and their interaction. Furthermore, the structure has its own causal impact on the action in the international system (Lamy, 2008). Also, there can be a distinction made between three elements: First, is the ordering principle of anarchy to state, already mentioned. Contrary to the ordering principle of the most inner-state structures, namely hierarchy, anarchy is the principle in International Politics and means *“the absence of government”*, thus an absence of a superior instance (Waltz, 1979, p. 114). This implies that States are solely responsible for their action and it has far-reaching consequences for them. The second structural element refers to the character of the units. Waltz points out that all States are functionally similar ‘units’: *“In an anarchic realm, the units are functionally similar and tend to remain so.”* (ibid., p. 104). A specialization with differentiated ‘units’ and work division would foster interdependence, thus producing various imponderables in an insecure system (ibid.). In an anarchic world, the central goal is survival; hence, trusting another state could pose a threat to one’s own sovereignty and survival (Schörnig, 2006). Reasoning according to this mindset, the neo-realist system is seen as a self-help system. Waltz (1979) defines this and the implications in detail: *“A self-help system is one in which those who do not help themselves, or who do so less effectively than others, will fail to prosper, will lay themselves open to dangers, will suffer.”* (p. 118). Thirdly, the distribution of capabilities is relevant. Three different distributions exist – a unipolar, bipolar and multipolar distribution of capabilities – which produce different levels of stability in the international system (Waltz, 1979). Unipolarity implies the presence of one hegemonic state, bipolarity the existence of two, and multipolarity consequently the existence of more than two especially powerful States.

These neo-realists core assumptions have an impact on the course of action of States in International Politics, which are also relevant for the phenomenon researched in this thesis. According to the theory, the structure of the international system influences the behavior of the States (Schörnig, 2006). The dedicated power determines the position in the international system and shapes behavior. Therefore, different distributions of capabilities result in various behaviors as well as degrees of stability or instability of the system. Corresponding to Waltz (1979) *“states [...] behave in ways that tend toward the creation of balances of power.”* (p. 118). As an effect of this maxim, States must continuously compare their capabilities with the other States and execute a positioning in the international system (Schörnig, 2006). States must react in an appropriate way regarding possible modifications and adjustments, for instance through the creation of alliances or the opposite, namely

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<sup>18</sup> For Gilpin (1981) for instance, reputation and prestige in the international system are also important aspects of states’ capabilities.

bandwagoning<sup>19</sup> (ibid.).<sup>20</sup> Also, attempts to increase one's own capabilities would be an option to change one's position in the international system (Klimas, 2007). In connection to the topic and research questions, nuclear weapons are a feasible option for Iran to heighten military capabilities and to be set on one level with the few other nuclear weapons States. The ambition, to aim a nuclear weapon in an anarchic international system, is seen as a possibility to heighten security (Lamy, 2008). According to Sagan and Waltz (1995), the presence of a nuclear bomb as deterrence decreases the probability of war.<sup>21</sup>

Summarized, States are like 'units', acting in an anarchic international self-help system with no functional specification, and States only differ in terms of their capabilities. These are the important factor. To attain the central goal of survival in the insecure system, States have to position themselves in the international system. Nuclear proliferation, as a medium of deterrence, constitutes an exit option in this security dilemma.

This neo-realist perception of the international system may help to explain the behavior of the International Community in its engagement with Iran, and conversely, the behavior of Iran towards other states and its attitude to its nuclear program. Consequently, I will test the following hypotheses in this thesis:

1. In the security dilemma – derived from the structure of the international system – the sanctions of the United Nations Security Council may have no influence on the decisions of the Iranian government in terms of the progress of its nuclear program.

Because of the anarchic structure of the international system, the central target of States – survival – is jeopardized by the security dilemma. Along the same logic, States are rational actors conducting cost-benefit analyses before making decisions. A nuclear weapon, as already mentioned, gives States a solution to the security dilemma and thus brings benefits to the possessor. Bearing this in mind, the sanctions, aiming for the abandonment of dubious nuclear activities, may have no influence on the decisions of the Iranian government towards the progress of its nuclear program.

2. Fear of loss of influence and power of the so-called E3/EU states may have caused them to unite behind a single purpose and an equal contribution to the implementation of the United Nations Security Council sanctions.

The major powers are searching for order in the international system. They want to maintain their position or even enhance their capabilities, thus improving their influence. In contrast, the attainment of a nuclear weapon for Iran would definitely shuffle the hierarchy of power and influence of the major powers in the international system. These circumstances may have caused unity in purpose and an equal contribution to the implementation of the UNSC sanctions.<sup>22</sup>

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<sup>19</sup> Bandwagoning refers to the strategy of attachment of a weaker state to a strong state: "states work harder to increase their own strength, or they combine with others, if they are falling behind." (Waltz, 1979, p. 126). An appropriate example for this behavior is the formation of two blocks in the Cold War era.

<sup>20</sup> Compare in this context also Schweller (1994), who predicts the behavior of states in the search for an ally, due to seeking the reconstruction of balances of power.

<sup>21</sup> In addition to this state behavior predicted by Waltz, two different streams, both sharing neo-realism's assumptions developed over time. On the one hand, the 'defensive structural realism' mainly developed by Walt (2002) and Glaser (2003) and on the other hand, the 'offensive structural realism' formulated by Mearsheimer (2001). These two theoretical streams are discordant on the relevance of power and capabilities and their utilization, thus the influence of both on states' behavior.

<sup>22</sup> States seek cooperation, if both sides benefit from it (Schimmelpfennig, 2010).

3. Despite the unity of purpose, national vested interests of the E3/EU states may have been highly important in individual state decisions.

Due to an anarchic and competitive system, States are pressed to prefer self-help over cooperative behavior. Furthermore, they seek to maximize benefits and minimize losses based on national interests and priorities. The national interest priority may also have influenced the position of the E3/EU countries.

To enable the testing of the hypotheses introduced, a suitable research methodology had to be applied. This will be outlined in the following section.

## 0.5 Research Methodology

In this thesis, the case of the sanctions' policy of the UNSC towards Iran during the period between 2006 and 2010 is examined. As already outlined, before the referral to the UNSC in 2006, various diplomatic efforts done by the E3/EU and the IAEA were practically ineffective. On these grounds, this issue was referred to the only international institution which can pass and implement sanctions binding under international law. Subsequently, between 2006 and 2010, six resolutions were passed, including five rounds of sanctions against Iran. At the same time, unilateral sanctions were imposed on Iran, by the European Union and the US, for example. But these unilateral sanctions are not relevant for this thesis. The goal of this thesis is to test whether the theoretical predictions were part of the process; if the sanctions' policy of the UNSC had an impact on the development of the Iranian nuclear program and to check the role the E3/EU states in the process.

To address these goals, the right research approach had to be chosen, which is *"how to pose questions and fashion scholarly research to make valid descriptive and causal inferences"* (King, Keohane & Verba, 1994, p. 3). Causal inferences are the goal of scientific research and a first aspect of it (ibid.). According to Stone-Romero (2002) the research design is *"a blueprint that provides the scientist with a detailed outline or plan for the collection and analysis of data"* (p. 77). The researcher has the choice on several research designs and is then in charge to pick the right one, which enables a high level of *"overall confidence that a researcher has about the results of a study"* (ibid).

In this empirical study, the above mentioned case (N=1) is studied descriptively. Most appropriate for an in depth examination of a single case is the use of a case study<sup>23</sup>. This may be defined as *"an intensive study of a single unit for the purpose of understanding a larger class of (similar) units"* (Gerring, 2004, p. 342). This implies the aim of drawing inferences from the research on a case towards similar ones. Cunningham (1997) specifies the function of case studies as following: *"for developing a very intensive understanding of the events and practices of one person, group or organization"* (p. 402). Due to the limited research done on the UNSC's sanctions' policy and its effect on the Iranian nuclear program, a case study seems to be the most appropriate research design.

This factor is also connected with measurement of the analysis: In contrast to standardized, quantitative research, based on numerical facts, qualitative studies *"allow more room for the researcher's subjective and arbitrary judgment than other methods"* (Flyvberg, 2006, p. 234, King et. al, 1994). For a study where an intensive understanding of the key players and behaviors are high

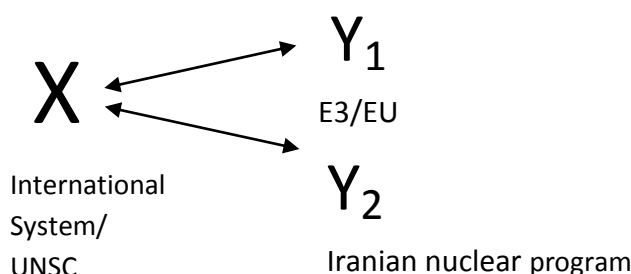
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<sup>23</sup> This design is controversially discussed in methodological research. Gerring (2004) describes it as *"[t]he case study survives in a curious methodological limbo."* (p. 341).

priority, this approach seems more suitable than quantitative methods.<sup>24</sup> Thus, the study will be a subjective examination of the sanctions' policy of the UNSC towards Iran. The aim of this type of measurement is described by Macpherson, Brooker and Ainsworth (2000) as follows: "[T]he exercise aims to develop an understanding of meanings, processes of motivation and the rules that guide interaction, practices and aspirations." (p. 51). This approach coincides with the aims of the research design.

In addition to measurement, appropriate data<sup>25</sup> had to be chosen to allow for reliable and valid results, which is a scientific requirement (King et. al, 1994). These were primarily official documents or reports of governments or International Organizations, especially of the UNSC, IAEA and EU. For verification of the interpretations and background information, the utilization of secondary and tertiary sources were relevant (cp. Cunningham, 1997). The sources used here have been previously mentioned. These were books and, in particular, analyses of research institutes, think tanks and journal articles.

The variables at the center of the study will be the following:



Firstly, the independent variable (X) in this thesis will be the International System. The International System is, under a neo-realist perception, characterized by anarchy, which has a causal impact on States' behavior. States' attitude is determined by the attempt of overcome their insecurity, for which self-help and power politics have a high priority. If absolute gains can be rendered possible due to cooperation, this becomes an option. From a neo-realist perspective, the removal of threats to States' own security by collective measures is in a world based on security interest definitely a benefit. This kind of cooperation is true in the case of the United Nations, as final arbiter in particular in the UNSC.<sup>26</sup> The dependent variables (Y<sub>1</sub>, Y<sub>2</sub>), or rather the units, are influenced by the characteristics of the International System and by the actions taken by the UN or, in particular, the UNSC (X). Vice versa, the dependent variables determine the independent.

