The Iran Nuclear Deal: an in-depth analysis of the negotiation process
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1. Introduction:

This master’s thesis focuses on a topic that is truly relevant to the discipline of International Relations and more generally to one study field of political science: international negotiations. International negotiations have played an important role in the relations between states, and have been a major tool for conflict resolution and peace settlement.

In fact, it can be seen with the rising number of international agreements during the past century that international negotiations are one of the favourite strategies that states use when dealing with other states. Unfortunately, when international negotiations fail or when they are absent, wars have been used by states as a mean for settling their controversies with other states in the international sphere.

The topic of the research that has been carried out in this master’s thesis is a comprehensive analysis of the “Iranian nuclear deal”, formally known as the Joint Comprehensive Plan of Action (JCPOA). Although the negotiations have lasted for more than a decade and the deal entered into force in January 2016, its future remains uncertain.

In fact, the Trump administration has recently decided to withdraw from the agreement. Nevertheless, the Iran nuclear deal stands as a central multilateral agreement since it deals with a crucial issue for the entire international community: the proliferation of weapons of mass destruction and more particularly nuclear weapons. The JCPOA thus addresses the threat of nuclear proliferation and involves some of the states that unarguably have the most influence on world politics: the United States, the Russian Federation, China, France, Germany, the United Kingdom, and the Islamic Republic of Iran.

The purpose of this thesis is to achieve a comprehensive analysis of the negotiation process of the Iranian nuclear deal and to try identifying the presence of generalizable features of international negotiations. The general objective of this thesis is to explain how the actors that have taken part in the negotiation process have succeeded in reaching an agreement.

The research questions were: based on the analysis of the Iranian nuclear deal, is it possible to generalise some features of international negotiations? Is it possible to “extract” from this case some characteristics that can be expanded to other international negotiations? Are
multilateralism and multi-level negotiations the tools to achieve successful international negotiations? What was the role and implication of the European Union in the negotiations?

During the analysis of the Iranian nuclear deal, concepts such as “multilateralism” and “multi-level negotiations” in the international sphere emerged. Multilateralism is defined by the Online Cambridge dictionary as “a situation in which several different countries or organizations work together to achieve something or deal with a problem” (Cambridge Dictionary, 2018).

Nowadays, multilateralism is used in a variety of contexts: international organisations such as the United Nations or the World Trade Organisation, supranational institutions such as the European Union or the Association of Southeast Asian Nations, and in international negotiations such as the one investigated in this thesis.

Multi-level negotiations can be understood as negotiations involving different levels. Depending on the specific negotiation, it is possible to notice a domestic level, an international one, and sometimes a regional one. Nowadays, the international community is highly complex and composed of many actors such as states, multilateral organisations, state institutions, non-governmental organisations, civil societies, etc.

In this context, cooperation among states in dealing with crucial issues such as proliferation of nuclear weapons appears to be the most suitable strategy in order to reach international agreements while negotiations that involve different levels (domestic, international and even regional) could be the appropriate tool to achieve that.

Although multilateralism seems key to complete international deals, bilateralism continues to be widely used by states when negotiating in multilateral contexts. For example, in the World Trade Organization, it is not unusual to notice weaker states negotiate bilaterally with stronger states (Drahos, 2003). In the case of the negotiations for the Iran nuclear deal, in addition to multilateral meetings, bilateral reunions between all the actors part in the negotiations were common practice (Traynor, 2013).
The negotiations that led to the signing of the Joint Comprehensive Plan of Action (JCPOA), better known as the Iranian nuclear deal, lasted over more than a decade (2003-2016) and included a variety of actors. On one side, the E3/EU+3 group of states which included the three European member states at the origin of the negotiation process France, Germany, and the United Kingdom (forming the E3), the High Representative of the European Union for Foreign Affairs and Security Policy (EU), and the three remaining permanent members of the United Nations Security Council China, the Russian Federation, and the United States of America (thus altogether forming the E3/EU+3), and, on the other side, the Islamic Republic of Iran (hereinafter referred to as Iran).

Three phases can be identified in the negotiations: the first between 2002 and 2005, the second between 2005 and 2013, and the third between 2013 and 2016. All these phases correspond to government changes in Iran and in the United States. In fact, in the first phase, Mohammad Khatami was Iran’s President and was considered a moderate. It is under his government that the first steps of the negotiations took part.

The second phase started with the election of Mahmoud Ahmadinejad in the summer of 2005, a more conservative government was ruling Iran with dramatic consequences regarding the negotiations on the nuclear deal. In fact, Ahmadinejad relaunched Iran’s nuclear programme and considerably slowed down the negotiations with the E3/EU+3. During the 2005 – 2013 period, corresponding to the two Ahmadinejad’s Presidential terms, the negotiations were stagnant and very complicated.

It was not until the Iranian presidential election of the moderate Hassan Rouhani in 2013 that the negotiations would regain strength and accelerate rapidly, and ultimately lead to the signing of the agreement in July 2015. In the United States, the Bush administration lasted from 2001 to 2009. According to Gareth Porter, already in May 2003 an Iranian negotiating offer was transmitted to the State Department by the Swiss ambassador in Tehran. This offer “acknowledged that Iran would have to address U.S. concerns about its nuclear programme” and also “raised the possibility of cutting off Iran’s support for Hamas and Islamic Jihad and converting Hezbollah into a purely socio-political organisation” (Porter, 2006). According to Flynt Leverett, then the National Security Council’s senior director for Middle East Affairs, in exchange the “Iranians wanted the United States to address security questions, the lifting of economic sanctions and normalisation of relations, including support for Iran’s integration into the global economic order” (Porter, 2006). Unfortunately, the neoconservative branch of
the Bush administration was opposed to negotiating with Iran and closed down the Geneva channel (Porter, 2006). Later on, during Obama’s second mandate, which corresponded with the election of the moderate Hassan Rouhani in 2013, secret talks started bilaterally between the United States and Iran (Rozen, 2015). As a matter of fact, starting from that moment, progress in the negotiations was achieved and it ultimately led to the signing of the nuclear agreement in July 2015.

Starting in 2003, the negotiations were led by the E3 (France, Germany, the United Kingdom). All three European states had national interests and ties with Iran and the Middle East in general. Historically, they had businesses in Iran and in the region. The United Kingdom was the first European country to exploit petrol in Iran at the beginning of the twentieth century, while Syria and Lebanon were two French mandates during more than twenty years (1923-1946), and Germany’s economic ties with Iran date back to the period of the Shah. The E3 were also the leading countries of the European Union, may it economically but also politically and militarily, which gave them a sense of legitimacy to start the negotiations without first consulting the other European Union’s member states. Another likely motivation for the E3 initiative in 2003 to deal rapidly and efficiently with Iran on its nuclear programme was to avoid another war.

In fact, in 2002 the United States invaded Iraq on claims that it possessed weapons of mass destruction that endangered the U.S’ national security and the world’s stability. Prior to the Iraq invasion, President Bush had talked of an “axis of evil” comprising Iran, Iraq and North Korea. So the possibility of a war for regime change in Iran was not that remote and greatly worried the E3 group of states. It is also possible that the E3 wanted to show the International Community that an alternative to the United States’ way of dealing with complex and concerning issues such Iran’s nuclear programme, was achievable. It is imaginable that, in the minds of the E3 politicians, taking the lead on such a prominent affair would have given them the opportunity to show that the “European way”, which could be characterised as diplomacy using the tool of negotiations, is feasible and relevant in resolving problems that are a matter of concern for the entire International Community.
In 2004, the European Union High Representative for Common Foreign and Security Policy was added to the negotiation team and the “E3/EU” acronym was created. This position had been initiated with the Treaty of Amsterdam (ToA) in 1997 and had been effective from May 1 1999, date of entry into force of the treaty. The Treaty of Lisbon (ToL) of 2007 renamed the position with High Representative of the Union for Foreign Affairs and Security Policy, and the position became effective on December 1 2009. This important EU diplomatic position merged different posts.

In fact, the EU High Representative took over the functions of Presidency, High Representative and Commissioner for External Relations of the European Union (Giegerich & Wallace, 2010). It is also Vice President of the European Commission. The High Representative is appointed by the European Council and the Parliament but it also needs the approval of the Commission’s President. The EU High Representative’s main role is to be responsible to the European Council for the leadership, management and implementation of the EU’s Common Foreign and Security Policy (Giegerich & Wallace, 2010).

The negotiations on the Iranian nuclear deal are part of a larger field, that of nuclear non-proliferation. The main treaty is the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) which was opened to signature in 1968 and entered into force in 1970. It is indefinite, and has been joined by 191 states, making it the most significant treaty on arms limitations and disarmament agreement (United Nations Office for Disarmament Affairs, 2018).

Being part of the NPT since July 1968, the Islamic Republic of Iran repeatedly insisted during the negotiations on the nuclear deal that Article IV of the NPT had to be respected. In fact, Article IV states that:

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

During the negotiations, the E3/EU+3 had continuously reassured Iran that it would keep its right to enrichment and production of nuclear energy for peaceful purposes only. Furthermore, Article IV of the NPT also states that:

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

This section of Article IV clearly states that non-nuclear weapons states, such as Iran, have the right to obtain support for their civilian nuclear programmes. This part of the NPT agitates the nuclear weapons states, and according to Tom Sauer, in 2004 “the Bush administration proposed denying access to a complete nuclear fuel cycle for non-nuclear weapons states that did not yet possess such far-reaching civilian programmes” (Sauer, 2007).

Moreover, during the course of the negotiation process, Iran criticised the integrity of the NPT claiming that nuclear weapons states were not complying with Article VI of the NPT which states that:

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

In fact, while not respecting their own commitments and in particular Article VI, the nuclear weapons states pressure the non-nuclear weapons states to comply with their obligations. For those reasons, Iran formulated a “double-standards critique” towards the NPT regime, and asked for all the parties of the treaty to respect their commitments otherwise the whole NPT would be undermined (Sauer, 2007).

The methodological approach used in this master’s thesis focused on adopting a theoretical framework that is composed of a variety of concepts and assumptions. In fact, concepts such as “two-level games” put forward by Robert Putnam in his essay on Diplomacy and Domestic Politics: The Logic of Two-Level Games (1988), or “credible commitments” (i.e. credible threats and promises) proposed by Thomas Schelling in his essay on bargaining in The Strategy of Conflict (1960), and “coercive diplomacy” suggested by Alexander George in his work on
Forceful Persuasion: Coercive Diplomacy as an Alternative to War (1997) have been used to analyse the data for this thesis.

Archival research, mainly through online resources, was the process used to realise data collection for this thesis. The methodological approach will be developed more extensively in the following methodology section.

As a result of the research that has been completed for this master’s thesis, there are potential outcomes our study can reveal. Firstly, the thorough analysis of the negotiations of the Iranian nuclear deal (or JCPOA) has allowed us to develop propositions on what were the possible results and consequences of the agreement in 2015. In fact, the nuclear deal has had an impact firstly on the Iranian nuclear programme, secondly on the Iranian economy, thirdly on the Middle East’ stability, fourthly on the ability of the European Union to play a decisive role in solving an international proliferation crisis, and fifthly, on Iran’s domestic politics. The intent has been to determine which actors involved in the negotiations got the most out of it and which actors could be labelled as “losers” and which as “winners”.

In addition, this thesis was aimed at identifying possible characteristics that assess how the negotiations evolved, from the birth of the negotiation process until the final agreement. The purpose was to show that, in the Iran nuclear deal’s negotiation process, multilateralism and multi-level negotiations were present features, that have allowed the different parties in the Iranian nuclear deal to reach their objectives and make this international negotiation a fruitful one. It has also been hypothesized that the characteristics present in this particular case of international negotiation could give useful insights and serve as a model for subsequent negotiations.

Finally, throughout the analysis of the Iranian nuclear deal, an assessment of the role of the European Union in this particular negotiation, and of its relevancy in dealing with issues that threaten the international community has been concluded.

This introduction is followed by the methodology section, where further explanations are given on how the data was collected and analysed for the purpose of this thesis. Moreover, the topic of the research and underlying assumptions supporting our research will be restated. The methodological approach will be further explained, through a description of the specific
methods of data collection and the clarification on the adopted method for results’ analysis. Finally, justification will be given for the selection of the material used for the research (books, articles, journals, websites) as well as the potential limitations of the material.

The remaining chapters of this thesis will follow this order: first, an in-depth chronological reconstruction of the negotiation process; second, the constraints to the negotiation process; third, the role of the European Union in the negotiation process; fourth, the outcomes of the negotiation process; and finally, a conclusion of the work. An annex with the chronology of the main steps of the negotiation process is available on page 92.
2. Methodology:

As previously stated in the introduction, the topic of the research was the negotiation process of the Iranian nuclear deal, or formally known as, the Joint Comprehensive Plan of Action (JCPOA). The research focused on gathering data in order to be able to analyse the different steps of the negotiation, to make possible assumptions regarding the role and implications of the different protagonists of the negotiations, and to try identifying the presence of generalizable features of international negotiations.

The central goal of our research was to understand how the actors managed to reach an improbable agreement regarding Iran’s nuclear programme, and also what could be generalised from that particular negotiation process. It was hypothesised that multilateralism and multi-level negotiations might be the fruitful tools to achieve international agreements. In this context, the role and implication of the European Union in the negotiations was investigated.

The method of data collection for this thesis was archival research, mainly through online resources but also through consultation of resources in libraries. The archival research consisted of a variety of resources: books, articles, journals, websites.

First, articles from online newspapers such as The Guardian and The New York Times have been used to gather some additional information on events that took part during the negotiations.

Second, official websites of a variety of international institutions and national governments were consulted to collect institutional documents relevant for the research. Websites of the United Nations, the European Parliament, the Council of the European Union, the European External Action Service, the International Atomic Energy Agency, the United Kingdom Government, France Diplomatie, the United States Treasury, the United States Department of State, and the White House President Barack Obama have been consulted. Documents such as reports from the International Atomic Energy Agency and UN Security Council Resolutions were collected and used for the purpose of the research.

Third, articles accessible from online repositories such as JSTOR or Cairn.info, the Ca’Foscari digital library have also been utilised. Articles from scholar journals were useful and relevant for the data collection. The journals used or consulted were Third World Quarterly, The Journal

Furthermore, articles from think tank such as the Centre for European Reform, the European Policy Centre, the EU Non-Proliferation Consortium, the Belfer Center for Science and International Affairs of the Harvard Kennedy School, and the Century Foundation; from universities such as the College of Europe and the Harvard Kennedy School; and from international institutions such as the International Crisis Group, the International Institute for Strategic Studies, the National Committee on North Korea, the Royal Institute of International Affairs, and the European Union Institute for Security Studies have all been very useful for the conduction of research and data collection.

Finally, books such as International Relations and the European Union from C. Hill and M. Smith, Policy-Making in the European Union from H. Wallace, M. Pollack and A. Young, La science politique et ses méthodes from Y. Surel, and L’Union Européenne face à la crise du nucléaire iranien all gave helpful insights for the research.

The methodological approach used to analyse the results of our research is focused on a theoretical framework that is composed of a variety of concepts and assumptions.

The first concept used in our research was the one put forward by Robert Putnam of “two-level games”, in his essay on Diplomacy and Domestic Politics: The Logic of Two-Level Games (1988).

The Iranian nuclear deal’s negotiations included the classic “two-level game theory” by Robert Putnam, which is inherent to almost any international negotiation. When talking of a “two-level game” Putnam indicates the interactions between the domestic and the international levels. Level one is the international level, which is composed by the international partners in the negotiation while level two is the domestic level, which is composed by the constituency, bureaucratic agencies, interest groups, trade unions, parliaments, etc. According to Putnam, the negotiator thus has a double task: avoid the deadlock at level one (the international one), and avoid non ratification at level two (the domestic one). Putnam uses the concept of “win-set” to explain how agreements are met. According to him, for a given domestic level (level
two), the “win-set” is the set of all possible international level agreements (level one) that would “win”, that is, gain the necessary majority among the constituents.

In order to have a successful agreement, there is a need for all win-sets to overlap and to fall within the domestic level “win-set” of each of the parties present in the negotiation. Putnam also argues that three factors can influence the size of a “win-set”. The first factor is the domestic level distribution of power, preferences and possible coalitions. The second factor is the domestic level institutions which involves the decisional ruling, some cultural aspects, the type of regime and at time a multiple-level game (for example, negotiations including the European Union which add the regional level). The third factor to influence the size of a “win-set” are the international level negotiators’ strategies (use of side-payments, increase popularity of the other negotiator). Finally, an additional factor influencing the size of a “win-set” is the autonomy of the negotiator. (Putnam, 1988).

The second concept used is “credible commitments” (i.e. credible threats and promises) proposed by Thomas Schelling in his essay on bargaining in The Strategy of Conflict (1960). In his essay, Schelling defines bargaining as the exchange of credible threats and promises. He argues that credible commitments allow any actor in a negotiation to “bind itself”. The actor is bound by the commitment it has made and has limited capacity of action.

According to Schelling, this limitation of capacity of action actually is empowering. The actor that constrains itself in a negotiation has then more power. This “weakness” (of having limited possibilities of action) gives power, while on the contrary, an actor with resources such as money is not in a stronger position because money gives more possibilities of action. Schelling argues that in the context of international negotiations, the least advantaged country is not always the weakest. The application of this can be found in some cases of European negotiations, where Denmark invoked its strong legislative power (strong home parliament) as a constraint in its ability to negotiate, and so strengthen itself in the negotiations. Another example can be found with France, where on a particular case, the rise of populism was used as a self-binding argument (France was bound by the public opinion and had its capacity of action limited) (Schelling, 1960).

Finally, another concept used for the analysis of the research is the one of “coercive diplomacy” suggested by Alexander George in his work on Forceful Persuasion: Coercive Diplomacy as an Alternative to War (1997). A relevant application of George’s concept is found
in an article by Tom Sauer entitled *Coercive Diplomacy by the EU: The Iranian Nuclear Weapons Crisis* (2007). In the article, Sauer argues that the main tool for state interaction is diplomacy, and in the case of failure of diplomacy, states may have to use threats of economic sanctions or military action. These threats are used to convince the opponent and defined as "coercive diplomacy". According to Sauer’s article, there are three elements that characterise coercive diplomacy: first, a demand; second, a threat; and third, time pressure. Firstly, in any controversy between two parties a demand from party A has to be transmitted to party B. Usually the objective of party A’s demand is to end or change an action that party B has begun. Secondly, the demand of party A needs to be backed by a threat against party B if it does not agree with the demand. In order to make the demand credible, the threat needs to be made explicit. Thirdly, coercive diplomacy needs some time pressure in order to be effective. The use of deadlines is frequent when sanctions are used. The risk of not having deadlines or some kind of time pressure is that the parties will not believe the threats are credible. According to Sauer, the success of coercive diplomacy depends on a series of factors. First, the demand and the underlying objective have to be legitimate. Second, the threatening state has to clearly state what are the goals. Third, the threat has to be credible. It is a crucial factor that depends on the proportionality of the threat with the demand, the threat’s support from the public opinion, the fear of escalation from the threatened state, and the threatening state’s reputation. The fourth factor is the credibility of time pressure. Finally, the fifth factor is the motivation of the actors to win the negotiation game. The actors’ motivation depends on the national interests involved. For example, regarding the Iranian nuclear deal, it can be said that Iran considered its right to nuclear energy as a vital national interest and in consequence was highly motivated to win the negotiations (Sauer, 2007).

The books, articles, websites, journals, documents used in this master’s thesis have been carefully chosen on the basis of their respective relevancy and information quality. The different essays employed for the methodological approach permitted to create a large theoretical framework useful for the realisation of a comprehensive analysis of the Iranian nuclear deal’s negotiation process.
Practical limitations have been encountered when gathering data for the research. Firstly, due to the high sensibility of the thesis’ subject, specific data regarding meetings, agreements, exchange of proposals, official positions of the actors in the negotiation, and possible hidden interests of the actors was difficult, and in some cases, impossible to collect. Secondly, due to the contemporary nature of the thesis’ subject, data gathering was less accessible. In fact, the negotiations on the Iranian nuclear deal lasted until 2015 and the agreement entered into force in 2016. More time might be needed in order for scholars to be able to produce qualitative essays, articles, books on that subject.
3. Chronological reconstruction of the negotiations:

3.1. Historical context:
The period of Shah Reza Pahlavi’s reign marked the beginning of Iran’s nuclear ambitions. Iran’s ratification of the Treaty on Non-Proliferation of Nuclear Weapons (NPT) dates back to 1970. Four years later, the Shah established the Atomic Energy Organisation of Iran (AEOI) and announced a long-term plan to produce nuclear energy (Davenport, 2018). 

The Islamic Revolution in 1979 marked a pause in Iran’s development of nuclear energy. Nuclear cooperation with the United States, which had started years before, stopped because of the rupture of bilateral relations. The 1980-1988 Iran-Iraq War persuaded Ayatollah Khomeini to re-start the nuclear programme. In fact, strong political voices in the country advocated for a nuclear deterrent. In the 1990s, Iran acquired some nuclear technology such as reactor design and a quantity of uranium but was still relying greatly on foreign assistance to build nuclear facilities (Albright & Stricker, 2015).

