



CENTRE for AEROSPACE & SECURITY STUDIES

**Challenges for Iran Nuclear Deal's
Revival and its Likely Impact
on the Global
Non-Proliferation Regime**

Muhammad Firas Shams

Working Paper

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ABSTRACT

The revival of the Joint Comprehensive Plan of Action (JCPOA), commonly referred to as the Iran Nuclear Deal, is a daunting test of diplomacy, especially for the Biden Administration as well as Iran's clerical regime. Back in 2015, this Deal faced a chorus of criticism from detractors who described it as having sunset clauses, which merely postpone Iran's development of nuclear arsenal. Conversely, its advocates described it as an elaborate design to preclude a country to deceive its way to becoming a nuclear power. Through examination of primary as well as secondary data, this qualitative research evaluates various roadblocks impeding the aforementioned Deal and its restoration outcomes with their concomitant impact on the global nuclear Non-Proliferation Regime (NPR), i.e., what 'deal' or 'no deal' scenarios could mean for the NPR. The findings show that the JCPOA's revival is confronted with a number of domestic, regional and international challenges, which will require a diplomatic feat in the backdrop of deep-seated mistrust. However, its revival could help neutralise the notion of NPR's decline and potentially provide the international community with a rigorous design of verification, especially for countries which may opt to withdraw from the Non-Proliferation Treaty (NPT) in the future. On the contrary, in case the JCPOA is not restored, it could possibly thrust the region, already poised between peace and war, into further militarisation and perhaps a proliferation cascade, a scenario which could jeopardise the calculus of global security.

Keywords: *Global Nuclear Non-Proliferation Regime (NPR), Joint Comprehensive Plan of Action (JCPOA), Iran Nuclear Deal, Non-Proliferation Treaty (NPT), International Atomic Energy Agency (IAEA), Diplomacy, Iran-US.*

INTRODUCTION¹

The proliferation of nuclear weapons encapsulates an overriding peril that could devastate the calculus of global security. In this regard, the international community put their heads together to develop a global nuclear Non-Proliferation Regime (NPR) during the 20th Century, in the backdrop of Cold War arms' race, as an international law to halt the spread of nuclear weapons. Essentially, the NPR works through a set of interlinked international and bilateral treaties, verification instruments, safeguards and institutions to preclude the cascade of nuclear proliferation. There are various pieces which make up the NPR, inter alia, the International Atomic Energy Agency (IAEA), Non-Proliferation Treaty (NPT), Nuclear Suppliers Group (NSG) et cetera.² The efficacy of NPR remains a contentious topic; however, its importance should not be underestimated, particularly in light of the alarming possibility that nuclear weapons could fall into the hands of a transnational terrorist organization - a scenario that cannot be dismissed as implausible. Plus, there is ample evidence of black markets and rings of proliferation dealing in nuclear materials and technology.³ However, due to the ebb and flow of fossil fuel prices in the international market, coupled with the grave concern for the health of the planet, nuclear energy stands as a viable alternative for energy diversification. Therefore, the NPR provides a mechanism to only allow, especially the NPT signatories to utilise nuclear material for civil programmes through its various rigorous verification tools and inspection mandates.⁴ For starters, the NPT, which was implemented in 1970, ensures that all signatories are prohibited from not only possessing nuclear weapons, but also creating them. In return, these states will have nuclear technology shared with them for peaceful nuclear projects, especially energy generation.⁵ The NPT with 191 members as of 2022, bifurcates the world into Nuclear Weapon States (NWS) and

¹ This paper was written and reviewed during the last quarter of 2022 and the first quarter of 2023. Consequently, all data, analyses, forecasts, references to events, and discussions of individuals are primarily based on information available during this period.

² Joseph Cirincione and Kathleen Newland, "Repairing the Regime: Preventing the Spread of Weapons of Mass Destruction," *Carnegie Endowment for International Peace*, April 20, 2000, <https://carnegieendowment.org/2000/04/26/repairing-regime-preventing-spread-of-weapons-of-mass-destruction-pub-124>.

³ Sitara Noor, "India's Radioactive Bazaar," *Diplomat*, March 12, 2022, <https://thediplomat.com/2022/03/indias-radioactive-bazaar/>.

⁴ "The Global Nuclear Non-Proliferation Regime," *Council on Foreign Relations*, accessed June 12, 2022, <https://www.cfr.org/report/global-nuclear-nonproliferation-regime>; Chaim Braun and Christopher F. Chyba, "Proliferation Rings: New Challenges to the Nuclear Non-proliferation Regime," *International Security* 29, No. 2 (Fall 2004): 8-11.

⁵ Cirincione and Newland, "Repairing the Regime."

Non-Nuclear Weapon States (NNWS) – nations which tested or used nuclear bombs before 1967 fall under the NWS category and include the United States (US), France, China, United Kingdom (UK) and Russia. Under the said treaty, the NWS can only share nuclear materials, machinery, and technology with the NNWS in line with the IAEA safeguards regulations. Also, the NPT binds the NWS not to help the NNWS to develop a nuclear bomb. Iran is amongst the first 62 countries which signed the NPT.⁶

Similarly, another important functional component of the aforementioned non-proliferation regime is the United Nations watchdog - IAEA. Established in 1957 as an independent international organisation, the IAEA with 178 members as of September 2023,⁷ primarily operates through 'safeguards' which refer to administering audits as well as on-site inspections of nuclear facilities and their concomitant nuclear materials to ensure that atomic energy is not utilised for military ambitions. Following the Gulf War of 1991, the discovery of clandestine undeclared nuclear sites in Saddam's Iraq, extended the IAEA's authority to inspect both declared and undeclared nuclear facilities of the NNWS as well as non-NPT states like Israel. In case of the latter, the IAEA's safeguards are implemented at the respective state's request.⁸ In 2006, the IAEA reported non-compliance and violation of the NPT by Iran, which became a signatory of the treaty prior to the Iranian Revolution of 1979, to the United Nations Security Council (UNSC). This triggered sanctions against Tehran, eventually initiating stop and go talks.⁹

Fast-forward to 2015, during Barack Obama's presidency, a Joint Comprehensive Plan of Action (JCPOA), better known as the 'Iran Nuclear Deal' was signed by P5+1. P5+1 consist of five permanent members of the UNSC namely, Russia, China, UK, US and France plus Germany – and the Islamic Republic of Iran. Additionally, the European Union (EU) was also a major stakeholder of the deal which was fully

⁶ "Treaty on the Non-Proliferation of Nuclear Weapons (NPT)", *United Nations Office Disarmament Affairs*, accessed June 12, 2022,

[https://www.un.org/disarmament/wmd/nuclear/npt/#:~:text=The%20NPT%20is%20a%20landmark,and%20general%20and%20complete%20disarmament](https://www.un.org/disarmament/wmd/nuclear/npt/#:~:text=The%20NPT%20is%20a%20landmark,and%20general%20and%20complete%20disarmament;); Cirincione and Newland, "Repairing the Regime."; Semira N. Nikou, "Timeline of Iran's Nuclear Activities," *United States Institute of Peace*, August 17, 2021, <https://iranprimer.usip.org/resource/timeline-irans-nuclear-activities>.

⁷ "List of Member States," *International Atomic Energy Agency*, accessed September 19, 2023, <https://www.iaea.org/sites/default/files/publications/documents/infcircs/1959/infcirc2r90.pdf>; "2015 Review Conference of the Parties to the Treaty on Non-proliferation of Nuclear Weapons," *United Nations*, accessed June 12, 2022, <https://www.un.org/en/conf/npt/2015/pdf/IAEA%20factsheet.pdf>.

⁸ Cirincione and Newland, "Repairing the Regime."

⁹ Jeffery Kaplow and Rebecca Gibbons, "The Days After a Deal with Iran," *Rand Corporation*, 2015, <https://www.rand.org/pubs/perspectives/PE135.html>.

implemented in 2016, that in a nutshell virtually restricted Iran's plan to develop nuclear weapons in exchange for sanction relief to revitalise the Iranian economy.¹⁰ The deal received mixed response from the international community as advocates hailed it as a landmark agreement which brought a NPT signatory within the confines of the international nuclear order. Whereas detractors questioned its prevention impact as only postponing Iran's route to becoming a nuclear power.¹¹

Notwithstanding the criticism, the Nuclear Deal of 2015 could be deemed a feat of diplomacy and an example of the NPR's resilience.

However, making good on his campaign promise, former US President, Donald Trump backtracked from it in 2018, censuring it *ad nauseam* while, solely adopting the stick approach with Iran. Trump's *froideur* pushed relations between the two countries into greater acrimony.¹² Trump accused Iranian leaders of infringing the JCPOA and also cited Iran's proxy operations to prop up pro-Iran regimes, including Bashar al-Assad in Syria along with cyber terrorism as rationale behind his decision to pull out.¹³ According to Iranian observers, Tehran has been exercising its military strength in the region to decisively dent the Islamic State of Iraq and Syria (ISIS)'s expansion. This ought to have provided the US with common ground to work with Iran. It is also a fact that Tehran's role in the political sphere of Lebanon, Syria and Iraq has also amplified.¹⁴ Another rationale, given by the previous US administration for the Nuclear Deal exit, was Trump's claim that Tehran remained bellicose towards Washington by not entering into trade agreements even after the JCPOA was signed. Iran maintains that trade between the two countries could not be initiated since the Obama Administration had not lifted all economic sanctions that discouraged American investors from meaningful engagement with the country. Although, some observers believe that Iran was keener to trade with Europe, hence Rouhani's visit to several

¹⁰ "The Iran Nuclear Deal: What You Need to Know about the JCPOA," *The White House*, accessed June 12, 2022, <https://obamawhitehouse.archives.gov/issues/foreign-policy/iran-deal>; "The Non-Proliferation Regime."

¹¹ "The Non-Proliferation Regime."

¹² Mark Landler, "Trump Abandons Iran Deal he Long Scorned," *New York Times*, May 8, 2018, <https://www.nytimes.com/2018/05/08/world/middleeast/trump-iran-nuclear-deal.html>; Dan Smith, "The US Withdrawal from the Iran Deal: One Year On," *Stockholm International Peace Research Institute*, May 7, 2019, <https://www.sipri.org/commentary/expert-comment/2019/us-withdrawal-iran-deal-one-year>.

¹³ Hossein Nourani et al., "Discursive (De)legitimization of the Iran Nuclear Deal in Donald Trump's Tweets," *Strategic Analysis* 44, no. 4 (September 2020): 334, <https://doi.org/10.1080/09700161.2020.1809205>.

¹⁴ Nourani et al., "Discursive (De)legitimization."

European governments.¹⁵ While, the Iran's preference vis-à-vis trade was there, Rouhani had not declined long-term economic cooperation with the US.

Trump's decision was a cause célèbre for Washington's diplomacy and standing globally. The former spokesperson of US State Department, Ned Price (and now Senior Advisor to Secretary of State Antony J. Blinken) was critical of Biden's predecessor's decision, defining the withdrawal as one of the greatest strategic blunders of Washington's foreign policy.¹⁶ In the same vein, he expressed disapproval of the maximum pressure campaign instrumentalised by Donald Trump which largely failed to deter Iran.¹⁷

US withdrawal from the JCPOA was a serious setback for the non-proliferation machinery as the damage it caused to nuclear diplomacy continues to stall restoration efforts. For Trump and his firebrand Republicans, it was a well-calculated bid to rob the Nuclear Deal of its legitimacy.¹⁸

It was a casualty of vitriolic domestic politics as Trump termed the deal treason committed by the Obama Administration, and particularly a strategic debacle by John Kerry mudslinging against the Democrats.¹⁹

On the other hand, the US administration's breakaway from the Nuclear Deal in one fell swoop was naturally criticised by both Iranian hardliners and reformists, albeit the reactions of political binary differed in tone. During this crisis, Iranian President, Hassan Rouhani, billed as a reformist, offered to adhere to the deal in a televised speech, if other signatories agreed to honour the commitments.²⁰ In doing so, he was putting his political career on the line, amidst anti-American outcry in Iran.²¹ He was

¹⁵ Ibid., pp. 340-341.

¹⁶ "JCPOA Withdrawal US Biggest Strategic Blunder in Recent Years," *Shargh*, January 10, 2023, <https://www.sharghdaily.com/Section-iran-256/866808-jcpoa-withdrawal-us-biggest-strategic-blunder-in-recent-yrs>; Ned Price, "Department Press Briefing," *US Department of State*, January 9, 2023, <https://www.state.gov/briefings/department-press-briefing-january-9-2023/>.

¹⁷ "US Exit from JCPOA a Strategic Blunder," *Financial Tribune*, January 10, 2023, <https://financialtribune.com/articles/national/116822/us-exit-from-jcpoa-a-strategic-blunder>.

¹⁸ Nourani et al., "Discursive (De)legitimization," 332-333.

¹⁹ Ibid., 340.

²⁰ Riccardo Alcaro, "Europe's Defence of the Iran Nuclear Deal: Less than a Success, More than a Failure," *International Spectator* 56, no. 1 (February 2021): 64, <https://doi.org/10.1080/03932729.2021.1876861>.

²¹ Kay Armin Serjoie, "The Americans Cannot be Trusted. How is Iran Reacting to Trump's Decision to Quit Nuclear Deal," *TIME*, May 9, 2018, <https://time.com/5270821/iran-nuclear-deal-trump-ayatollah-khameini-hassan-rouhani/>.

cognizant of what was at stake if the deal fell apart and diplomacy failed, terming Trump's action as psychological warfare.²² In 2019, Rouhani stated that every 60 days, his country would go beyond the JCPOA restraints, however, if sanction relief was provided, these upgradations could be backpedalled.²³ Hardliners deemed it a 'smoking gun' of futility negotiating with the US. Conservative legislators burned copies of the US flag as well as copies of the JCPOA in the Iranian Majles.²⁴ Iran's Supreme Leader, Ayatollah Khamenei denounced the Americans of signing the deal in bad faith. He stated how the bone of contention for the Washington wasn't Iran's nuclear programme or uranium enrichment, rather it has more to do with containment of Tehran's regional role and its missile programme.²⁵ Major General Mohamad Ali Jafri, commander of the Islamic Revolutionary Guard Corps (IRGC), echoed the aforementioned views in agreement.²⁶ Even when the historic Nuclear Deal was signed in 2015, Iranian hardliners and elements close to the Supreme Leader described it as a step in a series of concessions to weaken Iran. Many conservative analysts in Iran believe that Trump's withdrawal continues to hit the economy, and by extension the lives of the average dweller, however, the silver lining here was the unity it had brought to fore against negotiating with the West.

