

A Review of Iran's Nuclear Negotiations with the E3 + 3 (2003-2015)

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Abstract- Iran nuclear activities started from 1950. The first country that encouraged Iran to achieve the nuclear program and transferred this technology to Iran was USA while this country is today the first country that disagree Iran nuclear activities. Before occurrence of Islamic Republic of Iran revolution, west and specially USA, French and Germany were serious to cooperate Iran in this regard due to high benefits and communism influence possibility but after the revolution and independent policies of Iran, USA and some European countries disagreed Iran nuclear activities and Iran was accused to perform activity in the nuclear weapons field. Iran always stated that its aim from producing and developing nuclear research is using nuclear energy peacefully. No evidence has been found in inspections of atomic international energy agency indicating Iran's decision to produce nuclear weapon.

Judges council of agency has accused Iran to have nuclear weapon in their issued resolutions since Iran has not given some information of nuclear sites of Natanz and Arak and they requested Iran to stop its activities in uranium enrichment and heavy water reactor in Arak center. However, Iran did not obey their request and decided to use its NPT right. This was reported to the Security Council and this council imposed heavy sanctions to Iran. This topic from 2003 to 2015 led to the longest political international negotiations in International Relations between Iran and the E3 + 3 and Finally July 14, 2015 in Vienna, Austria they managed to achieve a comprehensive and final agreement on the future of Iran's nuclear program. Federica Mogherini, Europe Union foreign policy chief and Mohammad Javad Zarif, Iran's foreign minister in a formal meeting in Vienna in front of the media by reading a statement in English and Farsi announced that a final agreement on Iran's nuclear program have been achieved. In this study we have an overview of the negotiations.

Index Terms: E3+3, Iran, Nuclear negotiations

I. INTRODUCTION

The starting point of debate about Iran's nuclear program dates back to 8/13/2002 when one of the MKO members made some claims about the Islamic Republic of Iran's covert nuclear activities in Natanz and Arak in a press conference at the Willard Hotel in Washington. These claims were widely welcomed by the foreign media. Shortly after CNN broadcasted some satellite pictures of Natanz and Arak Facilities and claimed that Iran has begun its secret and

hazardous nuclear program. It was from this point that the political and propaganda controversies over the Islamic Republic of Iran's peaceful nuclear activities have been proposed.

The Islamic Republic of Iran had acted all of its obligations according to the NPT and the safeguards agreements under the supervision of the International Atomic Energy Agency (IAEA). About a year later on 8/5/2003, the three foreign ministers of European countries (France, England, and Germany) in a joint action explicitly asked for signing the Additional Protocol and starting the negotiations.

At this point, the Islamic Republic of Iran did two important actions; first, President Seyed Mohammad Khatami has raised his positive view on the adoption of the Additional protocol, and then on 8/24/2003, an official letter was sent to Mr. El-Baradei – the head of IAEA indicating the Islamic Republic of Iran's readiness to negotiate with the IAEA about the additional protocol.

However, after the interactive approach of Iran's government to this issue, exactly 18 days later on 9/12/2003, the three European countries (France, England, and Germany) rendered the first resolution against the Islamic Republic of Iran's nuclear activities to the Board of Governors and this resolution was approved by consensus. This resolution urged Iran to suspend all its activities on uranium enrichment including importing nuclear materials into Natanz as a confidence building measure, processing activities until providing the guaranties requested by the member states, as well as the satisfactory implementation of the Additional Protocol. In addition, Iran was asked to cooperate with the Agency immediately and unconditionally in signing, ratifying and fully implementation of the Additional Protocol as a confidence building measure. In this case, the Islamic Republic of Iran's File put back on the agenda of the International Atomic Energy Agency's Board of Governors and later on the agenda of the UN Security Council and led to the start of the discussion on Islamic Republic of Iran's nuclear program.

II. STATEMENT AND DESCRIPTION

The Islamic Republic of Iran has been involved in the negotiations over its nuclear program since 2003. Talks between Iran and the three European countries- France, England and Germany and later with the E3+3 - France, the United Kingdom, the United State, China, Russia; plus Germany- has led to multiple periods of negotiations and exchanging a number of proposals. Each exchanged document consists of a series of suggestions and demands

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which some of them have been accepted by both sides.