According to the Belfer Center for Science and International Affairs “the United States has imposed economic sanctions on Iran since the 1979 hostage crisis and completely banned the import of Iranian goods in 1987” (Belfer Center, 2018). In addition, the United States imposed a ban on U.S. trade and investment in Iran in 1995 but also the Iran Sanctions Act in 1996 that consisted in sanctions on foreign firms that do business with Iran’s energy sector.

3.2. The European Initiative 2002 -2005

The starting point of the Iranian nuclear deal’s negotiations can be found in revelations made in the summer of 2002 by the National Council of Resistance of Iran, an Iranian political organisation opposed to the Iranian regime, that Iran was secretly working on a nuclear weapons programme (Sauer, 2007). In response to those revelations, at the September 2002 regular session of the IAEA General Conference (International Atomic Energy Agency), the Vice President of Iran and President of the Atomic Energy Organisation of Iran (AEOI), Mr. R. Aghazadeh declared that Iran was “embarking on a long-term plan to construct nuclear power plants” and confirmed that Iran “was building a large underground nuclear related facility at Natanz and a heavy water production plant at Arak” (IAEA, 2003).

Later, during a visit of the IAEA’s Director General in Iran scheduled from 21 to 22 February 2003, Iran confirmed its uranium enrichment programme and the new facilities located at
Natanz and Arak were officially declared to the IAEA. Moreover, Iran also “acknowledged the receipt in 1991 of natural uranium, which had not been reported previously to the Agency” (IAEA, 2003). The report by the Director General of the IAEA dated June 2003 concluded that Iran

“had failed to meet its obligations under its Safeguards Agreement with respect to the reporting of nuclear material, the subsequent processing and use of that material and the declaration of facilities where the material was stored and processed”

and although the “quantities of nuclear material involved” were not large, it was a matter of concern of the IAEA (IAEA, 2003).

Later in 2003, on August 4, a letter was written on behalf of the E3 Foreign Ministers – Jack Straw for the United Kingdom, Dominique de Villepin for France and Joschka Fisher for Germany – to their Iranian counterpart Kamal Kharazi. The letter was an attempt from the European ministers to solve the issue regarding Iran’s nuclear programme before it would be taken to the United Nations Security Council (UNSC) and an invitation to reinforce cooperation if Iran renounced to its Uranium-enrichment activities (Nicoullaud, 2008).

3.2.1. The Tehran Declaration

On October 21 2003, a meeting in Tehran was organised after a E3 initiative, between the E3 Foreign Ministers, the Iranian Foreign Minister and Iran’s Secretary of the Supreme National Security Council Hassan Rouhani (Nicoullaud, 2008).

The meeting led to a joint declaration on part of all the Foreign Ministers present. The E3 position was quite clear, it had three main demands to which Iran agreed. First, the full cooperation from Iran with the International Atomic Energy Agency (IAEA) regarding some unresolved questions concerning Iran’s nuclear activities (Iran was believed to have had some covert nuclear activities over the past year (MacAskill, et al., 2003)) (E3, 2003). Second, that Iran signed the Additional Protocol to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and engaged the procedure of ratification (E3, 2003) , which allows for short-notice, extensive inspections of all nuclear sites by IAEA inspectors (De Luce, 2003). Iran indicated that to show goodwill it would cooperate with the IAEA according to the Additional Protocol even before its ratification.
Third, that Iran suspended its Uranium-enrichment and reprocessing activities. Iran strongly insisted it would agree to do it out of free will as it has the right to develop nuclear energy for peaceful purposes under the NPT (E3, 2003).

The E3 Foreign Ministers also indicated in the declaration that the E3 recognised Iran’s right to peaceful use of nuclear energy according to NPT; that the Additional Protocol to the NPT was in no way directed at undermining the sovereignty nor the national security of Iran; that after international preoccupations would be assessed, Iran could access more easily modern technology and supplying in a series of domains; and finally that the E3 would cooperate with Iran to promote the security and stability in the region, creating a zone free of weapons of mass destruction (WMDs) in the Middle East in accordance with UN objectives (E3, 2003).

In an interview given to the French Newspapers Le Figaro two days after the meeting in Tehran, the then French Foreign Minister de Villepin gave interesting insights over his view of the initiative by the E3 states. According to de Villepin, the E3 initiative was a clear example of European unity, and showed what Europeans were able to do in the field of international conflict resolution. What seemed clear for the French Foreign Minister was that a strong Europe was in the interest of all: the EU citizens, the United States, Russia, and the multilateral institutions. He confirmed the E3 group was united and had a common position on Iran (de Villepin, 2003). Interestingly, this view of a united Europe regarding the negotiation with Iran was not shared by everyone inside the EU.

As a matter of fact, the E3 initiative was in the name of the E3 and not in the name of the European Union (EU), the joint declaration of October 2003 did not mention the European Union and the then EU High Representative (HR) to the Common Foreign Security Policy (CFSP) Javier Solana was not included in the negotiation (Pouponneau, 2013). It is worth noting, that EU High Representative Javier Solana only acknowledged the joint statement made in Tehran in a short press release stating that he “warmly welcome the declaration made in Tehran” (Solana, 2003).

It seemed almost as if the EU institutions and the EU partners had been ignored during the process. In fact, some EU diplomats from the Netherlands and Greece in a September 2003 reunion were angry at the E3 initiative, and urged that the EU’s High Representative Solana be added in the negotiation process. Some French diplomats argued that the E3 initiative was the only possible solution in this negotiation because of the EU’s structural complexity
(negotiating between twenty-five countries on this urgent matter would have taken too much time and effort) (Pouponneau, 2013). In other words, the E3 action was united and was “at least publicly”, supported by the other EU member states (Sauer, 2007).

In its report dated November 10 2003, the Director General of the IAEA reported the reception of a letter dated October 21 2003 from Iran, where it reaffirmed that “the Islamic Republic of Iran had decided to provide a full picture of its nuclear activities” (IAEA, 2003). Furthermore, the report stated that Iran had communicated on November 10 2003 its “acceptance of the draft text of the Additional Protocol” and that Iran “was prepared to sign the Additional Protocol, and that pending its entry into force, Iran would act in accordance with the provisions of that Protocol”, and finally that Iran “had decided to suspend, with effect from 10 November 2003, all enrichment related and reprocessing activities in Iran” (IAEA, 2003). On December 18 2003, Iran signed the Additional Protocol to its Safeguards Agreement under the NPT.

After an IAEA report of March 2004 declared there were missing parts in the Iranian declarations on its nuclear programme, Iran submitted in May 2004 a second “full picture” of its past and present nuclear activities (Sauer, 2007). However, in September 2004, Iran started to convert uranium into uranium gas (a step further in the direction of uranium conversion with possible military uses), a situation that created tensions at the negotiation table and obliged the E3/EU to urge Iran to co-operate and to immediately suspend its enrichment activities (Sauer, 2007). At its September 18 2004 Board meeting, the IAEA published a resolution urging Iran to “provide all the necessary information before the next meeting at the end of November 2004, but without an automatic trigger to send the file to the UN Security Council in case of non-compliance” (Sauer, 2007), and in fact the resolution stated that the IAEA would “remain seized of the matter” (IAEA, 2004).

3.2.2. The Paris Agreement

On November 15 2004, the Paris Agreement was signed, and the EU High Representative was added in the negotiations, much to the content of some EU member states. It was the first time the EU was formally included in the process and the acronym E3/EU was created to formalise the new format on the European part (Pouponneau, 2013).
In broad terms, the Paris Agreement entailed Iran to suspend its Uranium-enrichment activities for the duration of the talks with the E3/EU (Davenport, 2018).

On November 26 2004, the IAEA published a communication received from the Permanent Representatives of the E3 and Iran concerning the agreement made in Paris. The Paris agreement included the reaffirmation from the E3/EU and Iran of their commitment to the NPT; the recognition from the E3/EU of Iran’s rights under the NPT (especially the right to enrichment for peaceful purposes); the promise from the E3/EU that “once suspension has been verified, the negotiations with the EU on a Trade and Cooperation Agreement will resume” and also that it “will actively support the opening of Iranian accession negotiations at the WTO”. On its side, Iran reaffirmed that “it does not and will not seek to acquire nuclear weapons”, but also that “it commits itself to full cooperation and transparency with the IAEA” and finally that it “will continue implementing voluntarily the Additional Protocol pending ratification”.

Furthermore, in order to build confidence with the E3/EU, Iran reaffirmed it would on a voluntary basis “continue and extend its suspension to include all enrichment related and reprocessing activities”. Thus, it can be seen that the E3 demands of 2003 were again satisfied. The E3/EU specifically recognised that “this suspension is a voluntary confidence building measure and not a legal obligation”. Finally, the crucial argument of the suspension of uranium-enrichment activities during the overall process was a precondition for negotiations on a “long-term agreement” (IAEA, 2004).

3.3. The Sanctions Period 2005 – 2013

3.3.1. Mahmoud Ahmadinejad’s election

During the summer of 2005, a political change occurred in Iran with the election of Mahmoud Ahmadinejad. The newly elected President’s hostile rhetoric against the West and particularly the United States and his critics of the Paris Agreement proved to be a downturn for the fragile negotiations between the E3/EU and Iran. Moreover, Ahmadinejad publicly expressed that Iran had a right to enrichment as it was a national priority and a part of Iran’s sovereignty. It was in this prospective that Iran resumed uranium-enrichment activities in some of its nuclear facilities. In fact, on August 8 2005, Iran began uranium conversion and in response, the E3/EU halted their negotiations with Iran (Davenport, 2018).
The IAEA Board Resolution dated September 24 2005 paved the way for a future referral of Iran to the United Nations Security Council would Iran not comply before the next IAEA meeting (IAEA, 2005).

Despite previous warnings from the IAEA, on January 9 2006 Iran once more resumed its nuclear activities, which generated the publication on January 18 2006 by the IAEA of a “Communication dated January 13 2006 received from the Permanent Missions of France, Germany and the United Kingdom to the Agency” that referred to a reunion in Berlin the day before between the E3 Foreign Ministers and the EU High Representative. The E3/EU statement recognised the negotiations with Iran had reached an impasse since “Iran’s decision to restart enrichment activity is a clear rejection of the process the E3/EU and Iran have been engaged in for over two years with the support of the international community”. The E3/EU affirmed that “Iran continues to challenge the authority of the IAEA Board by ignoring its repeated requests and providing only partial co-operation to the IAEA” to which the international community had to respond firmly since it damaged “the credibility of the NPT and the international non-proliferation system generally”. The E3/EU was interested in “resolving the issue diplomatically” even though they believed that the UNSC had to be involved “to reinforce the authority of IAEA Resolutions” (IAEA, 2006).

3.3.2. Iran’s referral to the UN Security Council
On February 4 2006, Iran was referred for the first time by the IAEA to the United Nations Security Council for not complying with the requirement of halting its enrichment-related activities (IAEA, 2006). Two days later, Iran communicated its intentions to stop voluntarily implementing the Additional Protocol (Davenport, 2018). The report by the Director General of the IAEA dated February 27 2006 urged Iran to “re-establish full and sustained suspension of all enrichment related and reprocessing activities”, to “reconsider the construction of a research reactor”, to “ratify promptly and implement in full the Additional Protocol”, and “pending ratification, continue to act in accordance with the provisions of the Additional Protocol which Iran signed on 18 December 2003” (IAEA, 2006).
Along the involvement of the UNSC in the Iranian case, the issue of the sanctions to be imposed on Iran appeared. The debate inside the E3 group over sanctions on Iran showed that each country had different interests and different positions concerning Iran (Pouponneau, 2013). In fact, the main factor influencing these differences was trade with Iran. In comparison with France and the United Kingdom, Germany was always more reluctant to sanction Iran on a EU level. This could be explained by its commercial ties with Iran: in 2007, German exports to Iran represented 36% of the EU’s total exports to Iran, while France’s accounted for 15% and the UK’s only for 6% (Pouponneau, 2013). Moreover, Germany had a long history of economic relations with Iran, including on civilian nuclear energy, until the Islamic Revolution in 1979 (Cirera, 2008).

There were also differing positions on military action in Iran. On one side, Germany and France were strongly opposed to any military action (the public opinion would have been outraged) while on the other side, the United Kingdom was not in favour but historically followed the United States’ indications as was the case in the 2003 Iraq war (Cirera, 2008).

During an EU Foreign Ministers reunion on April 10 2006, the German foreign minister Frank-Walter Steinmeier argued the EU should only adopt its own sanctions against Iran if a deadlock in the UNSC was to be found (because China and Russia were reluctant to sanction Iran) (MacAskill & Tait, 2006). During the same meeting, EU’s High Representative Javier Solana recommended limited sanctions on Iran such as visa bans on key figures and clarified the EU’s position on military action in Iran by saying “any military action is definitely out of the question for us” (MacAskill & Tait, 2006). The following day, Iran was announcing it had enriched uranium for the first time at its enrichment plant in Natanz (Davenport, 2018).

3.3.3. The E3/EU+3 formation

In June 2006, China, the Russian Federation and the United States joined the E3/EU to form the E3/EU+3. The group proposed a framework agreement to Iran offering incentives for Iran to suspend its enrichment program (Davenport, 2018). In fact, on June 1 2006, the E3/EU+3 (E3 group, the EU High Representative, China, Russia and the United States) issued a proposal to Iran. It is worth noting that starting from June 2006, the EU High Representative benefitted from more visibility since it was him who presented negotiation proposals in the name of the E3/EU+3 to the Iranian counterparts (Pouponneau, 2013).
In the proposal, the E3/EU+3 reaffirmed “Iran’s right to develop nuclear energy for peaceful purposes in conformity with its NPT obligations, and in this context reaffirm their support for the development by Iran of a civil nuclear energy programme”; by committing itself to “support the building of new light water reactors in Iran through international joint projects, in accordance with the IAEA Statute and the NPT”; and by agreeing “to suspend discussion of Iran’s nuclear programme at the Security Council on resumption of negotiations” (Solana, 2006).

Furthermore, the E3/EU expressed the same demands as in their 2003 proposal: first, that Iran addressed “all the outstanding concerns of the IAEA through full cooperation with the IAEA”; second, that Iran suspended “all enrichment-related and reprocessing activities to be verified by the IAEA, as requested by the IAEA Board of Governors and the UN Security Council, and commit to continue this during these negotiations”; and third, that Iran resumed the “implementation of the Additional Protocol” of the NPT (Solana, 2006). Finally, the proposal made by the E3/EU+3 included other areas for further cooperation with Iran such as regional security, international trade and investment, civil aviation, energy partnership, telecommunication infrastructure and agriculture (Solana, 2006).

3.3.4. UN Security Council resolutions

In July of the same year, the UN Security Council adopted resolution 1696 which, for the first time, made it legally binding for Iran to respect the IAEA’s calls for the suspension of its enrichment-related and reprocessing activities, with a deadline set on August 31 2006. According to Sauer, “On 22 August Iran also sent a 21-page answer to the proposal made by Solana at the beginning of June” which rejected the E3/EU+3 proposal. Unfortunately, Iran did not comply with the deadline set by the UNSC’s Resolution (Sauer, 2007).

Following the UN Security Council’s deadline, in its report dated August 31 2006, the IAEA Director General informed that:

“Iran has not addressed the long outstanding verification issues or provided the necessary transparency to remove uncertainties associated with some of its activities. Iran has not suspended its enrichment related activities; nor has Iran acted in accordance with the provisions of the Additional Protocol” (IAEA, 2006).
On December 23 2006, the UN Security Council voted a second resolution against Iran. Resolution 1737 was adopted unanimously and focused on imposing sanctions on Iran for its failure to suspend its enrichment-related activities. According to Davenport:

“The sanctions prohibit countries from transferring sensitive nuclear- and missile-related technology to Iran and require that all countries freeze the assets of ten Iranian organizations and twelve individuals for their involvement in Iran’s nuclear and missile programs.” (Davenport, 2018).

On March 24 2007, the UN Security Council issued its third Resolution against Iran after it continued to ignore the Council’s demand to suspend uranium enrichment. Resolution 1747 was unanimously adopted and focused mainly on sanctioning arms sales to Iran and tightening other sanctions. The Resolution decided Iran could not “supply, sell or transfer directly or indirectly from its territory or by its nationals any arms or related materiel”; it called for all states to restrain from supplying, selling or transferring any arms materiel ranging from “combat aircrafts, attack helicopters, warships” to “missiles or missiles systems”; it also called for “States and international financial institutions not to enter into new commitments for grants, financial assistance, and concessional loans” to Iranian government except for “humanitarian and developmental purposes”; it also reminded Iran that the June 2006 offer from the E3/EU+3 remained “on the table” and would “allow for the development of relations and cooperation with Iran based on mutual respect”; and finally it affirmed that it shall adopt “further appropriate measures” would Iran not respect this and the previous UNSC Resolutions (Security Council, 2007).

After three round of talks in July and August, on August 21 2007 the IAEA and Iran agree on a work plan for Iran to answer long-standing question about its nuclear activities (Davenport, 2018).

On March 3 2008, the UN Security Council passed Resolution 1803, which further broadened the previous nuclear and arms sanctions on Iran. The Resolution added seven new organisations and thirteen new individuals to the list of sanctioned entities; it also required additional efforts on the part of member states “to exercise vigilance” and restrain from providing sensitive nuclear or missile technology to Iran. Furthermore, the Resolution called upon all states to act cautiously when dealing with “new commitments for public provided
financial support for trade with Iran” and to verify “the activities of financial institutions in their territories with all banks domiciled in Iran”. Finally, the Resolution reaffirmed that “it shall suspend the implementation of measures if and for so long as Iran suspends all enrichment-related and reprocessing activities” and in the event that Iran does not comply with this Resolution and the previous ones, it shall “adopt further appropriate measures” (Security Council, 2008).

On the same day the UNSC resolution was passed, the foreign ministers of the E3/EU+3 with the support of the EU’s High Representative wrote a letter to the IAEA’s Director General voicing the “international community’s ongoing concern about the proliferation risks of the Iranian nuclear programme”, deploring “Iran’s continued failure to comply with its UN Security Council and IAEA Board requirements, in particular by expanding its enrichment-related activities”. The letter also reaffirmed the E3/EU+3’s “commitment to a dual-track approach”, it reconfirmed the proposals presented to Iran in June 2006 and assured that those proposals could be further developed (“opportunities for political, security and economic benefits to Iran and in the region”). Finally, the letter confirmed the prominent role played by the EU’s High Representative Javier Solana when expressing it was him who was asked by the E3/EU+3 to meet with Saeed Jalili, Secretary of Iran’s Supreme National Security Council in order to “address the interests and concerns of both sides in a manner which can gradually create the conditions for the opening of negotiations” (E3/EU+3, 2008).

On June 14 2008, the E3/EU+3 presented a new comprehensive proposal to the Iranian authorities. The condition for negotiations was that Iran suspend its enrichment-related and reprocessing activities while the E3/EU+3 would “recognize Iran’s right to develop research, production and use of nuclear energy for peaceful purposes in conformity with its NPT obligations” and “to treat Iran’s nuclear programme in the same manner as that of any Non-nuclear Weapon State Party to the NPT” (E3/EU+3, 2008). The proposal maintained the same framework as the one in 2006 and included propositions on nuclear energy, political and economic perspectives, energy partnership, agriculture, environment and infrastructure, civil aviation, and social and human development/humanitarian issues (E3/EU+3, 2008).
On July 19 2008, a meeting in Geneva between the E3/EU+3 and Iran took place where the June 2008 proposal was discussed. Iran proposed a process for negotiations but its proposals did not address steps it would take regarding its nuclear programme. The E3/EU+3 were not satisfied with Iran’s proposals and in the end, the Geneva talks were inconclusive (Davenport, 2017).

On September 15 2008, the Director General of the IAEA submitted a report stating the Agency was not able to “provide credible assurance about the absence of undeclared nuclear material and activities in Iran” and that “contrary to the decisions of the Security Council, Iran has not suspended its enrichment related activities” (IAEA, 2008). Following this report, the UN Security Council adopted on September 27 Resolution 1835 which reaffirmed the previous resolutions adopted on Iran’s nuclear programme (Security Council, 2008).

3.3.5. Back Obama’s election

On January 20 2009, Barack Obama was officially nominated as the new President of the United States of America. In April 2009, the new administration announced it would participate fully in the E3/EU+3 talks with Iran, which was a departure from the previous Bush administration’s policy requiring Iran to meet UN demands first (Davenport, 2018).

On June 12 2009, Iran hold presidential elections, and incumbent President Mahmoud Ahmadinejad was re-elected amidst accusations of a rigged election (Davenport, 2018).