The current picture augurs a number of stumbling blocks for the restoration of the JCPOA. The said formidable challenges are of domestic, regional and international nature that require another feat of non-proliferation diplomacy akin to the 2015 JCPOA, amidst deep-seated mistrust amongst major stakeholders and chorus of criticism.

The political climate in both Washington and Tehran is not conducive to put the Iran deal back on track. However, if advocates of the JCPOA are able to navigate successfully through the labyrinth of hurdles and vehement counterarguments, the deal scenario arguably represents a more secure shared future for the global community through stability and buttressing the functional relevance of the global nuclear non-proliferation regime as a highly developed international law.

²² Mohammed Cherkaoui, "Trump's Withdrawal from the Iran Nuclear Deal: Security or Economics?" *Al Jazeera Center for Studies*, May 10, 2018.

²³ Alcaro, "Europe's Defence of the Iran Nuclear Deal."

²⁴ Serjoie, "The Americans Cannot be Trusted."

²⁵ Ibid.

²⁶ Ibid.

This qualitative research will endeavour to comprehensively explain the various headwinds the Iran Nuclear Deal faces. Secondly, the far-reaching impact of both the 'deal' and 'no deal' scenario on the NPR will also be the subject of discussion. To contextualise the aforementioned research objectives, it is indispensable to understand the meat and potatoes of the 2015 JCPOA and Tehran's nuclear activities since 1957. Similarly, sifting through both primary as well as secondary data, the research will try to remain cognizant of the ever-changing security and geopolitical dynamics of the Middle East. Additionally, it will explore the potential motives behind the clerical regime's pursuit of a nuclear programme.

CONTOURS OF THE 2015 JCPOA

Evaluating the diplomatic efforts to restore the Nuclear Deal necessitates a thorough understanding of the JCPOA's contents and its pivotal role in the broader context of the Non-Proliferation Regime (NPR).

The Iran Nuclear Deal or the JCPOA, could be deemed as an essential element of the global nuclear NPR, in the shape of a historic accord. An endeavour of non-proliferation diplomacy, it was signed in 2015 between Iran, considered a pariah state by the West since the Islamic Revolution of 1979, and UK, US, France, China, Russia and Germany, collectively called P5+1. The EU also played an instrumental role along with the IAEA.²⁷ Before the Deal's implementation in January 2016, Iran took a number of prerequisite steps and Confidence Building Measures (CBMs), including granting the IAEA inspectors, extraordinary access to its nuclear plants and discontinued the use of two-thirds of its nuclear centrifuges. In addition, Tehran got rid of 25,000 pounds worth of refined uranium by moving it overseas as well as removed the core of the heavy water reactor located at Ark nuclear plant and filled it with cement.²⁸ The deal was supposed to be terminated, if all parties fulfilled their side of the bargain, in 2025, triggering removal of a large number of sanctions by the US, EU and the UN in the process. In other words, the JCPOA came with sunset provisions.

²⁷ "The Joint Comprehensive Plan of Action (JCPOA) at a Glance," *Arms Control Association*, accessed June 12, 2022, <https://www.armscontrol.org/factsheets/JCPOA-at-a-glance>.

²⁸ "The Iran Nuclear Deal: What You Need to Know about the JCPOA."

Examining the contents of the 2015 JCPOA is crucial, as it aligns with the objectives of the NPR. This alignment demonstrates the effectiveness of the regime's framework. Under the Nuclear Deal, Iran was permitted to operate a total number of 6,104 first-generation IR-1 centrifuges while, deconstructing the residual of 13,000 IR-1s and handing them over to the IAEA. Uranium-235's enrichment was to remain frozen at 3.67 percent during the course of 15 years starting from 2015. Additionally, refinement of uranium was to be solely limited to the Natanz Nuclear Power Plant at the aforementioned mark. Moreover, in terms of uranium stockpile, for a period of 15 years, 3.67 enriched uranium was to be limited at 300 kg. Remainder of the uranium was supposed to be moved out of Iran or undergo dilution at home.²⁹

As for the Fordow Fuel Enrichment Plant (FFEP), Iran's second pilot enrichment plant, it was supposed to be used solely for developing radioisotopes for the fields of agriculture and medicine, while uranium enrichment was to remain prohibited there until 2031. Moreover, Iran had to abide by alterations to its heavy-water nuclear plant at Arak. These included, redesigning the nuclear reactor so that reduced levels of weapons-grade plutonium are created. With this, Iran was supposed to permanently commit to getting rid of all spent fuel by moving it out of the country. For 15 years, Iran was barred from producing heavy-water reactors or storing heavy-water for that matter. Plutonium for nuclear bombs is usually found in spent-fuel originating from heavy-water reactors. The IAEA was given the authority to constantly monitor Iran's uranium mines and production of centrifuge for 25 and 20 years, respectively.³⁰ Iran was also to ratify an Additional Protocol to assist the IAEA safeguards, a step Tehran never fully implemented. A dispute resolution mechanism was added to the Deal, which was later triggered by European stakeholders of the JCPOA, following the 2018 US breakaway and Iran's non-compliance. Furthermore, the JCPOA also terminated hitherto approved UN Security Council Resolutions sanctions regime on Tehran by virtue of UNSC Resolution 2231. The US and EU removed sanctions on Iran's oil and banking industry as well as Iranian Rial, bringing the country back into the international monetary edifice. Along with this, USD100 billion worth of Iranian assets were

²⁹ "The Joint Comprehensive Plan of Action (JCPOA) at a Glance."; "Iran Nuclear Deal: What It All Means," *BBC*, accessed June 12, 2022, <https://www.bbc.com/news/world-middle-east-33521655>; William Perry et al., *Middle East Crisis Scenarios and Opportunities*, ed. Viatcheslav Kantor (International Luxembourg Forum on Preventing Nuclear Catastrophe, 2020), http://www.luxembourgforum.org/media/documents/2020_Middle_East_Crisis-Scenarios_and_Opportunities__TEXT_FULL_middle_east_eng3_2.pdf.

³⁰ *Ibid.*

unfrozen, to rescue Iran's crippling, sanction-ridden economy. However, the US did not rescind sanctions dealing with human rights violations, its missile programme and alleged state-sponsored terrorism, especially in the Middle East.³¹

The second attempt to restore the Nuclear Deal, crucial for reinforcing the global nuclear NPR, remains in limbo with an asterisk, largely due to Washington's unilateral withdrawal in 2018, leaving its future uncertain. The paper will now attempt to fill the gap regarding how the 'Deal' or 'No Deal' scenarios are likely to impact the NPR.

UNDERSTANDING TEHRAN'S NUCLEAR ACTIVITIES, US' ROLE AND THE NATURE OF INTERNATIONAL RESPONSE

For the purpose of this research, an elaborate timeline of Iran's nuclear history prior and subsequent to the Islamic Revolution as well as international approaches during different stages of Iran's nuclear programme and political milieu help to contextualise how complicated the JCPOA's revival could be. Additionally, it perhaps provides international policy precedents vis-à-vis Tehran.

The Iranian nuclear programme was initiated during the reign of the last Shah of Iran, Mohammad Reza Pahlavi. In 1957, as a Western ally in the region, Iran became a signatory to the 'Atoms for Peace' programme, crafted by the Eisenhower Administration in 1953. Its aim was to provide assistance in the development and application of nuclear energy for peaceful pursuits, not least for the less developed world.³² In this regard, the Tehran Nuclear Research Centre became operational in 1967, with the help of US assistance. The Americans provided the Tehran Research Reactor (TRR), a 5-megawatt equipment powered by highly enriched uranium.³³ In the following year, Shah's Iran became a party to the Non-Proliferation Treaty (NPT), the treaty got parliamentary ratification in 1970. This meant that Iran was allowed to

³¹ Nikou, "Timeline of Iran's Nuclear." Ibid.

³² Nikou, "Timeline of Iran's Nuclear." Waseem Ishaque et al., "Iranian Nuclear Deal: Challenges for Regional and Global Strategic Movement," *Global Political Review* 2, No. 1 (2017), [http://dx.doi.org/10.31703/gpr.2017\(II-I\).01](http://dx.doi.org/10.31703/gpr.2017(II-I).01); "Timeline: A History of Iranian Nuclear Diplomacy," *France24*, accessed June 12, 2022, <https://www.france24.com/en/20150713-timeline-history-iranian-nuclear-diplomacy>.

³³ Ted Regencia and Alia Chughtai, "Major Milestones of Iran's Nuclear Programme," *Al Jazeera*, November 8, 2018, <https://www.aljazeera.com/news/2018/11/5/major-milestones-of-irans-nuclear-programme>.

enrich its uranium stockpile with IAEA safeguards applicable to its nuclear activities. Between the years 1975 and 1978, Iran negotiated for a more mature and extensive nuclear programme that could generate upwards of 20,000 megawatts of electricity with fuel supply from the US – prior to 1975, the Nixon Administration had extended assistance to Tehran to develop 20 reactors. However, on the issue of a national independent repossessing plant inside Iran, the proposal reached an impasse.

Interestingly, US-Iran tensions regarding Iran's nuclear programme were even present when Reza Pahlavi, disparaged as a 'CIA lackey', ruled Iran. A deadlock over Shah's pursuit for a complete fuel cycle under the NPT and interest in enrichment of plutonium – a better fuel for nuclear bombs – adversely impacted relations between the two countries.

This was revealed in declassified documents of several branches of the US government, including the State, Energy and Defence departments.³⁴ Although, during the Carter Administration, Iran was given 'most favoured nation' status in exchange for its nuclear programme being subjected to verification beyond the framework of the NPT.³⁵ The Additional Protocol which was adopted by the IAEA in 1997, was signed but has never been ratified by Iran; although Tehran briefly implemented it between 2003 to 2006, according to Western experts. In other words, Iran's current status is of a signatory to the Additional Protocol rather than being a party.³⁶ In 2021, Iran's representative to the IAEA, Kazem Gharib Abadi announced that Tehran had revoked inspections as part of the Additional Protocol; and the Iranian Foreign Minister Javad Zarif also confirmed the decision to only stick to the safeguard agreements.³⁷

The aforementioned US-Iran cooperation in the civil-nuclear domain was decisively unravelled by the Islamic Revolution of 1979 in Iran led by ultra-conservative cleric, Ayatollah Ruhollah Musavi Khomeini. This violent change in the political scene forced the US to cut the supply of uranium to TTR. Relations between Washington and Tehran reached a nadir due to the hostage crisis at the US embassy in Tehran where

³⁴ Abbas Milani, "The Shah's Atomic Dream," *Foreign Policy*, December 29, 2010, <https://foreignpolicy.com/2010/12/29/the-shahs-atomic-dreams/>.

³⁵ Nikou, "Timeline of Iran's Nuclear."

³⁶ "Fact Sheet: Iran and the Additional Protocol," Center for Arms Control and Non-Proliferation, July 14, 2015, <https://armscontrolcenter.org/factsheet-iran-and-the-additional-protocol/>.

³⁷ "Iran Halts Implementation of Additional Protocol," *Tehran Times*, February 23, 2021, <https://www.tehrantimes.com/news/458489/Iran-halts-implementation-of-Additional-Protocol>.

over 50 US citizens including the Chargé d'Affaires were taken captive.³⁸ The Iraq-Iran War of 1980, created an energy shortage in Iran which compelled the new Islamic government to reinitiate the nuclear programme. In this regard, Iran signed major deals with Argentina and Russia between 1987 and 1995. A new core for the TTR, which could operate with uranium that is 20 percent enriched was provided to Tehran by Argentina in 1989 through a USD 5.5 million deal that was finalised in 1987. Argentina also supplied 20 percent enriched uranium in order to power the aforementioned reactor. Similarly, in 1992, Tehran and Kremlin entered into an agreement to build a nuclear plant. In 2010, Russia finished constructing a light water reactor at the Bushehr Power Plant, adhering to IAEA safeguards. This was in line with the 1992 agreement between Russia and Iran.³⁹ The Clinton Administration dismissed Iran's assertion of utilising nuclear materials for energy projects, arguing that Tehran's ample oil and gas reserves were sufficient for its energy needs. This led to the suspicion that Iran's actual goal was to develop nuclear weapons threshold capabilities. As a part of the US pressure campaign, President Clinton influenced Ukraine in 1992 to refrain from selling turbines for Iran's Bushehr plant. More significantly, the 2000 Iran Non-Proliferation Act was signed, which gave Washington the policy option to sanction companies and persons involved in contributing to Iran's development of Weapons of Mass Destruction (WMD), including nuclear ones.⁴⁰

Furthermore, the year 2002 was pivotal due to the disclosure by the exiled opposition group, the National Council of Resistance of Iran, about the existence of a heavy water facility in Arak and a uranium enrichment plant in Natanz. This revelation prompted a significant and coordinated international response.⁴¹

It led to a series of inspections by the IAEA, in which the nuclear watchdog found vestiges of weapons-grade uranium at two nuclear sites, including the Natanz nuclear facility. It admonished the Iranians to accept the Additional Protocol with the already existing safeguards, including snap visits by the IAEA inspectors; this proposal is yet to receive ratification by the Iranian parliament. The situation escalated following the election of hard-liner Mahmoud Ahmadinejad in 2009-13, who resumed uranium

³⁸ "The Iran Hostage Crisis," *Office of the Historian*, accessed June 12, 2022, <https://history.state.gov/departmenthistory/short-history/iraniancrises>; Nikou, "Timeline of Iran's Nuclear."