E3/EU (Y<sub>1</sub>) behavior is, on the one hand, affected by the international system – this means the neo-realist assumptions as well as the consequently action of the UNSC. The E3/EU states, in the assumed hypotheses, have fears which cause their united support of UNSC action. On the other hand, there may still be rational national interests which are defended in order to gain advantages over other

<sup>24</sup> Furthermore "qualitative methods are characterized by ambiguity, subjectivity, and place more emphasis on the localized context" (Macpherson et. al, 2000, p. 50)

<sup>25</sup> Referring to Lichtman & French (1978) there can be a distinction made between three types of sources, which will all be utilized in the research: Primary sources, which are i. e. speeches or statements by, for instance Ministers, Presidents or Diplomats, but also legal texts, Resolutions and reports. As secondary sources, publications and analyses of governments and parties, for example, will be used. As tertiary sources analyses, journal articles or several books by researchers, institutes and think-tanks will be employed (cp. Burnham, Gilland, Grant, Layton-Henry, 2004, p. 167).

<sup>26</sup> These reasons are also especially named in the UN Charter. See Annex 3.

states in the world. These interests may have been represented in the process and have impacted the work of the UNSC because both France and the United Kingdom, for example, are permanent members of the UNSC with veto powers. Technically speaking, there is again in this variable ( $Y_1$ ) a comparison of three units, namely France, Germany and the United Kingdom.

Secondly, the Iranian nuclear program ( $Y_2$ ) has multiply sided effects. The nuclear program is the main reason for the UNSC action. Supplemented by further nuclear development, this resulted in new action by the UNSC, namely the adoption of new Resolutions. From this perspective, the direction of the progress can be explained. In reverse, the action of the UNSC as final arbiter in security issues may have had an impact on the Iranian nuclear program.

Every research design has its deficiencies which may threaten the validity of the results. The examination of these is necessary because there exists *"specific reasons why we can be partly or completely wrong when we make an inference"* (Shadish, Cook & Campbell, 2002, p. 39). In principle, qualitative work is *"regarded less"* than quantitative because it is *"regarded as soft, less concrete"* (Macpherson et. al, 2000, p. 50).

The central criticism of case studies is their external validity, the ability to which the study can be applied to, and across, populations (Stone-Romero, 2002). The dilemma is pointed out in Macpherson et al. (2000): *"tension between the study of the unique and the need to generalize"* (p. 50). Just a single case at a single point in time or in a time span is studied. This may pose threats to the generalizability<sup>27</sup> of the findings. This also poses problems for internal validity because there is just one test and no control group. This might cause difficulties in verifying the cause-effect relationship, which is central for high internal validity (Stone-Romero, 2002). The statistical conclusion validity may be also affected by design, which deals with validity of statistical inferences deriving from the study (ibid.). Finally, also the construct validity may be threatened. This kind of validity describes the *"extent to which operational definitions used in a study are valid representations of focal constructs"* (ibid., p. 78). Threats may emerge because of *"inadequate conceptual definitions, operational definitions"* (ibid., p. 81).

However, despite all threats to validity, case studies have advantages: *"Case studies, if well constructed, allow one to peer into the box of causality to the intermediate causes lying between some cause and its purported effect."* (Gerring, 2004, p. 348).

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<sup>27</sup> This neologism is used in academia in the field of methodology (cp. Stone-Romero, 2002, Gerring, 2012).



# Chapter 1: Sanctions' Policy of the United Nations Security Council

## 1.1 The Legal Framework for Sanctions, Conceptualization and Logic

An important point in time in the history of sanctions was the punishment of Iraq in 1990 (Cortright, Lopez & Gerber-Stellingwerf, 2007).<sup>28</sup> This was the start of the “*so-called decade of sanctions*” and only two other countries were previously sanctioned by the UNSC (Rudolf, 2007, p. 7, Cortright et al., 2007). Applying the definition used by Marinov (2005), sanctions are “*government inspired restrictions on customary trade and aid [...] designed to promote political objectives.*” (p. 566). Following this definition, the role of the UNSC in the process is marginal; rather, national governments are the important players. Tostensen and Bull (2002) define sanctions more specifically “*as the temporary abrogation of normal state-to state relations to pressure target states into changing specified policies or modifying behavior in suggested directions. Sanctions subsume an array of measures, ranging from oral condemnation (for example, “shaming”) to military intervention.*” (p. 374). Military intervention can accompany the other measures, as was the case in Iraq, Yugoslavia and Kosovo, for instance (ibid.). After 1990, there were in total sixteen objects targeted by “*dozens of sanctions*”, also including non-governmental groups (Cortright et al., 2007, p. 349). Some of these targeted states were, like Iran, suspected of building WMD or more precisely building nuclear weapons<sup>29</sup>.

The former UN Secretary-General (1997 – 2006), Kofi Annan, puts the meaning of sanctions for the UNSC in the following words: “*Sanctions offer the Security Council an important instrument to enforce its decisions. They represent more than just verbal condemnation and less than the use of armed force.*” (Annan, 2000). The second sentence represents the logic of sanctions: Sanctions disclose options besides the use of military force or “*verbal condemnation*”, as Annan expressed it, to put pressure on targeted states, entities and individuals (ibid., Cortright et al., 2007). Furthermore, sanctions avoid military expenses and provide a more powerful option than a complaint; when applied effectively they can exert meaningful influence and weaken the target (ibid.). But also in conjunction with military interventions it is a potential option, as mentioned above. Consequently, sanctions are on the one hand a tool of punishment, but on the other, the promise of abolishment serving as an instrument for persuasion to alter the target’s behavior (Wolf-Zimper, 2006). Wolf-Zimper (2006) concludes that sanctions are both – carrot and stick (cp. p. 3).

The legal foundation for the imposition of sanctions is in Chapter VII of the UN Charter. In Article 41, the different kinds of sanctions are described, which can be “*complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations*” (Charter of the United Nations, n.d.). The authorization for action of the UNSC contains Article 39, which enables measures in accordance with inter alia Article 41 to “*to maintain or restore international peace and security*” (Charter of the United Nations, n.d.).

<sup>28</sup> The trade sanctions imposed on Iraq, including weapons and technological embargoes, were “*the longest, most comprehensive, and most controversial in the history of the world body*” (Cortright et al., 2007, p. 350). These sanctions should hinder the regime of Saddam Hussein from acquiring WMD (Amroune, 2010). Finally, the two rounds of adopted sanctions (Resolution no. 661 and no. 1483) were annulled in 2010 (ibid.). In connection with this turning point in the way of dealing with the tool of international sanctions, Luck (2006) describes it as “*[more] theory than practice before 1990*” (p. 58).

<sup>29</sup> Until 2005, Libya and Iran were the only states sanctioned by the UNSC because of the suspicion of the non-peaceful nature of their nuclear program (Cortright et al., 2007). Then, in 2006, the Democratic People’s Republic of Korea was also sanctioned for the same reason (Resolution no. 1718).

The unique right to determine threats to international peace and security convey enormous power to the Council as an independent actor. Finally, in Article 25, sanctions are legally binding for the members of the UN.

Upon passing Resolutions to apply sanctions through the UNSC, in some cases a Sanctions Committee is set up to apply the imposed measures.<sup>30</sup> This committee also monitors the implementation in several member states and makes periodical reports to the UNSC (Keilhack, 2007).

## **1.2 Resolutions from the United Nations Security Council to Iran**

In Chapter 0, the reasons for handing the case to the UNSC were mentioned. To recollect, especially the unclear intentions of the Iranian nuclear program as well as infringements of agreements by Iran were crucial for this step. The UNSC, as only instance capable of adopting rules binding under international law, was then the institution which should force Iran back on the right path and let the peaceful nature of its nuclear program be verified. Nevertheless, the IAEA was still involved in the process and was an important consultant for the UNSC members due to its reports on and inspections of the Iranian nuclear program.

### **Resolution No. 1696 (adopted on July 31, 2006)**

The first Resolution of six was 1696. The UNSC Resolution called upon Iran to take steps required by the IAEA Board of Governors. These included ratification of the Additional Protocol and the suspension of all enrichment related activities (IAEA Board of Governors, 2006a). The latter was explicitly 'demanded' by the UNSC to be undertaken within one month (cp. United Nations Security Council, 2006a, p. 2). Furthermore, the UNSC asked for a report by August 31, 2006, by the Director General of the IAEA Board of Governors, as to whether Iran had taken the measures demanded. If the report results were negative, the UNSC was willing "*to adopt appropriate measures*" (ibid., p. 3).

### **Resolution No. 1737 (adopted on December 27, 2006)**

After the deadline set out in 1696 had expired without results, the UNSC decided to unanimously implement Resolution no. 1737 (Starr, 2010). The report of Mohamed ElBaradei, Director General of the IAEA Board of Governors, stated that there had been none of the desired progress in Iran (ibid.). Additional sanctions passed by Resolution 1737 – not already implemented in Resolution 1696 because of concern by several states – were applied (ibid.).

The enforcement mechanism was to adopt several financial, economic and travel restrictions on Iran and the persons related to nuclear proliferation activities (United Nations Security Council, 2006b). These measures aimed at preventing the importation of materials which could be used for a nuclear or ballistic missile program (Starr, 2010). In addition, the freezing of "*financial assets of 22 corporations and individuals involved in these programs*", restricted fund availability (ibid., p. 120).

Furthermore, the demand to suspend enrichment-related activities was reiterated to reference the UNSCs' concerns towards Iran (United Nations Security Council, 2006b).

### **Resolution No. 1747 (adopted on March 24, 2007)**

This Resolution referred to the new report by Director General of the IAEA and stated that Iran failed to comply with Resolution 1696 and 1737 (cp. United Nations Security Council, 2007, p. 1, IAEA Board

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<sup>30</sup> This takes place according to Rule 28, of the Provisional Rules of Procedure of the Security Council: "*The Security Council may appoint a commission or committee or a rapporteur for a specified question.*" (United Nations, 1983)

of Governors, 2007a). The UNSC decided unanimously to prohibit the supply or transfer of battle equipment from Iran and to “*exercise vigilance and restraint*” in delivering such products (United Nations Security Council, 2007, p. 2, Starr, 2010). Additionally, the extension of the list of individuals and entities was passed – from whom the assets were frozen, and additional travel restrictions were adopted.