On September 25 2009, President Obama, French President Sarkozy and British Prime Minister Brown hold a joint press conference on the Iranian nuclear programme. President Obama stated “Earlier this week, the Iranian government presented a letter to the IAEA that made reference to a new enrichment facility, years after they had started its construction.” (Obama, 2009).

In fact, the letter President Obama was referring to was received by the IAEA’s Director General on September 21 2009 and stated that

“Based on [its] sovereign right of safeguarding ... sensitive nuclear facilities through various means such as utilization of passive defence systems ... [Iran] has decided to construct a new pilot fuel enrichment plant (up to 5% enrichment)” (IAEA, 2009).
During the joint press conference, President Obama also insisted on the urgency of the October 1st 2009 meeting between the E3/EU+3 and Iran, and that Iran had to “be prepared to cooperate fully and comprehensively with the IAEA to take concrete steps to create confidence and transparency in its nuclear program” (Obama, 2009). On his part, President Sarkozy warned Iran that if by December 2009 no extensive changes were noticed sanctions would have to be taken.

On October 1st 2009, the E3/EU+3 and Iran agree “on principle” on a proposal regarding one of Iran’s nuclear facility. The proposal consisted in a fuel swap, which meant that Iran would export its 3.5 percent enriched uranium in return 20 percent enriched uranium fuel. Unfortunately, domestic opposition and many prominent Iranian politicians voiced their reservations toward the arrangement, which in the end did not materialise (Davenport, 2018).

3.3.6. Additional UN, EU, and U.S. sanctions on Iran

On June 9 2010, the sixth and last UN Security Council resolution on Iran’s nuclear programme was adopted. Resolution 1929 significantly expanded sanctions against Iran. It included measures that tightened proliferation-related sanctions and banned Iran from carrying out ballistic missile activities; it imposed an arms embargo on the transfer of major weapons systems to Iran; it also banned companies from working with Iran’s energy industry and from conducting financial transactions with Iranian banks, ; it intensified sanctions on the Iranian shipping sector; and finally, it expanded the list of individuals and entities connected to the nuclear programme (Davenport, 2018).

On June 17 2010, the European Council identified sanctions to be taken regarding Iran’s nuclear programme. In fact, the following month, the Council of the European Union adopted “a comprehensive package of EU sanctions against Iran”. The Council of the EU “adopted a Decision implementing the measures contained in UN Security Council Resolution 1929 as well as accompanying measures”. Those measures included sanctions in

“the areas of trade, financial services, energy, transport as well as additional designations for visa ban and asset freeze, in particular for Iranian banks, the Islamic Revolutionary Guard Corps (IRGC) and the Islamic Republic of Iran Shipping Lines (IRISL)” (Council of the European Union, 2010).
Finally, the Council of the EU reaffirmed the EU’s commitment for a diplomatic solution regarding Iran’s nuclear programme and reaffirmed “the validity of the June 2008 proposals made to Iran” (Council of the European Union, 2010).

On July 1st 2010, the US Congress adopted the Comprehensive Iran Sanctions, Accountability, and Divestment Act (United States Congress, 2010). The purpose of the act was to “to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran”. The act expanded the sanctions under the Iran Sanctions Act of 1996; it included measures on the economic and financial sectors but also regarding investment in the energy sector of Iran; and finally, it contained sanctions against Iran’s Revolutionary Guard Corps (IRGC) (United States Congress, 2010).

A series of talk between the E3/EU+3 and Iran were held first in Geneva in December 2010 and then in Istanbul in January 2011 but did not lead to any substantive agreement (Davenport, 2018). In July 2011, the Russian Foreign Minister Sergey Lavrov proposed a “road map” where Iran would take a series of steps in order to strengthen cooperation with the IAEA and would in return be rewarded with sanction alleviation but ultimately the proposal did not get support by the other parties in the negotiations (Davenport, 2018).

On October 21 2011, the EU High Representative Catherine Ashton sent a letter to Saeed Jalili, the Iranian diplomat in charge of the negotiations, asking for “meaningful discussions on concrete confidence-building steps” (Davenport, 2018).

On December 31 2011, the United States passed the National Defence Authorisation Act (it came into force only in June 2012), which according to the Belfer Center for Science and International Affairs “sanctioned financial institutions conducting transactions with Central Bank or other previously blocked Iranian banks” (Belfer Center, 2018).
3.3.7. The European Union’s oil embargo on Iran

On January 23 2012, the Council of the European Union adopted a series of conclusions on Iran. Those conclusions recalled the ones already made by the Council during its previous meeting on December 9 2011, and regarded the Council’s “serious and deepening concerns over the Iranian nuclear programme and in particular over the findings on Iranian activities relating to the development of military nuclear technology” (Council of the European Union, 2012). In fact, the latest IAEA report informed about Iran’s “recent start of operations of enrichment of uranium to a level of up to 20% in the deeply buried underground facility in Fordow near Qom” (Council of the European Union, 2012). As a result of those concerns regarding Iran’s nuclear programme and continued failure with its international obligations, the Council of the EU endorsed a series of sanctions on Iran entering in force on July 1st 2012:

“the Council has agreed additional restrictive measures in the energy sector, including a phased embargo of Iranian crude oil imports to the EU, in the financial sector, including against the Central Bank of Iran, in the transport sector as well as further export restrictions, notably on gold and on sensitive dual-use goods and technology, as well as additional designations of persons and entities, including several controlled by the Islamic Revolutionary Guards Corps (IRGC)” (Council of the European Union, 2012).

On March 6 2012, EU High Representative Catherine Ashton sent a letter to Saeed Jalili, the Secretary of the Supreme National Security Council, in reply to his letter from February 14 2012. Ashton, talking in the name of the E3/EU+3, welcomed Jalili’s suggestion “to resume dialogue” and his “readiness to address the international community’s concerns” about Iran’s nuclear programme (Ashton, 2012). The letter focused on engaging “in a constructive dialogue” and “confidence building steps” that would in the end lead to “the full implementation by Iran of UNSC and IAEA Board of Governors’ resolutions” (Ashton, 2012). Finally, Ashton stated that the E3/EU+3’s overall goal remained “a comprehensive negotiated, long-term solution which restores international confidence in the exclusively peaceful nature of Iran’s nuclear programme” (Ashton, 2012).

On March 15 2012, the Society for Worldwide Interbank Financial Telecommunication or “SWIFT” (SWIFT is a global provider of secure financial messaging services headquartered in Belgium), announced that, following the EU Council decision of January, it would “discontinue
its communications services to Iranian financial institutions that are subject to European sanctions” (Bale, 2012).

Between April and July 2012, the E3/EU+3 and Iran held talks in Istanbul, Baghdad, Moscow, and exchanged proposals that included technical expertise (Davenport, 2018). In June 2012, negotiations at the highest level in Moscow between the E3/EU+3 and Iran failed to deliver a solution to the diverging positions. The failure resulted in a reschedule of the talks at a nuclear experts’ level, with experts from the E3/EU+3 and Iran. The then EU High Representative Catherine Ashton stated there were “significant gaps between the substance of the two positions” (Borger, 2012).

On September 27 2012, during a speech at the United Nations General Assembly, the Israeli Prime Minister Benjamin Netanyahu literally drew a red line (Netanyahu showed the assembly a drawing of a bomb with a red line corresponding to Iran amassing 250 kilograms of 20% enriched uranium) that meant an Israeli attack on Iran (Davenport, 2018).


Between February and April 2013, the E3/EU+3 and Iran held talks in Almaty, Kazakhstan. Unfortunately, the negotiations were unsuccessful and no further meetings were scheduled (Davenport, 2017).

In March 2013, the Sultan of Oman, Qaboos bin Said Al Said, offered to discreetly host a three-day secret meeting in Muscat, between US and Iranian diplomatic delegations. The US delegation was led by Deputy Secretary of State William Burns, and the Iranian delegation by Deputy Foreign Minister Ali Asghar Khaji. The use of this back-channel negotiation between the US and Iran continued after the election of President Rouhani in June 2013. About nine or ten secret US-Iran bilateral talks were held between March 2013 and November 2013 (Rozen, 2015).

3.4.1. Hassan Rouhani’s election

On June 14 2013, the moderate and former nuclear negotiator Hassan Rouhani is elected as the new President of Iran. According to the Belfer Center for Science and International Affairs
“Hassan Rouhani’s surprise victory in Iran’s June 2013 presidential elections energized Iranians eager for sanctions relief and an end to Iran’s international isolation” (Belfer Center, 2018). Shortly after his inauguration in August, Rouhani called for the resumption of negotiations with the E3/EU+3 (Davenport, 2018). He nominated a new negotiating team led by Foreign Minister Mohammad Javad Zarif, “a career diplomat who has spent nearly half his life in the United States” (Belfer Center, 2018).

On September 26 2013, on the sidelines of the UN General Assembly in New York, the E3/EU+3 foreign ministers met with Iranian foreign minister Mohammad Javad Zarif, who presented the E3/EU+3 with a new proposal for negotiations. The parties agreed to meet in Geneva on October 15 (Davenport, 2018).

The following day, US President Barack Obama called Iranian President Hassan Rouhani, it marked the highest level contact between the US and Iran since 1979 (Davenport, 2018). According to the Belfer Center, observers considered that phone call as “a significant breakthrough in relations between the two countries” (Belfer Center, 2018).

Meetings between the E3/EU+3 and Iran took place in Geneva on October 15-16, on November 7-10, and then on November 20-24. At the end of the two-days meetings in October, EU High Representative Ashton and Iran’s foreign minister Zarif made a joint statement, declaring that Iran “presented an outline of a plan as a proposed basis for negotiations, which is being carefully considered by the E3+3 as an important contribution” and that this statement followed “two days of substantive and forward looking negotiations” (Ashton & Zarif, 2013).

Following the first series of meetings in November, U.S. Secretary of State John Kerry declared on November 10 that the parties had made “significant progress”, and “narrowed the differences” regarding the peaceful nature of Iran’s nuclear programme (Kerry, 2013).

The only actor present in almost all the reunions was the EU High Representative Catherine Ashton who had a leading role in trying to narrow and bridge the diverse positions of the different actors in the negotiation. The negotiations were held on a multi-dimensional level,
there were some multilateral meetings and many bilateral reunions between all the actors part in the negotiation process (Traynor, 2013).

3.4.2. Adoption of the Joint Plan of Action (JPOA)

On November 24 2013, the Iranian Minister of Foreign Affairs Mohammad Javad Zarif and the then EU’s High Representative for Foreign Affairs and Security Policy Catherine Ashton (leader of the E3/EU+3 negotiating team), announced the adoption of the Joint Plan of Action (JPOA). The agreement provided limited, temporary sanctions relief to Iran (Centre for Strategic & International Studies, 2017). The E3/EU+3 agreed to suspend efforts to reduce Iran’s oil sales, to suspend some US and EU sanctions on Iran’s petrochemical exports, on its access to gold and precious metals, and those sanctions targeting auto and aviation industries. Finally, there would be no new UNSC and EU nuclear-related sanctions (E3/EU+3 and Iran, 2013).

On its part, the US would not implement new nuclear-related sanctions and make available funds held abroad for the purchase of humanitarian goods. Under the JPOA, Iran agreed to cease its enrichment of uranium above 5%, to reduce its stockpile of 20% enriched uranium, not to construct facilities capable of enrichment, and to allow more intrusive IAEA inspections (Gibson, 2016). Also, a Joint Commission was established to monitor the agreement and work with the IAEA (Davenport, 2018).

The joint statement made by EU High Representative Ashton and Iranian foreign minister Zarif in margin of the adoption of the JPOA considered the agreement as “a first-step on initial reciprocal measures to be taken for both sides for a duration of six months”, and that the ultimate goal was to reach a “long-term comprehensive solution” (Ashton & Zarif, 2013).

On January 20 2014, the Joint Plan of Action is implemented by the E3/EU+3 and Iran. Also, Iran’s compliance with the agreement is confirmed by the IAEA. Between February and April 2014, the E3/EU+3 and Iran met in Vienna to negotiate the comprehensive agreement and started drafting it in May (Davenport, 2018). Additional rounds of talks took place in Vienna in June and July, where it was agreed the talks would be extended until November 24 2014 and the measures of the JPOA applied until that date (Davenport, 2018).

The extension of the talks was a result of a stall in the negotiations that happened during the meetings of the summer 2014. It occurred because of the recurrent divergence on the two sides over the limit on Iran’s enrichment capacity and the duration of the limit. The Iranian
negotiators proposed to freeze Iran’s capacity to enrich Uranium at its 2014 level, which accounted for ten thousand centrifuges, for a duration of seven years.

The United States, which by then had taken a leading role in the E3/EU+3, opposed the Iranian proposition and argued in a first proposal that Iran reduce its enrichment capacity to one thousand five hundred centrifuges for a duration of twenty years. It then made concessions and accepted six thousand centrifuges but without changing its position on the duration. On other matters, Iran proposed that the Arak heavy-water reactor produce only two kilogrammes of plutonium a year while the E3/EU+3 were opposed and wanted only one kilogramme to be produced per year (Borger, 2014).

3.4.3. Extension of negotiations

On November 24, 2014, the EU High Representative Catherine Ashton and the Iranian foreign minister Mohammad Javad Zarif formulated a joint statement following the talks in Vienna. The statement reported that “given the technical nature of this effort and the decisions needed”, the E3/EU+3 and Iran decided to “extend the measures of the Joint Plan of Action to allow for further negotiations until June 30th”. The parties expressed their commitment to complete the negotiations on the comprehensive agreement “within the shortest possible time” and reaffirmed that “they will continue to implement all their commitments described in the Joint Plan of Action in an efficient and timely manner” (Ashton & Zarif, 2014).

Meetings were held in Geneva between December 2014 and January 2015, in February 2015 in Vienna, and then in March in Lausanne. On April 2, 2015, E3/EU+3 and Iran announced they reached an agreement on the general framework of the comprehensive nuclear deal (Davenport, 2018).

During the last months of negotiations, France signalled itself as the country with the toughest stance towards Iran. While the United States proposed a lifting of the UN sanctions based on a series of steps in return for concrete Iranian actions, such as scaling down and limiting its nuclear programme. France argued to offer only a symbolic softening of the harsh measures imposed over the past decade on Iran. Moreover, France insisted that the entirety of UN sanctions would only be lifted if Iran was giving complete explanations regarding past work
on nuclear warheads design. Ultimately, the United States’ stance was shared by the United Kingdom and Germany, while China and Russia would have offered more generous terms to Iran (Borger & Roberts, 2015).

3.4.4. Agreement on the Joint Comprehensive Plan of Action (JCPOA)
Following two weeks of intensive negotiations between all the parties in Vienna, on July 14 2015, the EU High Representative Federica Mogherini and Iran’s foreign minister Mohammad Javad Zarif announced the E3/EU+3 and Iran had reached an agreement on the text of the Joint Comprehensive Plan of Action (JCPOA). In their joint statement, they welcomed this historic agreement that ensured Iran’s nuclear programme’s exclusively peaceful purposes. The statement added that:

“The Joint Comprehensive Plan of Action includes Iran’s own long-term plan with agreed limitations on Iran’s nuclear program, and will produce the comprehensive lifting of all UN Security Council sanctions as well as multilateral and national sanctions related to Iran’s nuclear programme, including steps on access in areas of trade, technology, finance, and energy” (Mogherini & Zarif, 2015).

On July 20 2015, UN Security Council unanimously adopted resolution 2231 endorsing the nuclear deal and the lifting of nuclear-related sanctions 1696, 1737, 1747, 1803, 1835, 1929 and 2224 to come into effect on Implementation day (United Nations Security Council, 2015).

On October 18 2015 was Adoption day, the E3/EU+3 and Iran formally adopted the JCPOA. Iran began taking steps to restrict its nuclear program; the EU announced it passed legislation to lift nuclear-related sanctions while the U.S. issued waivers on nuclear-related sanctions both to come into effect on Implementation day (Davenport, 2018).

On January 16 2016, based on the IAEA report that verified Iran had met its nuclear commitments, Mohammad Zarif and Federica Mogherini announced Implementation day (Davenport, 2018). Furthermore, the UN Security Council resolution 2231 came into effect; Iran implemented a wide range of measures that included modifying existing nuclear facilities and infrastructure; the EU Regulation temporarily lifting sanctions became effective; and the
US temporary waivers lifting sanctions and Executive orders became effective. The Joint Commission began operations (Centre for Strategic & International Studies, 2017)

3.5. Conclusion

This chapter’s goal has been to chronologically address the negotiation process that ultimately led to the signing of the Joint Comprehensive Plan of Action (JCPOA) also known as the Iran nuclear deal. The overall process has lasted over more than a decade, precisely from 2003 to 2016, and has involved numerous actors. During the first phase of the negotiation process, from 2003 to 2006, three European states launched a diplomatic initiative towards Iran in order to address its secret nuclear programme. In fact, Germany, France, and the United Kingdom, altogether forming the E3, jointly decided to engage with Iran regarding its nuclear activities and wanted to quickly solve the issue in order not to enter in a proper nuclear proliferation crisis.

In October 2003, the E3 and Iran produced the Tehran Declaration, which formally addressed the diplomatic efforts to constrain Iran’s nuclear programme, and included commitments on both sides. Nevertheless, slow progress on the Iranian part regarding its nuclear activities obliged the E3 and Iran to further negotiate and ultimately they reached in November 2004 the Paris Agreement which addressed Iranian commitments to curb its nuclear programme while the European states would increase their economic cooperation with Iran. In addition, the Paris Agreement saw the involvement of the High Representative of the European Union for Foreign Affairs and Security Policy at the table of the negotiations after some other EU member states’ discontent and feeling of exclusion from the negotiation process.

During the second phase, which lasted from 2006 until 2013, additional actors have been added to the negotiations. In fact, in February 2006, following political change in Iran with the election of conservative President Ahmadinejad and resumption of nuclear activities, Iran was referred for the first time to the United Nations Security Council. This action signified that the permanent members of the United Nations Security Council would become involved in the overall process. Therefore, China, the Russian Federation and the United States of America were added to the negotiation process. This change of actors meant that on one side there was Iran, and on the other side, there were Germany, France, the United Kingdom, the EU High Representative, China, the Russian Federation, and the United States of America, altogether forming the E3/EU+3 group. This second phase in the negotiation process was
marked by six UN Security Council resolutions addressing Iran’s nuclear programme, and additional sanctions taken by the United States and the European Union. The pinnacle of the sanctions regime that was progressively imposed on Iran was reached in July 2012 when the European Union established an embargo on Iranian oil. Facing a crippled economy, social unrest, and exclusion from the international community, Iran was at a low point in the negotiation process.

The third phase of the negotiations started in 2013 with the Iranian presidential election of the moderate Hassan Rouhani and ended in early 2016 with the implementation of the Iran nuclear deal. That phase was marked by extensive and positive negotiations between the E3/EU+3 and Iran. Slowly, progress was made on technical issues regarding Iran’s nuclear programme and the two sides agreed in November 2013 on a Joint Plan of Action (JPOA). Nevertheless, negotiations would still continue for almost two years, because of additional technical details that had to be solved and conflicting positions on the part of the E3/EU+3 and Iran regarding the final agreement.

Finally, in July 2015, the Joint Comprehensive Plan of Action (JCPOA) was reached after a final two weeks of intensive negotiations in Vienna. The Iran nuclear deal was adopted in October 2015 and implemented in January 2016 after the International Atomic Energy Agency had verified Iran’s compliance with its nuclear commitments. In exchange for the containment of its nuclear programme, Iran was relieved from all nuclear-related sanctions, but also from economic, financial, and other type of sanctions.
4. Constraints

When the EU High Representative Federica Mogherini and the Iranian Foreign Minister Mohammad Javad Zarif jointly announced the signing of the Joint Comprehensive Plan of Action (JCPOA) on July 14, 2015, the entire international community applauded the efforts made by the E3/EU+3 (France, Germany, the United Kingdom, China, Russia, and the United States) and the Islamic Republic of Iran in reaching an agreement after such a long and complicated negotiation process. However, little time was needed for some actors to manifest their discontent and anger against the nuclear deal. In fact, Israel and the Republican members of the U.S. Congress quickly voiced their frustration and their opposition to the JCPOA. Another relevant actor in Middle East affairs that expressed its concern and anxiety towards the Iranian nuclear deal was the Gulf Cooperation Council (GCC) which comprises six member states: Saudi Arabia, Bahrain, United Arab Emirates, Kuwait, Oman, and Qatar.