³⁹ Regencia and Chughtai, "Iran's Nuclear Programme.;" Nikou, "Timeline of Iran's Nuclear."

⁴⁰ Nikou, "Timeline of Iran's Nuclear."

⁴¹ Regencia and Chughtai, "Iran's Nuclear Programme.;" Nikou, "Timeline of Iran's Nuclear."

enrichment at the Isfahan Nuclear Plant in the same year he became President. In 2006, the Iranian government removed the UN-administered seals on the Natanz plant for nuclear fuel research. This act, seen as the final straw, led the IAEA to refer Iran's case of non-compliance with the NPT safeguards to the UN Security Council in 2006.⁴² In the same year, Resolution 1737 was approved by the Security Council, introducing sanctions on the Iran's clerical regime for non-compliance with hitherto adopted Resolution 1696 which stipulated that Tehran must cease uranium enrichment in 30 days. UN Resolution 1737 not only prohibited any type of nuclear trade with Iran, but also initiated the freeze on assets of several organisations and persons associated with Iran's nuclear apparatus. All the while, Tehran maintained that sanctions were unwarranted since its nuclear programme was a peaceful pursuit. In addition, Resolution 1803 was approved by the Security Council in 2008 which introduced new sanctions aimed at exerting economic pressure on Iran.⁴³

Between 2010 and 2011, the US Congress and EU introduced more stringent sanctions. In 2010, a bill was passed from both houses of the US Congress which included sanctioning international entities with investment in Iran's energy sector.⁴⁴ Whereas, in 2011, around 100 organisations and persons were sanctioned by the EU. In 2011, the UN nuclear watchdog revealed that Tehran had been working on utilisation of nuclear materials and technology since 2003 and had a covert programme to produce weapons-grade uranium. In the following year, as a result of another IAEA inspection, vestiges of uranium enriched beyond the 20 percent mark were detected at the Fordow facility. Furthermore, 2013 brought a new set of sanctions including Washington targeting the Iranian currency and closing the door on trade in gold with Iranian entities. At this point, the IAEA had evidence that in order to ramp up uranium enrichment, the Iranians were installing IR-2M centrifuges.⁴⁵ Although 90 percent uranium is required to develop a nuclear bomb, the aforementioned centrifuge installation was seen as perilous.

⁴² Nikou, "Timeline of Iran's Nuclear."

⁴³ Ibid. "Iranian Nuclear Diplomacy."

⁴⁴ "Comprehensive Iran Sanctions, Accountability and Divestment," *US Congress*, July 1, 2010, <https://www.congress.gov/111/plaws/publ195/PLAW-111publ195.pdf>.

⁴⁵ Nikou, "Timeline of Iran's Nuclear."

Muhammad Firas Shams

Challenges for Iran Nuclear Deal's Revival and its Likely Impact on the Global Non-Proliferation Regime

The 2013 elections in Iran could be considered a watershed in the context of non-proliferation efforts, with the election of reformist Hassan Rouhani to the presidency. This was followed by President Obama's historic telephone call with the Iranian President, marking the first direct communication between the heads of state of the two countries since the 1979 Revolution.

This laid the groundwork for a comprehensive deal for Iran's nuclear programme, followed by marathon talks most notably featuring the US Secretary of State, John Kerry and Iranian Foreign Minister, Javad Zarif. A secret diplomatic channel between the two countries was also opened.⁴⁶

In 2014, the IAEA confirmed that Iran was in compliance with its safeguards, as the country halted upgrade of the Arak reactor. This progress led to the landmark achievement of the JCPOA in 2015, signed by Iran and the P5+1 countries. The deal was implemented in 2016, and in exchange, Tehran received critical sanction relief, re-entered the oil market, and secured the repatriation of its assets.⁴⁷

The Obama Administration's signature diplomatic achievement faced a significant setback with the election of Donald Trump in 2017. Trump's Administration imposed sanctions on Iran's IRGC and its ballistic missile programme. By 2018, the JCPOA's stability was critically undermined. Israeli Prime Minister Benjamin Netanyahu accused Tehran of deceiving the international community about the peaceful nature of its nuclear programme, alleging continued development of nuclear weapons post-2015 under the purported codename 'Amad'. Trump's decision to withdraw the United States from the JCPOA in 2018 marked a contentious shift in policy, drawing criticism from European allies, including former German Chancellor Angela Merkel, who viewed it as a hasty and impulsive decision.⁴⁸

⁴⁶ Dan Roberts and Julian Borger, "Obama Holds Historic Phone Call with Rouhani and Hints at End to Sanctions," *Guardian*, September 28, 2013, <https://www.theguardian.com/world/2013/sep/27/obama-phone-call-iranian-president-rouhani>; Regencia and Chughtai, "Iran's Nuclear Programme."

⁴⁷ Nikou, "Timeline of Iran's Nuclear."

⁴⁸ Nikou, "Timeline of Iran's Nuclear."; "The Joint Comprehensive Plan of Action (JCPOA) at a Glance."

Muhammad Firas Shams

Challenges for Iran Nuclear Deal's Revival and its Likely Impact on the Global Non-Proliferation Regime

The actual materialisation of the US breakaway came as a shock to the JCPOA signatories because for the brokers of the deal, it was the best policy course to implement the IAEA safeguards to preclude a nuclear armed Iran.⁴⁹ In other words, to the global community it was an illogical decision as Washington signalled a contempt for the UNSC Resolution and shrugged off the interests of its allies.

Following the collapse of the Iran Nuclear Deal, the US renewed a ban on transactions in US currency with Iranian companies. In response, the Atomic Energy Organisation of Iran (AEOI), acting on orders from Iran's Supreme Leader, Ayatollah Ali Khamenei, retaliated by enriching uranium beyond the 3.67 percent limit set in the 2015 JCPOA, raising it to 4.5 percent. This action underscored the escalating tensions and the complexities in the aftermath of the Deal's dissolution. A string of violations of the precarious 2015 Deal surfaced in 2019, as Iran continued to expand its stockpile of uranium and utilising highly advanced centrifuge models to refine uranium. Under the JCPOA, Iran could only make use of IR-1 centrifuges for uranium refinement.

A more defiant Iran emerged in 2020, announcing non-compliance with the Iran deal, which triggered a response from Germany, UK and France who initiated the dispute resolution mechanism of the agreement in an effort to prevent its complete collapse.⁵⁰

Meanwhile, Iran persisted in amassing its uranium reserves. Reports from the nuclear watchdog indicated that Iran was reducing the breakout time required for a nuclear weapon, yet there was no clear evidence of the country actively developing a bomb. Moreover, since 2021, Tehran has continued to breach the 2015 agreement by enriching uranium up to 60 percent and uranium metal to 20 percent. The latter is particularly concerning, as it could potentially be diverted to create the core of a nuclear bomb. In addition, IR-9 centrifuges were installed and tested at the Natanz Nuclear Plant, which is yet again another outright breach of the JCPOA.

The stagnation of the Nuclear Deal has also led to issues of non-compliance and obstacles in the agreement between the IAEA and Tehran. While Tehran consented to record footage at all its declared and undeclared nuclear sites, it has conditioned

⁴⁹ Nourani et al., "Discursive (De)legitimization of the Iran Nuclear Deal," 332.

⁵⁰ Regencia and Chughtai, "Iran's Nuclear Programme.>"; Nikou, "Timeline of Iran's Nuclear."

the release of this camera footage for the UN watchdog's scrutiny on the lifting of US sanctions. This stance adds a layer of complexity to the negotiations and the overall compliance with the nuclear agreement.⁵¹ Along with this, matters became more complicated when in May 2021, Chief of the IAEA, Rafael Grossi, raised concerns about the detection of uranium vestiges at three undeclared sites.⁵²

The current US administration, under Biden, has remained steadfast, not yielding to Tehran's *quid pro quo* suggestions aimed at catalyzing the restoration of the Deal. In a move to escalate pressure, Tehran has countered by removing cameras from some of its nuclear sites, further complicating the situation and highlighting the challenges in navigating the path towards renewing the agreement.⁵³

The above discourse traces the various stages of Iran's nuclear activities over six decades, capturing the fluctuating levels of Iran's compliance with IAEA safeguards and the evolving nature of Tehran's contentious nuclear programme. This section aligns with the central argument of this research:

Iran's nuclear ambitions have consistently been mired in controversy and suspicion, dating back to the era of Reza Pahlavi and his energy generation objectives. This historical pattern illustrates that international agreements with Tehran are invariably fraught with challenges, underscoring the complexity and persistent uncertainties surrounding Iran's nuclear intentions.

However, the literature does not comprehensively address the challenges, renewal of the JCPOA will face in a sharply polarised political environment and complication multipliers, inter alia, the election of Islamist, Ebrahim Raisi, bipartisan Beltway opposition, et cetera. Several rounds of talks primarily in Vienna, designated for the Iran Nuclear Deal's restoration have been largely to no avail so far.

Political commentators like Amir Mohebbian of Tehran University analysed Trump's exit as providing Tehran with the right to not only exit the Deal, but to make

⁵¹ Nikou, "Timeline of Iran's Nuclear.";

⁵² Francois Murphy, "Iran Fails to Explain Uranium Traces Found at Several Sites – IAEA Report," *Reuters*, May 31, 2021, <https://www.reuters.com/world/middle-east/iran-fails-explain-uranium-traces-found-several-sites-iaea-report-2021-05-31/>.

⁵³ Karem Fahim and Karen DeYong, "Iran will Remove 27 Cameras from Nuclear Sites, U.N. Watchdog says," *Washington Post*, June 9, 2022, <https://www.washingtonpost.com/world/2022/06/09/iran-cameras-jcpoa-nuclear/>.

improvements to its nuclear programme.⁵⁴ Such an option could gain legitimacy if other signatories fail to keep their end of the bargain.

The American exodus could be described as a death blow to the aspirations of the common Iranians, especially the youth, many of whom celebrated the JCPOA in 2015 as a step towards greater global integration. Many young Iranians might not share the 'Great Satan' metaphor as they gathered in the streets holding dollar bills to signify better economic times ahead when the JCPOA was finalised. However, they would certainly feel betrayed by the international community as their dreams of a better future were met with blatant disregard of an international agreement.⁵⁵

Iran's stance on the Nuclear Deal, as reported by the ultra-conservative newspaper *Kayhan*, reflects a deep scepticism towards the West's commitment. Iranian Deputy Foreign Minister and Chief Nuclear Negotiator Ali Bagheri Kani criticised European partners for failing to fulfil their commitments, framing it as a lesson for Iran to prioritise its own interests independently of the Deal's uncertain future.⁵⁶ This perspective is echoed by critics within Iran who view the West's actions as indicative of a readiness to abandon international agreements when they no longer align with their interests. Kani, while reiterating Tehran's commitment to the revival talks and adherence to the JCPOA's framework, underscored the significance of the Western signatories' apparent neglect, suggesting it will not be overlooked by Iran.⁵⁷ This analysis reveals the complex dynamics at play, highlighting Iran's cautious approach towards the Deal and its implications for international diplomacy.

In the broader context of non-proliferation diplomacy, the positions of key international figures and nations are crucial in understanding the efforts to restore the JCPOA. Spanish politician and High Representative of the EU for Foreign Affairs and Security Policy, Josep Borrell, has accentuated the JCPOA as the sole viable option to prevent Iran from becoming a nuclear-armed state.⁵⁸ Borrell's advocacy for the Deal's restoration is a testament to his commitment to non-proliferation diplomacy.

⁵⁴ Serjoie, "The Americans Cannot be Trusted."

⁵⁵ Ibid.

⁵⁶ "US, Europe have Reneged on Obligations," *Kayhan*, February 5, 2023, <https://kayhan.ir/en/news/112134/us-europe-have-reneged-on-obligations>.

⁵⁷ Ibid.

⁵⁸ "No Good Alternative to JCPOA," *Financial Tribune*, February 7, 2023, <https://financialtribune.com/articles/national/116996/no-good-alternative-to-jcpoa>; Laurence

Complementing this view, China, a significant member of the P5+1, has expressed optimism about the possibility of salvaging the Nuclear Deal. This perspective was articulated more recently in early 2023 by Chinese Foreign Ministry Spokesperson, Mao Ning, who emphasised Tehran's earnestness in seeking a resolution through nuclear diplomacy.⁵⁹

In this context, the EU and China, both key members of the P5+1, play pivotal roles in the efforts to restore the JCPOA. The EU largely views the JCPOA as an essential mechanism to prevent Iran from acquiring nuclear weapons. This stance underscores the EU's commitment to the principles of non-proliferation and diplomatic engagement. Similarly, China has expressed a positive outlook on the potential to salvage the Nuclear Deal, noting that the negotiations have advanced to a decisive phase.

The synchrony in the positions of the EU and China illustrates a shared international focus on resolving the Iranian nuclear issue through diplomatic channels. This unified approach, bridging Europe and Asia, signifies the global recognition of the JCPOA's importance in maintaining international nuclear non-proliferation standards and the collective efforts to ensure its preservation amidst complex geopolitical realities.