Different periods of negotiations between Iran and the West on the nuclear issue are as follows:

The period of the presidency of Seyed Mohammad Khatami; head of the negotiating team, Hassan Rouhani

1. Agreed Sad Abad - Tehran, October 1382 (October 2003)
2. Agreement Brussels, Mar 4 1382 (February 2004)
3. The Paris Agreement, on 25th Aban 1383 (November 2004)
4. Paris, 4 Farvardin 1384 (March 2005)
5. London, May 1384 (2005)
6. Tehran, July 1384 (July 2005)
7. Brussels, 14 August 1384 (August 2005)

Overall Assessment of Rouhani's Talks with the three European Countries: the Iranian side's agreement to the demands of European side at some points; lack of providing targeted suggestions to serve the interests of the Islamic Republic of Iran; lack of nuclear consolidation based on the NPT; failure to maintain the achievements of nuclear activities to the European side; Acceptance of multiple, detailed and content commitments; agreement with the formal, general, and unloaded commitments of the European side; lack of stipulating the implementation of European demands on stopping the continuous hostile actions against Iran (including lack of issuing a resolution in the Board of Governors of the IAEA or lack of agreement with the demands of the European side); passive treatment with the continuation of the confrontational measures by the European side including continuation of their cooperation despite issuing the repeated resolutions by the Board of Governors; lack of bounding the Islamic Republic of Iran's commitments to a specified time and thereby accepting unlimited commitments; putting aside the tools and levers outside the realm of negotiations including agreeing to halt the development of nuclear technology; lack of demanding any binding commitment from the European side to not referring the matter of Iran from the Board of Governors of IAEA to the Security Council or their opposition to this action of the Security Council or their veto of the possible resolution in the Security Council.

- making contribution to the consensus of the Board of Governors of IAEA with the departure of an Iranian representative when passing a resolution against the Islamic Republic of Iran

Rouhani's Confession of the Ineffectiveness of the Negotiations

Mr. Rouhani, the head of the nuclear negotiating team, in the last days of his responsibility wrote a letter to ElBaradei on 7/31/2005:

“Despite all my sincere efforts and maximum flexibility, the proposal of the three European countries not only doesn't meet the Iran's rights to develop the peaceful nuclear energy, but also it lacks the minimum modifications of the illegal and unjustified restrictions that have been applied to Iran's Economic and Technology development”

In another part of the letter, it has been stated: “in the case of demands from Iran, the offer of the three European

countries is very long, but in terms of the suggestions offered to Iran, it's very short and ridiculous. Lack of any attempt to create a balanced appearance makes this proposal similar to a capitulation colonial order. This proposal is an insult to all Iranian people and the three European countries must apologize to Iran's nation for its proposing.”

The second period of the negotiations at the time of President Mahmoud Ahmadinejad; chief negotiators, Ali Larijani and then Saeed Jalili.

After the selection of Ahmadinejad as the president of Iran, the Islamic Republic of Iran's nuclear diplomacy was changed. The first step was to remove the seal from the Isfahan UCF Center. However, the resistance of fans of compromise diplomacy continued; it was supposed that the UCF facilities which had been shut down for convincing the West, to be reopened prior to the ratification of Dr. Ahmadinejad, but the foreign policy of the current government delayed this decision day to day. Finally, the insistence of Ahmadinejad was approved by the leader of the revolution and Isfahan's facility was opened on 8/5/2005, that is, 2 days before the enforcement of the new presidential decree.

On 8/10/2005, with the resumption of activities at Isfahan UCF, the European parties immediately formed an emergency meeting of the board of governors and they issued the seventh resolution of the board of governors against the Islamic Republic of Iran on August 11th, 2005. Shortly after the change of the government, the negotiating team was also changed and Ali Larijani was replaced by Hassan Rouhani as the Secretary of National Security Council and the leader of the negotiating team.

8. New York, September 2005

On 17th of September 2005, the president Ahmadinejad offered extensive proposals in his speech at the UN General Assembly. His remarks focused on invitation to international cooperation regarding the Islamic Republic of Iran's enrichment activities. While making it clear that the Iran's right to nuclear fuel cycle technology is not negotiable, he offered a series of confidence building comments and suggestions.