The purpose of this chapter is to assess which were the obstacles to the negotiation process. Three main actors have been identified as trying to constrain and to undermine the negotiations between the E3/EU+3 and Iran, namely Israel, the Gulf Cooperation Council, and the U.S. Congress. For each of them, a brief historical context will introduce their relation with Iran. The chapter will then analyse the reasons for these actors’ hostility to the negotiation process that led to the Iran nuclear deal and the consequences their opposition had on it. The first part of this chapter will deal with Israel’s stance and actions during the negotiations, and the reasoning that explain them. An assessment of Israel’s long-lasting propaganda against Iran and Prime Minister Benjamin Netanyahu’s 2015 speech in front of the U.S. Congress will be conducted. The second part will focus on the Gulf Cooperation Council’s behaviour during the negotiation process. It will also address the causes of the GCC’s hostility towards the JCPOA. GCC countries have argued the deal would empower Iran regionally and therefore would threaten their security, they have expressed their anxiety towards an American disengagement in the Gulf, and also their fear of nuclear proliferation in the Middle East. Finally, this chapter is going to focus on the debate inside the U.S. Congress regarding the Iranian nuclear deal, and its consequences on the implementation of the agreement. It will first establish a chronology of events, second, it will address the lobbies’ importance in shaping U.S. Congress views, and finally it will deal with the consequences of Israel’s Prime
Minister Benjamin Netanyahu’s speech on the relationship between the White House and the U.S. Congress.

4.1. Israel

4.1.1. Historical context
Since the aftermath of the second World War, the state of Israel and the Islamic Republic of Iran have maintained more or less tense relations depending on the period. In 1947, Iran opposed United Nations’ plan to partition Palestine and in 1949, Iran voted against the admission of Israel in the United Nations. From 1953 until 1979, during the reign of Mohammad Reza Pahlavi, Iranian-Israeli relations increased for the better. The Islamic Revolution of 1979 brought an end to that relatively peaceful period and Iran-Israel relations changed drastically. In fact, Iran decided to cut all its ties to Israel, may it diplomatically or economically, and refused to recognise the state legitimacy of Israel. After the Gulf War of 1990, the two countries entered a phase of open conflict and both used aggressive rhetoric against each other. During the first decade of the 21st century, Mahmoud Ahmadinejad shocking speeches stating that “Israel should be wiped off the map” or “wiped off the pages of time” (depending on the translations), or its dubious comments regarding the Holocaust only exacerbated the tensions between the two countries.
To summarize, the core conflicts in the Iranian-Israeli relation have been the Israel-Palestine issue, the Zionism-Radical Islam ideologies, the secret nuclear programmes, and Iran’s support to regional proxies such as Hamas in Palestine and Hezbollah in Lebanon.
Finally, as a sign that relations between the two countries will remain complicated regardless of the Iranian nuclear deal reached in July 2015, was the statement made in March 2017 by the chief of Mossad, Yossi Cohen, that “as long as the current regime exists, with the nuclear agreement or without it, Iran will continue to serve as the main threat to Israel’s security” (Jpost.com, 2017).

4.1.2. Israel’s propaganda against Iran
This section’s objective is to analyse Israel’s rhetoric and propaganda vis-à-vis Iran, and the impact it had on the negotiation process that led to the Iran nuclear deal in 2015.
In April 2005, during a visit of Israel’s Prime Minister Ariel Sharon to the United States, the Israeli leader declared that his government had not the intention to “planning any military
attack on Iran” (Aljazeera, 2005). During the same trip to the U.S., Ariel Sharon also compelled President Bush to increase its pressure on Iran regarding its nuclear programme. Sharon shared to Bush his little confidence in the negotiations that were ongoing between Iran and the E3 (Germany, France, and the United Kingdom) at that time (Sanger, 2005).

In August 2008, a Fox news report (relaying information from the Associated Press) stated that Israel was “building up its strike capabilities” and was seriously considering a military strike on Iranian nuclear sites (Gearan & Baldor, 2008).

Netanyahu has been obsessed with the Iranian nuclear issue even before he took office in 2009. According to Avner Cohen, when in the opposition and during his campaign for the 2009 election, Netanyahu focused mainly on the Iranian nuclear deal issue to claim the leadership of Israel. Furthermore, after being elected, the conservative Prime Minister “did not miss an opportunity to invoke the Iranian nuclear issue as Israel’s most dangerous and existential threat” (Cohen, 2016).

In March 2012, during a meeting between Primer Minister Netanyahu and U.S. President Obama, the Israeli leader stated that “Israel must reserve the right to defend itself” against Iran (McGreal, 2012). Opposition leader in Israel, Tzipi Livni argued at that time that Netanyahu’s actions were degrading relations with Washington, and that he was “manipulating internal American politics” (McGreal, 2012).

In September 2012, during a speech at the United Nations General Assembly, the Israeli Prime Minister Benjamin Netanyahu literally drew a red line (Netanyahu showed the assembly a drawing of a bomb with a red line corresponding to Iran amassing 250 kilograms of 20% enriched uranium) that meant Israel would take military action against Iran (Davenport, 2018).

Using alarming terms, Netanyahu explained the General Assembly that according to Israel’s estimations:

*by next spring, at most by next summer, at current enrichment rates, [Iran] will have finished the medium enrichment and move on to the final stage. From there, it’s only a few months, possibly a few weeks, before they get enough enriched uranium for the first bomb* (Gibson, 2015). The speech raised the question of credible commitments and particularly of Israel’s threat credibility (Schelling, 1960). According to Martin van Creveld, a Professor Emeritus at the Hebrew University in Jerusalem, Netanyahu’s threats are empty. The reasons why Israel would not launch an attack on Iran can be explained in part because of the uncertainty of the result of a potential military strike; in part because of fear of possible Iranian
retaliation; and in part because of American opposition to military action in Iran (van Creveld, 2015).

In March 2014, according to the news agency RT, Obama compelled Israel’s secret services Mossad to stop the killings of Iranian nuclear scientists. In addition to the scientists, Iran’s chief of ballistic missiles programme as well as Iran’s commander of the cyber war division were found dead. The assassinations are believed to be carried out by the Iranian opposition group Mojahedin-e-Khalq (MEK), working secretly with Israel’s Mossad (RT, 2014).

As the Israeli elections of 2015 approached, Netanyahu used the Iranian nuclear issue as an useful campaign strategy, as he had already done in previous election campaigns (Goren, 2015).

In early March 2015, Israel’s Prime Minister Benjamin Netanyahu gave a speech in front of a joint session of the US Congress after having received an invitation in January from the Speaker of the House of Representative, John Boehner. Netanyahu’s speech was highly divisive inside Israel and the United States.

First of all, Netanyahu used religious references to allude to Israel’s right to defend itself against its Iranian enemy, he then continued by stating that “Iran’s Supreme Leader Ayatollah Khamenei spews the oldest hatred, the oldest hatred of anti-Semitism with the newest technology”. He then addressed Hezbollah, and its leader Hassan Nasrallah, labelling him as “Iran’s chief terrorism proxy”, and arguing that Hezbollah not only threatens the Jewish state but also the Jewish people (Washington Post, 2015).

Later on, Netanyahu declared the Islamic Republic is not only an issue for Israel but for the entire world since its regime endangers the peace of the entire world, comparing it with the Nazi regime. Netanyahu then addressed Iran’s regional role and support for proxies arguing it brings instability to the Middle East and that it influences the oil market. Next, he claimed Iran has been sponsoring terrorism outside the Middle East, and had participated in the attempt to assassinate the Saudi ambassador in Washington D.C. Regarding the Iran nuclear deal, Netanyahu voiced great concerns towards the agreement since according to him it “will not prevent Iran from developing nuclear weapons. It would all but guarantee that Iran gets those weapons, lots of them”. Netanyahu expressed its conviction that Iran will at some point try to cheat and that “Iran has proven time and again it cannot be trusted”. In fact, according to him,

2 Nevertheless, Israel has recently launched strikes on Iranian targets inside Syria (BBC, 2018).
the Iran nuclear deal’s flaws are that it leaves “Iran with a vast nuclear infrastructure”, that it “relies on inspectors to prevent a breakout”, and that it does not prevent from the “real danger that Iran could get to the bomb by violating the deal” (Washington Post, 2015).

Netanyahu criticised the nuclear deal’s sunset clause that lifts restrictions on Iran’s nuclear activities after a decade and stated that “Iran would then be free to build a huge nuclear capacity that could product many, many nuclear bombs”. He argued the removal of economic sanctions imposed on Iran will push the regime in Tehran to “become even more aggressive and sponsor even more terrorism”. Israel’s Prime Minister then addressed the proliferation risk in the Middle East, claiming other states of the region will development their own nuclear weapons should Iran get the nuclear bomb. He added on that matter that the Iran nuclear deal is “a deal that’s supposed to prevent nuclear proliferation” and that instead it would “spark a nuclear arms race in the most dangerous part of the planet”. Finally, Netanyahu asserted that restrictions on Iran’s nuclear programme should not be lifted unless Iran stops its aggression against its regional neighbours, its support for terrorism around the world, and its threat to annihilate Israel (Washington Post, 2015).

According to Payam Mohseni, the speech launched an important debate within where Israel’s President, Reuven Rivlin, expressed his worries towards Netanyahu’s actions stating that it could hurt Israel in the end. In addition, a number of Israeli security officials warned against the Prime Minister’s campaign. Nevertheless, other officials argued in favour of Netanyahu’s approach as they considered that Israel needed to show a more power towards the United States and its regional neighbours. The debate inside Israel showed the different views regarding the JCPOA and Israel’s security strategy towards Iran (Mohseni, 2015).

In fact, it was a matter of concern for the Israeli-U.S. relationship and an unprecedented move in contemporary U.S. politics. A more detailed analysis of the consequences of that speech will be carried out in the section on U.S. Congress, in the last part of this chapter.

In March 2015, according to the New York Times, a delegation of Israeli officials met with “senior members of the French government”. Israel’s attempt was to try to influence France’s stance towards Iran in the final months of the nuclear deal negotiations. According to the report, Israeli intelligence minister Yuval Steinitz praised the “serious and profound” talks with the French officials and the Israeli officials managed to lay out “their reservations about the emerging deal”. Furthermore, Israel’s efforts to alter France’s views on the Iranian nuclear
deal are not surprising since France supported tough measures on Iran. In fact, France’s tough stance towards Iran can be explained by its historic ties to the Arab countries in the Middle East region (France is dependent on those countries for its oil imports), and with its experience in nuclear energy (France has a historic knowledge of nuclear energy and nuclear weapons) (Rubin, 2015).

In July 2015, while the international community congratulated the countries that have taken part in the lengthy negotiations of the Iranian nuclear deal, Israel’s Prime Minister Benjamin Netanyahu denounced the JCPOA as a “mistake of historic proportions” (Beaumont, 2015). In light of Netanyahu’s commentary, other prominent Israeli officials voiced their concern towards the deal. In fact, the former foreign minister Avigdor Lieberman labelled the JCPOA a “surrender to terror”, while the defence minister Moshe Yaalon described the deal as “a tragedy for all who aspire for regional stability and fear a nuclear Iran” (Beaumont, 2015). Lieberman, now leader of the opposition party Yisrael Beiteinu, argued the JCPOA would boost Iran’s status in the Middle East (Jan, 2015/2016). Tzipi Hotovely, Israel’s Deputy Foreign Minister went as far as to say that the JCPOA was “a historic surrender of the West” and that “Israel would not let it get ratified in the US Congress by any means” (Jan, 2015/2016).

According to The Guardian, criticism of the way in which Netanyahu has managed the whole Iranian nuclear issue had grown inside Israel. In fact, Yair Lapid, a prominent Israeli politician, declared that it was “colossal failure” when referring to Netanyahu’s management of the issue. Lapid lamented that the Israelis “had no representative in Vienna” and that because of the Prime Minister’s stance towards the United States, the “intelligence cooperation was harmed and the door to the White House was closed”. Other media concluded that Israel had not managed to get any real leverage in the negotiations and that Netanyahu had failed in his personal task to prevent Iran from obtaining a legal nuclear programme (Beaumont, 2015).

In July 2015, a few days after the signing of the JCPOA, Netanyahu embarked on a tour of the U.S. media to give interviews to denounce the deal. According to news agency Reuters, Netanyahu “urged lawmakers to hold out for a better deal” as the U.S. Congress received the JCPOA a few days before (Chiacu, 2015).

Nevertheless, according to Cohen, support from Israeli military or intelligence officials for the Iranian nuclear deal was only expressed after a few months had passed. In fact, some Israeli officials dared to express a view that the JCPOA might actually be positive for Israel in buying time and increasing its security as did Uzi Eilam, the former director general of Israel’s Atomic
Nuclear Commission (Cohen, 2016). In addition, other officials such as Former Director General of Israel’s intelligence agency Mossad Efraim Halevy, and Israel’s ex-leader of internal security service Ami Ayalon, indicated the nuclear deal contained essential elements for Israel’s security and that an agreement was a favoured option than an unconstrained Iranian nuclear programme (Jan, 2015/2016). Finally, Cohen indicates that “open and unequivocal praise for the deal is not considered politically correct” in the country (Cohen, 2016).

4.1.3. Israel’s experts’ views

This section focuses on the viewpoints of a variety of Israeli experts that assess the consequences the Iran nuclear deal has had on Iran’s regional power and on the appropriate Israeli strategy towards it. Among the Israeli intellectual and political elite, the position that the JCPOA has empowered Iran regionally is widely shared. In fact, the view is that through the Iranian nuclear deal, Iran has been increasingly recognised, its nuclear program has been legitimised, sanctions against it have been lifted, and the country is experiencing the end of economic and political isolation.

Furthermore, many Israeli view the monitoring of Iran’s compliance with the JCPOA as a priority issue and also Israel’s strategy towards possible Iranian violations of the deal (Mohseni, 2015). Amid Israeli’s experts, some back the strategy of a tougher stance in order to counter Iran, while others favour a less confrontational position. Finally, in relation to Israel’s handling of the Iranian nuclear deal, important matters such as the Israeli-American alliance and the possible strengthening of Israeli-Arab cooperation in the Middle East have been questioned (Mohseni, 2015).

According to Oren Barack, officials in the Israeli political and security elite disagree on the appropriate policy toward the Iranian issue. On one side, leaders like Prime Minister Netanyahu and Defence Minister Ehud Barack have advocated for an Israeli attack on Iran’ nuclear facilities, while others leading officials such as Mossad Director Meir Dagan and Shinbet (Israel’s internal security service) Director Yuval Diskin favoured international diplomacy in order to prevent Iran from obtaining nuclear weapons (Barak, 2015).

4.1.4. Israel’s fears

This section’s purpose is to address the fears behind Israel’s foreign policy in order to make an assessment of Israel’s strategy vis-à-vis Iran. It seems accurate to assess that behind Israel’s
extensive propaganda against Iran, which has been the main foreign policy of successive Israeli governments and in particular under Prime Minister Netanyahu, lie a number of fears. Ehud Eiran and Martin Malin have identified four of them in relation to a nuclear-armed Iran: existential fear, strategic fear, socioeconomic fear, and ideological fear (Eiran & Malin, 2013).

First, it seems widely accepted by many Israelis to state that Iran represents the country’s existential threat. Politicians such as Netanyahu frequently resort to speeches that hint at a “fear of annihilation” by making references to the Holocaust and religious events in their rhetoric against Iran (Eiran & Malin, 2013). An example of the predominance of the Iranian existential threat in Israel’s rhetoric is found in Netanyahu’s speeches between 2009 and 2014 in front of the UN General Assembly, where the Prime Minister referred to “Iran” 167 times, much more than to “peace” (106 times) or even “Palestine” (59 times) (Barak, 2015).

Second, in strategic regional terms, Iran is a matter of concern for Israel. Analysts in Israel believe that if Iran develops a nuclear weapon, its regional power would automatically expand and its weak neighbours might support the country’s efforts against Israel. In fact, Iran’s allies such as Syria and Hezbollah (non-state actor active in Lebanon) could be empowered through an Iranian nuclear umbrella. In addition, it is predicted by Israel’s elite that if Iran develops nuclear weapons, it would activate nuclear and other WMD (weapons of mass destruction) proliferation in the Middle East (Eiran & Malin, 2013).

Third, a nuclear capable Iran would have considerable repercussions on Israel’s military expenditures and on its economic attractiveness. Indeed, Israel’s economy is heavily dependent on foreign direct investments and on its highly qualified labour force. In the event of an Iranian nuclear threat, the Israeli economy would be negatively influenced. Finally, some Israeli officials have argued that a nuclear-armed Iran would endanger the Zionism ideology and would limit Jewish immigration into Israel (Eiran & Malin, 2013).

4.2. Gulf Cooperation Council

The second part will focus on the Gulf Cooperation Council’s behaviour during the negotiation process. It will also address the causes of the GCC’s hostility towards the JCPOA. GCC countries have argued the deal would empower Iran regionally and therefore would threaten their security, they have expressed their anxiety towards an American disengagement in the Gulf, and also their fear of nuclear proliferation in the Middle East.
4.2.1. Historical context

In order to understand the current dynamics in the relation between the member states of the Gulf Cooperation Council and the Islamic Republic of Iran, it is necessary to take a little look back to some founding events from the past century. First of all, Great Britain’s decision in 1967 that by 1971 it would withdraw from the Gulf has been of great geostrategic importance. According to John D. Anthony, the British announced they “would abrogate each of the longstanding treaties between itself and nine Arab Gulf states by which it administered their defence and foreign relations” (Anthony, 2011). Following the British decision, the Gulf states had valid suspicions towards Iran’s ambitions to fill the power vacuum, and worried for the region’ stability and security. Nevertheless, another Western power would take the lead in the Gulf’s protection: The United States. This historical trend in the Gulf’s reliance on foreign defence for its own security was a point of contention for the Iranians. In their view, independent countries needed to be able to defend themselves with depending on foreign assistance.

Another source of tension between the GCC countries and Iran was the latter’s relation to Bahrain. After the British decision to withdraw from the Gulf region, the Shah in Iran expected Bahrain to accept Iranian rule. However, in 1970, the Bahraini public opinion favoured “obtaining their national sovereignty, political independence, and territorial integrity as an Arab country” (Anthony, 2011). Still, since then Iran has “maintained irredentist claims to Bahrain and even set aside two seats for Bahrain in its parliament” (Anthony, 2011).

The 1973 Arab-Israeli war and the ensuing Arab oil embargo proved to be another crucial moment the in GCC-Iran relation. In fact, while the Gulf countries were participating in the embargo against the United States, the United Kingdom and the Netherlands, Iran refused to take part in it. The Iranian decision proved costly as many Gulf countries began to think that Iran was siding with Israel and sending a strong negative message to the Palestinians and other Arab countries in the region (Anthony, 2011).

In 1975, the Gulf countries, Iraq, and Iran signed the Algiers Accord where they agreed upon the following set of principles: territorial integrity, border inviolability, and non-interference in internal affairs. The Algiers Accord lasted four years, until the 1979 Islamic Revolution in Iran, when the Ayatollah Khomeini “called for the overthrow of the Iraqi government”, de facto violating one of the core principles of the Accord (Anthony, 2011).
The Gulf Cooperation Council was formally established in May 1981, after its charter was signed by all six member states: Saudi Arabia, Oman, Qatar, Kuwait, Bahrain, and the United Arab Emirates. According to Anthony, the GCC’s criteria for membership was to share their “common identity, culture, language, and history; a nearly identical set of developmental challenges; and similar systems of governance” (Anthony, 2011). For these reasons as well as ethnic-based motives, Iran was excluded from GCC membership.

4.2.2. Chronology of GCC-Iran relation

According to the Gulf News archives, in September 2009, the GCC foreign ministers commended Iran to cooperate regarding the issue of its nuclear programme. The GCC also encouraged the different actors part in the negotiations to reach an agreement in respect to the Iranian nuclear programme. Later that year, the GCC urged Iran to abide by the international laws, i.e. the Non-Proliferation Treaty, on nuclear matters (Gulf News, 2017).

In November 2010, leaked U.S. embassy cables disclosed Saudi Arabia’s and other Gulf countries’ intensive pressure on the United States to act militarily against the Iranian nuclear facilities. Accordingly, King Abdullah of Saudi Arabia had been urging the United States to take action regarding Iran.

In addition, the leaked cables informed about officials in Bahrain that had called for the Iranian nuclear programme to be stopped by any necessary means, which implied the military solution. Officials in Saudi Arabia and in the United Arab Emirates also had labelled Iran as an existential threat to their security and were worried that the Tehran regime would take them to war. Already in 2010, Saudi Arabia’s King Abdullah warned the United States that in the eventuality of an Iranian nuclear weapon, the risk of nuclear proliferation in the Gulf region would be immense. During exchanges between Gulf and American diplomats, the possibility that Gulf states could develop their own nuclear military capabilities or allow nuclear weapons to be based inside their countries in order to dissuade any Iranian action had been openly discussed (Black & Tisdall, 2010).

In 2011, the Gulf Cooperation Council led a military intervention in Bahrain to stop the opposition’s uprising. Iran supported the Bahrainis since its majority is of Shia confession, and accused the GCC of interfering in Bahrain’s internal affairs. Saudi-Iranian tensions were apparent and both countries publicly threatened each other (Gulf News, 2017).
In the summer of 2013, Iran’s newly elected President Hassan Rouhani pledged to improve his country’s relations with the Gulf countries. A few months later, the United Arab Emirates Foreign Minister invited Iran to discuss paths to improve their bilateral relations, and shortly after, Iran’s Foreign Minister Javad Zarif visited the UAE in a sign of an improved relationship (Gulf News, 2017).