Analysis of voices within Iran, both conservative and reformist, also indicates the complex discourse on the country's nuclear strategy and its geopolitical implications. For instance, Heshmatollah Falahatpisheh, a former head of the National Security and Foreign Policy Committee in the Iranian Majles, as reported by *Donyay-e-Eqtasad*, acknowledges that both Iran and the West are strategically maneuvering to strengthen their bargaining positions.⁶⁰ The West maintains its sanctions regime, while Tehran escalates its uranium enrichment to 60 percent, significantly breaching the JCPOA limit. This brinkmanship risks undermining the potential for a resolution through nuclear diplomacy, edging towards a scenario where military confrontation, albeit undesirable, becomes a looming possibility. However, Falahatpisheh suggests that, despite occasional rhetoric in Tehran preparing for war, the likelihood of it being

Norman, "EU's Top Diplomat says Iranian Deal is Only Way to stop Tehran's Nuclear Program," *Wall Street Journal*, February 6, 2023, <https://www.wsj.com/articles/eus-top-diplomat-says-iranian-deal-is-only-way-to-stop-tehrans-nuclear-program-11675681424>.

⁵⁹ "JCPOA Revival Still Possible Despite Challenges," *Financial Tribune*, January 1, 2023, <https://financialtribune.com/articles/national/116610/jcboa-revival-still-possible-despite-challenges>.

⁶⁰ "Iran's Only Options are Nuclear Diplomacy or War, says Politician," *Iran International Newsroom*, November 27, 2022, <https://www.iranintl.com/en/202211278559>.

employed as a foreign policy tool remains low. He infers that even conservative elements in Iran are aware of the irreversible devastation a war could bring.⁶¹ This assessment is critical in understanding Iran's internal political calculus and its impact on nuclear negotiations.

Additionally, conservative political figure Mohammad Mohajeri's call for Iran to reconnect with the international community by adhering to international law underscores a recognition of the dire need to revive the economy. This perspective points towards a return to the JCPOA, underscoring that there is no viable alternative to nuclear diplomacy.⁶²

These internal Iranian perspectives, when examined in conjunction with the EU and China's commitment to the JCPOA, paint a picture of a complex geopolitical puzzle. It is a landscape where internal Iranian politics, international diplomatic efforts, and the overarching goal of non-proliferation are intricately interwoven. This study highlights the delicate balance between domestic political considerations within Iran, the strategic calculations of global powers, and the persistent pursuit of diplomatic solutions to one of the most challenging international security dilemmas of our time – one that becomes more difficult given the country's volatile neighbourhood.

IRAN'S NEIGHBOURHOOD: VOLATILE SECURITY DYNAMICS

The contemporary history of the Middle East is one that is marred by violence and conflict, in the shape of proxy warfare, unabated terrorism, sanguinary regime changes and episodes of contrived or authentic revolutions. The revival of JCPOA and its outcome vis-à-vis the NPR, needs to be evaluated as hyphenated with diametrically opposed ideologies for regional supremacy and arms race amongst key adversaries, inter alia, Islamic Republic of Iran, Kingdom of Saudi Arabia and Israel, more so, subsequent to the Abraham Accords of 15 September 2020.

For starters, the 1979 Revolution just across the Persian Gulf meant battle stations for the House of Saud. CIA reports in the early 1980s showed how Iran was trying to export its clout to the Middle East, projecting itself as an anti-status quo and quintessential Muslim Majority Countries (MMCs).⁶³ Tehran to this day is accused of

⁶¹ Ibid.

⁶² Ibid.

⁶³ Max Fisher, "The Cold War between Saudi Arabia and Iran that's Tearing Apart the Middle East, Explained," VOX, January 4, 2016,

using proxies with the help of its Quds force to pipeline its ideology in the region. The Saudis, who have been largely seen as a sclerotic symbol of status quo until recently, found their status as leaders of the Muslim world being challenged by Ayatollah's brand of Islamic statehood and power. The bitter rivalry between the two powers with highly advanced military capabilities could be understood as more political, than merely in the context of the Shiite-Sunni opposing schools of thought, since both sects have and continue to co-exist in various MMCs. Tehran and Riyadh have been supporting different internecine militias in Yemen, Iraq and Syria, even during the Arab Spring, and both put their military weight conspicuously behind opposing militant groups fighting along the Shiite-Sunni line. Their adversarial relation has semblance of a Middle Eastern Cold War – with civil wars in failed states providing them with the opportunity to gain supremacy in a zero-sum game.⁶⁴

Similarly, another destabilising factor of this region is the feud between Iran and Israel, which has only augmented in the last 20 years. Hardliners on both sides view each other through the Manichean lens of mortal enemies, since the 90s in the aftermath of the 1979 Revolution. Interestingly, even after the Revolution, Jerusalem sold American weapons to Tehran, and money from those arms sales was then used to fund right-wing US-backed contra-rebels in Nicaragua against Sandinista revolutionaries. In fact, this became known as the Iran-Contra scandal of the Regan Administration.⁶⁵ The current state of the Iran-Israel regional tussle needs to be analysed in the context of the 2003 US-led invasion of Iraq. Saddam Hussein's Iraq functioned as a buffer zone between the Levant and Iran.

In the aftermath of Saddam Hussein's regime, Iraq became vulnerable to proxy conflicts. Capitalising on this instability, Iran has extended its influence into Iraq and further into the Levant. Given that the Levant is Israel's backyard, Jerusalem perceives Iran's strategic expansion into this region as a direct threat to its national security. This situation is also significant for Saudi Arabia and its allied oil-rich monarchies, such as the United Arab Emirates (UAE). Historically, Saudi-backed Saddam Hussein's Iraq served as a buffer between the Gulf Cooperation Council (GCC) countries and Iran's geopolitical ambitions. With that buffer now gone, these nations view Iran's

<https://www.vox.com/2016/1/4/10708682/sunni-shia-iran-saudi-arabia-war>; Perry et al., *Middle East Crisis*.

⁶⁴ Fisher, "The Cold War between Saudi Arabia and Iran.," Perry et al., *Middle East Crisis*.

⁶⁵ Walter Pincus, "Reagan calls Israel Prime Mover in Iran-Conta," *Washington Post*, November 5, 1990, <https://www.washingtonpost.com/archive/politics/1990/11/05/reagan-calls-israel-prime-mover-in-iran-contra/71b08cdd-aaa8-43aa-a744-e5949f93764e/>.

movements in the region with increasing concern, perceiving them as a direct challenge to their security and regional influence.⁶⁶

Building on the historical context of Israel's regional security concerns, it's noteworthy that since Israel's 1981 'Operation Babylon', which targeted Iraq's covert nuclear sites, Jerusalem has increasingly focused on Iran's nuclear programme.

Israel views Tehran's nuclear ambitions as an existential threat, significantly shaping its strategic priorities and actions in the region. This focus on Iran reflects a continuity in Israel's approach to addressing perceived nuclear threats in its vicinity.

Additionally, with Saddam out of the picture, even Iran which fought a gruelling war for the better part of the 1980's with Ba'athist Iraq, saw it as an opportunity to redouble its anti-Zionist campaign.

Khomeini's Iran views Israel as an illegitimate state and is vociferous in denouncing Zionism, more so after the Abraham Accords. It projects itself as the ultimate champion of the Palestinian cause in the region – the Palestinian cause is a key element of Iran's foreign policy.

In this regard, it extends military support to anti-Israel militant groups in the Middle East such as Hezbollah in Lebanon and Hamas in Gaza – rockets that Hamas possesses, are attributed by Israeli intelligence to Iran. Finally, Iran boasts a formidable missile programme that is improving its ability to target Israel with greater sophistication and precision.⁶⁷ For the Iranian political elite, the 2018 withdrawal and onset of a tougher sanctions regime were also catalysed by American allies in Jerusalem and Riyadh who don't subscribe to the idea of Iran as a powerful regional player.⁶⁸

Iranian moderates have underscored that their nation ought not to adhere to having permanent adversaries. However, Rouhani's pragmatic approach towards foreign policy, particularly aimed at easing tensions with regional powers like Saudi Arabia and other Arab GCC monarchies, did not achieve significant reciprocity. The GCC

⁶⁶ Fisher, "The Cold War between Saudi Arabia and Iran."; Perry et al., *Middle East Crisis*.

⁶⁷ Ibid.

⁶⁸ Vali Golmohammadi, "The Foreign Policy of the Islamic Republic of Iran: Prospects for Change and Continuity," *All Azimuth* 8, no. 1 (September 2019): 101, <https://dergipark.org.tr/en/pub/allazimuth/issue/42442/459943>.

states continue to harbour reservations about Tehran's regional ambitions, perpetuating a status-quo of distrust that eclipse ties to this day.⁶⁹

Critics argue that Tehran's support for movements opposing Jerusalem and the West, along with its efforts to export the principles of an Islamic society guided by Shia Islam, remain fundamental elements of its foreign policy.⁷⁰ This stance is viewed as a barrier to improving regional relations. Furthermore, Rouhani's constructive approach was also challenged by the influential IRGC. The Corps' role in policymaking gained prominence, especially with the rise of ISIS in Syria and Iraq, leading to an increased hard-line representation within the Iranian Majles.⁷¹

This intricate interplay between moderate and hard-line elements in Iran, and the persistent scepticism from GCC countries, illustrates the complexity of achieving lasting regional détente. The situation is further complicated by divergent perceptions about Iran's intentions and the deeply entrenched mistrust that has shaped regional geopolitics. Iran's situation can aptly be described as being a 'prisoner of geography', a factor that is crucial in any discussion about reviving the 2015 JCPOA.⁷²

Iran's geographic position, surrounded by conflict zones and strategic rivalries in the Middle East, significantly influences its foreign policy and security dynamics. This geographical aspect is particularly important for understanding the complexities of the JCPOA's revival and its implications for the broader nuclear order, especially in a region that is critical to the NPR.

The JCPOA's diplomacy has been unfolding against a backdrop of these volatile regional realities, which hold the potential to either facilitate or undermine the agreement and its outcomes.

⁶⁹ Ibid.

⁷⁰ Ibid., 95.

⁷¹ Ibid., 98.

⁷² Robert D. Kaplan, *The Revenge of the Geography, What the Map Tells Us About Coming Conflicts and the Battle against Fate* (New York: Random House, 2012), 32-196; Tim Marshall, *Prisoners of Geography: Ten Maps That Tell You Everything You Need To Know About Global Politics* (Scribner, 2016), 97-192.

UNDERLYING MOTIVATIONS BEHIND IRAN'S PURSUIT OF NUCLEAR CAPABILITIES

This section is dedicated to examining the existing literature on Tehran's motivations for developing its nuclear programme and pursuing nuclear weapons threshold capabilities.

Iran's perception of itself as a nation in defiance of Western global hegemony and its sense of isolation within a predominantly Sunni Arab region, where many states are allied with the US, is a crucial aspect of its foreign policy.

The Iranian leadership often draws historical parallels, such as the martyrdom of Imam Hussain ibn Ali at the Battle of Karbala, to symbolise their struggle against overwhelming odds.⁷³

The Iran-Iraq War, which lasted eight years and saw Saddam Hussein's regime, backed by the US, using chemical weapons against Iran, is a pivotal event in shaping Tehran's security perspective. This conflict, coupled with the accidental downing of Iran Air Flight 655 by the USS Vincennes in 1988, resulting in the loss of 290 civilian lives,⁷⁴ has left a lasting imprint on the Iranian psyche, particularly among political hardliners. These events are perceived as justifications for considering nuclear weapons as a deterrent against perceived aggression from the US and its regional allies.⁷⁵

Despite Iran's Supreme Leader issuing a *fatwa* against WMDs in 2003, there is scepticism in the West regarding the sincerity of this decree, often seen as contingent upon the survival of the clerical regime. This scepticism was further fuelled by former US President George W. Bush's 2002 'axis of evil' remarks,⁷⁶ which intensified anti-US sentiment in Iran. In this context, the pursuit of nuclear capabilities by Iran can be interpreted not just as a strategic decision but also as a response to historical grievances and a perceived need for a deterrent against external threats. This complex interplay of historical, regional, and international factors provides a nuanced

⁷³ Shahram Chubin, "Does Iran Want Nuclear Weapons?" *Survival: Global Politics and Strategy*, March 3, 2008, <http://dx.doi.org/10.1080/00396339508442778>.

⁷⁴ Max Fisher, "The Forgotten Story of Air Iran Flight 655," *Washington Post*, October 16, 2013, <https://www.washingtonpost.com/news/worldviews/wp/2013/10/16/the-forgotten-story-of-iran-air-flight-655/>; Max Fisher, "The Real Reasons Iran is So Committed to its Nuclear Program," *VOX*, February 15, 2015, <https://www.vox.com/2015/2/25/8101383/iran-nuclear-reasons>.

⁷⁵ Chubin, "Nuclear Weapons?"

⁷⁶ "George Bush and the Axis of Evil," *Economist*, January 32, 2002, <https://www.economist.com/leaders/2002/01/31/george-bush-and-the-axis-of-evil>.

understanding of Iran's stance in the global arena, especially in relation to its nuclear ambitions and the challenges in negotiating the JCPOA.

According to Iranian analyst, the 'axis of evil' label made famous by Bush lent Trump a reference point in the antecedent debate regarding global terrorism and America's adversaries that demonised Iran.⁷⁷ Analysts like Mohebbian opine that Trump's actions are a textbook example of how at the end of the day, power is the only thing that matters since in international relations, the actions of powerful states often overshadow legal and diplomatic norms.⁷⁸

Trump's unilateral decisions, particularly regarding the JCPOA, are seen as reinforcing the notion that power is paramount, potentially influencing future Iranian generations to prioritise power consolidation over diplomatic engagement, under the belief that diplomacy may not yield enduring results. Furthermore, Trump's unpredictable policies and perceived duplicity have intensified Iranian mistrust towards the US.

