



INSS Insight No. 379, October 25, 2012

Direct Talks between Iran and the US on the Iranian Nuclear Program: Not Necessarily Negative

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According to a report published in the *New York Times*, Iran has agreed to begin direct talks with the US administration about its nuclear program after the US elections next month. Although the report was denied by both the White House and the Iranian Foreign Minister, the White House spokesperson made it clear that the Obama administration is open to direct talks with Iran about its military nuclear program, and it should come as no surprise if after the elections such a process ensues. Leading figures at US research institutes subsequently called for direct negotiations between the United States and Iran. In contrast, Israel's negative reaction was quick to arrive, including opposition by both the Prime Minister and the Foreign Minister.

This essay contends that direct negotiations between Iran and the United States are not necessarily a negative development and in fact embody opportunities for Israel, whether or not the talks are ultimately declared a success or a failure.

Iranian willingness to engage in direct talks with the United States would indicate two noteworthy trends. The first is the effectiveness of the sanctions. If the *New York Times* report is correct, then what is emerging represents a change in Iranian policy. To date Tehran has steadfastly refused bilateral negotiations with the US administration about its nuclear military program, despite the political, military, and economic pressure leveled against it. Any retreat from declarations made by the Iranian leadership means that the pressure has begun to be felt and generate a real change in Iran's policy. Clearly this change is insufficient in and of itself, but it does indicate diminished confidence from what Iran has projected until now, and should encourage the global community to strengthen the sanctions.

The second trend is the removal of Moscow and Beijing from the negotiations. Thus far Iran has preferred to engage in talks with the West with the P5+1 (the five permanent members of the Security Council plus Germany) because it relied on Russia and China – the main obstacles to US attempts to act against Iran in the context of a broad

international setting – to weaken the Western stance. If Iran opts for direct talks with Washington, it reflects Tehran’s disappointment with Russia and China.

Two positive developments and one problematic outcome might emerge from negotiations between Iran and the United States. First, acceptable agreement might be reached, which is certainly preferable to the two existing extreme alternatives – the (Iranian) bomb or the bombing (of Iran). The two trends noted above indicate that the possibility of an agreement resulting from talks is more relevant than in the past and represents a third alternative to the two extremes.

However, the third alternative is better only if it produces an acceptable agreement, i.e., one that would keep Tehran at least two years from nuclear arms. There are three preconditions for such an agreement: removing most of the enriched uranium from Iran; closing the enrichment site at Fordow; and effective international inspections at least at the level required by the Additional Protocol. Although Prime Minister Benjamin Netanyahu’s speech at the UN dwelled on enrichment to the 20 percent level, an agreement that would focus on this issue alone would be a bad agreement if Iran were still able to maintain its enrichment capabilities and enriched uranium within its borders. Such an agreement, even if presented as a good agreement, would allow Iran to break out towards the bomb and develop it quickly, before the West has a chance to stop it.

A second positive outcome of negotiations paradoxically concerns their failure, as failure of the talks would foster more legitimacy for an attack. Should the direct talks between Tehran and Washington end in failure, the assertion that all options – except for the military option – have been tried and failed would be strengthened, and therefore the Iranian nuclear program must be stopped by military means. Consequently, negotiators must set a firm time frame for the talks and limit their scope in order to see significant progress, or, alternately, the failure of the talks, something the US administration has avoided doing to date. Should the talks officially fail, any military action against Iran would earn greater international, intra-Israeli, and intra-US legitimacy. The international legitimacy component is critical: anyone attacking Iran needs international support in order to maintain the achievements of the attack over time and keep Iran from developing nuclear weapons a decade later.

The potentially negative development of direct talks between the United States and Iran, beyond resulting in a bad agreement, would be negotiations that would only play into Iran’s hands and allow the Iranians to buy more time to enrich uranium and further fortify their nuclear infrastructures. Therefore the American negotiators must be mindful of the Iranians’ techniques of bluffing and stalling, and adopt a “take it or leave it” strategy, or at least demand a freeze on the military nuclear program as long as the talks are underway.

It is critical to understand that strategies vis-à-vis Iran – negotiations, sanctions, and an attack – are not isolated options. On the contrary: they are mutually reinforcing. Despite the opportunity for negotiations to attain an acceptable agreement – indeed, precisely because of it – the West must not ease up on the sanctions and must maintain a credible military option. Past developments in the Iranian nuclear crisis in terms of Iran's conduct toward the West have shown that the Tehran regime changes its policy only when it senses the threat is real.

Israel should not oppose a process whereby direct talks between Tehran and Washington about Iran's military nuclear program commence after the US elections. This development contains opportunities for the West, including Israel, to develop a better alternative than either attacking Iran or accepting a reality of an Iranian nuclear bomb. It would also expand the legitimacy for military action against Iran's nuclear program should the talks fail. Israeli decision makers should avoid rejecting this option out of hand, remain poised to make sure such talks do not result in a bad agreement, insist that the talks be conducted in tandem with inspection and supervision of developments behind the scenes, and foster synergy between the complementary strategies in order to bring the maximum pressure to bear on Tehran.