In 2014, relations between the GCC countries and Iran seemed to have advanced. In fact, important steps were taken such as economic projects between Oman and Iran, cooperation between UAE and Iran on security matters, the first foreign minister-level meeting between Saudi Arabia and Iran, and the historic visit to Iran from the Kuwaiti Emir which was the first from a GCC ruler since 1979 (Gulf News, 2017).

In May 2015, the GCC’s most powerful member state Saudi Arabia, announced that “it would match any nuclear capability that the Iranians have achieved” (Gibson, 2015).

Finally, in early August 2015, during a summit between the U.S. Secretary of State John Kerry and the GCC’s foreign ministers, the Gulf countries publicly supported the JCPOA (Jan, 2015/2016). Qatar foreign minister Khalid al-Attiyah said:

“This was the best option amongst other options in order to try to come up with a solution for the nuclear weapons of Iran through dialogue, and this came up as a result of the efforts exerted by the United States of America and its allies” (Solomon & Lee, 2015).

4.2.3. Causes for GCC’s opposition to JCPOA

Even though GCC leaders have officially endorsed the JCPOA, they have formulated a series of critique towards the deal. In their view, the negotiation process has excluded them and their concerns have been ignored. Indeed, the GCC member states (with the exception of Oman which has been part of secret back-channel talks) have opposed the JCPOA in its making (Esfandiary & Tabatabai, 2016). GCC countries have argued the deal would empower Iran regionally and therefore would threaten their security, they have expressed their anxiety towards an American disengagement in the Gulf, and also their fear of nuclear proliferation in the Middle East.

4.2.3.1. Iranian expansionism

To begin with, in the Gulf Cooperation Council’s view, the nuclear deal will reintroduce and legitimise Iran within the international community, which is something they would have
preferred to avoid (Kalout, 2015). In addition, the GCC argues the JCPOA is a mean for Iranian expansionism in the region. The belief that Iran will profit of the nuclear agreement to advance its regional policies is partly based on the Arab Spring experience. In fact, the uprisings in various Arab states allowed Iran to further expand its ideology outside its borders such as in Syria and Yemen (Esfandiary & Tabatabai, 2016), and have led the GCC countries to believe that instead of being a factor of stability, Iran is one of regional unrest (Mohammed, 2015). Another reason for the GCC to fear Iranian expansionism is U.S. disengagement in Gulf region. According to Kenneth Pollack, the danger for the GCC is that Iran interprets a U.S. withdrawal from the region as an opportunity to carry out more expansive and more aggressive policies (Pollack, 2015). U.S. disengagement will be discussed more amply in the following section. In response to an Iranian expansionism, Pollack argues that Saudi Arabia could be tempted to increase its support “to various Sunni groups fighting Iran’s allies and proxies around the region” (Pollack, 2015). Other experts have argued that, rather than continuing its financing of expansive policies, Iran could on the contrary use the economical relief brought by the JCPOA to develop and to invest in its economy, and become a centre of prosperity in the region (Baabood, 2015).

4.2.3.2. U.S. disengagement in the Gulf

The Gulf Cooperation Council’s anxiety towards increased American disengagement in the region has not been the result only of the JCPOA. During the Arab Spring, the GCC felt the U.S. was slowly beginning to retreat from a region where it seemed victory was impossible to achieve. The U.S. gradually diminished its number of troops and reassessed its relations with its long-standing allies (Esfandiary & Tabatabai, 2016). The Iranian nuclear deal simply increased the Gulf countries’ feeling of angst towards their relation with the United States. In their view, the JCPOA indicated the U.S. was pivoting away from defending GCC interests and was increasing its cooperation towards Iran (Sager, 2015). Indeed, for GCC officials, any type of collaboration between the U.S. and Iran is seen as an Iranian win over the region’s leadership (Esfandiary & Tabatabai, 2016).

It could be argued the feeling of U.S. abandonment by the GCC countries could be the reason to induce them to take military actions in the region in order to deter Iran. In this light, the GCC air campaign in Yemen (a civil war in Yemen has opposed the regime to the Houti rebels which received Iranian support) seemed to be an example confirming those previsions.
(Pollack, 2015). In fact, the GCC military action in Yemen could be interpreted as a message from the Gulf countries to the U.S. and to Iran that they can guarantee their own security and that the GCC will no longer wait for help (Esfandiary & Tabatabai, 2016).

After the GCC publicly endorsed the JCPOA in August 2015, the United States rewarded the Gulf countries with a package of “increased intelligence sharing, training special forces, maritime interdiction of weapons, improved cooperation on cyber security, and the sale of ballistic-missile defence systems” (Gibson, 2015).

Finally, according to Pollack, the only way the U.S. could reassure the GCC countries of its commitment to the region would be to directly confront Iran (Pollack, 2015), while others argue that the United States is in no position to comfort the GCC, and that regardless of U.S. future policies, it will be impossible to restore the pre-JCPOA status (Esfandiary & Tabatabai, 2016).

4.2.3.3. Nuclear proliferation in the Gulf region

A number of experts of the Gulf region have argued that following the JCPOA, it is probable in the short run that Iran and Saudi Arabia will increase their rivalry and competition (Mohseni, 2015). In fact, Kalout indicates that GCC countries would have preferred the JCPOA to completely dismantle the Iranian nuclear programme and to maintain an arms embargo on Iran (Kalout, 2015).

According to Pollack, “Saudi Arabia is the most likely candidate to acquire nuclear weapons if Iran were to do so” (Pollack, 2015). In fact, Saudi officials have warned U.S. diplomats that it was inconceivable for them to live under an Iranian nuclear threat, and for that reason Saudi Arabia would have to match Iran’s capabilities (Gibson, 2015). The credibility of the Saudi threat of maintaining the balance of power with its main rival in the region is also crucial (Schelling, 1960). Saudi Arabia holds the strongest economy of the Gulf countries, it is the largest oil exporter in the world, therefore it seems that the country would not have many difficulties in facing immense costs for a nuclear capability (Yadlin & Golov, 2012). In addition, internally Saudi Arabia has no political constraints to a policy of nuclear weapons acquisition since the population lives under an authoritarian regime. While internationally, the Saudis’ understanding of a gradual U.S. disengagement from the Gulf region, have strengthened and legitimised them in their case for nuclear development (Yadlin & Golov, 2012).
Saudi Arabia’s paths to a nuclear weapons are various: the country could purchase operational nuclear weapons; it could purchase technological support to produce nuclear weapons; and it could also allow nuclear-capable F16s from Pakistan at its military bases (Yadlin & Golov, 2012).

To conclude, it is important to precise that GCC countries lack a common position on Iran’s foreign policies in the region, and this has strengthened different positions inside the Gulf alliance (Zweiri, 2015). In fact, some have argued that GCC member states are not all on the same page regarding Iran. On one side, Oman has played a decisive role in secret U.S.-Iran negotiations, Kuwait has maintained constructive ties with Iran, while Qatar and the UAE are increasing their bilateral relations with Iran. On the other side, Saudi Arabia has continued its confrontational policies towards Iran while Bahrain has followed the Saudi position (Ghabra, 2015). In addition, GCC countries and Iran might have more in common that what might appear. They share crucial security interest such as fighting the Islamic State, establishing a weapons of mass destruction free zone in the Middle East, and continuing the fight against Israel’s violation of the International Law (Khalla, 2015).

4.3. The U.S. Congress

Finally, this chapter is going to focus on the debate inside the U.S. Congress regarding the Iranian nuclear deal, and its consequences on the implementation of the agreement. It will first establish a chronology of events, second, it will address the lobbies’ importance in shaping U.S. Congress views, and finally it will deal with the consequences of Israel’s Prime Minister Benjamin Netanyahu’s speech on the relationship between the White House and the U.S. Congress.

4.3.1. Historical context

1953 marked the first crucial event in American-Iranian relations when the CIA participated in a coup to overthrow Prime Minister Mohammad Mossadeq and replace him with Western-oriented Shah Mohammad Reza Pahlavi. The second turning point in U.S.-Iran relations was the 1979 Islamic Revolution, where the regime of the Shah was overthrown and the Ayatollah Ruhollah Khomeini took power. During the revolution, the U.S. Embassy in Tehran was seized and American hostages were kept for more than a year. In the 1990s, the Clinton
administration launched its “dual containment” policy, which consisted in isolating and sanctioning both Iraq and Iran. That policy further escalated tensions between the U.S. and the Islamic Republic of Iran.

Finally, the 2001 terrorist attacks on the United States was another critical moment in American-Iranian relations and for the entire world as well. Indeed, in his 2002 State of the Union address, President Georges W. Bush put Iran on the “Axis of Evil” along with Iraq, Syria and North Korea, as the U.S. considered those countries as sponsors of international terrorism. The 2003 U.S. invasion of Iraq and the ensuing regime change increased tensions between Iran and the United States, as the former was anxious it would be next on America’s list.

4.3.2. Chronology of events

In July 2014, as the E3/EU+3 and Iran agreed to extend the nuclear negotiations until November 2014, marking one year since the signing of the Joint Plan of Action (JPOA), the American political landscape was divided over the future of the nuclear talks. On one side, senators from the U.S. Congress in alliance with pro-Israel lobbies and communities opposed the negotiations and argued in favour of more sanctions to be imposed on Iran. On the other side, the Obama administration and the State Department advocated for the exact opposite. In fact, during its State of the Union address earlier that year, President Obama had voiced its intention to veto any new sanctions bill coming from Congress and argued for diplomacy to be given a chance to succeed (Gibson, 2014).

In January 2015, President Obama hold its yearly State of the Union address in front of the U.S. Congress. The former President warned the nuclear negotiations’ successful outcome was not guaranteed and reassured the Congress the White House was keeping “all options on the table to prevent a nuclear Iran” (Obama, 2015). In addition, Obama expressed he would veto any new sanctions bill from Congress that would threaten the diplomacy progress. In fact, Obama insisted that new sanctions on Iran would alienate the U.S. from its allies; it endanger the sanctions in place, and it would ensure Iran’s restart of its nuclear programme (Obama, 2015).

In April 2015, JCPOA negotiations were still ongoing and an agreement was expected to be found by the summer. In mid-April, Obama agreed to sign a comprise bill that would give the U.S. Congress the possibility to review the JCPOA during a period of sixty days, at the end of
which it could vote a motion of approval or disapproval for the deal. In the event of a disapproval vote, Obama would then be allowed to veto the motion, and would only need thirty-four senators to sustain his veto. It was crucial for the Obama administration to deliver on its part of the deal, otherwise Iran and the other partners in the negotiations could have walked away (Weisman & Baker, 2015).

In early May 2015, the U.S. Congress bill to review the JCPOA was passed in the U.S. Senate by a vote of 98-1. Clearly, Republican and Democrat Senators ignored their respective political camp and voted overwhelmingly in favour of a bill that asserted their authority in a key foreign-policy issue. However, the Senate Majority Leader Mitch McConnell had to block amendments from Republican Senators Tom Cotton and Marco Rubio, that would have threatened the review bill. Indeed, Senator Cotton’s amendment requested Iran to close all of its nuclear facilities, while Senator Rubio’s amendment demanded Iran’s recognition of Israel as a necessary condition for any final nuclear agreement (Berman, 2015).

A week later, it was the House of Representatives’ turn to vote on the Congress review bill regarding the Iranian nuclear deal. The House passed the bill 400-25, which demonstrated a large bipartisan support (Mascaro, 2015). Later in May, President Obama signed the bill formally allowing Congress to review the Iranian nuclear agreement. During the Congress review period of 60 days, Obama would not be allowed to remove the U.S. sanctions on Iran, and would have to wait until that period is over (RT, 2015).

In mid-July 2015, the JCPOA was finally signed by the E3/EU+3 and Iran. Obama congratulated the U.S. negotiators’ efforts in the negotiations and argued the deal would protect the U.S. national security, and interests in the Middle East region (Obama, 2015). Nevertheless, opposition to the deal quickly surfaced. In fact, Democrat Senator Bob Menendez voiced his critique of the Iranian nuclear deal stating “the deal does not end Iran’s nuclear programme, it preserves it” (Wong, 2015).

A few days later, UN Security Council unanimously adopted resolution 2231 endorsing the nuclear deal and the lifting of previous UN nuclear-related sanctions. This led congressman from both parties to criticise U.S. endorsement of the UN resolution before the congressional review was over. Senator Bob Corker, who was the author of the Iran Nuclear Deal Review Act and Chairman of the Senate Foreign Relations Committee, argued Obama’s move “inappropriate” and stated that:
“It is inappropriate to commit the United States to meet certain international obligations without even knowing if Congress and the American people approve or disapprove of the Iran agreement” (Shimoni Stoil, 2015).

Other bipartisan show of anger, from Representative Ed Royce who is the Republican Chairman of the House Foreign Committee, and from Representative Eliot Engel who is a Committee’s Democrat ranking member, issued a statement declaring their disappointment that “the UN Security Council passed a resolution on Iran this morning before Congress was able to fully review and act on this agreement” (Shimoni Stoil, 2015).

During the month of August 2015, congressional committees held hearings with expert-level testimonies regarding the Iranian nuclear deal. Those hearings had started as far as 2013 and it seemed that two-thirds of the experts’ testimonies were hostile to the JCPOA. Because Republicans have had the majority in the House of Representatives since 2011 and in the Senate since 2015, and because the congressional rules allow the majority party to decide the topic of hearings and which experts are invited to testimony, the majority of experts’ testimonies were critical of the JCPOA. In addition, a third of the testimonies originated from experts that worked for only three different organisations: The Foundation for Defence of Democracies, the Washington Institute for Near East Policy, and the Institute for Science and International Security, which are all considered to be aggressive on foreign policy (Shikaki, 2015).

On September 10 2015, the U.S. congressional review period of the JCPOA was taking an end. The Senate held a vote on ending debate on the motion of disapproval of the Iranian nuclear deal. The vote ended 58-42 which meant Republicans fell two votes short to meet the sixty-vote threshold to end debate, and therefore blocked any need for presidential veto (Levine, 2016). This procedural obstruction by the Democrats was highly criticised by Republican Senators, such as Mitch McConnell, who stated that:

“Democratic senators just voted to filibuster and block the American people from even having a real vote on one of the most consequential foreign policy issues of our time”.
On the contrary, President Obama was more than satisfied with the result of the vote and states that it was “a victory for diplomacy, for American national security, and for the safety and security of the world” (Obama, 2015).

The following day, the U.S. House of Representatives voted on a resolution of approval of the JCPOA. The resolution failed with a vote of 162-269 (all the Republicans opposed the resolution). The relevance of that vote was mainly for House Democrats to formally register their endorsement of the Iranian nuclear deal (Siddiqui, 2015).

As with the Senate’s vote, President Obama congratulated the House of Representatives for its vote, and stated:

“As we conclude the most consequential national security debate since the decision to invade Iraq, I am gratified that the lawmakers, led by Democratic Leader Pelosi, who have taken care to judge the deal on the merits are joining our allies and partners around the world in taking steps that will allow for the implementation of this long-term, comprehensive deal” (Obama, 2015).

4.3.3. Influence of the lobbies

By far the most influential lobby in the United States in matters of foreign policy, the American Israel Public Affairs Committee (AIPAC), had made Iran its main target already back in 2006. In addition, back in 2007, the Israel Project (a smaller group affiliated to AIPAC) launched a campaign against Iran by sending propaganda files to thousands journalists in the U.S. and Israel. Making alarmist claims, which is a typical strategy used by Zionists groups, the Israel Project used the fear of an Iranian nuclear attack to rally followers to its cause. Indeed, using that type of propaganda plays on the anxiety and concern regarding security that has been a long-lasting characteristic of Israeli mentality (Rabkin, 2008).

The pro-Israel lobbies’ strategy, in collaboration with their Republican allies in Congress, was to advocate for new sanction bills against Iran that would have damaged the negotiations, and influence the choice of expert expected to testify in front of the House and Senate Foreign Affairs Committees (Gibson, 2015).

AIPAC’s efforts to influence the U.S. Congress on the JCPOA included creating a body called “Citizens for a Nuclear Free Iran”, and spending between twenty to forty million dollars in advertisements against the Iranian nuclear deal. In comparison, the pro-Israel group “J-
Street”, which was in favour of the JCPOA, only had five million dollars to spend in advertisements (Chang, 2015). Nevertheless, the JCPOA also had the support from another lobby, the National Iranian American Council (NIAC), which according to Gibson is a “pro-diplomatic engagement Iran lobby” (Gibson, 2015). The NIAC too engaged in an advertisement campaign to win public support and even sent suggestions to the U.S. Congress on the adequate path for American implementation of the deal (Jan, 2015/2016). Additional support for the JCPOA came from the bipartisan “Iran Project” which has the backing of several high ranking U.S. foreign policymakers and former National Security Advisors (Gibson, 2015).

The battle over influence on U.S. Congress and American public opinion also involved former U.S. ambassadors, prominent U.S. scientists, and retired U.S. military officers all advocating in favour of the JCPOA and sending their support to the Obama administration. However, another group of two hundred retired U.S. military officials, sent a letter to the Congress leaders expressing their concern and discontent towards the JCPOA (Jan, 2015/2016). Indeed, they argued the nuclear deal would make Iran more dangerous, would increase Middle East instability, and would engender new threats to American and allies’ interests (Morello, 2015).

4.3.4. White House – U.S. Congress relationship

In January 2015, the first signs of the difficulties in the relationship between the White House and the U.S. Congress could be interpreted in the latter’s intentions to pass new sanctions bill on Iran while the former opposed it staunchly. The day after Obama made his State of the Union address, the Speaker of the House of Representatives John Boehner, invited Israel Prime Minister Netanyahu to speak in front of the U.S. Congress. According to Gibson, Boehner had invited Netanyahu “without consulting the White House or the State Department first” (Gibson, 2015). This action was a clear sign of a widening cleavage between the executive and legislative powers of the U.S.

Netanyahu’s move was criticised within Israel as it was seen as a “cynical political move” according to Israeli former ambassador to the U.S. Michael Oren, because of the looming elections in Israel the same month. In the United States as well the move was not well received. In fact, several Democrats reprimanded Netanyahu’s political manoeuvre and announced their boycott of the speech. Nevertheless, Netanyahu would still count on the support of many Republican members of Congress as well as AIPAC, and received a warm welcome on his arrival at the U.S. Congress. As a sign that the Obama administration greatly
disapproved Netanyahu’s action, nor the White House nor the State Department accepted to meet him during its visit (Gibson, 2015).

The impact of Netanyahu’s speech on the relations between the United States and Israel, and on the relationship between the White House and the U.S. Congress cannot be underestimated. Indeed, the whole situation was unprecedented as Netanyahu ignored all diplomatic protocols and conspired to turn the U.S. Congress against the Obama administration (Cohen, 2016).

Indeed, as Gibson brilliantly put it:

“This created a crisis unprecedented in American diplomatic history, where a foreign state was aligned with a legislative body against a sitting president and the international community” (Gibson, 2015).

In addition, the Prime Minister took the risk to compromise the bilateral relation between his country and its greatest ally gambling on the fact the U.S. Congress would succeed in blocking the Iranian nuclear deal (Cohen, 2016).

Furthermore, Netanyahu’s political move seems a clear example of the possible interactions between two levels of international politics: the national and the international. The fact that an Israeli political representative, in this case the Prime Minister of Israel who therefore represents Israel on the international level, tried to influence the domestic legislative institutions of another state is an effective illustration Putnam’s two-level games theory which argues the domestic and the international levels influence each other during any negotiation process. In addition, Netanyahu’s move can also be seen as an application of the strategy to influence another country’s domestic constituency’s opinion in order to alter the negotiation process and its outcomes (Putnam, 1988).

Finally, a few days after Netanyahu’s address in front of the U.S. Congress, the relationship between the White House and the Congress further deteriorated. This was caused by another breach in diplomatic protocol when forty-seven Republican Senators sent a letter to the Iranian government, warning the Iranian regime that a future U.S. President could roll back any nuclear deal reached with President Obama (RT, 2015).
Vice-President Joe Biden was outraged with the Senators’ deed and stated:

“I cannot recall another instance in which senators wrote directly to advise another country – much less a long-time foreign adversary – that the president does not have the constitutional authority to reach a meaningful understanding with them” (Gibson, 2015).

The Senator’s move is similar to Netanyahu’s in its significance of the influence and interactions different levels of power can have on each other during a negotiation process (Putnam, 1988).