This sentiment is echoed by figures like former Iranian Foreign Minister Mohammad Javad Zarif, who has highlighted this perceived hypocrisy of the US. Zarif's comments about the US relying on its nuclear arsenal for national security while criticising other nations' nuclear ambitions underscore the complexities and contradictions in international nuclear politics. Such viewpoints from Iranian leaders reflect a deep-seated scepticism about the intentions and consistency of US foreign policy, further complicating the prospects for lasting diplomatic solutions.⁷⁹

Secondly, the debate around enrichment of nuclear materials and nuclear arsenal has become somewhat interlocked with nationalism. Iran boasts a glorious past in the shape of the Persian Empire and epitomises a rich culture. It exacts given greater respect from the West and the largely anti-Iran region. Many Iranians deem their nuclear programme as a symbol of pride and a testimony that Iran is a serious contender in the international arena, both as a technologically advanced and unassailably sovereign nation.⁸⁰ The rationale here is that the more Iran is pushed against the wall for its alleged clandestine nuclear activities, the more ossified the proliferation lobby gets, defining it as a rejection of Western intervention.

⁷⁷ Nourani et al., "Discursive (De)legitimization of the Iran Nuclear Deal," 339-340.

⁷⁸ Serjoie, "The Americans Cannot be Trusted."

⁷⁹ Nourani et al., "Discursive (De)legitimization of the Iran Nuclear Deal," 342.

⁸⁰ Fisher, "The Real Reasons Iran."

Third, since the presidency of Mahmoud Ahmadinejad, the topic of Iran's nuclear programme has become increasingly partisan. Analysts observe that political conservatives in the Majles, along with Supreme Leader Ali Khamenei, have used the nuclear issue as a political tool against reformist politicians. Figures like Javad Zarif and Hassan Rouhani have been criticised by conservatives for what they perceive as a defeatist approach, relying on negotiations with the West, whom they regard as an implacable enemy.⁸¹

The domestic politicisation of the nuclear programme suggests that the pursuit of nuclear enrichment is, at times, seen as more important than the national interest of economic revival through rapprochement with Western powers. Such a stance implies that the country's nuclear programme has become more than just a security or energy issue; it is a symbol of defiance and national pride, used strategically in Iran's internal political battles.

Fourthly, as discussed in a previous section, regional dynamics play a significant role in shaping Iran's nuclear ambitions. Hard-liners within Iran view nuclear weapons not only as a tool of military leverage but also as a means to reinforce conventional military capabilities, particularly the IRGC. In a region dominated by Sunni powers, they argue that nuclear capabilities would serve as a powerful deterrent, enhancing Iran's strategic position.⁸²

Possessing nuclear weapons could also embolden Iran in its proxy conflicts, potentially reducing fears of reprisal from regional adversaries. Groups like Hezbollah, which are aligned with Tehran's interests, can engage in conflicts on its behalf, keeping direct military engagements away from Iranian soil. This strategy implies that a nuclear-armed Iran could have more leeway to exert pressure on regional rivals such as Saudi Arabia and Israel.

Finally, on a broader geopolitical scale, nuclear capabilities could potentially strengthen Iran's negotiating position in organisations like the Organisation of the Petroleum Exporting Countries (OPEC) or in disputes over natural gas fields and islands in the Persian Gulf.

⁸¹ Ibid.

⁸² Chubin, "Nuclear Weapons?"

However, while Iran seeks to project power regionally and globally through its nuclear programme, it is generally assessed as unlikely to conduct an offensive nuclear strike, especially against nations like Israel, which possess second-strike capabilities.⁸³

DISCUSSION⁸⁴

This section will focus on a range of critical subject matters. Firstly, it will delve into the challenges facing the revival of the Iran-US Nuclear Deal, exploring the complexities and hurdles that need to be navigated for a successful reinstatement. Secondly, the section will examine the impact of the Iran-US Nuclear Deal's revival on the global Nuclear NPR, assessing how its restoration could influence non-proliferation efforts. Lastly, the section will analyse implications of a potential failure in reviving the Iran-US Nuclear Deal on the NPR, considering the consequences and repercussions of such an outcome on international security and diplomatic relations.

Challenges facing the Iran Nuclear Deal's Revival

The path to the 2015 JCPOA's restoration is fraught with various roadblocks especially as Trump's unilateral exit threw a spanner in the works and significantly disrupted the agreement's implementation. Undoubtedly, Washington's return to the Deal signed by former President Obama, is indispensable, as a feat of diplomacy is required from all stakeholders, especially the current US dispensation.

Political Landscape in Tehran

To begin with, the political landscapes in both Tehran and Washington are not particularly conducive to the Deal. The election of Ebrahim Raisi, from the ultra-conservative camp, combined with hard-line majority in the Majles, accentuate the complications interwoven with it. This change in Tehran stands as a contrast to Rouhani's reformist agenda of meaningfully engaging with the West in order to receive much needed economic dividends by virtue of sanctions relief. The victory of the hard-line cleric in 2021, shows an aversion to the centrist and reconciliatory approach espoused by the likes of Zarif and Rouhani.⁸⁵ In 2020, after the disintegration of the Nuclear Deal, Iran's Foreign Minister Javad Zarif faced significant criticism within the Majles, particularly from conservative legislators like Javad Karimi Qodوسی. These

⁸³ Fisher, "The Real Reasons Iran."; Chubin, "Nuclear Weapons?"

⁸⁴ This analysis was conducted prior to the outbreak of Israel's war on Gaza.

⁸⁵ Torbjorn Soltvedt, "Five Major Obstacles to a US-Iran Deal," *Verisk Maplecroft*, February 12, 2021, <https://www.maplecroft.com/insights/analysis/five-major-obstacles-to-a-us-iran-deal/>.

parliamentarians chastised Zarif, accusing him of being out of touch with realities on the ground. They pointed to the detrimental effects of the re-imposed sanctions by President Trump, such as the depreciation of the Rial and soaring inflation, arguing that Zarif's faith in the 2015 deal was fundamentally misguided.⁸⁶

Additionally, the 2020 assassination of General Qasem Soleimani, Commander of the Quds Special Forces, in a US drone strike at Baghdad airport, remains a deeply ingrained issue among the conservative factions in Iranian politics. This event has fuelled the anti-US propaganda narrative, intensifying mistrust. In the wake of Soleimani's assassination, Iranians, particularly those with conservative leanings, are wary of re-entering the Nuclear Deal, as it could be perceived as a concession made from a position of weakness. This sentiment significantly influences the Iranian stance in nuclear negotiations.⁸⁷ The slain commander was the architect of Iran's extraordinary influence in the region enabled through proxy militias, since he became the head of the IRGC's Quds force in 1998.⁸⁸

Furthermore, according to the Iranian constitution, the Supreme Leader has the final say on the state's foreign policy, in other words the office of the President has little control over it.⁸⁹ Iran's current *Rehbar*, Ali Khamenei was critical of the JCPOA back in 2013 as he was of the opinion that the US was not sincerely interested in putting an end to nuclear tensions with Tehran.⁹⁰ Recently, following the election of his protégé, Raisi, Ayatollah Khamenei expressed disapproval of Rouhani's approach towards the US and Nuclear Deal talks, as a case of diplomatic naiveté.⁹¹ Therefore, the challenge incumbent Iranian President faces is to not only have the support of the Majles dominated by conservatives, but also to have the imprimatur of the Supreme Leader.

⁸⁶ The Iran Primer, "Hardliners Boo Zarif in Parliament," *United States Institute of Peace*, July 6, 2020, <https://iranprimer.usip.org/blog/2020/jul/06/hardliners-boo-zarif-parliament>.

⁸⁷ Perry et al., *Middle East Crisis*.

⁸⁸ Tim Arango et al., "Qasim Suleimani, Master of Iran's Intrigue, Built a Shiite Axis of Power in the Mideast," *New York Times*, January 3, 2020, <https://www.nytimes.com/2020/01/03/obituaries/qassem-soleimani-dead.html>.

⁸⁹ Golmohammadi, "The Foreign Policy of the Islamic Republic of Iran," 100.

⁹⁰ Nikou, "Timeline of Iran's Nuclear.," Geneive Abdo, "No Matter Who Wins, Iran's Supreme Leader Controls Foreign Policy," *Brookings Institute*, June 14, 2013, <https://www.brookings.edu/blog/markaz/2013/06/14/no-matter-who-wins-irans-supreme-leader-controls-foreign-policy/>.

⁹¹ Amir Vahdat and Jon Gambell, "Iran's Supreme Leader criticizes US as Nuclear Talks Stalled," *Associated Press*, July 29, 2021, <https://apnews.com/article/middle-east-iran-7a0f2a470f2823a5aa50468525d785db>.

President Raisi operates within a politically constrained environment, particularly regarding the JCPOA, which was a divisive issue for his predecessor. This is evidenced by the stance of *Kayhan*, the leading hard-line Iranian newspaper, which has consistently criticised negotiations with the West. The newspaper notably condemned the 2022 JCPOA talks in Doha as a trap for Iran. This criticism was further fuelled by an incident involving EU diplomat and Nuclear Deal negotiator, Josep Borrell, who referred to the location of the talks as the 'Gulf' instead of the 'Persian Gulf'. This terminology, which historically aggravates Iranians, added to the contentious atmosphere surrounding the negotiations and reflects the delicate sensitivities impacting Raisi's political manoeuvring in the context of the JCPOA.⁹² The influence of *Kayhan*, particularly its managing editor Hossein Shariatmadari, who is reported to be close to Iran's incumbent Supreme Leader, is significant in understanding the hardline stance on the JCPOA. The newspaper's opposition to Borrell's visit to Tehran prior to the Doha talks, labeling it as yet another Western ploy, is reflective of the sentiments held by Iranian hardliners. *Kayhan's* perspective, mirroring the views of these hardliners, posits that the maximum pressure campaign of the previous US administration was ineffective, as Iran demonstrated resilience in the face of such measures.

This leads to a critical question in the discourse of Iranian politics: Why should Iran engage in talks with the West, particularly the US, often referred to as the 'Great Satan' by hardliners? From their viewpoint, Iran has shown its capability to defend itself and withstand Western sanctions. This perspective challenges the notion of diplomacy with Western powers and underlines a broader debate within Iran about the efficacy and necessity of negotiations under current geopolitical circumstances.⁹³

Political Landscape in Washington

In the same vein, the political climate within the Beltway appears unfavourable for the restoration of the JCPOA. In the US Congress, there is a bipartisan campaign opposing the Deal, predominantly spearheaded by Republicans. This opposition exists within a broader political context where President Biden's approval ratings have been declining. Additionally, there are forecasts of a potential GOP electoral wave. This scenario indicates a challenging environment for any significant diplomatic initiatives,

⁹² "Iranian Pundits Cautious over Chances of a Deal with US," *Iran International Newsroom*, June 28, 2022, <https://www.iranintl.com/en/202206286029>.

⁹³ Ibid.

such as the JCPOA's revival, under the current US administration.⁹⁴ Back in 2015, Democratic President Obama, also faced bipartisan opposition in both houses on the Nuclear Deal, which was circumvented through Executive orders and other political options.⁹⁵

In October 2022, a video circulated on Twitter (now X) showing President Biden suggesting that the deal seemed dead, but he refrained from making an official announcement.⁹⁶ This suggestion, made during a campaign rally in California, must be viewed in the context of domestic politics, where resolving the impasse may no longer be politically advantageous for the Democrats. John Kirby, associated with the National Security Committee, also remained non-committal about the future of the deal, suggesting it was not a priority in US diplomacy.⁹⁷ Such remarks lend weight to Iranian criticisms of a lack of American political will. This sentiment is echoed by Amir Saeed Iravani, Iran's Permanent Representative to the UN, and academic Mohammad Marandi, an advisor to the Iranian negotiation team. Marandi argues that while Iran actively engages in nuclear diplomacy, the US has yet to take meaningful compensatory steps.⁹⁸

Accompanying this challenge, are the sanctions imposed during Trump's 'maximum pressure campaign'. According to many analysts, it did not yield the objectives of scaling back of Iranian military presence in the region nor acquiescing Tehran into signing a more stringent Nuclear Deal inclusive of its ballistic missile programme.⁹⁹ In other words, it has not done much to minimise Iran's political clout in the Middle East or disabled it from its foreign policy trajectory - the prominent anti-West and anti-Zionist

⁹⁴ Seyed Hossein Mousavian, "Diplomats Face One Last Chance to Revive Iran's Troubled Nuclear Deal," *Financial Times*, May 12, 2022, <https://www.ft.com/content/c878b763-f0ae-4bc0-bb38-0e0a95fb4d3d>; Andrew Prokop, "Why Republicans are Favored to Win the Senate – and How Democrats could Stop Them," *VOX*, April 26, 2022, <https://www.vox.com/23030164/senate-2022-midterm-elections-battlegrounds>; Einhorn, "Reviving the JCPOA."; Arshad Mohammed et al., "U.S. Senators Voice Frustration at Biden's Iran Policy," *Reuters*, May 26, 2022, <https://www.reuters.com/world/middle-east/prospects-reviving-iran-nuclear-deal-tenuous-best-us-2022-05-25/>.

⁹⁵ Patricia Zengerle and Arshad Mohaammed, "Analysis U.S. Congress may Squawk over a New Deal but it is Unlikely to Block It," *Reuters*, February 17, 2022, <https://www.reuters.com/world/us-congress-may-squawk-over-new-iran-deal-is-unlikely-block-it-2022-02-17/>.

⁹⁶ Mehran Shamsuddin, "Why US Shrugs Off JCPOA talks," *Tehran Times*, December 21, 2022, <https://www.tehrantimes.com/news/479998/Why-U-S-shrugs-off-JCPOA-talks>.

⁹⁷ *Ibid.*

⁹⁸ Shamsuddin, "Why US Shrugs Off."