On 24th of September 2005, the eighth proposed resolution of the European countries was passed against the peaceful nuclear activities of the Islamic Republic of Iran and Iran's political non-compliance was announced by the US and several European countries that were members of the board of governors. However, it should be noted that according to the Article 12 of the Statute of the International Atomic Energy Agency, verification of non-compliance of a country which is a member of NPT is the responsibility of IAEA inspectors that they must report it to the Director of the Agency.

While in the reports of IAEA, any cases of non-compliance with the IAEA has not been reported with respect to the Islamic Republic of Iran's nuclear activities. In fact, some cases of non-compliance were politically verified by several countries. On 22nd of November 2005, the Islamic Consultative Assembly (the Iranian Parliament) acted a law that requires the government to suspend the voluntary

measures in the case of referring or reporting the Iran's nuclear dossier to the UN Security Council. According to this law which was also approved by the Guardian Council on 11/29/2005, the government was obliged to suspend all its voluntary cooperation with the IAEA in the case of any referral or reporting on Iran's nuclear dossier to the UN Security Council.

9. Geneva, February 2006

10. Tehran/ Vienna, June- August 2006

On 6/16/2006, China, Russia, and the United States were joined to the three European countries (EU3) to provide a new proposal for comprehensive negotiations. This document again requires the Islamic Republic of Iran to suspend all activities related to the uranium enrichment as a precondition for getting more detailed negotiations. Javier Solana, the High Representative of the Union for Foreign Affairs and Security Policy (HR) travelled to Tehran to offer the proposal.

Negotiators:

Ali Larijani: Secretary of the Islamic Republic of Iran's Supreme National Security Council

Javier Solana: the High Representative of the Union for Foreign Affairs and Security Policy (HR) on behalf of the three European countries

Proposals Put Forward by the E3+3

Actively support to the building of light water reactors in Iran through the international joint projects

Suspending the discussion on the Islamic Republic of Iran's nuclear program in the Security Council by resuming the negotiations

Guaranty to deliver nuclear fuel (lack of enrichment in Iran and purchasing from abroad)

Cooperation with Iran in the field of civil aviation, telecommunications, high technology, agriculture, etc.

Demands Made by the E3+3

Elimination of all remaining concerns of the IAEA through full cooperation with the IAEA

The Islamic Republic of Iran must suspend all its activities related to the enrichment and reprocessing

The Islamic Republic of Iran must resume the implementation of the Additional Protocol

The result of this period

In response to the above-mentioned proposal, in August 2006, the Islamic Republic of Iran rejected some of its conditions including stopping the enrichment as a precondition for further talks. However, Iran pointed out that the proposal contains some useful foundations and capacities for the comprehensive and long-term cooperation between the two sides. The first Security Council Resolution 1696 against the Islamic Republic of Iran's peaceful nuclear activities was approved on 7/30/2006.

On 26th of August 2006, the heavy water production plant was launched in Arak. In less than five months, after reaching the full cycle of nuclear fuel, achieving the heavy water production technology was another step on the path to excellence and the success of the Iranian nation. The Arak's heavy water production plant was inaugurated by Dr.

Ahmadinejad on 25th of August, 2006. With the opening of this plant, the Islamic Republic of Iran was considered as the world's ninth country which has the equipments of heavy water production. The second Security Council Resolution 1737 was ratified against the nuclear activities of Iran on 12/23/2006. On 12/27/2006, the Iranian Parliament acted a law that requires the government to revise the cooperation with the IAEA. Based on this law, the government was obliged to accelerate the country's peaceful nuclear program according to the Security Council Resolution 1737 and reconsider its cooperation with the IAEA based on the Iran's national interests. Accordingly, the implementation of the modified Code 3.1 of the Subsidiary Arrangements to its Safeguards Agreement was suspended. The third Security Council Resolution 1747 was ratified against the activities of the Islamic Republic of Iran on 3/23/2007.