4.4. Conclusion

In conclusion, this chapter’s goal was to address the obstacles to the long-lasting negotiation process which ultimately led to the signing of the Joint Comprehensive Plan of Action in July 2015. Three central opponents have been identified as the main adversaries to the negotiation process, namely Israel, the Gulf Cooperation Council (GCC), and the U.S. Congress. As a result of our analysis, it can be argued these actors have played the role of spoilers during the negotiation process, and have forcefully tried to undermine, to constrain, and to influence the negotiations towards their respective interests. Israel, the GCC and the U.S. Congress have shared a common concern for their security regarding Iran’s nuclear programme. In fact, Israel has claimed that Iran threatens its existence and is ideologically opposed to the Jewish state. The GCC has expressed its concern for Gulf stability and security because of its perception of Iranian expansive foreign policy and support of proxies in the region. In addition, those two actors have voiced their worry for regional nuclear proliferation should Iran get nuclear weapons. Finally, the U.S. Congress has been highly critical regarding the Iran nuclear deal. In fact, the U.S. legislative body has continuously tried to undermine the White House’s efforts to carry on with the negotiation process which exacerbated tensions between the Obama administration and Congress.

Besides, it can be argued the impact of Israeli Prime Minister Netanyahu’s address to the U.S. Congress in March 2015 has been crucial in aggravating hostility between the United States and Israel but also inside the different wings of the U.S. political system.

In addition, it can be asserted that Netanyahu’s move was a practical case of state’s representative trying to influence the outcome of an internal debate inside another state’s legislative body. Although that move has been qualified as unprecedented, it has nevertheless
not had the desired impact since the negotiation process was carried on by the Obama administration and the Joint Comprehensive Plan of Action was signed by the United States. To conclude, this chapter’s assessment of the constraints to the negotiation process between the E3/EU+3 and Iran has allowed to acknowledge the difficult path the negotiations had to take, and the numerous difficulties the negotiating parties have encountered along the overall process. It also highlighted the conflicting interests at stake that originated from the various implications the agreement would have for a variety of actors. Following this chapter’s findings, it can be assessed the efforts the E3/EU+3 and Iran have put in order to reach an agreement that seemed quite improbable, overcoming many obstacles and different actors’ pressure to undermine the negotiation process, is quite remarkable.
5. The role of the European Union in the negotiations

Following revelations of secret Iranian nuclear facilities in 2002, the entire International Community feared the prospect of a new conflict in the Middle East region, and one that could be of nuclear proportions. The United States, under the administration of Georges W. Bush, had just completed their invasion of Iraq, and the possibility to invade neighbouring Iran was not that remote since the U.S. President had labelled Iran as part of an “Axis of Evil” earlier that year. Furthermore, since Iran had not disclosed all its nuclear programme’s facilities and therefore was in clear breach of its obligations to the Non-Proliferation Treaty (NPT), the Europeans worried the situation could potentially have crucial consequences on Europe as a whole. It was in that context that the three most influential countries of the European Union – France, Germany, and the United Kingdom – launched their diplomatic initiative to engage with Iran regarding its nuclear programme.

The negotiations between the E3 (France, Germany, the United Kingdom) and Iran started in 2003. All three European countries had national interests and ties with Iran and the Middle East in general. Historically, the three European states had businesses in Iran and in the region. The United Kingdom was the first European country to exploit petrol in Iran at the beginning of the twentieth century, while Syria and Lebanon were two French mandates during more than twenty years (1923-1946), and Germany’s economic ties with Iran date back to the period of the Shah. The E3 were also the leading countries of the European Union, may it economically but also politically and militarily, which gave them a sense of legitimacy to start the negotiations without first consulting the other European Union’s member states.

Nevertheless, some EU member states were not satisfied with the situation and were feeling excluded from the negotiation process. These EU states’ concerns were alleviated in 2004, when the European Union was formally included in the talks with Iran through the involvement of its High Representative for Common Foreign and Security Policy (CFSP), thus forming the E3/EU group (France, Germany, the United Kingdom, and the European Union) (Meier, 2013).
This chapter’s purpose is to analyse the European Union’s role in the negotiation process and to assess the impact it had on it. It is argued the E3, and later on the E3/EU crucially influenced the negotiation process with Iran, mainly through its diplomatic initiative, the economic sanctions, and through the EU High Representative acting as a bridge between all the actors part in the negotiations.

This chapter will start with a general overview of the European Union’s foreign policy based on the European Security Strategy of 2003 and its Strategy against the Proliferation of WMD (WMD Strategy), and will focus on the institutional framework behind the establishment of the High Representative for Common Foreign and Security Policy of the European Union. The second section will deal with the analysis of the EU’s role in and its influence on the negotiations with Iran. A brief overview of the political and economic relations between the European Union and Iran will be conducted, which will be followed by a chronology of the most important steps of EU involvement in the negotiations process. Finally, the EU’s concrete actions and ensuing influence on the negotiation process and the EU High Representative’s impact on the talks will be assessed.

5.1. Overview of the European Union’s foreign policy

The 2002 Iraq invasion by the United States deeply divided the European Union member states in two camps. On one side, those supporting the American military action such as the United Kingdom, and on the other side, those against the U.S. invasion such as France and Germany. The U.S. unilateral move in Iraq, on the basis of allegations that Saddam Hussein’s regime was possessed weapons of mass destruction (WMD), divided the European Union and damaged the transatlantic relationship.

It was in that conflictual context that the European Union was developing “a more active, capable and coherent approach to security issues, including arms control and non-proliferation” (Meier, 2013). In fact, in June 2003, the European Union began drafting its European Security Strategy (ESS) and its Strategy against the Proliferation of WMD (WMD Strategy). In December 2003, the European Union adopted both texts which gave the framework for the E3 (France, Germany, and the United Kingdom) diplomatic initiative towards Iran regarding its nuclear programme.
5.1.1. The European Security Strategy

The European Security Strategy (ESS) is divided in three parts: the security environment, the strategic objectives, and the policy implications for Europe.

5.1.1.1. Security environment

The first part of the ESS, addressing the security environment, individuates five “key threats”: terrorism, proliferation of weapons of mass destruction, regional conflicts, state failure, and organised crime (European Union, 2003). The first threat, terrorism, was of great concern for the EU since “Europe is both a target and a base for such terrorism”, indeed the ESS advocated in favour of an indispensable concerted European action (European Union, 2003).

The second threat, proliferation of weapons of mass destruction, was considered by the EU as “potentially the greatest threat” to its security. The EU worried the world was “entering a new and dangerous period that raises the possibility of a WMD arms race, especially in the Middle East”. The EU was already well aware of the potential risk of proliferation in the Middle East region and it can be argued its diplomatic initiative in 2003 was part of that intent to fight it (European Union, 2003).

The third threat, regional conflicts, such as in the Kashmir region, the Great Lakes region and the Korean Peninsula were individuated by the EU as impacting “European interests directly or indirectly” as well as conflicts “nearer to home, above all in the Middle East”. The ESS advocated in favour of resolving regional conflicts that threaten regional stability in order to avoid terrorism, extremism and WMD proliferation (European Union, 2003).

The fourth threat, state failure, was identified by the ESS in “bad governance – corruption, abuse of power, weak institutions and lack of accountability – and civil conflict”. The ESS worried about state failure since it “undermines global governance, and adds to regional instability” (European Union, 2003).

Finally, organised crime was described by the ESS as the last key threat to the European Union. In fact, the Strategy indicated that “Europe is a prime target for organised crime” which has dramatic consequences such as “cross-border trafficking in drugs, women, illegal migrants and weapons” (European Union, 2003).
5.1.1.2. Strategic objectives

The second part of the European Security Strategy focuses on three strategic objectives: addressing the threats, building security in the neighbourhood, and pursuing policies based on effective multilateralism.

The ESS indicates the EU has been addressing key threats such as terrorism, proliferation and regional conflicts. In fact, the 11 September 2001 terrorist attack in New York has pushed the EU to enhance its cooperation and improve its defences in the fight against terrorism. In the field of non-proliferation, the EU is committed to “achieving universal adherence to multilateral treaty regimes” such as the Non-Proliferation Treaty (NPT). Finally, the EU has intervened “to help deal with regional conflicts and to put failed states back on their feet” in regions such as the Balkans, the Middle East, and in Central Africa (European Union, 2003).

The second objective, building security in the EU neighbourhood, has meant the EU must promote peace in the acceding states such as in Eastern Europe, but also in neighbouring Mediterranean countries. The ESS takes the example of the Balkans, where the EU with efforts from the United States, Russia and NATO has managed the end of regional conflicts. Another priority for the EU is resolving the Arab/Israeli conflict, since according to the ESS “without this, there will be little chance of dealing with other problems in the Middle East” (European Union, 2003).

The third objective, pursuing effective multilateralism, has indicated the EU insists on developing a stronger international society, on functioning international institutions, and on an international order based on rules. The ESS insists the EU is committed to the development of International Law and that the United Nations Charter is “the fundamental framework for international relations”. Another EU priority, according to the ESS, is to strengthen the United Nations, and particularly its Security Council which as “the primarily responsibility for the maintenance of international peace and security” (European Union, 2003).

5.1.1.3. Policy implications for Europe

The third part of the European Security Strategy deals with policy implications for Europe. The ESS stresses that the EU should be more active, more capable, more coherent, and should be working with partners. More active means the EU should “develop a strategic culture that fosters early, rapid, and when necessary, robust intervention”. The EU should also support the United Nations in times of crisis and reinforce its cooperation with the UN. More capable
means the EU needs to develop its defence capabilities such as establishing a European defence agency, sharing military assets, having stronger diplomatic capabilities. More coherent means that “greater coherence is needed not only among EU instruments but also embracing the external activities of the individual member states”. The ESS argues the EU is stronger when it acts together regarding its foreign and security policy. Finally, the ESS advocates in favour of pursuing EU objectives “through multilateral cooperation in international organisations” and through stronger EU cooperation with partners in order to deal with key threats which are global and shared with all the EU’s allies. The ESS describes the transatlantic relationship with the United States as “irreplaceable” and argues for “an effective and balanced partnership with the USA” (European Union, 2003).

5.1.2. The EU Strategy against the Proliferation of WMD

Another European strategy part of its Common Foreign and Security Policy framework is the strategy against the proliferation of weapons of mass destruction (WMD Strategy) which was implemented in December 2003. It can be argued the WMD Strategy partly explains the ideology behind the diplomatic initiative of the E3 (France, Germany, and the United Kingdom) in engaging Iran regarding its nuclear programme.

The EU WMD Strategy focuses firstly on the danger the proliferation of WMD represents for the peace and security at the international level. It argues the proliferation is the result of a small number of countries and non-governmental actors. The Strategy requests all EU member states and all EU institutions to collectively prevent the risks of proliferation of WMD. (European Union, 2003).

Secondly, the WMD Strategy argues for an effective multilateral response to the danger of proliferation of WMD. The EU should pursue a multilateral approach based on multilateral agreements such as the NPT and other non-proliferation treaties. Furthermore, in order to effectively fight proliferation, the EU should contribute actively to the international stability, and should cooperate with the United States and other allies that share the same objectives. In addition, the WMD Strategy states that “Political and diplomatic preventative measures and resort to the competent international organisations form the first line of defence against proliferation” and that when political dialogue and diplomatic pressure have failed, “coercive measures under Chapter VII of the UN Charter and international law could be envisioned”.

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Coercive measures, which include the use of force, should be managed by the UN Security Council, which “should play a central role” (European Union, 2003). Finally, the WMD Strategy argues for EU efforts to prevent, deter, and possibly eliminate proliferation programmes around the world. The Strategy advocates for EU member states’ actions to be integrated on all levels of EU decision-making, and integrated in the EU political approach in all areas in order to maximise its effectiveness (European Union, 2003).

5.1.3. The High Representative of the European Union for Common Foreign and Security Policy

In 2004, the EU High Representative for Common Foreign and Security Policy was added to the negotiation team and the “E3/EU” acronym was created. This position had been initiated with the Treaty of Amsterdam (ToA) in 1997 and had been effective from May 1, 1999, date of entry into force of the treaty. The Treaty of Lisbon (ToL) of 2007 renamed the position with High Representative of the Union for Foreign Affairs and Security Policy, and the position became effective on December 1, 2009. This important EU diplomatic position merged different posts. In fact, the EU High Representative took over the functions of Presidency, High Representative and Commissioner for External Relations of the European Union (Giegerich & Wallace, 2010). It is also Vice President of the EU Commission. The High Representative is appointed by the European Council and the Parliament but it also needs the approval of the Commission’s President. The EU High Representative’s main role is to be responsible to the European Council for the leadership, management and implementation of the EU’s Common Foreign and Security Policy (Giegerich & Wallace, 2010). The first High Representative of the European Union has been Javier Solana (1999-2009), followed by Lady Catherine Ashton (2009-2014), while Federica Mogherini has been holding the post since 2014.

5.2. The European Union’s role in and influence on the Iran nuclear deal negotiations

The second section will deal with the analysis of the EU’s role in and its influence on the negotiations with Iran. A brief overview of the political and economic relations between the European Union and Iran will be conducted, which will be followed by a chronology of the most important steps of EU involvement in the negotiations process. Finally, the EU’s concrete actions and ensuing influence on the negotiation process and the EU High Representative’s impact on the talks will be assessed.
5.2.1. Overview of the EU-Iran relations around 2003

In order to fully understand the context around the 2003 diplomatic initiative of the E3 (France, Germany, and the United Kingdom) towards Iran, it is crucial to establish the state of the relations between the EU and Iran at that time.

According to the 2001 “Communication from the Commission to the European Parliament and the Council on the EU relations with the Islamic Republic of Iran”, an EU-Iran dialogue was launched in 1995, and further expanded after the 1997 election of President Khatami. In 1998, it became the Comprehensive Dialogue and was extended to different new areas such as global issues (terrorism, human rights, and proliferation), regional issues (Iran’s regional policy towards the Middle East), and areas of cooperation (drugs, refugees, energy, trade and investment). Although the Comprehensive Dialogue has allowed to improve relations between the EU and Iran, it was quite limited in its scope (European Commission, 2001).

Between 1997 and 1999, relations between EU member states and Iran have improved. In fact, in 1997, the Italian Prime Minister visited Iran, while in 1999, Iranian President Khatami visited France and Italy. Presidents of Greece and Austria visited in Iran in 1999, and British-Iranian relations were unblocked in 1998 (European Commission, 2001).

From December 2002, the EU started negotiating with Iran on a Trade and Co-operation Agreement, and a Political Dialogue and Fight against the Terrorism Agreement (Moscovici, 2008). According to the EU official document, Iran was strongly interested “in strengthening relations with the EU” and “an enhanced relationship with the EU [was] clearly a major policy objective for President Khatami” (European Commission, 2001).

On the economic side, the EU acknowledged Iran had a huge potential due to its growing population and natural resources. In fact, “Iran has the second largest gas reserves in the world (16% of total world reserves), third largest oil reserves (10%)” and in 2001 its population was about 65 million people. For Iran, the economic relationship with the EU was essential since the EU was its largest trading partner. The EU represented more or less 40% of the total Iranian imports (mainly manufactured goods, vehicles, chemicals and pharmaceuticals), while the EU also was the first destination of Iranian exports (more or less 36% of the total Iranian exports). The Iranian exports to the EU consisted mainly of petroleum (more or less 80%), carpets, pistachios and caviar (European Commission, 2001). The EU lamented that its level of trade with Iran was far from its potential because “many difficulties for importers and investors” remained. In fact, according to the EU communication, the Iranian economy “is
inefficient, unreformed and centralised”. In order to improve its economy, the EU advised Iran to open its economy to the rest of the world and move towards a market economy (European Commission, 2001).

Finally, the EU affirmed its strong interest in developing closer ties with Iran since the EU had political and economic reasons for doing so. The EU had political interests in promoting a reform process that included democracy and respect for human rights in order to make Iran a more stable and reliable partner in the region. In addition, the EU also had economic interests in Iran, such as its reserves in gas and petroleum. Since the EU was (and still is) a huge importer of fossil fuel energy, Iran potentially represented a significant partner in that region (European Commission, 2001).

5.2.2. Chronology of the most important steps of EU involvement in the negotiations process

August 2003: The E3 foreign ministers – Jack Straw for the United Kingdom, Dominique de Villepin for France and Joschka Fisher for Germany – sent a letter to their Iranian counterpart. The letter was an attempt from the European ministers to solve the issue regarding Iran’s nuclear programme before it would be taken to the United Nations Security Council (UNSC) and an invitation to reinforce cooperation if Iran renounced to its enrichment activities (Nicoullaud, 2008).

October 2003: A meeting in Tehran was organised on initiative of the E3, between the E3 Foreign Ministers, the Iranian Foreign Minister and Iran’s Secretary of the Supreme National Security Council Hassan Rouhani (Nicoullaud, 2008). The meeting ended up positively with the Tehran Declaration which addressed questions such Iranian full cooperation with the International Atomic Energy Agency (IAEA) regarding its nuclear programme, Iran’s signature of the Additional Protocol to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and Iranian suspension of enrichment and reprocessing activities.

November 2004: Signature of the Paris Agreement. The EU High Representative is formally added in the negotiations and the acronym E3/EU is created to formalise the new format on the European part (Pouponneau, 2013). In short, the terms of the Paris Agreement entailed Iran to suspend its uranium-enrichment activities for the duration of the talks with the E3/EU (Davenport, 2018).

August 2005: The election of the conservative Mahmoud Ahmadinejad as the new President of Iran, and Iran’s resumption of enrichment activities proved to be a downturn for EU
involvement in the nuclear talks. In response to Iran’s nuclear activities, the E3/EU halted their negotiations with Iran (Davenport, 2018).

January 2006: Following new resumption of nuclear activities by Iran, the E3/EU acknowledged the negotiations with Iran had reached an impasse.

February 2006: Iran was referred for the first time by the IAEA to the United Nations Security Council for not complying with the requirement of halting its enrichment-related activities (IAEA, 2006).

June 2006: The E3/EU is joined by China, the Russian Federation and the United States to form the E3/EU+3 in the negotiations with Iran regarding its nuclear programme (Davenport, 2018). The E3/EU+3 issued a proposal offering incentive for Iran to suspend its enrichment programme. From June 2006, the EU High Representative benefitted from more visibility since it was him who presented negotiation proposals in the name of the E3/EU+3 to the Iranian counterparts (Pouponneau, 2013).

June 2008: The E3/EU+3 presented a new comprehensive proposal to the Iranian authorities. The condition for negotiations was that Iran suspend its enrichment-related and reprocessing activities while the E3/EU+3 would “recognize Iran’s right to develop research, production and use of nuclear energy for peaceful purposes in conformity with its NPT obligations” and “to treat Iran’s nuclear programme in the same manner as that of any Non-nuclear Weapon State Party to the NPT” (E3/EU+3, 2008).

July 2010: The Council of the European Union adopted “a comprehensive package of EU sanctions against Iran”. The sanctions included the measures contained in the UN Security Council Resolution 1929 of June 2010 and other additional measures (Council of the European Union, 2010).

January 2012: The Council of the European Union adopted a series of conclusions regarding the Iranian nuclear programme. As a result, the Council of the EU endorsed a series of sanctions on Iran entering in force in July 2012 (embargo of Iranian crude oil imports, financial sanctions, and sanctions in the sector of transportation, precious metals, dual-use technology) (Council of the European Union, 2012).

November 2013: The Iranian Minister of Foreign Affairs Mohammad Javad Zarif and the then EU’s High Representative for Foreign Affairs and Security Policy Catherine Ashton (leader of the E3/EU+3 negotiating team), announced the adoption of the Joint Plan of Action (JPOA). The agreement provided limited, temporary sanctions relief to Iran in return for Iran’s
agreement to cease its enrichment activities and allowance to more intrusive IAEA inspections (Gibson, 2016).

January 2014: The Joint Plan of Action is implemented by the E3/EU+3 and Iran. Also, Iran’s compliance with the agreement is confirmed by the IAEA (Davenport, 2018).

July 2015: The EU High Representative Federica Mogherini and Iran’s Foreign Minister Mohammad Javad Zarif announced the E3/EU+3 and Iran had reached an agreement on the text of the Joint Comprehensive Plan of Action (Mogherini & Zarif, 2015).

January 2016: Based on the IAEA report that verified Iran had met its nuclear commitments, Mohammad Zarif and Federica Mogherini announced Implementation day which meant UN, US and EU sanctions against Iran were lifted (Davenport, 2018).

5.2.3. EU’s influence on the negotiation process

In order to assess the European Union’s influence on the negotiation process that led to the signing of the Iranian nuclear deal in 2015, this section will focus on three distinctive events that have arguably had an impact on it. Firstly, the 2003 diplomatic initiative on part of France, Germany and the United Kingdom; secondly, the EU High Representative’s involvement in the negotiation process, and thirdly, the 2012 Iranian oil embargo on part of the EU.

5.2.3.1. The 2003 E3 diplomatic initiative

It can be argued that without the formation of the E3 (France, Germany, and the United Kingdom) and its impulse to launch a diplomatic initiative with Iran regarding its nuclear programme, there probably would not have been a peaceful negotiation process as it has been the case between 2003 and 2015. Indeed, the Middle East was experiencing a period of conflict with the US-led invasion of Iraq in 2003 and the Bush administration’s policy of regime change in the name of democracy. The Iraq war also had implications inside the European Union, with a division between EU member states supporting and others denouncing the U.S. military actions.