⁹⁹ "The Failure of U.S. "Maximum Pressure" against Iran," *Crisis Group*, accessed June 13, 2022, <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/iran/failure-us-maximum-pressure-against-iran>.

character has not diluted.¹⁰⁰ Under the 'maximum pressure campaign', the figure of blacklisted Iranian companies and individuals escalated to 944. This soured Iran-US relations manifold, as back in 2015 when the contours of JCPOA were being finalised, this figure remained 175.¹⁰¹

Emanating from this is the placement of *Sipah-e-Pasdaran-e-Inqilab-e-Islami* aka the IRGC on the list of international terrorist organisations. The IRGC is an elite branch of the Iranian Army and a projection of its military strength in the Middle East. In a reciprocal move, Iran has designated the US Central Command as a terrorist organisation. This standoff over the IRGC's designation remains a key impasse in discussions related to the JCPOA, with Iran insisting that such a designation was not part of the original 2015 agreement. This issue continues to be a significant point of contention in the negotiations surrounding the Nuclear Deal.¹⁰²

A potential step towards easing tensions in the Nuclear Deal negotiations could involve the concurrent removal of the IRGC and CENTCOM from their respective designated terrorist lists by the Iranian and US governments. Such a move could serve as a Confidence Building Measure, indicating a willingness to de-escalate and engage more constructively. This step, if taken, might help in creating a more conducive environment for diplomacy and potentially pave the way for further progress in the JCPOA negotiations.

However, the path to such diplomatic progress was complicated when the US Senate passed a non-binding resolution (NBR) in May, effectively constraining President Biden's ability to negotiate the aforementioned *quid pro quo* as a means to resurrect the Nuclear Deal. This resolution, while not legally binding, represents a significant political statement from the Senate, reflecting the prevailing sentiments and potentially shaping the administration's approach to negotiations with Iran. Additionally, Republican Senator Ted Cruz introduced a bill encompassing sanctions on the Central Bank of Iran designed to target monetary exchanges between Beijing and Tehran, which is also part of Washington's 'China Containment policy' and gained traction in the Senate.¹⁰³

¹⁰⁰ Golmohammadi, "The Foreign Policy of the Islamic Republic of Iran," 101.

¹⁰¹ Soltvedt, "Five Major Obstacles."

¹⁰² Mousavian, "Iran's Troubled Nuclear Deal.," "Iranian Pundits Cautious over Chances of a Deal."

¹⁰³ Mousavian, "Iran's Troubled Nuclear Deal."

Under such circumstances, the Biden Administration will have to carefully calculate how much political capital could be burned and what other policy workarounds are available vis-à-vis the revival of the Deal amidst slim margins in the Congress. For a long-term policy and legacy, Biden will also need to work on a plan to encourage Iran to permanently abandon enrichment of nuclear materials, so that it cannot reach nuclear threshold status months or years after the accord has expired.¹⁰⁴ These issues indicate the complex domestic political landscape in the US, which must be navigated in the context of international diplomatic efforts concerning the JCPOA.

Interplay of Diplomatic Reputations and Internal Politics

Other complex considerations impacting the nuclear negotiations include international diplomatic reputations and the internal political dynamics within both Iran and the US. On the one hand, analysis by *Arman-e-Emrooz*, a moderate Iranian newspaper, suggests that Washington's hesitancy to restore the nuclear agreement might be influenced by protests against Iran's clerical regime. The paper posited that the US could be wary of engaging with Tehran during its clampdown on the anti-Khamenei movement, especially following the controversy surrounding Mahsa Amini's death. Such engagement could potentially tarnish the US's global reputation, given the scrutiny Iran is under for its handling of the protests. On the other hand, Abolfazl Amouei, a former Iranian parliamentary speaker, has argued that despite the domestic unrest, Iran's position at the negotiating table remains strong. He warned against the US misinterpreting these internal issues as a leverage point for extracting concessions from Iran. He pointed at the need for the Biden Administration to consider its own domestic challenges, particularly within the US Congress, and called for political sincerity, suggesting that if the Washington honoured its commitments, Tehran was likely to reciprocate.¹⁰⁵

Trust Deficit

Another challenge to the JCPOA's resurrection is how Tehran needs to take regarding its nuclear ambitions. In the aftermath of Trump pulling the plug on the 2015 deal, breaches by Iran also began to be reported by the IAEA, especially since 2019 as discussed earlier. Iran will need to enhance the transparency of its intentions as well as the nuclear programme and adopt a more reconciliatory approach, which appears

¹⁰⁴ Einhorn, "Reviving the JCPOA."

¹⁰⁵ "Russia Proposed Simple and Understandable Model for Reviving JCPOA: Lavrov," *Tehran Times*, December 30, 2022, <https://www.tehrantimes.com/news/480243/Russia-proposed-simple-and-understandable-model-for-reviving>.

to be a challenge considering the raging anti-US sentiment in the political circles in Tehran. Iran will need to counter that narrative of 'nuclear blackmail' by the detractors of the JCPOA revival efforts.

Volatility and Competing Interests in Middle East

Moreover, the volatility and competing interests within the Middle East have been underscored in this research. The 2015 Iran Nuclear Deal could be hailed as an achievement of both the Obama Administration and the proponents of non-proliferation. Even back then, Jerusalem and Riyadh had reservations about not being meaningfully consulted in crafting the JCPOA.¹⁰⁶

Firstly, the Saudis have grave concerns shared by the likes of UAE, as they want a more restrictive agreement - one that extends beyond the current scope to include sanctions on Iran's military capabilities, particularly its ballistic missile programme.

Essentially, they seek an agreement that encompasses broader constraints on Iran's regional military activities. Consequently, their support for the JCPOA's revival will hinge on it resembling the 'new deal' that former President Trump aimed to forge through his 'maximum pressure' campaign. This perspective underscores the regional apprehensions about Iran's growing military capabilities and the desire for a more comprehensive approach in any renewed nuclear deal.¹⁰⁷

There are also fears amongst the aforementioned regional players that with sanctions relief triggered by the JCPOA's restoration, Tehran will be able to earmark the newly available military resources for state-sponsored terrorism. In particular to fund the anti-Saudi and anti-Israel militant outfits like the Houthis in Yemen and Hamas in Gaza.¹⁰⁸ Interestingly, back in 1999, Iranian President Mohammad Khatami, visited Riyadh, where both Khatami and Saudi King, Shah Fahd bin Abdulaziz issued a joint statement censuring Israel's destabilising role in the Middle East. They denounced in tandem Jerusalem's blatant disregard for international law and its nuclear programme.¹⁰⁹ In the current regional paradigm, both Israel and Saudi Arabia along with other GCC

¹⁰⁶ Soltvedt, "Five Major Obstacles."

¹⁰⁷ Crisis Group, "Maximum Pressure."

¹⁰⁸ Robert Einhorn and Richard Nephew, "The Iran Nuclear Deal: Prelude to Proliferation in the Middle East?" *Brookings Institute*, May 31, 2016, <https://www.brookings.edu/research/the-iran-nuclear-deal-prelude-to-proliferation-in-the-middle-east/>.

¹⁰⁹ Nikou, "Timeline of Iran's Nuclear."

Sheikhdoms, save for Qatar and Oman, are in unison over Iran's regional games for supremacy. They are of the opinion that the Deal with its current contours, including the sunset provisions, will buy Tehran time to covertly develop nuclear weapons, thus postponing the process by a couple of years.¹¹⁰

Moreover, under Naftali Bennett and now Benjamin Netanyahu, Israel's antagonism towards Iran has intensified. Rhetorical exchanges between the two nations have escalated, indicating that Israel's traditional periphery doctrine no longer governs its approach to Iran.¹¹¹ This shift in stance can be understood in the context of Israel's evolving security doctrine. Initially shaped by Ben-Gurion, this doctrine emphasised addressing immediate existential threats through rapid military action to disable the enemy's critical capabilities. However, under US patronage, it has developed to include a system of early warnings, readiness for offensive operations, and a strong focus on deterrence. This evolution reflects a strategic adaptation to the changing nature of threats, particularly from Iran, underscoring a more proactive and comprehensive security posture by Israel.¹¹²

Israel demands sanctions on the IRGC as part of the JCPOA, which it accuses of terrorist activities in the Persian Gulf, Levant, Strait of Hormuz and the Middle Eastern region in general.¹¹³ Along with this, Jerusalem wants Iran's missile programme, especially its long-range ballistic missile programme which can carry a nuclear warhead, to be sanctioned.

Iran due to its relatively inferior air force in the region has been developing its missile programme over the last few decades, adding precision and greater payloads, which continues to sound the alarm in its neighbourhood. Iran retaliated to Soleimani's assassination by using short-range ballistic missiles with accuracy to counter-attack US bases in Iraq.¹¹⁴

¹¹⁰ Einhorn and Nephew, "The Iran Nuclear Deal: Prelude to Proliferation."; Nikou, "Timeline of Iran's Nuclear."; Perry et al., *Middle East Crisis*.

¹¹¹ Natan Sachs, "Iran's Revolution, 40 Years On: Israel's Reverse Periphery Doctrine," *Brookings Institute*, January 24, 2019, <https://www.brookings.edu/blog/order-from-chaos/2019/01/24/irans-revolution-40-years-on-israels-reverse-periphery-doctrine/>.

¹¹² Perry et al., *Middle East Crisis*.

¹¹³ Mousavian, "Iran's Troubled Nuclear Deal." Perry et al., *Middle East Crisis*.

¹¹⁴ Perry et al., *Middle East Crisis*.

Therefore, Israel along with Saudi Arabia, would want the geopolitical encirclement of Iran, both militarily and through sanctions, to debilitate Iran's offensive military capabilities. Both Riyadh and Jerusalem have historically been key allies of the US, discontent with the current shape of the Nuclear Deal, could push them to forge alliances with Washington's adversaries - Russia and China. This could counter the already contested super-power role in the region. Recently, in the light of the Russia-Ukraine conflict, the Saudis have not thrown their weight behind American bids at the UN to isolate Kremlin. They have also not responded to US demands to ramp up oil production to mitigate the shortage of crude oil.¹¹⁵ Iran and Russia are strategic partners. By abstaining on the US resolution in the UNGA, Saudis have indicated their options in the region.

Russia-Ukraine War

Additionally, Western concerns have intensified over reports of Iran supplying ballistic missiles and drones to Russia for use in the Ukraine conflict, leading to sanctions against Tehran. However, EU diplomat Josep Borrell, in a *Wall Street Journal* interview, noted that Iranian officials have assured there are no plans for such actions.¹¹⁶ Despite these assurances, the issue adds complexity to the efforts to revive the nuclear agreement.

Kremlin's role as part of the P5+1 and permanent member of the UN Security Council needs to be factored in as a challenge especially vis-à-vis its ongoing aggression against Kyiv. Russian presence at these revival talks is problematic for the West.¹¹⁷ Russia attempted to leverage its position in the Nuclear Deal negotiations by demanding immunity for Russia-Iran trade and military-technical cooperation from the

¹¹⁵ Einhorn, "Reviving the JCPOA."

¹¹⁶ "No Good Alternative to JCPOA," *Financial Tribune*, February 7, 2023, <https://financialtribune.com/articles/national/116996/no-good-alternative-to-jcpoa>; Laurence Norman, "EU's Top Diplomat Says Iranian Deal is Only Way to Stop Tehran's Nuclear Program," *Wall Street Journal*, February 6, 2023, <https://www.wsj.com/articles/eus-top-diplomat-says-iranian-deal-is-only-way-to-stop-tehrans-nuclear-program-11675681424>.

¹¹⁷ Ali Harb, "Ukraine War Should Not Hinder Iran Deal Revival, US Analysts Say," *Al Jazeera*, March 31, 2022, <https://www.aljazeera.com/news/2022/3/31/ukraine-war-should-not-hinder-iran-deal-revival-us-analysts-say>.

sanctions imposed on the Kremlin following Russia's invasion of Ukraine.¹¹⁸ However, recent developments indicate that Russia has since retracted this demand.¹¹⁹

If anything, realpolitik suggests this war could actually incentivise the revival of the Deal. Bringing Iranian oil back to the international market could help alleviate the severe energy shortages caused by the war, while enabling a more focused sanctions campaign against Putin's Russia. Iran, with the world's fourth largest oil reserves and second largest natural gas reserves, plays a key role in global energy dynamics.¹²⁰

Western analysts believe that Russia influences Iran's nuclear posture, aiming to limit Tehran's cooperation with the IAEA and the West, but also to prevent it from fully escalating to nuclear confrontation. This influence poses a challenge to the primarily Western-driven efforts to revive the deal. Putin's strategy regarding the Iran Nuclear Deal appears to be two-pronged. In the short term, Russia shares a common interest with Western nations in preventing Iran from becoming a nuclear power, as this could lead to further destabilisation in the Middle East, potentially beyond Putin's control. However, in the long term, the resumption of talks and a potential deal could reduce Russian influence in the volatile international energy market.¹²¹

In essence, the Kremlin risks losing its leverage in the face of Western sanctions over the Ukraine conflict, if Iran's oil and gas re-enter the global market under a revived Nuclear Deal.

Russian Foreign Minister Sergey Lavrov offers a contrasting viewpoint on the nuclear crisis with Iran, suggesting that Kremlin has developed an intelligent and detailed model to address the issue comprehensively.¹²² This approach, according to Lavrov, pays attention to even the finer details of the situation, setting it apart from the strategies of the US and its European allies. He criticised the Western approach, implying that they prefer to delay diplomatic efforts and risk exacerbating internal

¹¹⁸ "Russia says West's Sanctions create a 'Problem' for Iran Nuclear Deal," *Reuters*, March 5, 2022, <https://www.reuters.com/world/russia-says-wests-sanctions-create-problem-iran-nuclear-deal-2022-03-05/>.

¹¹⁹ Parisa Hafezi et al., "Russia says It has Written Guarantees on Iran Nuclear Deal," *Reuters*, March 16, 2022, <https://www.reuters.com/world/middle-east/russia-says-it-has-written-guarantees-iran-nuclear-deal-2022-03-15/>; Natasha Turak, "Russia Backs Down on Demands in Iran Nuclear Deal Talks, making Revival of 2015 Pact Imminent," *CNBC*, March 18, 2022, <https://www.cnbc.com/2022/03/18/russia-backs-down-on-demands-in-iran-nuclear-deal-talks-making-revival-of-2015-pact-imminent.html>.

