What's the End Game for Iran Talks?

The mainstream U.S. news media is blaming Iran for the impasse over nuclear talks, but many stumbling blocks like refusal to accept Iran's right to a peaceful nuclear program are the fault of Western negotiators, raising Iran’s concerns about what is actually afoot, as ex-CIA analyst Paul R. Pillar notes.

By Paul R. Pillar

While realizing that criticism of someone’s approach to a negotiation needs to be done with some diffidence if the critic does not have direct access to either the negotiating room or either side’s planning sessions, the United States and its P5+1 partners do seem to be persisting in some major errors in how they are approaching the nuclear negotiations with Iran. That’s a shame, given that a deal a good deal, from the standpoint of nuclear nonproliferation objectives is very much attainable through well-handled negotiations.

One mistake is an apparent expectation that agreement will be reached not through hard bargaining in which the negotiators on both sides tenaciously try to extract the best possible terms for their own side, but instead through a highly asymmetric process in which there will only be some modest dickering over implementation of whatever proposal the P5+1 has put on the table. Western diplomats at the most recent round of talks expressed “puzzlement” over Iranian unwillingness to engage in the latter type of process.

A pertinent question to ask about where the talks stand now is: if Tehran is serious, really serious, about reaching a deal, how should we expect their negotiators to behave? Well, Iranians are inveterate hard bargainers. If they are serious, they would behave pretty much the way they’ve been behaving. Maybe the expressions of puzzlement on the P5+1 side are just part of that side’s own hard bargaining. Let's hope so.

One of the biggest problems in the P5+1 approach is an unwillingness to make full use of the sanctions against Iran as leverage in negotiating a nuclear agreement. In their latest proposal the P5+1 did include slightly more sanctions relief than in their previous proposal, but this still constitutes little more than tidbits in comparison with the large panoply of sanctions that have been piled onto Iran over the years. In contrast, what the P5+1 were demanding from Iran in return involved most of the curtailment of the Iranian nuclear program they are seeking, including a halt to operations at the Fordo enrichment
facility. It is no surprise that the Iranians quickly declared the proposal to be unbalanced.

Using the sanctions as leverage does not mean lifting any sanctions gratis. (Although such a goodwill gesture would be helpful, it is politically infeasible in Washington.) It does mean coupling sanctions relief with curbs on the Iranian nuclear program in proposals that are not so unbalanced as to have little hope of advancing the negotiations.

Intelligent use of the sanctions also does not require incorporating a lifting of all sanctions as part of one grand bargain. Partial deals, some sanctions relief for some restraint in the nuclear program, are probably more feasible for now, and would build momentum and trust for more extensive deals later on.

Exactly how partial is something that would need to be determined at the negotiating table. Because neither side’s concessions are infinitely divisible, deciding how big or how small to make a deal is part of the process of finding terms that each side would consider fairly balanced.

Another problem on the P5+1 side is an apparent failure to realize that an impediment to negotiating progress is a lack of confidence among the Iranians that the West wants an agreement, or at least an agreement that would leave the Iranians with anything that could be called a nuclear program.

More broadly, the Iranians suspect that the West doesn’t really want to deal with the Islamic Republic of Iran at all. The West and especially the United States have given the Iranians ample basis to have these suspicions. There is the inflexibility regarding sanctions relief. There is the talk about damage that sanctions inflict on Iran and in which some Westerners take pleasure, for reasons that have nothing to do with negotiating an agreement. And there is all the talk about regime change (an outcome that some in the West openly hope sanctions will hasten).

In short, the West has given the Iranians plenty of reasons to believe that they are being strung along, with negotiations continuing as the sanctions work their effects, both economic and, as some would hope, political. The Iranians fear that this is not only a losing game for them but that the game has no end.

As Scott Peterson reports in the Christian Science Monitor, the Iranians are “concerned that P5+1 demands could mount including a requirement to stop all enrichment with only marginal sanctions relief.”

It is thus understandable that at Almaty the Iranian deputy negotiator told journalists that if Iran was to make any concessions or take any steps as confidence-building measures this had to be “part of a larger, more
comprehensive plan” with a clear “final outcome.” Part of that outcome has to be acceptance by the P5+1 of a peaceful Iranian nuclear program, including enrichment of uranium.

The deputy’s comments point to a harmless way to help quell the well-founded Iranian suspicions that are impeding negotiating progress. The Iranians consider it important to get some positive statement in principle from the other side that Iran, like any other party to the Nonproliferation Treaty, has a right to a peaceful nuclear program. The P5+1 seem to consider any such statement as a concession to Iran that ought not to be made, if it is made at all, until some real curbs to the Iranian program are implemented.

But the P5+1 need to ask themselves, and to provide a clear answer to this question, whether they really want to reach agreement with Tehran (and as a subsidiary question, whether the real purpose of all those sanctions is the same as their ostensible purpose, which is to provide inducement to reach such an agreement). If the answer is no, then the negotiations are a charade, the Iranians really are just being strung along, and there would be no reason to expect the Iranians to take more risks and make more concessions.

If the answer is yes, then the kind of statement the Iranians are looking for would not be a concession at all. It instead would just be a joint declaration of what these negotiations are all about. Far from being a P5+1 concession, it would be an opportunity to get Iranian agreement to a general but clear statement of the need, if the P5+1 are to have the confidence needed to conclude a deal, for significant restrictions on, and exceptional monitoring of, the Iranian program.

So without precluding more extensive agreements with Iran in the future (including, but going beyond, issues about the nuclear program), the P5+1 should reformulate their stance to make two sorts of interim agreements possible. One would be a partial and balanced trade of some sanctions relief for some restrictions on the Iranian program. The other would be a statement of principles that describes in general terms, with the details to be negotiated later, what a final agreement about the program should look like.

Arriving at mutually acceptable language for such a declaration, even without details, would still require some hard bargaining, but the effort would be worth it.

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