Finally, the UNSC claimed that member states and financial institutions will desist from new financial commitments to Iran, “*except for humanitarian and developmental purposes*” (United Nations Security Council, 2007, p. 3).

### **Resolution No. 1803 (adopted on March 3, 2008)**

This third round of sanctions was passed – after a long round of discussions – by a vote of 14-0-1<sup>31</sup> (Starr, 2010). On one side of the controversial debate, the advocates from new sanctions drew on the fact that Iran had still failed to comply with the previous Resolutions (cp. IAEA Board of Governors, 2008a). Critics of new sanctions, on the other hand, countered that Iran had begun to show cooperation towards the IAEA. Indeed, there were rounds of discussions between Iranian politicians and the IAEA to seek clarification on Iran’s nuclear activity. Both sides still agreed on continued investigation of the nuclear program by the IAEA (IAEA Board of Governors, 2008a).

As a consequence, the Resolution suggested more actions and included just a few obligatory measures. Consistent with all previous Resolutions, the UNSC still demanded the suspension of all enrichment-related activities (United Nations Security Council, 2008a). Three key elements of this Resolution are important to mention: First, the circle of suspected persons and entities was extended, their assets frozen, and the restrictions concerning traveling implemented (ibid.). Secondly, the member states shall “*exercise vigilance*” in committing publicly provided financial support to Iran, involving the provision of export credits, guarantees and insurances (ibid., p. 4). Lastly, states shall act vigilantly in regards to the activities of Iranian financial institutions in their territories to prevent a contribution to nuclear proliferation activities (ibid.).

### **Resolution No. 1835 (adopted on September 27, 2008)**

This unanimously passed Resolution contained no new sanctions. Rather, the content of the previous Resolutions was reaffirmed (cp. United Nations Security Council, 2008b, p. 1). Consequently, this Resolution represents the weakest, of the six implemented.

The adoption of this Resolution was supported by another report by the Director General of the IAEA (IAEA Board of Governors, 2008b). The IAEA declared that Iran opposed the investigations. In addition, Tehran was making progress in the development and operation of enrichment activities (Starr, 2010).

### **Resolution No. 1929 (adopted on June 9, 2010)**

Before the adoption of the last round of sanctions, again, a long bargaining process between the UNSC members and Iran took place (Starr, 2010). On one side, there was dissent among the Security Council membership. On the other hand, new revelations of suspicious nuclear activities and Tehran’s refusal to accept the renegotiated deal had created uproar in the UNSC (IAEA Board of Governors, 2009).

All in all, a plenty of new sanctions were implemented, including the extension of existing sanctions, as well as the introduction of new ones (United Nations Security Council, 2010): Firstly, Iran is

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<sup>31</sup> Indonesia abstained from the vote (Starr, 2010).

banned from investing in sensitive nuclear or missile activities abroad to prevent the acquisition of know-how and nuclear technology. Secondly, states are required to abandon any selling or transferring of heavy weapons to Iran or providing any assistance to procure such items. In addition, states shall “*exercise vigilance and restraint*” over the dealing in all other arms and related equipment (ibid., p. 5). Furthermore, any Iranian research into ballistic missiles, capable of carrying nuclear weapons, is forbidden. In connection, UN member states are required to prevent the transfer of related technologies to Iran. To complement this, there is an updated list attached to the Resolution with relevant items which may not be transferred to Iran (ibid.).

Also, the previously implemented travel sanctions on individuals were expanded. States are obliged to inspect ships from or destined for Iran if suspected cargo is on board. Included in the sanctions were the Islamic Republic of Iran Shipping Lines and the Revolutionary Guards. Both are suspected of involvement in the nuclear program; especially the former is suspected of delivering items related to the nuclear or ballistic development to Iran. The International Community must refrain from any financial or insurance services with either (ibid.).

Finally, sanctions against the Iranian banking sector were imposed: The member states must block “*the opening of new branches*” of Iranian banks in their territories as well as transactions with Iran through Iranian banks (ibid., p. 8).

The annex of this Resolution did include “*Possible Areas of Cooperation with Iran*” as possible incentives to influence Iran’s willingness to stop suspicious nuclear activities (ibid., p. 8).

Table 1 summarizes the most important provisions of the four Resolutions which imposed new sanctions on Iran.

**Table 1: Summary of Provisions of U.N. Resolutions on Iran Nuclear Program (1737, 1747, 1803, and 1929) (Katzman, 2011, p. 37)**

|  |
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| Require Iran to suspend uranium enrichment, and to refrain from any development of ballistic missiles that are nuclear capable (1929)  |
| Prohibit transfer to Iran of nuclear, missile, and dual use items to Iran, except for use in light-water reactors  |
| Prohibit Iran from exporting arms or WMD-useful technology   |
| Prohibit Iran from investing abroad in uranium mining, related nuclear technologies or nuclear capable ballistic missile technology  |
| Freeze the assets of over 80 named Iranian persons and entities, including Bank Sepah, and several corporate affiliates of the Revolutionary Guard.  |
| Require that countries ban the travel of over 40 named Iranians  |
| Mandates that countries not export major combat systems to Iran  |
| Calls for “vigilance” (a nonbinding call to cut off business) with respect to all Iranian banks, particularly Bank Melli and Bank Saderat.   |
| Calls for vigilance (voluntary restraint) with respect to providing international lending to Iran and providing trade credits and other financing and financial interactions.  |
| Calls on countries to inspect cargoes carried by Iran Air Cargo and Islamic Republic of Iran Shipping Lines—or by any ships in national or international waters—if there are indications they carry cargo banned for carriage to Iran. Searches in international waters would require concurrence of the country where the ship is registered. |
| A Sanctions Committee, composed of the 15 members of the Security Council, monitors Implementation of all Iran sanctions and collects and disseminates information on Iranian violations and other entities involved in banned activities. A “panel of experts” is empowered by 1929 to make recommendations for improved enforcement.         |

## Chapter 2: Position E3/EU

### 2.1 The European Principles of Action in 'Security Matters'

The most relevant documents needed to understand the E3/EU's course of action are primarily the publications of the Council of the European Union in 2003, outlining a Security Strategy for a better Europe and a Strategy against Proliferation of WMD (Council of the European Union, 2003a; Council of the European Union, 2003b).

In the former document, the Council discusses the current global security situation in the world and the challenges which resulted in these policies. In this context, they recognize the responsibility of Europe to engage in security issues worldwide due to its geographic reach, population, and economic importance (Council of the European Union, 2003a). In addition, multilateralism as important principle of European security policy is mentioned (ibid.): *"No single country is able to tackle today's complex problems entirely on its own."* (ibid., p. 2). This citation points out that there is, in the opinion of the Council, a need for multilateralism<sup>32</sup>. Changes in the international system and the emergence of new threats requires *"[...] multilateral cooperation in international organisations and through partnerships with other key actors or regions."* (ibid., p. 13). Furthermore, the Council regards multilateralism as *"cornerstone of the European strategy for combating proliferation of WMD."* (Council of the European Union, 2003b, p. 6). The Council identifies thereto the proliferation of WMD as *"single most important threat to peace and security among nations"* (Council of the European Union, 2003a, p. 5). Implied by its commitment to multilateralism, the Council acknowledges the importance of the UN (ibid.). This connection means the UNSC has an important position as *"final arbiter on the consequence of non-compliance"* of the NPT (Council of the European Union, 2003b, p. 6). Furthermore, negotiations and the power they have are stressed. Negotiations are considered to be the first option before referral to the UNSC (ibid.). Based on today's complexity of problems which has already been mentioned above, the Council esteems *"close co-operation"* with the relevant partners as *"crucial"* (ibid., p. 8).

After describing these normative principles of the European line of action concerning security issues and the proliferation of WMD, it is crucial to examine how the EU acted in regards to the Iranian nuclear program, in the context of the UNSC sanctions towards Iran.

### 2.2 The General European Position and Course of Action

As mentioned in the introduction, in 2003, the EU started – in terms of the E3 constellation – to negotiate with Iran about their nuclear program. Diplomatic dialogue with Iran has a long history but the nuclear issue had not been pivotal before; human rights and regional policy had always been central (Sabet-Saeidi, 2008). At this point in time the latter nearly completely disappeared from the agenda by virtue of the relevance of the nuclear program (ibid.).

The grouping together of France, Germany and the United Kingdom on this issue in 2003 was more by chance than intent (Seaboyer & Thränert, 2007). After the revelation through the NCRI and the consequent appearance of skepticism towards the Iranian nuclear program from the IAEA and the International Community, the Foreign Ministers of France, Germany and the United Kingdom were

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<sup>32</sup> Kratochwil (1993) stated that multilateralism is "quite at odds with the maxims of realism" (p. 70). According to him, this does not mean that *"'interests' of states are no longer important."*, in fact the basis for *"calculations are [...] thereby decisively altered"* (ibid., p. 70). Thus, multilateralism does not preclude the theoretical assumptions of neo-realism.

invited to Tehran in 2003 (ibid.). They accepted the invitation to push for suspension of enrichment activities. Subsequently, this group was named E3 and represented the whole EU. The group was later joined by the High Representative for Common Foreign and Security Policy, Javier Solana, in 2004 (Linden, 2006). At the beginning, the grouping was viewed critically (Randow & Ladurner, 2006). They were seen as a kind of leadership troika, which was not the idea for conception of the new European Common Foreign and Security Policy (ibid.). Following the motto „*if you can't beat them, join them*“, after a while, the European member states stood behind the formation of the E3/EU (Randow & Ladurner, 2006, p. 150).

The cooperation of the E3/EU is seen as a flexible form of the CFSP, as ‘coalition of the willing’<sup>33</sup> (cp. Bendiek, 2010, p. 2). To link this to the general assessment of the CFSP, Bendiek (2010) stated that the CFSP is based mainly on flexible integration. In addition, the CFSP is functionally adjusted towards national interest and problems are more often tackled by minilateral<sup>34</sup> constellations (ibid.).