¹²⁰ Samuel M. Hickey, "FAQs: Iran Nuclear Deal," *Center for Arms Control and Non-Proliferation*, May 16, 2022, <https://armscontrolcenter.org/faqs-iran-nuclear-deal/>.

¹²¹ Hickey, "Iran Nuclear Deal."

¹²² "Russia Proposed Simple and Understandable Model for Reviving JCPOA: Lavrov."

dissent within Iran, a tactic he considers dangerous. Lavrov's comments highlight not only the divergence in diplomatic strategies between Russia and the Western bloc but also positions the JCPOA as a critical factor in maintaining regional stability. They serve to underscore the complexity and varied interests at play in the international discourse on Iran's nuclear programme and the JCPOA's future.

Reviving the JCPOA: A Positive Path Forward for the Nuclear Non-Proliferation Regime

Notwithstanding, being severely criticised as containing fatal flaws by detractors, and calls for a much more comprehensively fleshed out accord to effectively dismantle Iranian military's regional apparatus, the 2015 JCPOA can be considered a vital tool and notable policy precedent of the global nuclear NPR. Therefore, its revival has the potential of countering the notion of the Regime's decline.¹²³ If the JCPOA with its provisions is restored in its entirety, it protracts Iran's breakout time (time to amass fissile materials such as Plutonium Pu-239 isotope and Uranium U-235 isotope) from one month to twelve months. This gives the international community more time to respond with pre-emptive measures. With the deal in place, the IAEA will be better positioned with much greater access and knowledge, if Tehran attempts to covertly develop nuclear threshold capabilities.¹²⁴ More so, the accord potentially blocks different routes to acquiring nuclear weapons. It puts a limit on uranium enrichment (3.67 percent) and stockpile, greatly reducing centrifuge number (least advanced centrifuges permitted). It allows for only Natanz facility to be used for enrichment, while considerably reducing weapons-grade plutonium by remodelling the IR-40 (Arak Nuclear Complex).¹²⁵

Undoubtedly, the accord's resurrection will have a desirable impact on the NPR, setting a precedent for engaging with other states.

¹²³ Kaplow and Gibbons, "Deal with Iran."

¹²⁴ "Fissile Material," *United Nations Office for Disarmament Affairs*, accessed June 13, 2022, [https://www.un.org/disarmament/fissile-material/#:~:text=Fissile%20materials%20are%20materials%20that,%2D239%20isotope%20of%20plutonium](https://www.un.org/disarmament/fissile-material/#:~:text=Fissile%20materials%20are%20materials%20that,%2D239%20isotope%20of%20plutonium;); "The Iran Nuclear Deal: What You Need to Know about the JCPOA."; Einhorn, "Reviving the JCPOA."

¹²⁵ "The Iran Nuclear Deal: What You Need to Know about the JCPOA."

Moreover, the Deal provided an advanced and rigorously innovative template of the IAEA safeguards to impede the route to becoming a nuclear weapons state through subterfuge, especially for an NPT signatory like Iran.¹²⁶

Under the NPR, the Nuclear Deal's revival is arguably the best policy solution to diplomatically deal with a pariah state according to Western labelling, by bringing it within the ambit of the international law. The aberration of a NPT party to develop nuclear weapons of mass destruction, could compel other states, especially in the neighbourhood to go down the same nuclear path out of security concerns or because of the bad precedent that NPT could be circumvented.

Such a scenario weakens the entire rationale behind the NPR - to ensure nuclear weapons threshold is not acquired in the guise of a civil nuclear programme by any state party to the NPT. The revival could control the ripple effect generated from the Iran nuclear issue, and especially dissuade key regional rivals from entering into a nuclear arms race, giving strength to the NPR's ability to ensure NPT states remain away from nuclear weapons' pursuit.¹²⁷

To further expand on this argument, the restoration will be viewed by many as a successful diplomatic endeavour to engage the international community, which does not always see eye to eye on many issues. It is an option to deal with nuclear non-compliance in a way which does not jeopardise the region's security. Moreover, the JCPOA's restoration could allow the focus as well as resources of the NPR to be directed towards other imperatives such as addressing the NPT loophole that does not prohibit a signatory of the treaty to withdraw and develop a nuclear programme virtually outside the IAEA fold. In 2003, Pyongyang decided to exit the NPT under Article X of the treaty.

In addition, another issue of the NPR debate is the universalisation of the Additional Protocol to make the IAEA safeguards more efficient - another essential component of the NPR. Under it, the IAEA's inspectors will have greater access to nuclear sites and mandate to conduct snap inspections, thus reducing the use of covert facilities.¹²⁸

¹²⁶ Hickey, "Iran Nuclear Deal."

¹²⁷ Kaplow and Gibbons, "Deal with Iran."

¹²⁸ George Bunn and John B. Rhinelander, "NPT Withdrawal: Time for the Security Council to step In," *Arms Control Association*, accessed June 13, 2022, <https://www.armscontrol.org/act/2005->

As of 2021, the European Atomic Energy Community (EAEC or Euratom) and 138 states were a party to it, the Additional Protocol, while 14 are yet to ratify including Iran which signed it in 2003.¹²⁹ The Deal's revival could generate momentum for this important initiative, which in turn could increase the confidence of the global community in the NPR.

Along with the Additional Protocol, other improvements in the NPR safeguards and monitoring mandates could be introduced to improve its overall efficacy. The NPR could be consolidated through incorporation of state's own safeguards, baseline declarations and inspection data. This could not only inform the UN nuclear watchdog, but help it revamp its design to conduct measures that are not detached from the peculiar conditions of the state under observation. Should the Iran Nuclear Deal be reinstated, these augmented measures could be trialed there, offering a valuable case study for the implementation of future safeguards.¹³⁰ The success of these NPR improvements in the context of Iran, could further justify the IAEA's role as an effective tool of non-proliferation in addition to assisting states in Research and Development of peaceful use of nuclear technology. Furthermore, reinstating the Deal would necessitate an increase in resources available to the IAEA, including the enhanced safeguards mentioned earlier. Establishing a precedent with Iran could pave the way for a sustained effort toward more efficient safeguard systems, including enhancement of integrating readily available data and satellite imagery. The Deal could expedite capacity-building of the IAEA's Austria-based, Seibersdorf Laboratories used for running tests on environmental samples. It also offers an opportunity to upgrade or expand the computational as well as human resources that aid the safeguards procedure.¹³¹

Furthermore, even though there are unique differences between the North Korea (officially the Democratic People's Republic of Korea (DPRK)) and Iran's nuclear programme, the former is said to already have crossed the nuclear threshold,¹³²

05/features/npt-withdrawal-time-security-council-step; Kaplow and Gibbons, "Deal with Iran."; Hickey, "Iran Nuclear Deal."

¹²⁹ "Additional Protocol," *International Atomic Energy Agency*, accessed June 13, 2022, <https://www.iaea.org/topics/additional-protocol>.

¹³⁰ Kaplow and Gibbons, "Deal with Iran."

¹³¹ Ibid.

¹³² "South Korea 2014 Defense White Paper Highlights DPRK Nuclear Threats," *Korea Chair Snapshot, Center for Strategic and International Studies*, January 6, 2015, <https://www.csis.org/analysis/south-korea-2014-defense-white-paper-highlights-dprk-nuclear-threats>.

however, if the Iran Nuclear Deal returns, some of its provisions could provide guidance in engagement with Pyongyang. A possible deal with North Korea has more stick points and will need be tailored according to its circumstances.

Firstly, resolution 2231 of the UN Security Council paved the way for lifting of sanctions, notably nuclear imports, hitherto banned for Iran, through a UN Secretariat managed procurement channel under Iran Nuclear Deal's Section P. North Korea is also in desperate need of sanctions relief, in the event of deal negotiations, it could ask for permission to import of technology and items for its space programme and peaceful nuclear pursuits. This demand could be met by establishment of a similar procurement channel monitored by a designated body like the sanctions committee or the UN Secretariat. Additionally, to make the process airtight, parties exporting such goods could share the end-use with the UN.¹³³

Secondly, in accordance with aforementioned section of the JCPOA, which explains that since Iran is not a member of the NPR's nuclear export systems such as the Missile Technology Control Regime (MTCR) or Nuclear Suppliers Group (NSG), its nuclear exports will be subjected to P5+1's regulatory assent. This provision could be included in the agreement with Pyongyang, by designating a regulatory body. According to Western observers, North Korea is more likely to export fissile material, nuclear material et cetera to third parties, making this recommendation more significantly germane.¹³⁴

Thirdly, the 2015 Nuclear Deal's Section Q, sets a 24-day time limit for the granting of IAEA inspection requests to access undeclared sites; no time constraint was hitherto fixed by the nuclear watchdog. This provision could be eventually implemented in North Korea's case; however, North Korea should not be expected to easily furnish access to any site on request. Each facility thought of being linked with nuclear weapons programme, will have distinct security clearance protocols for granting access. Additionally, as part of the yet-to-be-finalised Fissile Material Cut-Off Treaty

¹³³ Toby Dalton and Ankit Panda, "Lessons from the Iran Deal for Nuclear Negotiations with North Korea," *Carnegie Endowment for International Peace*, July 27, 2021, <https://carnegieendowment.org/2021/07/27/lessons-from-iran-deal-for-nuclear-negotiations-with-north-korea-pub-85010>; "Joint Comprehensive Plan of Action," *U.S Department of State*, accessed June 14, 2022, <https://2009-2017.state.gov/e/eb/tfs/spi/iran/jcpoa/index.htm>; Manit Shah and Jose Trevino, "The Iran Deal: A Pathway for North Korea?" *Federation of American Scientists*, October 14, 2015, <https://fas.org/pir-pubs/the-iran-deal-a-pathway-for-north-korea/>.

¹³⁴ Cirincione and Newland, "Repairing the Regime."; Dalton and Panda, "Lessons from the Iran Deal."

(FMCT), North Korea's fuel cycle plants, including those considered covert sites, will also necessitate access provisions. If a deal with North Korean Supreme leader is secured in the future, a time limit clause could be helpful. The FMCT could introduce new constraints for states not part of the NPT such as India and North Korea.¹³⁵ With a time limit in place and clarity vis-à-vis the degree of access, deferring or denying a request would not be easy for Pyongyang.

Finally, Section T of the 2015 Deal forbids Iran from conducting R&D in the nuclear realm for military ambitions. Although, perpetual propaganda engulfs Pyongyang's nuclear activities, the fact of the matter is that the country is a NWS, and it is now working on Tactical Nuclear Weapons (TNWs) which could lower the nuclear threshold for Kim Jong Un. Similar prohibition could be applied to North Korea, not to add further advancements, sophistication, and accuracy to the existing inventory of nuclear arsenal. Thus, limiting the weaponisation of nuclear research and design, albeit the NPR will need to craft new tools and safeguards to monitor this provision.¹³⁶

The JCPOA's revival would not simply mean it could be entirely applied to North Korea. However, Iran could set a precedent in the international disarmament parlance.

The above-mentioned provisions could be innovated and customised to North Korea's circumstances and challenges, to find a solution to another nuclear crisis within the framework of the NPR.

Consequences of a 'No Deal Scenario'

Failure to secure the JCPOA could sound the death knell for non-proliferation diplomacy and further ratchet up the conflict landscape of the Middle East, opening up new flashpoints as well as increasing the likelihood of a nuclear domino effect in the region. Such a dreaded scenario will be a setback for the global nuclear NPR.¹³⁷ Critics

¹³⁵ "A Fissile Material Cut-off Treaty, Understanding the Critical Issue," *United Nations Institute for Disarmament Research*, April 2010, <https://unidir.org/sites/default/files/publication/pdfs/a-fissile-material-cut-off-treaty-understanding-the-critical-issues-139.pdf>; Dalton and Panda, "Lessons from the Iran Deal."; "Fissile Material Cut-off Treaty (FMCT) at a Glance," *Arms Control Association*, accessed June 14, 2022, <https://www.armscontrol.org/factsheets/fmct>; U.S. Department of State, "Joint Comprehensive Plan of Action."

¹³⁶ Dalton and Panda, "Lessons from the Iran Deal." ; ; U.S. Department of State, "Joint Comprehensive Plan of Action."; Anika Panda, "North Korea's Tactical Nuclear Plans are a Dangerous Proposition," *Foreign Policy*, April 28, 2022, <https://foreignpolicy.com/2022/04/28/north-korea-tactical-nuclear-plans-dangerous-proposition/>.

¹³⁷ Johan Bergenas, "The Nuclear Domino Myth," *Foreign Affairs*, August 31, 2010, <https://www.foreignaffairs.com/articles/iran/2010-08-31/nuclear-domino-myth>.

in the US view the Nuclear Deal as transactional and inherently flawed, arguing that it won't transform Iran into a less adversarial state towards Washington and its regional allies.

In a 'No Deal Scenario', a strategy similar to George Frost Kennan's containment approach is expected to dominate, where sanctions play a key role.

This approach aligns with the outcomes seen in Trump's 'maximum pressure' campaign, which significantly exacerbated Iran's economic difficulties.¹³⁸ However, such sanctions could only do so much, as even the Trump era sanctions did not completely halt Iran from making headway into its nuclear programme as well as building up its missile technology. Therefore, sanctions do come with concomitant limitations. The aforementioned sanctions were also designed to slash off Tehran's support to its militant proxies across the region, but the Iranian supply channel of Unmanned Combat Aerial Vehicles (UCAVs), missiles and other military equipment has essentially amplified.¹³⁹

Notwithstanding the economic crunch created by the sanctions, Tehran's regional power play and nuclear programme remains unabated. This is due to the fact that Iran's Supreme leader places both of these above state imperatives over other aspects, including the fact that the common Iranian denizens have to considerably bear the brunt of the sanctions.