On 4/9/2007, the Islamic Republic of Iran was officially entered into the stage of industrial production of nuclear fuel. Seven month after achieving the technology of heavy water production, and a year after the announcement of the complete nuclear fuel cycle in a laboratory scale, the next major nuclear progress was achieved on 8 April 2007. On the 8th of April 2007, the Islamic Republic of Iran celebrated its entrance to the stage of industrial production of nuclear fuel and being among the countries producing nuclear fuel at the Natanz Enrichment Complex. This day was named as the National Nuclear Technology Day. On 6/22/2007, Iran's talks were held in Lisbon. In this round of talks, the parties agreed that the Islamic Republic of Iran and the Agency negotiate with each other on the Modalities of Resolution of the Outstanding Issues. Naturally, a prerequisite for doing so was that the constructive atmosphere of talks between Iran and the IAEA was not destroyed with non-constructive actions of some countries and a political consensus was got in this regard. At this time, it was announced that a Memorandum of Understanding has been signed between the Islamic Republic of Iran and the IAEA in Vienna regarding the preparation of a framework (Modalities) to resolve the outstanding issues within 60 days following the political settlements with Javier Solana. In general, Dr. Larijani held 8 rounds of talks with the E3+3 and on 10/20/2007, he officially resigned from this position. The president accepted his resignation and Dr. Saeed Jalili was selected as the secretary of the Supreme National Security Council and as the head of the Iranian negotiating team. ElBaradei, the chief of IAEA, terminated all of the outstanding issues in negotiations between the Islamic Republic of Iran and the Agency by publishing a report on 2/22/2008. In this report, closing the three issues of the source of contamination in an equipment of a technical university, polonium, Gchine Mine and in fact, closing the six outstanding issues needed to 18 months of time to be resolved in accordance with the work plan; however, all of these issues were resolved within 6 months due to the Iran's goodwill. This report is considered as evidence which prove the legitimacy of the Iranian nation and as a great success for Iran.

However, the Security Council Resolution 1803 was adopted by the Agency on March 3,

2008 against the Iran's peaceful activities; Indonesia abstained to this Resolution.

11. Tehran May 1387 (May 2008)
12. Tehran / Geneva, June Persian date Mordad 1387 (June-August 2008)
13. Tehran, September 1388 (September 2009)
14. Geneva, October 1388 (October 2009)
15. Tehran May 1389 (May 2010)
16. Geneva, December 1389 (December 2010)
17. Istanbul 1, January 1389 (January 2011)
18. Istanbul 2, April 1391 (April 2012)
19. Baghdad, June 1391 (May 2012)
20. Moscow, June 1391 (June 2012)
21. Almaty, April 1392 (February / April 2013)

Then, due to some issues- including the US elections- an interruption of about 9 months took place in the talks between Iran and E3+3; Iran and the E3+3 started their negotiations in Almaty, Kazakhstan on 2/26/2013. These negotiations were known as Almaty 1. The E3+3 proposed their modified proposal in these negotiations. In this proposal, Iran was asked to suspend 20 percent enrichment at Fordow and ...

The Almaty 1 Proposal was considered important since it was the first time that Westerners was changing their written proposal during the years of negotiations. The changes were as follows:

- Change in the type of demands made by the E3+3 from IRI
- Change in the offers made by the E3+3 and IRI
- Restricting the demands within a specified period

Stopping 20% uranium enrichment which had been asked from Iran was changed to the suspension of 20% enrichment. The closure of the Fordow site which had been offered in Baghdad was changed to reducing its readiness. In Baghdad, Iran was asked to transfer the 20% materials to abroad; this was changed to the transformation of part of the 20% materials into oxide or its dilution to the level of 5%. In the section on the equivalent categories, sanctions have been changed and the six month time period was considered for its implementation.

Overall Assessment of the Talks by Saeed Jalili: if we compare these negotiations (including the demands) with the previous ones held in Sadabad, Brussels and Paris, it's obvious that the Westerners retreated from their stands in Almaty against the will of the Islamic Republic of Iran following the recent negotiations and this was contrary to the courses that Iran was not even allowed to have a few centrifuges.