From the beginning, the E3 had to resist the attempts of President George W. Bush of the US to refer the case to the UNSC already in 2003 (Seaboyer & Thränert, 2007). Withstanding the American efforts, the E3/EU could achieve a delay in referral so that they could act according to the principles of the European Security Strategy - negotiations as a primary course of action. The importance of diplomatic efforts, cooperation and negotiations was also often underlined by European political leaders (cp. e.g. Solana, 2004; N.N., Statement by the United Kingdom on behalf of the European Union at the IAEA Board of Governors, 2005). Finally, after another breach of agreements and the unsuccessful offer to Iran to negotiate with the E3/EU, US, Russia and China, the UNSC passed Resolution 1696 (Seaboyer & Thränert, 2007).<sup>35</sup> Through a high level of cooperation and several previous negotiations between the E3/EU, US, Russia and China, the first round of sanctions could be subsequently implemented without significant objections. Hence, the second step of the European Security Strategy, to enforce the circumvention of the NPT through action of the UNSC, had been carried out. The E3/EU “*support[ed] consultations on such measures*”, which means steps taken under Article 41 of Chapter VII of the UN Charter (Finland’s EU Presidency, 2006). This behavior was justified by Iran’s decision for the “*continuation of enrichment related activities*” which “*has left the EU no choice but to support consultations on such measures.*” (ibid.). Despite this, “[t]he EU notes that the door to negotiations nevertheless remains open.” (ibid.). Furthermore, the EU pointed out in this statement, that a negotiation process with positive results would be the preferred outcome: “*We reaffirm our commitment to a negotiated solution, and that such a solution would contribute to the development of the EU’s relations with Iran.*” (ibid.). In summary, the position of the E3/EU in 2006 is outlined as follows: After the failure to reach a solution by application of the first option of the Security Strategy to negotiate, the case was referred to the UNSC supported by the E3/EU. However, the relevance of negotiations was stressed.

In 2007, the E3/EU supported the strengthening of a new round of sanctions due to the Iranian decision to not suspend enrichment related activities. In UNSC Resolution no. 1737, the E3/EU stated they are “*gravely concerned about Iran’s programme*” (Solana, 2007). Beyond that, “[t]he Council reaffirmed at the same time its continuing support for efforts to find a negotiated longterm solution to the Iranian nuclear issue” (Council of the European Union, 2007). In practice, this was

<sup>33</sup> This term has been used in particular in the context of security matters for 20 years now in research and also the media (cp. e.g. Pekkanen & Krauss, 2005, Christoff, 2006, Schifferes, 2003).

<sup>34</sup> Thus, only a minimal or small number of countries are cooperating.

<sup>35</sup> The invitation to this kind of comprehensive negotiation was at this point of time unique because of the strained relationship between the US and Iran (Seaboyer & Thränert, 2007).

implemented by Javier Solana's invitation to new negotiations with Iran, upon request of the participating countries<sup>36</sup> to contact Iran (Solana, 2007). In contrast, the US decided to not directly negotiate with Iran until they have suspended their enrichment related activities (Wernicke, 2007). Open offers of negotiations by Solana (2007) confirmed "[t]he door to negotiations is open". Furthermore, a "closer relationship with Iran", in this context especially with Europe, is desired in order to overcome the relationship shaped by distrust (ibid.). In terms of economic relations, the EU has a greater importance for Iran than Iran to the EU. Examining the trade volumes of exports and imports, Iran is ranked 27<sup>th</sup> of the major trade partners of the EU27 in 2011, with an average annual growth between 2007 – 2011 of 2.1% (The Directorate General for Trade of the European Commission, 2012, p. 3). Iranian "[m]ineral fuels, lubricants and related materials" represented the biggest share of imports with 92.2 % (ibid., p. 7). The other way round, the EU27 is Iran's most important trade partner, hence ranked 1<sup>st</sup> with the biggest trade volume and a slight growth of 1.1 % between 2007 – 2011 (ibid., p. 6). The most relevant import goods for Iran are "[m]achinery and transport equipment" with a share of 52.9% (ibid., p. 7). Therefore, we can assume that there is a mutual dependence and interest in a vital relationship.<sup>37</sup>

Several times in the process, it was recognized by the E3/EU that Iran is not an enemy to them and that they acknowledge the right for a peaceful execution of a civilian nuclear power program (cp. e.g. Kornelius & Rubner, 2008). This emphasis was and still is necessary to resist Iranian accusations that technological development for a nuclear research program does not need to be granted to Iran by the West or that sanctions are politically motivated (Richter, Avenarius & Zekri, 2008, Perthes, 2008).

After the Iranian promise to cooperate with the IAEA on "Outstanding Issues", the E3/EU "welcome[d]" this step (Solana, 2008, p. 2). The European Parliament called on states to refrain from any "rhetoric on military options and regime change policies against Iran" as a result of Iranian promises (European Parliament Press Service, 2008).<sup>38</sup> At the same time, the existent issues were mentioned with the statement that, "it is difficult to see Iran as a constructive partner" (Solana, 2008, p. 2). Also, the ratification of the Additional Protocol was mentioned by Solana separately in his speech (ibid.). As above mentioned, as result of the failure of Iran to comply with the requirements of the Resolutions, new sanctions were implemented by the UNSC in March 2008 (Resolution no. 1803). These sanctions were again supported by the E3/EU (cp. Council of the European Union, 2008, p. 4). In addition, the E3/EU expressed their willingness to adopt further measures if Iran still did not comply (ibid.). Despite persistent Iranian non-compliance, the E3/EU was still pursuing the dual track strategy and the goal of reaching a negotiated solution (ibid., cp. also President of the Council of the European Union, 2008)<sup>39</sup>.

<sup>36</sup> China, France, Germany, the United Kingdom, Russia, United States

<sup>37</sup> Notwithstanding, other emerging states like Brazil, China, India or other Asian countries might fill in the role of the EU27 if the relation deteriorates further due to the issues surrounding the nuclear program (cp. Morris, 2012, Perthes, 2008, Posch, 2010). A great demand for cheap oil in these emerging states might be an important reason (Fars News, 2012). Additionally, the EU established an oil embargo on Iranian oil; therefore trade volume will probably decrease enormously (Marcus, 2012).

<sup>38</sup> In particular the US and Israel made use of this kind of rhetoric and threatened Iran with a military attack (cp. löh/dpa, 2008, im/dpa, 2007)

<sup>39</sup> "We affirm the dual track strategy on this issue which was reinforced by the incentives package and reiterate our belief that a mutually satisfactory, negotiated solution remains open to Iran." (Council of the European Union, 2008, p. 4)

This was still the case after the next Resolution was passed in September 2008 (no. 1835) and Iran failed to comply (Council of the European Union, 2009). Because this Resolution did not really introduce new sanctions, there was no new facet in the statements of persons or institutions in charge. Again, the E3/EU welcomed the implementation of the new recent Resolution and conveyed its willingness to follow the UNSC process and censure the Iranian behavior regarding their nuclear program (Permanent Mission of Spain to the United Nations, 2010, Ashton, 2010).

The last round of sanctions on Iran was pushed by the E3/EU: *“new restrictive measures have become inevitable”* (General Secretariat of the Council, 2010). Furthermore, *“[t]he European Council deeply regrets that Iran has not taken the many opportunities which have been offered to it to remove the concerns of the international community over the nature of the Iranian nuclear programme.”* (ibid.). Nonetheless, the Council stressed the *“commitment [...] to work for a diplomatic solution”* (Council of the European Union, 2010, p. 1).

In a nutshell, the E3/EU has tried in vain to reach a diplomatic solution and avoid a military conflict. Also, they committed to the dual track strategy of negotiations and sanctions by the UNSC. Often, they expressed their concern about the Iranian nuclear program because they doubted its peaceful nature – although they showed their willingness to cooperate with Iran. During the process, the commitment to multilateralism was noticeable; nevertheless, unilateral sanctions were imposed by the EU (cp. Iran Watch, 2012)<sup>40</sup>. The aspiration of a closer relationship with Iran could not have been reached. European politicians acted on the European Security Strategy and the Strategy against Proliferation of WMD, attempting to reach a negotiated solution by cooperating with important partners. Despite this, the E3 countries, France, Germany and the United Kingdom, may have attempted to achieve their own national interests in the process. This will be examined in the next section.

## 2.3 The Behavior of the E3 States

To fully understand the behavior of the states, it is important to get an idea of how these states understand their role in the UNSC. Despite statements by EU officials representing compliance with general principles of the ESS and the Strategy against Proliferation of the WMD, the states may have been more interested in the achievement of national interests. In an anarchic international system, this might be inevitable. Regardless of the pursuit of rational national interests, there may have been a unity in purpose caused by common fear. More precisely, the states may fear the nuclear power Iran because this would result in a loss of influence and power.

### France

As result of the loss of power, due to the 2<sup>nd</sup> World War and the decolonization, France regards the UNSC as last forum to hinder a further loss of power<sup>41</sup> (cp. Andreae, 2002, p. 199). Therefore, they want to use the UNSC as a medium to influence International Politics (ibid.). Randow and Ladurner (2006) assessed the behavior of France on this issue as an attempt to increase its profile in International Politics through the Iranian case because they were still grieving their loss of status as a

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<sup>40</sup> *“The European Union has blacklisted the largest number of distinct entities linked to Iran’s nuclear and missile work, including a number of companies linked to procurement and manufacturing for Iran’s uranium enrichment program. Since 2010, the European Union has broadened sanctions by targeting a number of major banks [...]. The European Union has also prohibited new investment in Iran’s energy sector, the supply of “key equipment and technology” to this sector”* (Iran Watch, 2012). Additionally, the European Union imposed an oil embargo on Iran, which came into effect on the July 1st, 2012 (Tagesschau, 2012).

<sup>41</sup> That is also the reason why France wants to keep at all costs its permanent seat in the UNSC (Andreae, 2002).



global power. Simultaneously, different researchers reviewed the French course of action as an attempt to try to strengthen the role of the EU (Randow & Ladurner, 2006, Seaboyer & Thränert, 2007).

As explained above, the E3/EU had to resist the US attempts to refer the Iranian case to the UNSC earlier. The idea of trying to prevent the referral of the issue to the UNSC was also shared by the French government.<sup>42</sup> In addition, the French Foreign Minister expressed that although there had already been a long period of negotiations and violated agreements, they *“have kept faith”* with regards to a change of Iranian behavior (Dousté-Blazy, 08/08/2005).