Another limitation of the catch-all sanctions regime targeting the Iranian economy, is the Chinese financial hedge.¹⁴⁰ Beijing views Iran as a partner - the first quarter of 2022 witnessed 30 percent increase in Iran's China-bound oil exports, rising to 870,000 barrels a day (bdp), in the backdrop of the war in Ukraine.¹⁴¹ China is virtually

¹³⁸ Einhorn, "Reviving the JCPOA.,"; Robert S. Litwak, "Iran's Nuclear Challenge at a Crossroads: Dilemmas of a Threshold State," *Wilson Center*, December 13, 2021, <https://www.wilsoncenter.org/article/irans-nuclear-challenge-crossroads-dilemmas-threshold-state>.

¹³⁹ Einhorn, "Reviving the JCPOA."

¹⁴⁰ Ibid.

¹⁴¹ Benoit Faucon, "Iran Ramps Up Oil Exports as China Pulls Back on Russian Crude," *Wall Street Journal*, April 28, 2022, <https://www.wsj.com/articles/iran-ramps-up-oil-exports-as-china-pulls-back-on-russian-oil-11651142115>; Einhorn, "Reviving the JCPOA."

the exclusive buyer of Iranian oil, and continues to purchase upwards of 1.2 million bpd, despite Western sanctions on trade with Iran.

Along with this, Tehran has been able to do trade through an underground parallel financial system, which does partially insulate it from the sanctions. This fact combined with how Kremlin and Beijing will oppose new sanctions on Iran at the UNSC, shows that the sanctions regime, which has exhausted much of its options, are effective to an extent and once placed they are likely to manifest deficiencies. Therefore, they are not the most effective option to coerce Tehran, if the revival fails to materialise.¹⁴²

Moreover, without the JCPOA, nuclear experts were of the opinion that Iran's breakout time in 2015 was between two to three months. Subsequent to US exit, Iran has cut down the breakout time to approximately a month, which could witness a further contraction to merely a couple of days, if revival efforts are in vain.¹⁴³ The concern that Iran will escalate uranium enrichment and stockpiling, utilise undeclared sites, and deploy advanced centrifuge models if the accord is not reinstated is supported by statements from Iranian officials. In 2021, former President Rouhani declared that Iran could enrich uranium up to 90 percent, the level required for weapons-grade material.¹⁴⁴ Additionally, in July 2022, former Foreign Minister Kamal Kharrazi revealed that Iran had developed the technological capability for nuclear weapons, although a decision to weaponise its nuclear programme had not yet been made.¹⁴⁵

Also, in a 'No Deal Scenario', the wide scope of monitoring and access, the IAEA's inspectors could have by virtue of the JCPOA restoration, would be largely limited to relatively rudimentary safeguards. This will also leave the international community and the global nuclear non-proliferation regime with less intrusive knowledge to evaluate the phases of Iran's nuclear activities.

¹⁴² Einhorn, "Reviving the JCPOA."

¹⁴³ Sepideh Zabel, "Iran Nuclear Talks: The Consequences of Failed Negotiations," *American Security Project*, December 9, 2021, <https://www.americansecurityproject.org/iran-nuclear-talks-the-consequences-of-failed-negotiations/>; "The Iran Nuclear Deal: What You Need to Know about the JCPOA.," Einhorn, "Reviving the JCPOA."

¹⁴⁴ Nikou, "Timeline of Iran's Nuclear."

¹⁴⁵ "Iran Claims Technical Ability to build a Nuclear Bomb," *CBS News*, July 18, 2022, <https://www.cbsnews.com/news/iran-nuclear-bomb-claims-technical-ability-to-build-israel-us/>.

They will have to rely on comparatively less reliable intelligence, especially if it were to develop nuclear threshold capabilities, thus protracting the response time, not least pre-emptive strikes.¹⁴⁶

Presently, Israel stands as the sole undeclared nuclear power in the region. Should Iran develop nuclear weapons and cross the nuclear threshold, it would likely be perceived as a significant shift in the regional military balance. This development could potentially lead to an escalation in nuclear capabilities within the region, altering the nuclear arithmetic for the future.

In terms of ballistic missile technology, all three Israel, Iran and Saudi Arabia have such missiles that could be adapted to carry nuclear warheads. The 'Jericho' and 'DF-3A' missiles possessed by Israel and Saudi Arabia have the ability to be used for nuclear military ambitions.¹⁴⁷ While, Iran added its new 'Kheibar Shekan' ballistic missile with a 900-mile range and the ability to target Israel, in its missile inventory.¹⁴⁸ The presence of sophisticated military hardware in the region, makes it conducive for a proliferation cascade following failure of the revival talks. An Iran that is armed with nuclear arsenal could prompt Saudi Arabia to follow suit. If Riyadh were to go down that path, it would be difficult for the NPR to resist such an action since KSA is a key US ally and has established ties with other world powers, namely Russia and China. Therefore, it would be a formidable challenge as to what degree of incentives and sanctions could be introduced to dissuade another regional player.¹⁴⁹ While Saudi Arabia may have the wherewithal, it still needs to make major strides in nuclear expertise and infrastructure. Moreover, the UAE which signed the US-UAE Civil Nuclear Agreement in 2009, that prohibited nuclear reprocessing or enrichment, could opt to renegotiate this provision if the JCPOA revival efforts fall apart and Iran continues with increasing its enrichment levels.¹⁵⁰ Finally, another essential regional

¹⁴⁶ "The Iran Nuclear Deal: What You Need to Know about the JCPOA."; Einhorn, "Reviving the JCPOA."; Zabel, "Iran Nuclear Talks."

¹⁴⁷ Perry et al., *Middle East Crisis*.

¹⁴⁸ The Iran Primer, "Iran Unveils New Ballistic Missile," *United States Institute of Peace*, February 21, 2022, <https://iranprimer.usip.org/blog/2022/feb/21/iran-unveils-new-ballistic-missile>.

¹⁴⁹ Perry et al., *Middle East Crisis*.

¹⁵⁰ Einhorn and Nephew, "Prelude to Proliferation."; "Nuclear Non-Proliferation," *Embassy of the United Arab Emirates, Washington, D.C*, accessed June 14, 2022, <https://www.uae-embassy.org/discover-uae/foreign-policy/nuclear-non-proliferation>.

power is Türkiye, which could be interested in developing latent nuclear weapons capabilities if the Iran Nuclear Deal is to completely collapse.¹⁵¹

The strategic significance of nuclear weapons in the Middle East is exemplified by Samuel Huntington's argument: if Saddam Hussein had delayed the Kuwait invasion until Iraq acquired nuclear capability, it's likely he would have gained control over both Kuwait and Saudi oil fields.¹⁵² Moreover, the destabilising impact of nuclear weapons for a region was also highlighted during the Kargil conflict between neighbours India and Pakistan in 1999, which required diplomatic efforts to reverse nuclear brinkmanship.¹⁵³

Furthermore, the alternative to JCPOA is 'Gunboat Diplomacy'¹⁵⁴ which comes with additional challenges, and perhaps not an actual solution to Iran's nuclear issue.¹⁵⁵ The US and Israel could also deploy military strikes and cyber-attacks, such as the 'Olympic Games' operation which used the Stuxnet virus to destroy over 1000 centrifuges at the Natanz facility in 2010;¹⁵⁶ however, these attacks might delay but not permanently halt/obliterate Iran's nuclear programme, as the country could potentially recover within four years.

The Biden Administration could opt for surgical airstrikes, potentially employing Massive Ordnance Penetrators against nuclear sites, but this risks environmental catastrophe due to hazardous fissile materials. Furthermore, the perception of pre-emptive strikes and intensified cyber-attacks in Iran would likely be extremely negative, seen as aggressive regime change efforts, thereby bolstering the clerical regime's legitimacy and reinforcing their argument for developing nuclear weapons as deterrence amidst regional and international hostility.¹⁵⁷

In other words, it is crucial to consider the potential repercussions of aggressive diplomatic tactics, such as gun diplomacy and cyber warfare. Such measures are likely to have inverse consequences, potentially catalyzing Iran's nuclear weapons

¹⁵¹ Perry et al., *Middle East Crisis*.

¹⁵² Samuel P. Huntington, *The Clash of Civilizations and the Remaking of the World Order* (New York: Simon and Schuster, 1996), 196.

¹⁵³ Andrew Small, *The China-Pakistan Axis* (New York: Oxford University Press, 2015), 9-25.

¹⁵⁴ 'Gunboat Diplomacy' refers to the use of naval power to influence or intimidate other nations, typically without engaging in open warfare.

¹⁵⁵ Litwak, "Iran's Nuclear Challenge."

¹⁵⁶ Mariusz Antoni Kaminski, "Operation 'Olympic Games' Cyber-sabotage as a Tool of American Intelligence Aimed at Counteracting the Development of Iran's Nuclear Programme," *Security & Defense Quarterly* 29, no. 2 (2020): 63-71, <https://doi.org/10.35467/sdq/121974>.

¹⁵⁷ Litwak, "Iran's Nuclear Challenge."; Einhorn, "Reviving the JCPOA."

development. For Tehran, pursuing nuclear capabilities could then become a matter of survival, a response to perceived existential threat. Moreover, as discussed in this paper, Iran does have the military infrastructure and resources for power projection in the region. Proxy warfare and direct conflict with regional adversaries such as Saudi Arabia and Israel could very well be escalated by Tehran.¹⁵⁸ In an environment of simmering disputes, another maritime conflict could arise in the Strait of Hormuz, if the JCPOA is not revived and sanctions are not lifted. The Strait connects the Gulf of Oman to the Persian Gulf, as it is considered the most crucial oil shipment chokepoint in the world with around 20 percent of the international oil supply flowing through the 21-mile-wide water passage. In the past, Hormuz has been the stage of intense conflicts including the Tanker War (1984-1988), naval tensions between the US and Iran (2011-2012). Following Trump's 'maximum pressure campaign', the IRGC seized the 'Steno Impero', a British tanker, in 2019. Any dispute in this Strait, causes oil prices to jump, in other words, it could be described as the global economy's jugular.¹⁵⁹

Finally, in terms of the NPR, under such circumstances, Tehran could decide to exit the NPT, with the help of Article X, which stipulates that withdrawal could be exercised if the national interests of a signatory are endangered by extraordinary events, North Korea serves as a precedent here.¹⁶⁰ This aforementioned eventuality could trigger the expulsion of IAEA's inspectors from Iran and give leeway for activities at undisclosed facilities designated to make a nuclear bomb.¹⁶¹

CONCLUSION

Notwithstanding the challenges facing the Iran Nuclear Deal, its restoration is the most pragmatic diplomatic solution. It is established how the non-proliferation overture towards the issue as opposed to gunboat diplomacy or containment policy, will have to deal with continuous opposition, of domestic, regional and international nature. However, it will be the ultimate test of diplomacy, especially for President Biden and Iran's clerical regime. Conversely, the '*No Deal Scenario*' comes with serious

¹⁵⁸ Litwak, "Iran's Nuclear Challenge.," Einhorn, "Reviving the JCPOA."

¹⁵⁹ John Letzing, "Why is the Strait of Hormuz so Important?" *World Economic Forum*, July 29, 2019, <https://www.weforum.org/agenda/2019/07/why-is-the-strait-of-hormuz-so-important/>; Suyin Haynes, "The Strait of Hormuz is at a Center of Iran Tensions Again. Here's How the Narrow Gateway Gained Wide Importance," *TIME*, July 23, 2019, <https://time.com/5632388/strait-of-hormuz-iran-tanker/>.

¹⁶⁰ "Text of the Treaty," *United Nations Office for Disarmament Affairs*, accessed June 14, 2022, <https://www.un.org/disarmament/wmd/nuclear/npt/text/>; Einhorn, "Reviving the JCPOA."

¹⁶¹ Einhorn, "Reviving the JCPOA."

implications. Failure to resurrect the 2015 Joint Comprehensive Plan of Action's resurrection will expedite likelihood of a proliferation cascade, in an already precariously unstable Middle East. Interlinked with this is the argument that Iran increasing its nuclear enrichment levels will be considered a serious Achilles' heel of the Non-Proliferation Regime (NPR) and a dangerous anomaly in the global community, considering how Tehran is still a part to the Non-Proliferation Treaty. The JCPOA's failure would further dent the disarmament machinery paralysed for over three decades. It may open the flood gates of proliferation, especially in the Middle East, already simmering with intractable disputes.

The suggested course is a robust diplomatic effort focused on non-proliferation to restore the Iran Nuclear Deal. This approach holds significant potential to reinforce the resilience of the NPR and enhance its capacity to secure member states' collective commitment to refraining from acquiring nuclear weapons of mass destruction.

It could be anticipated that the Biden Administration would not punt the nuclear question akin to how US troops were withdrawn from Afghanistan after almost two decades. This argument is solidified by how the opinion of scaling back of US troops in the Middle East runs like a red thread through a large portion of the American public. Hardball tactics from all sides could be predicted in the revival talks, however, the likely outcome ought to be to bring the Deal back on track.

Moreover, the JCPOA's revival could potentially open doors for increased bids to rekindle a thaw between Washington and Tehran. Years of animosity between the US and Iran has only made the region more insecure and the world less interconnected. The JCPOA's restoration is arguably the best available option to have an Iran which adheres to international law, rather than operating in a silo. More importantly, it sets a valuable precedent as a policy model for resolving similar crises in the future.

Concurrently, major powers must initiate a dialogue in the Middle East to address decades-old disputes for amicable resolution. Otherwise, with the support of the US nuclear umbrella, Israel is already a *de-facto* nuclear weapon state, which may compel other nations to follow suit to restore strategic balance in the region. Iran is adamant about acquiring nuclear technology, *prima facie*, under the NPT safeguards. Still, its intentions may change if the US continues to treat the country like a pariah state and punish it through crippling economic sanctions or threaten the clergy of 'regime change'.

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