Had the E3 not taken the lead in dealing with Iran’s nuclear activities, the United States might have been tempted to launch a military invasion of Iran. Thus, the E3 initiative could be seen as a measure taken in order to avoid the possibility of another war in the Middle East but also to enhance the European political standing on the world scale (Sauer, 2008). According to Wright, the E3 format was a crucial tool to strengthen action at the European level, and to
guarantee the European Union was acting according to its commitments towards the support for non-proliferation (Wright, 2015).

According to Harnisch, the E3 initiative was due in part to internal pressure inside the EU to act after the Iraq split and in part because the U.S. refused to engage bilaterally with Iran. He argues that if the Bush administration had started talks with Iran, there would not have been any European initiative. In addition, Harnisch argues that “recognition and support by the United States was the single most important factor that influenced the course of the initiative” (Harnisch, 2007).

It is worth noting that the Tehran Declaration of October 2003 between the foreign ministers of the E3 and Iran did not mention the European Union. As a matter of fact, the E3 acted on their own, without consulting the other European member states. This situation raised tensions inside the European Union, with some states criticising the fact they had not been consulted before (Pouponneau, 2013). Nevertheless, although some EU member states were feeling left out of the negotiations with Iran, when the EU High Representative was added to the European negotiation team in 2004, others expressed their full confidence in the E3 initiative and trust in the EU High Representative’s mandate (Beunderman, 2005).

To conclude, it seems fairly accurate to claim the E3 initiative has had a crucial importance in the first step of the negotiation process with Iran regarding its nuclear programme. As Jessen has argued, the European initiative was “the main reason why it was possible to keep Iran engaged in dialogue” (Jessen, 2017).

5.2.3.2. The EU High Representative’s involvement
For more than eleven years (2004-2015), the EU High Representative has held a crucial role in the negotiation process regarding Iran’s nuclear programme. It can be argued the involvement of the EU High Representative has been a constant variable and has influenced the process in a way to facilitate it and to bring the different parties’ positions closer in order to reach an agreement.

As it was mentioned earlier in this chapter, the EU High Representative’s involvement in the negotiations process started in 2004 following EU member states’ discontent and feeling of exclusion from the negotiation process. According to Meier, the addition of the European Union, through the EU High Representative’s inclusion on the negotiation process, was
necessary for the E3 in order to be able to offer incentives to Iran and also impose economic sanctions that “committed the EU as a whole” (Meier, 2013).

Javier Solana, the first person to hold that important EU post, was considered as “a facilitator between EU member states, the negotiating parties and Iran” (Jessen, 2017). Its successor, Catherine Ashton, was considered by an Iranian official to be a very effective “liaison” between the different actors in the negotiations although she lacked “political power” (Rettman, 2014).

An additional sign of the importance taken by the EU High Representative in the negotiation process was given in 2010 with the UN Security Council resolution 1929. In fact, the resolution encouraged:

“the High Representative of the European Union for Foreign Affairs and Security Policy to continue communication with Iran in support of political and diplomatic efforts to find a negotiated solution, including relevant proposals by China, France, Germany, the Russian Federation, the United Kingdom and the United States with a view to create necessary conditions for resuming talks” (United Nations Security Council, 2010).

This official endorsement of the EU High Representative’s role in the negotiations on part of the UN Security Council further legitimised the mandate of the High Representative to act as a “facilitator” during the negotiation process (Jessen, 2017).

The last period of the nuclear talks between 2013 and 2015 saw an intensification in the number of meetings between the different parties in the negotiations. The actor that handled the proper coordination and communication in all the encounters has been the EU High Representative and its team, which maintained a coherent path in the negotiation process (Jessen, 2017).

According to The Guardian, the only actor present in almost all the reunions was the EU High Representative Catherine Ashton who had a leading role in trying to narrow and bridge the diverse positions of the different actors in the negotiation. The negotiations were held on a multi-dimensional level, there were some multilateral meetings and many bilateral reunions between all the actors part in the negotiation process (Traynor, 2013). Thus, the EU High Representative’s role was not only to facilitate the negotiation process but also to participate in the drafting of proposals that would lead the different parties closer to a final agreement (Jessen, 2017).
To conclude, the impact of the EU High Representative on the negotiations process that led to the Iranian nuclear deal cannot be underestimated. It acted as an effective coordinator and communicator between the different actors taking part in the negotiations, and although the EU High Representative did not have much political weight on its own, it participated in drafting compromise proposals and played a decisive role in reaching the final agreement.

5.2.3.3. The EU 2012 Iranian oil embargo

When in January 2012 the Council of the EU adopted a series of additional sanctions to be imposed on Iran, its decision to approve an EU embargo on Iranian oil imports was to carry important consequences. In this section, it is argued the EU decision to apply that specific sanction on Iran was a turning point in the negotiation process with Iran regarding its nuclear programme. In fact, we argue the EU embargo had such a negative impact on Iran’s economy and therefore on the lives of the Iranian population, that the Iranian leadership was forced to come to terms with the rest of the negotiating partners in order to settle for an agreement.

First, it must be acknowledged that the 2012 EU sanctions on Iran were “the most far-reaching against an individual country adopted by the EU since the sanctions on Iraq in the 1990s” but also “the broadest unilateral sanctions regime ever adopted by the EU” (Meier, 2013). The sanctions regime imposed on Iran also allowed the EU to appear in a position of strength and to be perceived as “a serious actor on the international scene that can ‘deliver’”, the latter being a priority for the EU (Meier, 2013).

Second, since Iran’s main trading partner was the EU and oil was the most traded commodity between the two, the EU oil embargo had devastating consequences on the Iranian economy. According to Jessen, a year after the imposition of the embargo, Iranian inflation stood at 45%, oil exports had declined by more than 40%, the foreign currency holdings were waning “at a rate of $15 billion per year”, and the public debt “had not been served for more than half a year” (Jessen, 2017).

Third, it seems fair to assess the Iranian deep economic issues persuaded the Iranians to vote for the Reformists in the 2013 Iranian elections. In fact, the reformist Hassan Rouhani had campaigned in favour of restoring the negotiations process addressing Iran’s nuclear programme (Jessen, 2017). Thus, it could be argued the EU decision to impose an oil embargo
on Iran had the additional impact of reviving the negotiations between the E3/EU+3 and Iran which were at a low point at that period of time.

Finally, it could be suggested the EU oil embargo on Iran and the following political consequences was an application of Putnam’s theory of two-level games. In fact, an economic embargo imposed by the EU on Iran (the international level) had consequences on the national elections in Iran (the domestic level). In addition, the political change within Iran had an impact on the international level since it revived the nuclear negotiations between Iran and the E3/EU+3 (Putnam, 1988).

To conclude, the EU’s decision to inflict an oil embargo on Iran seemed to be a critical moment in the negotiations regarding Iran’s nuclear programme. The EU sanctions and the following economic consequences prompted the Iranian leadership to give a new impetus to the nuclear negotiations.

5.3. Conclusion

The intent of this chapter was to assess what impact the European Union had on the negotiation process regarding Iran’s nuclear programme by first analysing key provisions of the European Union’s foreign policy strategy and the institutional framework behind the position of High Representative of the European Union. Second, the political and economic relations between the EU and Iran at the beginning of the negotiation process have been briefly assessed, and a chronology of the most important steps of EU involvement in the negotiations process has been established. Finally, the EU’s concrete actions and ensuing influence on the negotiation process and the EU High Representative’s impact on the talks has been assessed.

It could be argued the findings of this chapter have allowed to address the question of how the negotiation process has unfolded. In fact, the European Union’s involvement in and impact on the negotiations was crucial and lasted over the entire negotiations process. Without the E3 initiative to start talks with Iran in 2003 regarding its nuclear activities, without the EU High Representative’s constant presence in all meetings during the talks, and without the European Union’s decision to impose an oil embargo on Iran in 2012, the negotiation process would probably not have taken the same path nor would it have ended with the reaching of an agreement in 2015.
6. Outcomes

As a result of the research that has been completed for this master’s thesis, there are potential outcomes our study can reveal. Firstly, the thorough analysis of the negotiations of the Iranian nuclear deal (or JCPOA) has allowed us to develop propositions on what were the possible results and consequences of the agreement in 2015. In fact, the nuclear deal has had an impact firstly on the Iranian nuclear programme, secondly on ending sanctions and economic relief for Iran, thirdly on the Middle East’ stability, fourthly on the ability of the European Union to play a decisive role in solving an international proliferation crisis, and lastly on Iran’s domestic politics.

6.1. The Iranian nuclear programme

The main goal of the negotiation process between the E3/EU+3 (France, Germany, the United Kingdom, the EU’s High Representative for Foreign Affairs and Security Policy, China, Russia, and the United States) and Iran was to prevent Iran from developing a nuclear weapon and ensure the Iranian nuclear programme was exclusively peaceful in its purpose. It seems accurate to assess that the Joint Comprehensive Plan of Action (JCPOA) has satisfied that objective. This assessment is based on the terms of the JCPOA that will be further developed in this section.

First of all, the JCPOA’s preamble expresses that “the full implementation of this JCPOA will ensure the exclusively peaceful nature of Iran’s nuclear programme”, while Iran reaffirms its commitment not to “ever seek, develop or acquire any nuclear weapons”. Then, the text insists the nuclear Non-Proliferation Treaty (NPT) “remains the cornerstone of the nuclear non-proliferations regime and the essential foundation for the pursuit of nuclear disarmament and for the peaceful uses of nuclear energy”. Therefore, the implementation of the JCPOA enables Iran to “fully enjoy its right to nuclear energy for peaceful purposes” under the NPT, and the “Iranian nuclear programme will be treated in the same manner as that of any other non-nuclear-weapon state party to the NPT” (JCPOA, 2015).
The preamble also states the E3/EU+3 and Iran’s commitment

“to implement the JCPOA in good faith and in a constructive atmosphere, based on mutual respect, and to refrain from any action inconsistent with the letter, spirit and intent of this JCPOA that would undermine its successful implementation” (JCPOA, 2015).

The JCPOA continues by addressing the nuclear limitations imposed on the Iranian nuclear programme. The JCPOA sets out

“agreed limitations on all uranium enrichment and uranium enrichment-related activities including certain limitations on specific research and development (R&D) activities for the first 8 years, to be followed by gradual evolution, at a reasonable pace, to the next stage of its enrichment activities for exclusively peaceful purposes” (JCPOA, 2015).

Regarding Iran’s centrifuges, the phasing out would start after a period of ten years, and until then, “Iran will keep its enrichment capacity at Natanz at up to a total installed uranium enrichment capacity of 5060 IR-1 centrifuges”. Concerning enrichment R&D, Iran would continue to conduct some “in a manner that does not accumulate enriched uranium”. Furthermore, for a duration of fifteen years

“Iran will carry out its uranium enrichment-related activities, including safeguarded R&D exclusively in the Natanz Enrichment facility, keep its level of uranium enrichment at up to 3.67%, and, at Fordow, refrain from any uranium enrichment and uranium enrichment R&D and from keeping any nuclear material” (JCPOA, 2015).

Regarding Iranian uranium reserve, the terms of the JCPOA state that for a duration of fifteen years “as Iran gradually moves to meet international qualification standards for nuclear fuel produced in Iran, it will keep its uranium stockpile under 300 kg of up to 3.67% enriched uranium” (JCPOA, 2015).

Furthermore, the JCPOA takes measures regarding the heavy water research reactor in Arak. It states that “the redesigned and rebuilt Arak reactor will not produce weapons grade plutonium”, thus de facto shutting down the possibility of producing nuclear weapons using plutonium instead of uranium. In addition, the JCPOA expresses that “there will be no additional heavy water reactors or accumulation of heavy water in Iran for 15 years” (JCPOA, 2015).
The JCPOA also addresses transparency and confidence building measures. In fact, the JCPOA states that “Iran will provisionally apply the Additional Protocol to its Comprehensive Safeguards Agreement”, which signifies that Iran will have to authorise visits by International Atomic Energy Agency (IAEA) agents at any time and at any location of its nuclear programme. In addition, the JCPOA reiterates the central role played by the IAEA. In fact, the text of the agreement states that

“Iran will allow the IAEA to monitor the implementation of the voluntary measures for their respective durations, as well as to implement transparency measures, as set out in this JCPOA and its Annexes. These measures include: a long-term IAEA presence in Iran; IAEA monitoring of uranium ore concentrate produced by Iran from all uranium ore concentrate plants for 25 years; containment and surveillance of centrifuge rotors and bellows for 20 years” (JCPOA, 2015).

Finally, Iran accepted to fully implement the “Roadmap for Clarification of Past and Present Outstanding Issues agreed with the IAEA, containing arrangements to address past and present issues of concern relating to its nuclear programme”, which was an important feature of the final agreement and a core objective for the E3/EU+3.

6.2. End of sanctions and economic relief for Iran

It can be argued that Iran’s main objective during the negotiation process with the E3/EU+3, was that in exchange for the containment of its nuclear programme, it would be rewarded with the lifting of nuclear-related and economic sanctions, as well as other types of sanctions imposed by the United Nations Security Council, the European Union and the United States. It seems accurate to assess that the JCPOA has addressed Iran’s core objective of sanctions removal.

In fact, a few days after the JCPOA was signed, the UN Security Council adopted resolution 2231 that endorsed the JCPOA and that terminated


The UN Security Council resolution 2231 would take effect on Implementation Day, which was on January 16 2016.
6.2.1. EU sanctions

Concerning EU sanctions, the JCPOA affirms that “the EU will terminate all provisions of the EU Regulation” that had implemented nuclear-related, economic and financial sanctions against Iran. The relief from EU sanctions imposed on Iran covers the following areas: finance, trade, precious metals, and designation of persons and entities.

Financial sanctions such as “transfers of funds between the EU persons and entities, including financial institutions, and Iranian persons and entities, including financial institutions” will be allowed. Some measures regarding banks were also lifted such as the interdiction to open “new branches and subsidiaries of Iranian banks in the territories of EU Member States”.

In addition, the crucial sanction regarding the SWIFT system (which covers financial messaging services) was lifted, which meant “the Central Bank of Iran and Iranian financial institutions” could use it. Other financial sanctions that were lifted covered “financial support for trade”, “transactions in public or public-guaranteed bonds”, and “commitments for grants, financial assistance and concessional loans to the Government of Iran”.

The following area of EU sanctions that were lifted dealt with trade and in particular the oil sector. In fact, the 2012 EU oil embargo on Iran was one of the strongest sanctions ever imposed by the EU on another country, and the one with the gravest consequences on the Iranian economy. The JCPOA states that sanctions on “import and transport of Iranian oil, petroleum products, gas and petrochemical products”, on “export of key equipment or technology for the oil, gas and petrochemical sectors”, and on “investment in the oil, gas and petrochemical sectors” were all lifted (JCPOA, 2015). Additional trade sanctions removed covered “export of key naval equipment and technology”, “design and construction of cargo vessels and oil tankers”, and “access to EU airports of Iranian cargo flights”.

The area of precious metals was also addressed and the sanction on “export of gold, precious metals and diamonds” was lifted. Finally, a list of designated persons, entities, and bodies that were previously subject to “asset freeze and visa ban”, were taken off the sanctions’ list.

Finally, the EU committed itself to “terminate all provisions of the EU Regulation implementing all EU proliferation-related sanctions” after a duration of eight years starting from Adoption Day (October 18 2015) or “when the IAEA has reached the Broader Conclusion” regarding Iran’s nuclear programme, meaning that “all nuclear material in Iran remains in peaceful activities” (JCPOA, 2015).
6.2.2. U.S. sanctions

Regarding sanctions imposed by the United States, the JCPOA lifted sanctions in areas of finance, trade, precious metals and designation of persons and entities. In the finance area, the sanctions that were removed included sanctions on “financial and banking transactions with Iranian banks and financial institutions”, “transaction in Iranian Rial”, “provisions of U.S. banknotes to the Government of Iran”, “purchase, subscription to, or facilitation of the issuance of Iranian sovereign debt, including governmental bonds”, and “financial messaging services to the Central Bank of Iran and Iranian financial institutions”.

Regarding trade, the removed sanctions covered “bilateral trade limitations on Iranian revenues abroad, including limitations on their transfer”, and particularly the oil sector with sanctions dealing with “efforts to reduce Iran’s crude oil sales”, “investment, including participation in joint ventures, goods, services, information, technology and technical expertise and support for Iran’s oil, gas and petrochemical sectors”, but also “purchase, acquisition sale, transportation or marketing of petroleum, petrochemical products and natural gas from Iran”, “transactions with Iran’s energy sector” (JCPOA, 2015).

Concerning the precious metals area, the JCPOA addresses the previous sanctions on “trade in gold and other precious metals”. Finally, a list of designated persons and entities that previously were on the “Specially Designated Nationals and Blocked Persons List (SDN list)” and on the Iran Sanctions Act List, were taken off the sanctions’ list.

A final sanction that was crucial for Iran’s economy which the JCPOA lifted, was the U.S. allowance for the “sale of commercial passenger aircraft and related parts and services to Iran”. In fact, Iran was desperately needing new aircrafts and was dealing with an aging airplane fleet and numerous technical issues.

In the same manner as the EU, the United States committed itself to “terminate, or modify to effectuate the termination of, the sanctions specified in Annex II on the acquisition of nuclear-related commodities and services for nuclear activities contemplated in this JCPOA” after a duration of eight years starting from Adoption Day (October 18 2015) or when the IAEA has reached its Broader Conclusion regarding Iran’s nuclear programme.

In conclusion, the JCPOA addressed economic sanctions on the Iranian economy, ranging from finance, trade, oil import and export, precious metals, lists of designated persons and entities. Iran accepted to constrain its nuclear programme in exchange for a comprehensive lifting of
economic sanctions and economic relief. It can be argued that Iran’s goal was addressed with the JCPOA. Nevertheless, although sanctions have been terminated, the promised economic recovery is slow to materialise. In fact, according to Nephew, this might be due to “the pervasive presence of the Islamic Revolutionary Guards Corps (IRGC) in the economy, some political manipulation of core economic functions, corruption, and the reliance on a single commodity (oil) for the country’s export earnings” (Nephew, 2016).

6.3. The Middle East’s stability

The chapter on the “constraints” to the Iran nuclear deal has dealt with the opponent’s reactions to the negotiation process that led to the nuclear agreement. In this section, the outcomes of the JCPOA on the Middle East’s stability will be assessed. Nevertheless, in light of the recent announcement made by U.S. President Donald Trump to withdraw from the Iran nuclear deal, a lot of caution needs to be used when making an assessment of the JCPOA’s impact on the region’s stability (Landler, 2018). Two viewpoints will be addressed: on one side, the view that the JCPOA might reinforce Iran regionally and therefore might be a factor of instability, and, on the other side, the view that the JCPOA might be a positive development for regional non-proliferation and stability.

One of the main consequences of the JCPOA is the lifting of economic sanctions imposed on Iran. It has been argued the economic relief benefiting Iran would serve its expansive foreign policy in the Middle East region. In fact, there is a view amongst Middle East experts that Iran will use the newly available resources to finance its proxies in the region, such as Hezbollah in Lebanon and the Houthi movement in Yemen, and according to Pawlack, it “may further increase Iran’s appetite for hegemony in the region” (Pawlack, 2016).

In addition, those experts expressed the view that Iran may manage to “achieve economic growth while simultaneously expanding its revolutionary ideology and influence throughout the region”. Therefore, they argue that Iran’s economic ambitions and progressive reintegration in the international economic order may not divert it “from its current foreign policy path” (Mohseni, 2015).

Another point made by those who view the JCPOA as having negative outcomes on the region’s stability is that the agreement does not prevent Iran from developing a nuclear weapon in the long term, and that eventually Iran will decide to do so, which might trigger a
nuclear arms race in the region and increase the risk of nuclear proliferation in the Middle East (Pawlack, 2016). According to Mohseni, several Middle East experts have predicted the JCPOA to engender “an Iranian drive towards weaponisation or regional proliferation”. There is a belief amongst several experts that Iran will not abide by the letter of the agreement and that it will eventually try to cheat and secretly develop nuclear weapons (Mohseni, 2015).

Supporters of the opposite view have argued that the JCPOA may be a positive development for the region’s stability and non-proliferation issue. In fact, the Obama administration has viewed the Iran nuclear deal “as an opportunity for more constructive engagement” on the part of Iran regarding the most pressing issues in the region (Pawlack, 2016). According to Mohseni, most experts on Middle East affairs have argued the JCPOA “would diminish the risk of proliferation and praised the settlement for this reason”. The nuclear deal has also been viewed as a possible trigger for a weapons of mass destruction free zone in the region (Mohseni, 2015).