At the beginning of 2006, the French president Jacques Chirac pointed out several times that France would be willing to make use of its nuclear weapons to defend or support allies. In an interview with a German newspaper, he expressed his neo-realist perception based on the action of states in the international community (Kröncke & Richter, 2006). It was the first time that a politician of the E3/EU states plus China, Russia and the US, expressed in such an explicit way his willingness to make use of the states’ nuclear capabilities, in particular in the context of a terrorist attack. The publication of this new ‘flexible’ nuclear strategy resting upon French *“vital interests”* resulted in an uproar in both the press and politics (cp. *ibid.*). Germany, especially, tried to downplay the statement and stressed that there was no change in common position of the E3/EU (N.N., Frankreichs Atompolitik – Berlin, 2006). Linking this statement to the nuclear capabilities of France, an estimated total of 300 nuclear warheads can be mentioned (chs/dpa, 2012). Hence, France is ranked third on the list of nuclear countries, just behind the US and Russia (*ibid.*)<sup>43</sup>.

Subsequent to Chirac’s comments, France returned to more reserved statements. Because of the doubts about the Iranian nuclear program were still not yet *“dispelled”*, a spokesman of the French Ministry of Foreign Affairs remarked (French Ministry of Foreign Affairs, 2007): *“We’re no longer asking the Iranians to show through cooperation that their program is a purely civilian one.”* (*ibid.*). This misbehavior justified the newly imposed sanctions in 2007 and indicated that France was awaiting Iranian concessions to reach a peaceful negotiated solution (*ibid.*). From this statement French impatience might be observable.

Compared to the statements of Javier Solana, French officials highlighted the importance of negotiations: *“Our aim, of course, is dialogue.”* (Araud, 2010). Nevertheless, the Iranian responsibility was underlined as well as that it was now Iranian politicians task to gain a resolution: *“[...] Iran has refused to respond to our offers of dialogue and cooperation since 2006. The ball is in Iran’s court: Iran must regain the trust of the international community.”* (*ibid.*).

France showed more explicitly that they were annoyed by the Iranian behavior of wriggling out of the E3/EU agreements and UNSC Resolution requirements than observable in official E3/EU statements. Despite this, a diplomatic negotiated solution was preferred by France. Although Chirac’s explicit comment and warning can be interpreted as mere slip of the tongue, it seems that the French view was or still is affected by a neo-realist perception of world politics. Insider documents would help to assess more explicitly whether France supports the E3/EU only for reasons of protecting vested interests or of ensuring peace and the security in the Middle East. Alternatively, if national interest were the major factor for action, we cannot be certain about this on the basis of these official documents.

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<sup>42</sup> *“[T]he international community can refer the matter to the Security Council. But that is clearly not the option we favour.”* (Dousté-Blazy, 04/08/2005)

<sup>43</sup> US: 8000 nuclear warheads, Russia: 10.000 nuclear warheads (chs/dpa, 2012)

## Germany

To understand the German behavior in this case, some context needs to be explained beforehand: Germany has a “*pivotal role in the Iranian nuclear standoff*” as Georgina Jones (2007) wrote. This role is due, according to Jones (2007), to the strong economic ties and the importance of German technology to the Iranian economy as well as for Iran’s nuclear program. The relevance of the latter is reduced by the sanctions, export restrictions and political pressure<sup>44</sup>; however, the trade volume decreased just slightly after the sanctions. In comparison to 2006, the trade volume decreased from € 4.1 billion to € 3.09 billion in 2011 (Jones, 2007, Statistisches Bundesamt Deutschlands, 2011).

By virtue of this economic relationship, the US urged Germany in 2006 to cut back the exports to Iran and to support the implementation of an EU sanctions regime (Jones, 2007). The US pressured the EU, and in particular Germany, to establish a tighter sanctions system than after the adoption of Resolution no. 1737 and 1747 (ibid.). This action was caused by the fear that Iran would still not comply with its obligations regarding its nuclear program (ibid.).

The second point important to keep in mind, is the fact that it was the first time that Germany was involved in the problem solving of an international issue (Seaboyer & Thränert, 2007). Associated with this was the intention to establish itself as a leading power in an enlarging European Union<sup>45</sup> (Randow & Ladurner, 2006). Especially after the resistance to joining the Iraq war, Germany wanted to use this opportunity to show that it is a constructive partner in International Politics (ibid.).<sup>46</sup> Finally, Germany is the only country in the grouping of the E3 plus China, Russia and the US, not in possession of nuclear weapons (chs/dpa, 2012).

Already through participating in negotiations with Iran in 2003, with the E3, later E3/EU, equally to France and the United Kingdom, this target was partially reached. In spite of these goals, Germany followed the track of international collaboration and cooperation and did not start national interest motivated maneuvers. This was visible right from the beginning of the UNSC actions, stressing the unity of the participating countries in respect to the imposition of Resolution no. 1696: “*The international community has thereby strongly underscored its unity of purpose.*” (Steinmeier, 2006b).<sup>47</sup> In addition, all sanctions to come later were supported by Germany and praised in statements like “*proportionate and necessary response to Iran’s*” manner of dealing with international demands.<sup>48</sup>

The German Foreign Minister committed his country to the European approach: “*Our priority goal remains finding a consensual diplomatic solution.*” (ibid.). As explained above, it was necessary to declare to Iran the intention behind the whole process. Steinmeier (2006c) spotlighted that the International Community has no political strategic reasons: “*No-one wants to deny Iran the right to use nuclear energy peacefully. Nor is the objective of the diplomatic efforts to isolate Iran.*”.

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<sup>44</sup> Cp. also Chapter 3.1

<sup>45</sup> Between 1995 and 2007, 15 new countries joined the European Union. This enlargement altered the EU and also its politics (Stratenschulte, 2010). Caused by the shifts of power, several states tried to make a mark as leading power of the EU-27 (Randow & Ladurner, 2006).

<sup>46</sup> Although Germany was not asked by its allies whether its wanted to send troops to Iraq, the former German Chancellor Gerhard Schröder (1998-2005) declined this. This act – later interpreted as maneuver conditioned by the running election campaign – marginalized Germany in international politics (Dometeit, Krumrey, Jach, Gruber & Wendt, 2003).

<sup>47</sup> Unity was also at a later stage highlighted by Steinmeier (2007): “*The fact that the Resolution was adopted unanimously after constructive negotiations is also an important signal that the international community stands together on this issue.*”

<sup>48</sup> Cp. also Steinmeier, 2008a, Westerwelle, 2010

Furthermore, it was observable that the German Foreign Minister sharpened his rhetoric slightly. Several times Steinmeier used exclamations to call directly on Iran. Exemplary is following statement, naming targeted at Iran's erratic behavior: *"I call upon Iran to end the current phase of procrastination!"* (ibid.).<sup>49</sup> These attempts to address Iran directly and to blame it for misbehavior exhibit some impatience, desperateness and annoyance with the Iranian action.

To sum up, irrespective of the close economic relationship between Germany and Iran, German politicians did not resist the imposition of sanctions including trade restrictions. They actually praised the sanctions introduced by the UNSC and had a share in the European strategy of reaching a diplomatic solution. Although at the beginning the US expected Germany to take the leading position, no explicit pursuit of national interests was observed.

### United Kingdom

Similar to the French, the United Kingdom lost an enormous amount of power and influence due to the 2<sup>nd</sup> World War and decolonization (Andreae, 2002). Therefore, the basic attitude relating to the UNSC is comparable to the French (ibid.). Other scholars saw in the engagement of the United Kingdom with this issue the chance for the Blair government to show that they were not warmongers as was implied after assisting the US during the second Iraq invasion (Randow & Ladurner, 2006).<sup>50</sup> In addition, the United Kingdom tried to act as a mediator between the US and the E3/EU to fill the transatlantic gap (Seaboyer & Thränert, 2007).

Like other E3/EU states, the United Kingdom also believes the prevention of nuclear proliferation in the Middle East is a major challenge (Smith, 2011). To deal with this task in a successful way the British political opinion is that *"it is the Security Council which has responsibility for the maintenance of international peace and security"* (Parry, 2006a).<sup>51</sup> Similarly, the British politicians treated diplomatic efforts as the best method of solving the problem (cp. Parry, 2006b, 2006c). After the numerous rounds of negotiations failed, British politicians supported the adoption of UNSC Resolutions right from the start: *"We have concluded there was no alternative but to seek today's Resolution"* (Parry, 2006b).<sup>52</sup> Statements about the implementation of the following Resolutions were welcomed by the government<sup>53</sup> and the function of the sanctions was also mentioned. By name, these raise the costs of the *"choice [...] between a route that allows it to develop a modern civil nuclear power programme and brings many benefits to its people, or further defiance and the costs of isolation"* (Beckett, 2006c). Furthermore, the unity of the International Community was in the spotlight several times (Beckett, 2006b, Parry, 2007, U.K. Foreign and Commonwealth Office, 2009). In addition, as mentioned by the politicians of the other countries, the *"»suspension for suspension« proposal"* was mentioned, meaning a lifting of sanctions if Iran halted all enrichment

<sup>49</sup> Further examples: *"Give a clear sign of confidence so that we can look to the future together and we can finally sit down at the negotiating table!"* (Steinmeier, 2006c); *"We are willing to negotiate, and I can only again urgently appeal to Iran to seize this opportunity!"* (Steinmeier, 2008a); *"I therefore appeal once more to the Iranian side to stop playing for time, but to give us a usable answer to our offers and to stop dallying!"* (Steinmeier, 2008b).

<sup>50</sup> As, admitted by Tony Blair at a later point in time, he was willing to invade Iraq even though it could be a priori verified that Iraq did not possess WMD (Koydl, 2009). He had this mindset, notwithstanding the fact that this suspicion was the underlying reason for the invasion (ibid.). Companions later called Blair a *"sycophant"* because of this behavior and imputed him the *"deceit"* (Sparrow, 2009).

<sup>51</sup> This position was also repeated a few months later: *"[...] preventing the proliferation of weapons of mass destruction is one of the Security Council's vital roles in carrying out its responsibility for maintaining international peace and security."* (Parry, 2006b).

<sup>52</sup> Cp. also Beckett, 2006a

<sup>53</sup> Cp. Parry, 2007, Sawers, 2008

related activities (Parry, 2007). Finally, British politicians called out many times to Iran to rebuild confidence and to choose the path of cooperation: *“Iran needs to address the legitimate concerns about its programme and to start restoring trust in its intentions”* (U.K. Foreign and Commonwealth Office, 2010b, cp. also 2010a).