Yet, after the Almaty 2 talks, a member of the Iranian negotiating team stated that: after the talks, Mrs. Ashton declared that the negotiations were satisfactory and she made promise that "we need more consultations in our capitals and I'll speak to the foreign ministers of the six countries in less than a week and express the results to you". Mrs. Ashton wanted to take the permission of the oil and banking sanctions because she believed that such permissions are at the level of Foreign Ministers. However, Mrs. Ashton didn't report the results in the due time and later, it was specified that she was told by the UK to wait until the presidential election in Iran in 2013. Nevertheless, Mrs. Ashton believed that they should reach an

agreement with Iran before the election period since according to the opinion poll, it was thought that the next negotiating team would be stricter than the Almaty's one and that's why she said that I would announce the result within a week. Yet, the UK had said that they must wait until the election was held. These arguments had raised some disagreements over the issue among the six countries. In a bilateral meeting held between Iran and other sides of E3+3 (the countries that were near to Iran), it had been said that the UK side made deliberate attempt to sabotage the agreement. They apparently knew what was going on in Iran. However, the result was the victory of Dr. Hassan Rouhani in the presidential election.

The third round of the negotiations in the period of President Hassan Rouhani; Iran's chief nuclear negotiator is Mohammad Javad Zarif

22. New York, September, 2012

After selection as the President of Iran, Hassan Rouhani appointed the new Foreign Minister Mohammad Javad Zarif as the chief nuclear negotiator. Dr. Zarif and his team held their first round of talks with the E3+3 in Geneva on October 15-16. The new offer of the Iranian negotiating team proposed at the first session by Zarif entitled ending the unnecessary crises and opening a new horizon.

23. Geneva, October 1392 (October 2013)
24. Geneva, November 1392 (November 2013)
25. Geneva, November and December 1392 (November 2013)
26. Undergraduate Negotiations Geneva
27. The final Negotiations step is to develop
28. Swiss, Lausanne (April 2015)
29. Finally, after 22 months of negotiations by Mohammad Javad Zarif and his team and after 17 days of intensive talks, on Tuesday, 14th of July 2015, Iran and the E3+3 managed to achieve a comprehensive and final agreement (Joint Comprehensive Plan of Action) on the future of Iran's nuclear program in Vienna, the capital of Austria. *Federica Mogherini*, the High Representative of the Union for *Foreign Affairs* and Security Policy (HR), and Mohammad Javad Zarif, Iran's foreign minister, at an official meeting in Vienna in front of the media by reading a statement in English and Farsi announced that the final agreement on Iran's nuclear program has been achieved.

III. CONCLUSION

1. Iran's commitments are clear but the commitments of the other sides are complex and vague;
2. Voluntarily accepting the Additional Protocol before the ratification of Joint Comprehensive Plan of Action in the Parliament;
3. Excluding Iran from the NPT for 15 years;
4. The government's commitment to implement the protocol since the implementation of (Joint Comprehensive Plan of Action) contrary to the Parliament Act;
5. The arbitration mechanisms inserted in the Resolution

and Joint Comprehensive Plan of Action has deliberately been set forth against Iran; 6. The previous resolutions of the Security Council are suspended or revoke on condition and they're not canceled;

7. Joint Comprehensive Plan of Action agreement has no legal executive guarantee from the western side;

8. No authority (Reference) has been determined to verify the fulfillment of the commitments made by Iran's negotiating partners;

9. Suspension of at least ten years for the Iran's nuclear program in Joint Comprehensive Plan of Action;

10. Placing certain restrictions on all aspects of research and development and slowing the realization of industrial enrichment program;

11. Reduction in Iran's stockpile of enriched uranium from 10 tons to 300 kg is the serious drawback of Joint Comprehensive Plan of Action;

12. The possibility of access to Iran's military facilities in Joint Comprehensive Plan of Action text;

13. Maintaining the arms and missile embargoes on Iran;

14. Remaining the Swift Sanctions until 8 years;

15. The possibility of putting forward some obstacles to the transfer of funds from the sale of crude oil;

16. Maintaining the legal infrastructure of the sanctions;

17. Failure to adhere to the principle of correspondence in the fulfillment of the commitments of the two sides;

18. The sanctions of the Congress, the US, and the European Union against Iran are merely suspended;

19. Iran is a special country in rights, duties and nuclear inspections.

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