In addition, other experts have suggested the Iranian nuclear programme has not been the main threat emanating from Iran but that rather, its support for proxies and its ballistic missile arsenal, are considered amongst the most urgent security issues in the region (Mohseni, 2015). Furthermore, regarding Iran’s economic recovery, some have expected the JCPOA to lead Iran’s foreign policy towards moderation, and therefore have positive consequences on the region’s stability. In fact, the economic development might be the driving force behind Iran’s calculations concerning its regional policies. In order to achieve that, Iran could increase its economic ties with Middle East neighbours and diminish its support for proxies and conflicts in the region (Mohseni, 2015).

To conclude, it can be argued the JCPOA’s impact on Middle East’s stability vary depending on the viewpoint. Some experts have expressed opinions in favour of the nuclear deal’s positive consequences on the region, while other experts have argued for the opposite. They have addressed Iranian influence on regional affairs and relations with neighbouring states. In addition, it could be assessed that the JCPOA’s main outcomes and influence on the region are whether it will increase Iranian influence and exacerbate conflicts in the region, or whether it may increase cooperation and resolution of tensions in the Middle East (Mohseni,
Finally, considering the recent announcement made by the United States to withdraw from the Iran nuclear deal, the JCPOA’s regional impacts seem highly unpredictable.

6.4. The European Union’s ability to play a decisive role in solving an international non-proliferation crisis

Another crucial outcome of the Iran nuclear deal that can be assessed is the European Union’s ability to play a decisive role in solving an international non-proliferation crisis. In fact, the 2003 diplomatic initiative that was the basis of the whole negotiation process with Iran regarding its nuclear programme came from three European states: France, Germany, and the United Kingdom. The European Union was officially added to the negotiations in 2004, with the involvement of the EU’s High Representative, who became the leader of the negotiation team dealing with Iran. When the Iranian file was referred to the United Nations Security Council in 2006, permanent representatives such as China, Russia and the United States were included in the negotiation process with Iran. The EU High Representative continued to play a leading role and acted as the representative of the E3/EU+3 team (France, Germany, the United Kingdom, China, Russia, the United States, and the EU High Representative) in negotiating with Iran regarding its nuclear activities.

Following its 2003 “Security Strategy” the European Union made the fight against the proliferation of weapons of mass destruction one of its top priorities, and even labelled it as the potential “greatest threat to our security” (European Union, 2003). Therefore, it did seem logical for the European Union to decide to get involved in solving the proliferation issue regarding Iran’s nuclear programme. Nevertheless, according to Meier, the “EU’s efforts to resolve the conflict over Iran’s nuclear programme stand out as the EU’s most important and most persistent direct engagement in a high-profile non-proliferation crisis” (Meier, 2013).

In addition, the European Security Strategy (ESS) advanced the idea of using “effective multilateralism” as the strategy for achieving its foreign affairs’ goals (European Union, 2003). The application of that strategy to the negotiation process regarding Iran’s nuclear programme can be found firstly in the diplomatic initiative started by the E3 (France, Germany, and the United Kingdom).

Nevertheless, according to Viaud, when the E3 realised the limits of its negotiation approach towards Iran (it could not stay confined to just three European member states), it decided it had to enlarge the multilateral framework in order to reach a stronger position in the talks
vis-à-vis Iran (Viaud, 2017). The United Nations were thus considered by the E3/EU as the most adequate actor in order to enhance the diplomatic action regarding Iran, and therefore the permanent members of the UN Security Council were added to the negotiations which effectively enlarged the negotiating team to become the E3/EU+3 (Viaud, 2017). A second application of the European strategy of “effective multilateralism” can thus be found in the addition of new actors to the negotiation process (from the E3/EU to the E3/EU+3) and the enlargement of the negotiation framework.

To conclude, it can be argued the European Union has played a crucial role in solving a prominent international non-proliferation crisis. In fact, the European Union had a decisive impact on the negotiation process regarding Iran’s nuclear programme, first by launching a diplomatic initiative in 2003 towards Iran and by the continuity of its involvement that lasted for more than a decade. The European Union has managed to pursue its “Security Strategy” goal of “effective multilateralism” in dealing with an issue that mattered for the entire international community, which in this particular case was the proliferation of weapons of mass destruction.

6.5. Iran’s domestic politics

A final outcome of the Iran nuclear deal that can be addressed is the impact the agreement has had on Iran’s domestic politics. In fact, it can be argued the deal has had a mixed impact on the Iranian political sphere. On one side it seems it has strengthened the Rouhani administration and the Iranian moderates, and, on the other, the slow economic recovery seems to have exacerbated the political divide between the conservatives and the moderates while at the same time worsening the public opinion of the Iranian political elite.

When the Iran nuclear deal was reached in July 2015, many Iranians manifested in the streets of the country their happiness and hope after that historic moment for their country’s future. Many saw the reaching of an agreement as a success of the Rouhani administration, and its ability to deliver on its promises. In fact, when campaigning for the Iranian presidency, Hassan Rouhani had made the nuclear issue his battle cry to win the elections, and had promised the Iranians he would be able to solve that crucial issue while at the same time reintegrating Iran in the international community (Tabatabai, 2016). It seems thus that the Rouhani
administration, and the camp of the moderates which it belongs to, were leaving victoriously the lengthy negotiation process, and were strengthened by the JCPOA’s signature.

In the political camp of the conservatives, many viewed the JCPOA as giving too much away while not receiving enough. Some have argued Iran has given up key parts of its nuclear programme in return for economic recovery which has not materialised yet (Tabatabai, 2016). In addition, it seems the Iranian public opinion has been sharing that same view and has been demanding economic results and changes in their daily life conditions. Nevertheless, it can be argued the JCPOA’s promised economic relief for Iran cannot avoid systemic issues such as corruption and mismanagement, that are inherent features of the Iranian economy. It seems that changes in the direction of economic reform and modernisation have been slow due to structural issues that have been involving the highest spheres of the Iranian political elite (Tabatabai, 2016).

To conclude, caution is needed when assessing the Iran nuclear deal’s impact on Iran’s domestic politics. The nuclear issue has been a central dispute between the moderates and the conservatives during the lengthy negotiation process, which ended with the moderates getting the upper hand and the Rouhani administration in particular. Finally, although the economic recovery has been slow and insufficient for the Iranian population, and although there has been criticism against the current administration, the 2017 presidential election which saw the re-election of Hassan Rouhani, seemed to indicate the Iranians’ support and faith in their country’s moderate political camp.

6.6. Conclusion

In conclusion, this chapter has allowed to make a complete assessment of the negotiations’ and the agreement’s consequences on the actors that took part in the Iran nuclear deal’s negotiation process, on the region’s stability, on the European Union’s impact in international non-proliferation crisis, and on Iran’s domestic politics. First, the Iranian nuclear deal main consequences concern the Iranian nuclear programme and relief from economic sanctions. The JCPOA’ terms constrain any future Iranian nuclear activities to ensure they will only be for peaceful purposes. In return for Iran’s agreement to constrain its nuclear programme, the economic sanctions that have been imposed on Iran were lifted. These included sanctions
from the United Nations, the United States and the European Union. In particular, the 2012 oil embargo imposed by the European Union was lifted, which was a crucial matter for Iran’s economic recovery.

Second, the definitive JCPOA’s impact on the Middle East is still to be seen, some experts have argued the agreement could have a destabilising effect since Iran could feel emboldened by the deal and might thus pursue an expansive foreign policy in the region, while other experts have predicted the JCPOA to be a positive development for regional non-proliferation and stability. In addition, the consequences of the recent U.S. decision to withdraw from the agreement are still uncertain and may be negative for the region’s stability. Third, the Iranian nuclear deal has allowed the European Union to perform a crucial role in solving an international non-proliferation crisis by launching a diplomatic initiative to reach out to Iran in order to address its undeclared nuclear activities and then by building a multilateral framework (the E3/EU then enlarged to the E3/EU+3) that allowed to pursue its “effective multilateralism” strategy. Finally, the deal’s long negotiation process has been a topic of political divide between the Iranian moderates and conservatives. Although the promised economic recovery is slowly emerging and many Iranians feel their daily lives have not improved, the 2017 presidential election saw the re-election of moderate Hassan Rouhani.
7. CONCLUSION

In conclusion, this master’s thesis has been focusing on a topic that is truly relevant to the discipline of International Relations and more generally to one study field of political science: international negotiations. The purpose of this thesis has been to achieve an in-depth analysis of the Iran nuclear deal’s negotiation process, formally known as the Joint Comprehensive Plan of Action (JCPOA), and to try identifying the presence of generalizable features of international negotiations. The general objective of this thesis has been to explain how the actors that have taken part in the negotiation process have succeeded in reaching an agreement. The Iran nuclear deal was worth investigating since it stands as a central multilateral agreement that deals with a pressing issue for the entire international community: the proliferation of weapons of mass destruction and more particularly nuclear weapons.

The JCPOA thus addresses the threat of nuclear proliferation and involves some of the states that unarguably have the most influence on world politics: The United States, the Russian Federation, China, France, Germany, the United Kingdom, and the Islamic Republic of Iran. In addition, the negotiations on the Iranian nuclear deal are part of a larger field, that of nuclear non-proliferation. In fact, the central legislation in the matter is the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which entered into force in 1970, is indefinite, and has been joined by 191 states, making it the most significant treaty on arms limitations and disarmament agreement (United Nations Office for Disarmament Affairs, 2018).

The negotiations that led to the signing of the Joint Comprehensive Plan of Action (JCPOA), lasted over more than a decade (2003-2016) and included a variety of actors. On one side, the E3/EU+3 group of states which included the three European member states at the origin of the negotiation process France, Germany, and the United Kingdom (forming the E3), the High Representative of the European Union for Foreign Affairs and Security Policy (EU), and the three remaining permanent members of the United Nations Security Council China, the Russian Federation, and the United States of America (thus altogether forming the E3/EU+3), and, on the other side, the Islamic Republic of Iran (hereinafter referred to as Iran).
Nevertheless, although the vast majority of the international community warmly welcomed the reaching of the Iran nuclear deal, there have been some actors that expressed their concerns and opposition towards the negotiation process and the final agreement.

Three central opponents have been identified as the main adversaries to the negotiation process, namely Israel, the Gulf Cooperation Council (GCC), and the U.S. Congress. As a result of our analysis, it can be argued these actors have played the role of spoilers during the negotiation process, and have forcefully tried to undermine, to constrain, and to influence the negotiations towards their respective interests. Israel, the GCC and the U.S. Congress have shared a common concern for their security regarding Iran’s nuclear programme. In fact, Israel has claimed that Iran threatens its existence and is ideologically opposed to the Jewish state. The GCC has expressed its concern for Gulf stability and security because of its perception of Iranian expansive foreign policy and support of proxies in the region. In addition, those two actors have voiced their worry for regional nuclear proliferation should Iran get nuclear weapons. Finally, the U.S. Congress has been highly critical regarding the Iran nuclear deal. In fact, the U.S. legislative body has continuously tried to undermine the White House’s efforts to carry on with the negotiation process which exacerbated tensions between the Obama administration and Congress.

Finally, due to the conflicting interests at stake that originated from the various implications the agreement would have for such actors, it can be argued the actors part in the negotiation process encountered numerous obstacles, and through intensive diplomatic efforts in the form of negotiations they managed to secure the Iran nuclear deal. In fact, it can be assessed the efforts the E3/EU+3 and Iran have put in order to reach an agreement that seemed quite improbable, overcoming many obstacles and different actors’ pressure to undermine the negotiation process, is quite remarkable.

Furthermore, this thesis has allowed to come to the conclusion that without European efforts, first from Germany, France, and the United Kingdom, and subsequently, from the whole European Union, the Iran nuclear deal would not have been reached. It is argued the E3 (Germany, France, and the United Kingdom), and later on the E3/EU (the E3 and the EU High

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3 According to Stedman, spoilers are a feature of peace making negotiations, and consist of “leaders and parties who believe the emerging peace threatens their power, world view, and interest and who use violence to undermine attempts to achieve it” (Stedman, 1997).
Representative) crucially influenced the negotiation process with Iran, mainly through economic sanctions, and through the EU High Representative acting as a bridge between all the actors part in the negotiations. In fact, the European Union’s involvement in and impact on the negotiations was crucial and lasted over the entire negotiations process. Without the E3 initiative to start talks with Iran in 2003 regarding its nuclear activities, without the EU High Representative’s constant presence in all meetings during the talks, and without the European Union’s decision to impose an oil embargo on Iran in 2012, the negotiation process would probably not have taken the same path nor would it have ended with the reaching of an agreement in 2015.

As a result of the research that has been completed for this master’s thesis and the comprehensive analysis of the Iran nuclear deal’s negotiation process that has been carried out, it has allowed us to develop propositions on what were the possible results and consequences of the agreement in 2015. In fact, the nuclear deal has had an impact firstly on Iran’s nuclear programme and economy, secondly on the Middle East’ stability, thirdly on the ability of the European Union to play a decisive role in solving an international proliferation crisis, and fourthly, on Iran’s domestic politics.

Firstly, the Iranian nuclear deal main consequences concern the Iranian nuclear programme and relief from economic sanctions. The JCPOA’ terms constrain any future Iranian nuclear activities to ensure they will only be for peaceful purposes. In return for Iran’s agreement to curb its nuclear programme, the economic sanctions that have been imposed on Iran were lifted. These included sanctions from the United Nations, the United States and the European Union, that ranged from finance, trade, oil import and export, precious metals, lists of designated persons and entities. In particular, the 2012 oil embargo imposed by the European Union was lifted, which was a crucial matter for Iran’s economic recovery. Nevertheless, although sanctions have been terminated, the promised economic recovery is slow to materialise. In fact, according to Nephew, this might be due to “the pervasive presence of the Islamic Revolutionary Guards Corps (IRGC) in the economy, some political manipulation of core economic functions, corruption, and the reliance on a single commodity (oil) for the country’s export earnings” (Nephew, 2016).
Secondly, caution is needed when assessing the Iran nuclear deal’s long term impact on the Middle East. Some experts have argued the agreement could have a destabilising effect since Iran could feel emboldened by the deal and might thus pursue an expansive foreign policy in the region, while other experts have predicted the deal to be a positive development for regional non-proliferation and stability.

In addition, the consequences of the United States’ recent decision to withdraw from the agreement are still uncertain and may have negative outcomes on the region’s stability. As it could be expected, Israel applauded the Trump administration’s move and Israeli Prime Minister stated that “Israel fully supports President Trump’s bold decision today to reject the disastrous nuclear deal with the terrorist regime in Iran” (Al Jazeera, 2018). Additional support for the U.S. decision came from Saudi Arabia, the other great regional rival to Iran, whose foreign ministry stated that “the Kingdom supports and welcomes the steps announced by the US president toward withdrawing from the nuclear deal... and reinstating economic sanctions against Iran” (Al Jazeera, 2018).

In contrast, the European disappointment to Trump’s decision was unsurprisingly strong, as is exemplified by the statement made by France’s ambassador to the United Nations that Trump’s foreign policy is a “mix of unilateralism and isolationism” (Dreazen, 2018). Moreover, France’s President Macron tweeted that “France, Germany and the UK regret the US decision to leave the JCPOA” while Germany’s Foreign Minister Mass argued that “the deal makes the world safer” and that his country had no reason to pull out of the deal (Al Jazeera, 2018). On his part, the United Kingdom Foreign Minister Johnson tweeted that he “Deeply regret US decision to withdraw from the Iran nuclear deal. UK remains strongly committed to the JCPOA, and will work with E3 partners and the other parties to the deal to maintain it” (Al Jazeera, 2018). Finally, the High Representative of the European Union, Federica Mogherini, stated that “the EU will remain committed to the continued full and effective implementation of the nuclear deal”, showing additional signs of European support to the 2015 agreement (Al Jazeera, 2018).

Thirdly, it can be argued the Iranian nuclear deal has allowed the European Union to perform a crucial role in solving an international non-proliferation crisis by launching a diplomatic initiative to reach out to Iran in order to address its undeclared nuclear activities and then by building a multilateral framework (first by involving the EU High Representative and later by
adding the remaining permanent members of the United Nations Security Council to the negotiation process) that allowed to pursue its “effective multilateralism” strategy. The Iranian case has permitted the European Union to show its skills in the field of multilateral negotiations, and it can be assessed the EU has performed quite well since its High Representative became the liaison between the different parties in the negotiation process, and played a crucial part in the reaching of the Iran nuclear deal in 2015.

Finally, the agreement has also had consequences on Iran’s domestic politics. In fact, the long negotiation process has been a topic of political divide between the Iranian moderates and conservatives. Although the promised economic recovery is slowly emerging and many Iranians feel their daily lives have not improved, the 2017 Iranian presidential election saw the re-election of moderate Hassan Rouhani.

Finally, this thesis has also identified possible characteristics that assess how the negotiations evolved, from the birth of the negotiations process until the final agreement. It can be argued that multilateralism and multi-level negotiations were features of the negotiation process that led to the reaching of the 2015 Iran nuclear deal. In fact, the actors engaged in the process understood from the start that the Iranian nuclear issue was of such importance that it had to be dealt with multilaterally. The European initiative (Germany, France, the United Kingdom) in 2003 to engage directly with Iran had some impact but was nevertheless limited in its effective results. The European countries acknowledged they had to broaden their coalition in order to have more bargaining power when negotiating with Iran. It is probably for this reason that in 2006 the Europeans enlarged the negotiations to include the permanent members of the United Nations Security Council.

Focussing on Robert Putnam’s theory of “two-level games”, which hypothesises that in any international negotiation there are two levels, the international one and the domestic one, which both influence one another, it has been assessed that multi-level games were a present feature of the Iran nuclear deal’s negotiation process. In this particular case, the negotiations involved actors on various levels: domestic, regional, international. Indeed, negotiators from every country part in the negotiation have had to deal with their national governments, they have had to negotiate with their foreign counterparts internationally, and in the case of the European negotiators, they have had to deal with negotiations on the European level. Finally, it has been hypothesised the multilateral negotiation format and the multi-level negotiations,
that have been constant features of the negotiation process of this particular case of international negotiation, could give useful insights and serve as a model for subsequent multilateral negotiations.

To conclude, the future of the Iran nuclear deal or Joint Comprehensive Plan of Action seems highly uncertain in view of the recent developments. In fact, although the latest International Atomic Energy Agency (IAEA) report states that it “continues to verify the non-diversion of declared nuclear material at the nuclear facilities” and that “Since Implementation Day, the Agency has been verifying and monitoring the implementation by Iran of its nuclear-related commitments under the JCPOA”, the United States still decided to withdraw from the agreement (IAEA, 2018). Germany, France, and the United Kingdom, the three European countries that have been at the basis of the negotiation process with Iran have reiterated their full support for and implementation of the nuclear agreement and have lamented the U.S. unilateral decision to leave the JCPOA (May, et al., 2018).

In the end, the fate of the agreement might be in the hands of Iran, which so far seems undecided to whether leave or stay in it. In fact, Iran’s President Rouhani stated that he would negotiate with the remaining signatories and that “If at the end of this short period we conclude that we can fully benefit from the JCPOA with the cooperation of all countries, the deal would remain” (Al Jazeera News, 2018). Should Iran not be satisfied with the agreement’s terms following the U.S. exit, Rouhani stated that he would take measures such as instructing “the Iranian Atomic Energy Organisation to take the necessary measures for future actions so that if necessary we can resume industrial enrichment [of uranium] without limit” (Al Jazeera News, 2018). An Iranian departure from this central non-proliferation agreement would be an important setback for the entire International Community and a negative signal towards diplomacy and multilateral negotiations.
Annex 1: Chronology of the main steps of the negotiation process including sanctions adopted by the E3/EU+3 towards Iran between 2003 and 2016

October 2003: Tehran Declaration
November 2004: Paris Agreement
February 2006: Iran’s referral to the United Nations Security Council
June 2006: E3/EU+3 issue a proposal to Iran
June 2008: E3/EU+3 issue a new comprehensive proposal to Iran
July 2010: European Union Council imposes additional sanctions on Iran and the United States Congress adopts the Comprehensive Iran Sanctions, Accountability, and Divestment Act
January 2012: European Union Council imposed additional sanction on Iran, including an oil embargo effective from July 2012
February/March 2012: Exchange of letters between the EU High Representative Catherine Ashton and Saeed Jalili, the Secretary of the Supreme National Security Council, in order to resume negotiations
March 2013: Secret back-channel negotiations in Oman between U.S. and Iranian diplomats
September 2013: Iranian foreign minister Mohammad Javad Zarif presents the E3/EU+3 with a new proposal for negotiations
November 2013: Adoption of the Joint Plan of Action (JPOA)
January 2014: Implementation of the Joint Plan of Action
November 2014: Negotiations extended until end of June 2015
July 2015: Agreement on the text of the Joint Comprehensive Plan of Action (JCPOA) and United Nations Security Council unanimously adopts resolution 2231 endorsing the nuclear deal and the lifting of previous nuclear-related sanctions
October 2015: Formal adoption of the Joint Comprehensive Plan of Action
January 2016: Implementation of the Joint Comprehensive Plan of Action
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