As previously mentioned, the United Kingdom is also in possession of nuclear weapons; more precisely they possess 225 nuclear warheads according to the Sipri Yearbook 2012 (chs/dpa, 2012). Interestingly, in 2006 the Blair government decided to modernize its nuclear arsenal (Kempin & Kupferschmidt, 2006). The central point in the reasoning of the British government was the increase of global security threats since the end of the Cold War (ibid.). Iran and North Korea were mentioned explicitly as possible future nuclear threats for the United Kingdom. This is the reason why nuclear deterrence is pivotal in the security strategy of the government (ibid.). Despite of all constraints of forced reduction and budget consolidation<sup>54</sup> £ 15 to 20 billion are calculated for this modernization which has to be spent between 2012 and 2027 (ibid.).

In summary, one has to conclude that the United Kingdom aligned itself to the international course of action and the European Security Strategy. Moreover, they were more conservative than in the Iraq conflict, reacting not directly to the US demands for boosting the implementation of sanctions or using aggressive rhetoric. Nevertheless, the decision to modernize the British nuclear arsenal legitimated among others with the Iranian case expresses in an implicit way two things: Firstly, some mistrust in the success of the efforts of the International Community, meaning that the government does not believe that it can change Iran’s mind about not suspending the enrichment activities. Secondly, although the United Kingdom cooperates with other countries, they regard nuclear deterrence as relevant due to mistrust in the success of cooperation. This reveals a neo-realist mindset.

In comparison, the E3 states of France, Germany and the United Kingdom have something in common: Peacekeeping is not the only reason for engagement in this issue – they are all pursuing individual political strategic goals. They want to shape their profile in International Politics to maintain international importance and influence. Furthermore, these states, or rather the E3/EU, were united, first by negotiations, then by sanctions, on the course of action - the commitment to multilateralism and the prevention of a military conflict. In spite of this unity, Chirac’s statements and Blair’s actions indicate a neo-realist view of International Politics. Finally, the pursuit of national economic interests, for example – rather than for general political strategic reasons – was not visible.

Whether the actions taken by the UNSC with commitment of the E3/EU have been influential and have brought Iran back on the right *“route”* in terms of a verified peaceful nuclear program will be examined in the next chapter (Beckett, 2006c).

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<sup>54</sup> Cp. Volkery, 2010

## Chapter 3: The Iranian Nuclear Program

### 3.1 The History of the Iranian Nuclear Program from 1957 to 2006

As already stated in the introductory chapter, the Iranian nuclear program has a long tradition.<sup>55</sup> However, the International Community was not skeptical about the nuclear activity from its beginning in 1957 (Bruno, 2010). In contrast, the establishment of an Iranian nuclear Program was supported by US politicians and their Atoms for Peace program (Profile for Iran, 2012). In the following decades until 1979, *“Iran [...] developed an impressive baseline capability in nuclear technologies”*, due to cooperation, investments and education of its experts (ibid.)

The hostage crisis<sup>56</sup> marks an important turning point in the support of the Iranian nuclear program, especially in the West (Bruno, 2010). Already ahead of the revolution, the support began to *“erode”*, fearing that the Shah was pursuing a nuclear weapon (ibid.). Subsequently, especially due to the break in the Iranian-US relations, the Western states<sup>57</sup> supporting the nuclear program were forced by the US to stop their assistance (ibid.). As a consequence, Iran began covert nuclear activities. The former Permanent Representative of Iran to the UN, Mohammad Javad Zarif (2002-2007), remarked, *“Iran was left with no option but to be discrete in its peaceful activities”* and thus *“Iran refrained from disclosing the details of its programs”* (Zarif, 2007, p. 10). Cooperation agreements with China and Pakistan were signed and then additionally, in the 1990s, with Russia<sup>58</sup> (Profile for Iran, 2012).

In 2003, the NCRI disclosed the covert facilities at Arak and Natanz (Profile for Iran, 2012). Following this, Iran *“admitted to small-scale enrichment experiments and plans to construct an enrichment facility, a heavy water production plant, a heavy water-moderated research reactor, and a fuel fabrication facility”* (ibid.). Then, after the suspension of the enrichment activities by Iran in 2003, uranium conversion was continued in 2005, which was also one reason why the case was then referred to the UNSC.

### 3.2 The Progression of the Iranian Nuclear Program between 2006 and 2010

What is most feared by the International Community is the creation of an independent full nuclear fuel cycle by Iran (IAEA Board of Governors, 2006a).<sup>59</sup> Thus, Iran would be able to run every necessary stage of the cycle on its own, involving the enrichment of uranium at specific levels necessary for a nuclear weapon (Council on Foreign Relations, n.d.).<sup>60</sup> With concern, the IAEA constituted in 2006 that Iran has made *“substantial efforts [...] to master an independent nuclear fuel cycle”* (IAEA Board of Governors, 2006a, p. 9). In addition, Iran exerted covert *“fuel cycle activities and experiments, particularly in the areas of uranium enrichment, uranium conversion and plutonium*

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<sup>55</sup> To assess the progress made in the Iranian nuclear program between 2006 and 2010, I will focus mainly on reports by the IAEA. These reports are more precise and the estimations of the IAEA are also the basis for the actions of the UNSC, including the adoption of sanctions. For background information I will also utilize analyses of other experts. However, these are mostly not as comprehensive as the IAEA Board of Governors' reports and are from a single perspective at a single point in time.

<sup>56</sup> Cp. footnote no. 13.

<sup>57</sup> Especially France and Germany (Profile for Iran, 2012)

<sup>58</sup> This cooperation included the completion of the Bushehr-1 reactor, whose creation was started with the assistance of Siemens. American politicians also imputed to Russia that further technological assistance was given to Iran (Profile for Iran, 2012).

<sup>59</sup> See Annex 2 for further explanation on the construction of a nuclear weapon.

<sup>60</sup> Just for fueling power reactors low enriched uranium is adequate (Council on Foreign Relations, n.d.).

research" (ibid., p. 9). Due to the concern of the International Community or in particular the IAEA Board of Governors, that Iran might have already produced High Enriched Uranium (HEU) in its clandestine nuclear activities, the discovery of parts contaminated with HEU caused anger and more skepticism (ibid.). Moreover, because of the secret activities of Iran it is hard to assess the real progress of its nuclear program (IAEA Board of Governors, 2006b).<sup>61</sup> As a result, it is difficult for the IAEA to differentiate between new revelations originating at the time of clandestine activity and new activities, related to the current growth and success of the nuclear program. All in all, the IAEA assess the behavior of Iran in the process of seeking clarification more as *"reactive rather than proactive"* and the information provided by Iran has been *"diminishing"* since 2006 (IAEA Board of Governors, 2007d, p. 8)<sup>62</sup>.

Already in 2006, at the start of the UNSC's work on this issue, there was a lack of clarity and information about the nuclear program. Since August 2006, Iran has continued with enrichment activities of uranium of levels under 5 %, verified by the IAEA (IAEA Board of Governors, 2006f). In addition, since August 2006, the IAEA has been monitoring the construction of a heavy water research reactor<sup>63</sup> (IR-40) (ibid.).

Despite the new resolutions and the repeated appeals of the International Community, the Islamic Republic of Iran continued with the enrichment in 2007 (IAEA Board of Governors, 2007a, 2007b, 2007c). Connected to this, Iran announced uranium enrichment to 4.8 %, but IAEA tests exposed the actual value of enrichment to be 4 % maximum (IAEA Board of Governors, 2007d). Furthermore, several new requests seeking transparency and clarification were repeatedly denied up to the second half of 2007 (IAEA Board of Governors, 2007a, 2007b). Then, the IAEA could come to an agreement with Iran on a working paper, targeting clarification on specific issues (IAEA Board of Governors, 2007d). Subsequently, there were still several unanswered questions, and access to relevant sites like the heavy water reactor, for example, was refused (ibid.)<sup>64</sup>. Additionally, the building of this reactor, IR-40, at Arak continued (ibid., IAEA Board of Governors, 2007c).

In 2008, Iran disclosed to the IAEA that it wanted to install a new generation of centrifuges necessary for enrichment. This was executed (IAEA Board of Governors, 2008a).

As Figure 1 shows, the number of centrifuges at the site in Natanz<sup>65</sup> increased massively, starting in 2008. Subsequently, the amount of enriched uranium doubled, which led also the rise of the total amount of LEU in Iran's possession. As a result, Iran approached the threshold of the amount necessary for the enrichment of HEU much faster.<sup>66</sup>

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<sup>61</sup> "[T]he Agency is unable to make progress in its efforts to provide assurance about the absence of undeclared nuclear material and activities in Iran. [...] After more than three years of Agency efforts to seek clarity about all aspects of Iran's nuclear programme, the existing gaps in knowledge continue to be a matter of concern." (IAEA, 2006b, p. 7)

<sup>62</sup> This relates to the Iranian refusal to accept the procedures of the Additional Protocol (IAEA, 2007d)

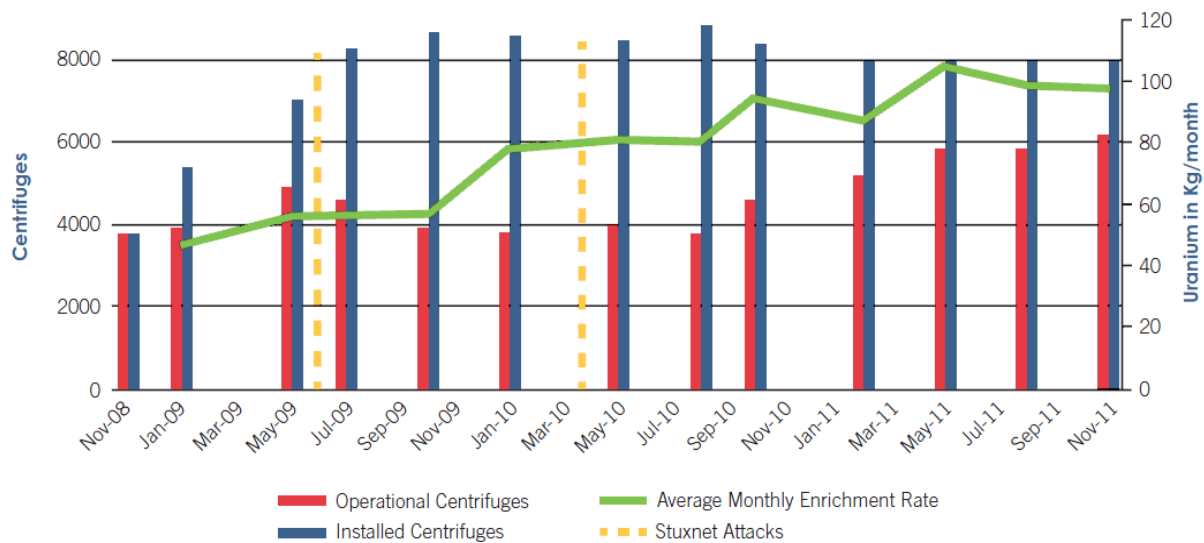
<sup>63</sup> See Annex 2 for explanation of the function of a heavy water reactor

<sup>64</sup> Especially the acquisition of the centrifuges was a highly contested issue. Furthermore, Iran admitted that the unknown foreign intermediary was the A.Q. Network from Pakistan (Albright & Stricker, 2010)

<sup>65</sup> At this location there are the two important and long-time enrichment sites (Fuel Enrichment Plant & Pilot Fuel Enrichment Plant).

<sup>66</sup> Cp. Annex 2

**Figure 1: Enrichment Rate vs. Operational Centrifuges at Natanz FEP (Robb & Wald, 2012, p. 22)**



Later, in 2009, Iran informed the IAEA about the existence of the enrichment facility near the city of Qom (IAEA Board of Governors, 2010a). This only occurred because the US “*shared intelligence about it with allies*”; actually the building of this plant started around 2006 (Nikou, 2010). Iran announced afterwards it would abstain from using this facility, including its 3000 centrifuges (IAEA Board of Governors, 2010a, p. 3). Moreover, in December 2009, Iran published a plan to build ten new enrichment plants (ibid.).

Then, in February 2010, Iran informed the IAEA that it wanted to enrich uranium up to 20 % at Natanz (IAEA Board of Governors, 2010b).<sup>67</sup> In September 2010, particles of uranium were found at a higher enriched level than declared, namely 7.1 %<sup>68</sup> (IAEA Board of Governors, 2010c). Although the Iranian explanations for this were “*not inconsistent with the Agency’s findings*” it created confusion (ibid., 3). Moreover, the IAEA ascertained that from 2007 to October 2010 Iran produced a total of 3135 kg LEU and 33 kg of enriched uranium up to 20 % at Natanz (IAEA Board of Governors, 2010d, p. 2 f.) In addition, new plans for the facility in Qom were communicated by Iran: This site shall be used for Research and Development and enrichment of uranium up to 5 % (ibid.). Finally, to complete the independent running of a full nuclear fuel cycle, Iran conducts the mining and concentration of uranium (ibid.).

To sum up, despite Resolutions and strict sanctions, Iran carries out enrichment related activities unimpaired. Moreover, the enrichment level was heightened to 20 %, which means a shorter time span necessary for the production of enriched material for a nuclear weapon. Although Iran showed temporarily cooperative behavior, the inspection of the heavy water reactor, in particular, has been denied numerous times.

Lastly, an explanation for the low level of cooperation by the Iranian officials may be their perception of their own behavior or the behavior of the International Community. This observable by dint of a quote of a speech of the Permanent Representative of Iran to the United Nations and other

<sup>67</sup> Albeit the IAEA was informed on the increase of the enrichment level, it was not “*sufficient time for the Agency to adjust its safeguards procedures, as required under Article 45 of Iran’s Safeguards Agreement.*” (IAEA, 2010c, p. 9). Thus, the notice was too late.

<sup>68</sup> 5 % was the maximum level of enrichment declared.

International Organizations, Ali Asghar Soltanieh, for example. He describes the Iranian nuclear program as *“peaceful”* and hence there is no *“legal justification”* for suspension of its activities (Soltanieh, 2009, p. 4). Additionally, the actions by the International Community are established *“due to political motivation of a few countries”* (ibid., p. 3).

All in all, the neo-realist assumptions and hypotheses no. 1<sup>69</sup> have been corroborated. The Iranian politicians behaved as expected, namely they did not change their attitude towards their nuclear activity as the results of the adoption of sanctions and demands of the International Community. In fact, they extended their nuclear program. It has to be awaited as to whether the last round of sanctions will show a long-term effect or if the unilateral sanctions will have more influence.

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<sup>69</sup> The sanctions may have no demonstrable impact because of the security dilemma.



## Chapter 4: Conclusion and Discussion

In this thesis, the sanctions' policy of the UNSC towards Iran was studied. Special attention was paid to the position of the E3/EU, which means the EU position in general and also the position of France, Germany and the United Kingdom. Finally, the development of the Iranian nuclear program between 2006 and 2010 was examined to check the growth of the activity subsequent to the UNSC Resolutions. The research question at the center of this study was whether the sanctions implemented by the UNSC with assistance of E3/EU countries between 2006 and 2010 had a marked impact on the Iranian nuclear program.

To explain the behavior of the examined actors, the theory of neo-realism was the used as the foundation. Waltz (1979) assumes an anarchic world in which States are central and like 'units'. Moreover, insecurity is what makes states act rationally in a self-help system and pursue their central aim, survival, which is the most critical problem. As already mentioned, States are like 'units' which act coherently and are functionally similar. The only differentiating characteristics are their individual capabilities. A way of escaping this insecurity is the acquisition of nuclear weapons as measure of deterrence.

From the neo-realist view, it is therefore comprehensible that Iran is seeking the attainment of such an exit option.<sup>70</sup> Therefore, it had to be anticipated that it would not be possible to influence Iran's attitude towards its nuclear program. In view of this, it was to be expected that the E3/EU states fear on the one hand, a loss of power and importance and thus act united. On the other hand, states behave rationally and pursue their national interests.

To assess whether these hypotheses could be verified in this studied case, a qualitative approach was chosen as the research strategy. For this relatively new case, the choice of a qualitative case study is the most appropriate to come up with the first hypotheses, ideas and results which could then be studied quantitatively in the next step. The sources were primarily documents, press statements and reports. For background information, the few books published on this subject and especially journal articles and analyses of think tanks were helpful. Because this is a topic of current affairs, a few newspaper articles were also analyzed.

By means of these sources, the following results could be ascertained: The situation that states are repeatedly sanctioned by the UNSC is relatively new. Around 20 years ago<sup>71</sup>, the decade of the sanctioning of states by the UNSC started, always with the same underlying concept - the attempt to change states' misbehavior. By dint of several kinds of sanctions and the rule 'suspension for suspension'<sup>72</sup>, the targeted entities shall be convinced to stop their condemnable behavior. This was also the underlying concept in the Iranian case: The covert nuclear activity demanded the verification of the absence of military intentions for the nuclear program by the International Community. Failed negotiations then led to referral to the UNSC. The main target was this verification, for which the Additional Protocol of the NPT was to be signed and all Iranian enrichment related activities

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<sup>70</sup> Anyway, the International Community fears that step. Iranian politicians deny that of course (Sommer, 2011).

<sup>71</sup> The so called 'decade of sanctions' started after the end of the Cold War era and the resolution of the bipolar structure of the international system.

<sup>72</sup> The sanctions will be suspended by the UNSC, if the sanctioned state or entity suspends his erratic behavior.

suspended. To enforce these actions, financial, economic and travel sanctions were adopted.<sup>73</sup> These included the freezing of assets, bans on financial services of banks to persons and entities suspected of being connected with the nuclear program. Additionally, export prohibitions were passed, in particular for technology and parts for nuclear facilities, but also for missiles capable of carry a nuclear warhead. Lastly, travel restrictions for a list of over 40 persons were imposed.

The E3/EU position in this process was mainly determined by two strategy papers: the ESS and the Strategy against Proliferation of WMD. In these plans, the EU commits itself to multilateralism and the UNSC as “*final arbiter*” (Council of the European Union, 2003b, p. 6). Finally, the EU acknowledges the importance and power of negotiations. These principles were also consequently observable firstly, in the general EU position and secondly, in the position and course of action of the E3 states. All preferred, despite the reiterated Iranian misbehavior, with tireless dedication to negotiations and the avoidance of military action. Nonetheless, the E3/EU supported the implementation of unilateral sanctions without resentments in regards to the actions taken by the UNSC, in contrast to other countries. Thus, they showed united and decisive behavior. This unity was also to be expected through the assumptions of neo-realism. However, the fact that the unity in purpose and action was a result of the fear of loss of power and influence could only be verified by tertiary literature and not by outright statements of politicians. Admittedly, direct disclosure of this anxiety could not be expected; for this conclusion secret documents or insider statements would have been necessary. On the evidence provided, the hypothesis can be corroborated. The British and French behavior in regards to their relation to their nuclear arsenal also expresses the importance of influence and power to them. Greater capabilities, due to the possession of a modern arsenal as medium of deterrence represents a purely neo-realist behavior.

Furthermore, during the examination of the E3 states it was observable that each country had specific political strategic reasons or aims for the engagement in this issue. To the greatest extent, these were based on the heightening of states’ profile in International Politics. Nevertheless, the pursuit of other interests, i.e. economic interests, and thus the prevention of export restrictions could not have been detected. Comments regarding economic interest would have been, most probably, only been extractable from secret documents. Because economic prosperity also influences states’ capabilities, the hypothesis of a high influence of rational national interest can only be partly verified.

Lastly, the progress of the Iranian nuclear program was researched: Iran is making steady progress in the attainment of an independent full nuclear cycle. For the attainment, Iran is inter alia conducting enrichment, conversion and mining activities. Iran resumed the enrichment of uranium in 2006. Since that time, Iran has been steadily increasing the amount of enriched uranium and has also raised the enrichment level. They have also constructed new facilities for this. The Iranian behavior over the four years in question was characterized by occasional cooperation but also continuous strict denials of access to several sites. All in all, the sanctions had no great impact on the growth of the Iranian nuclear program; in fact, the Iranian nuclear program grew. This results had to be awaited acting on the neo-realist assumptions. The Iranian leaders weighted the consequences imposed by the sanctions for the attainment of the exit option in an anarchic environment. Accordingly, the hypothesis proved true.

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<sup>73</sup> The sanctions were adopted in Resolution 1737, 1747, 1803 and 1929. The content of previous Resolutions was partly reaffirmed in no. 1835.

Returning to the central research question of this study, it can be concluded that the United Nations Security Council's sanctions' policy had only a minimal impact on the Iranian nuclear program. This effect was the enabling of occasional controls. Nonetheless, these had no impact on the continuing growth of the nuclear program.

Implications of this research results are twofold: On the one hand, it has implications on the way of dealing with Iran or with cases, similar to the Iranian one; on the other hand, conclusion can be drawn about the current debate and criticism of the theory of neo-realism.

As already detected, the sanctions regime towards Iran by the UNSC was obviously not successful because it was not convincing enough to encourage Iranian politicians to change their chosen strategy.<sup>74</sup> In the academic debate, it is often stated that this was to be expected because of the long Iranian history of being sanctioned.<sup>75</sup> Hence, they learned to adapt to the new environment as a result from sanctions and imposed restrictions.<sup>76</sup> Furthermore, a continuing worsening of the economic situation due to the sanctions will probably also not lead to an alteration in the Iranian behavior. This is based on strategic political benefit through the attainment of an independent full nuclear cycle (Posch, 2010). Hence, the question can be posed, which lessons can be learned from this case and what are the implications for the future strategy towards Iran and similar cases.

The general opinion on the further applications of sanctions as being the correct strategy is divided. Some think that further sanctions, or especially economic sanctions, are the most appropriate to tackle the Iranian unwillingness to compromise and to raise the costs for the regime's decision.<sup>77</sup> This group of scholars expects that tightening of sanctions will at some point lead to massive pressure, forcing the Iranian leaders to change their minds (cp. e.g. Müller, 2010). Others are of the opinion that new sanctions are not the right path.<sup>78</sup> From their point of view, more external pressure through the adoption of new sanctions would not be more successful than the humble results of the already existing sanctions. Rather, it could lead to a strengthened feeling of external threat in the Iranian society caused by the pressure of the International Community, and thus an increased support for the Iranian regime (cp. e.g. Sommer, 2011). Other policy options, mentioned in the wider literature, are as follows:

Firstly, the military option which was, as mentioned already, threatened by the US and Israel. Despite this explicit articulation, in the debate on this option all agree on the major drawbacks of this option (cp. Sommer, 2011, Kupchan, 2010). Also, if we assume that Iran would be hindered in the development of its nuclear program because of the demolition of facilities, a military attack would heighten its motivation to obtain a nuclear weapon (ibid.). Instead, covert action could be an alternative (Council on Foreign Relations, n.d., Smith, 2011). Covert sabotage via computer viruses, for instance, or the homicide of individuals connected with the nuclear program would most probably slow down the progress of the nuclear program. However, it is only an interim solution and the major downside of this option is that this would most probably increase support for the regime among the Iranian population (ibid.). Another option in discussion is Diplomacy, Public Diplomacy or Track II Diplomacy (DiMaggio, 2010, Council on Foreign Relations, n.d.). This would mean, on the one

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<sup>74</sup> This is also the unanimous result of academic analyses of the effect of the imposed sanctions on Iran (cp. e.g. Posch, 2010, Takeyh & Maloney, 2011,

<sup>75</sup> In particular by the US.

<sup>76</sup> Cp. e.g. Takeyh & Maloney, 2011, Robb & Wald, 2012

<sup>77</sup> Cp. Takeyh & Maloney, 2011, Katzman, 2011, Müller, 2010, Robb & Wald, 2012

<sup>78</sup> Cp. Posch, 2010, Perthes, 2012, Smith, 2011, Sommer, 2011

hand, seeking a diplomatic resolution to the problem by negotiating with the regime, but also supporting and educating the Iranian society and the increasing contact with non-governmental actors. This could build confidence, also among the Iranian population. One component of the diplomatic dialogue could be a new attempt at reaching an agreement on nuclear fuel swap.<sup>79</sup> This approach, based on a case by case basis, could lead to further acknowledgements by the International Community in terms of the Iranian program. This would depend on the Iranian acceptance of strict inspections. Consequently, this could result in a relaxation of the diplomatic relations (c.p. e.g. Ronnefeldt, 2006, Sommer, 2011). Also, the extension of sanctions is as possible solution mentioned in the debate (Takeyh & Maloney, 2011). Possible approaches which have been proposed are the global boycott of the Iranian banking system or the prohibition of the import of Iranian oil (Paris, 2011). The skepticism about the success of new sanctions has already been mentioned. However, in particular with respect to these requests, experts assess new sanctions as self-damaging for the states and the imposition as generally not realistic (Sommer, 2011, Paris, 2011). Lastly, the containment of Iran is mentioned as a policy option. Advocates of this strategy assert that Iran has a military doctrine based on principles of defense. The counterargument on the likelihood of the realization of this strategy is the fear of several states in the region, not least Israel, of a nuclear Iran.

A possible lesson for other similar cases could be that although the success of the peaceful path chosen up to now was quite low, there are several other peaceful options which could lead to the resolution of the problem. If, right from the beginning, a military attack would have been chosen, the situation would have most likely been even more complicated and irreversible. Furthermore, the implementation of these five Resolutions towards Iran demonstrated again, that a determined and powerful action by the UNSC, due to its veto regulations, is only possible if the International Community is united in its view. This was not always the case in this issue. Not only in regards to this case, but also based on the recent events in Syria, advocates of a reform of the UNSC can strengthen their position. Nonetheless, in principle the generalizability of case studies, and hence the ability of formulate implications for other cases, is limited. This will be discussed in detail later on.

However, this study does not only have implications on possible solutions of this issue, but it can also be connected to the criticism on neo-realism. After the end of the Cold War, many critics predicted the end of neo-realism as a dominant theory because of the weakness of explaining certain phenomena (Schörnig, 2006). Several researchers who shared the pessimistic view of the theory, extended the neo-realism with sub-factors (cp. e.g. Walt, 1997, 1998, 2002). The scholar who has done the most substantive critique of the theory of neo-realism is probably Alexander Wendt (1992). The central point of his criticism is the assumption that *"anarchies are necessarily self-help systems"* (ibid., p. 392). From the neo-realist point of view, anarchy has a causal impact on the behavior of states. Wendt refutes this. In his opinion, self-help and power politics are not an obligatory consequence of the structure of the international system (ibid.).

Contrary to the theses of Wendt, the findings of my study show that the self-help and power politics are still determining factors of states' behavior. On the one hand, the E3/EU member states showed unitary action, motivated at least partly by their fear of losing influence and power. Because the building of alliances and cooperation is also possible, this path was chosen. On the other hand, Iran exhibited behavior which could be expected based on neo-realist assumptions. They did not change

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<sup>79</sup> The signing of the deal proposed by Turkey and Brazil failed because of the veto of the US (Sommer, 2011).

their mind because of the imposition of sanctions; rather, they continued and increased their nuclear activity and thus their capabilities.

Nevertheless, there are threats which could jeopardize the validity of the results of the investigation. As already stated in Chapter 0.5, the case study research design has a number of problems in regards to the validity of the results of the investigation. Despite the low generalizability, and thus low external validity, there are some lessons which could be considered in similar cases in the future. However, this dilemma of high generalizability on the one hand, and the in depth analysis of one case, on the other hand, has to be accepted and is inherent with the choice of the design.

As the result of the absence of a control group and the single observation, there may be problems in the detection of the cause-effect relationship. Particularly in this study, the change in the Iranian nuclear program may not have been influenced by the actions taken by the UNSC, but rather by another historic event, not considered in this research. Ruling out these two threats or any other confounding variable, is again difficult. A solution would be the comparison with another similar case or cases existent at the same time. Then it could be verified as to whether the sanctions had an influence or if historical reasons were more important.

Lastly, the validity of the statistical conclusion may be called into question by other alternative explanations for the results. One could argue that any other reason is determinant for Iran's behavior in terms of its nuclear program. Because just a single case at a single point in time was studied, it is not possible to eliminate these alternative explanations. Similarly to the internal validity, a comparison would also be necessary to heighten the statistical conclusion validity. In comparison with the other threats, the threats to the construct validity may be not that important. Nevertheless, a standardized content analysis in a follow-up study would maybe increase the construct validity.

For a follow-up study, a comparison with other countries sanctioned by the UNSC and the comparison of the behavior of the states involved in the adoption of sanctions might be interesting. On the one hand, it might be valuable to compare how the effects of the UNSC's sanctions were in other countries and whether neo-realist perspectives also influenced the action of other governments. On the other hand, it might be interesting to compare all countries engaged in the Iranian issue, their positions as well as their motivations. Because there are more controversies out there, this would be very interesting.

## **Annex**

### **1. Excerpt from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)**

(Department for Disarmament Affairs, United Nations, n.d.)

#### **Article I**

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

#### **Article II**

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

#### **Article III**

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this Article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this Article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.

2. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this Article.

3. The safeguards required by this Article shall be implemented in a manner designed to comply with Article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international co-operation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this Article and the principle of safeguarding set forth in the Preamble of the Treaty.

4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this Article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation

of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

#### **Article IV**

1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty.

2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also co-operate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.

#### **Article V**

Each Party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

#### **Article VI**

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

#### **Article VII**

Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

#### **Article VIII**

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the

Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realised. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

#### **Article IX**

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and the United States of America, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositaries of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January 1967.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.



## **Article X**

1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

## 2. The Creation of a Nuclear Explosive Device

Uranium is a radioactive metal, which occurs in nature just in minerals. Furthermore, uranium consists just for 0.7 % of the fissionable material U 235. With these neutrons it is possible to do a chain reaction (Kötter, n.d.).

Therefore, uranium has to be enriched, which is possible by dint of centrifuges. The uranium has to be machined in a row of centrifuges: Firstly the uranium hexafluoride ( $UF_6$ ) has to be obtained and secondly, the ratio of the  $UF_6$  on the gas has to be increased. For this purpose well about 3000 centrifuges are necessary (ibid.).

To fuel a power reactor it is adequate to enrich uranium on a level of around 3 %. Uranium on this level is called Low Enriched Uranium (LEU). In contrast, uranium enriched to about 20 % is named High Enriched Uranium (HEU). To build a nuclear bomb, the uranium has to be enriched up to 80 %. However, the step from enriching uranium from 3 % to 20 % - thus increasing the ratio of the  $UF_6$  - is the most complicated. When a state is able to execute this, he is also capable of enriching up to level of 80 % (ibid.). For the creation of a nuclear bomb, around 4500 kg of LEU is necessary which have to be converted into HEU (Robb & Wald, 2012).

Another way of building a nuclear weapon would be the usage plutonium instead of uranium, which can be produced in heavy water reactors (Council on Foreign Relations, n.d.). Although Iran is also running these, they are not the focal point of concern of the IAEA reports (cp. IAEA Board of Governors, 2006 to 2010).

### 3. The Charter of the UN

#### Article 1.1)

*“To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;”.* (Charter of the United Nations: CHAPTER I: PURPOSES AND PRINCIPLES, n.d.)

#### Article 39

*“The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.”* (Charter of the United Nations: Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression, n.d.)

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