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**Subwerkgroep 'Model United Nations-Flanders'
SIMULATION EXERCISE - December 2005**

CASE 2005-2006



UNIVERSITEIT
ANTWERPEN



KATHOLIEKE UNIVERSITEIT
LEUVEN



The referral of the “alleged misuse of the Iranian nuclear programme for non-civilian purposes” from the IAEA to the UN Security Council ©

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Problem

For more than two years, international tension is building upon Iran to stop the “*alleged misuse of its nuclear programme for non-civilian purposes*”. It seems as though diplomatic options are running out; this matter –if not solved diplomatically– could fall into the hands of the military strategists. According to US president George W. Bush, Iran can be regarded as “*the world’s primary state sponsor of ‘terror’*”. The US fears that the Iranian nuclear programme could have a destabilizing effect on the Middle East and on the ‘world order’. This setting forms the core of the negotiation exercise which you are about to embark upon.

Historical Background

Iran is a non-nuclear weapon party to the multilateral Nuclear Non-proliferation Treaty (NPT) since 1970. The NPT prohibits such parties from developing or acquiring nuclear weapons, but it permits them an ‘*inalienable right*’ to develop

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nuclear energy facilities for peaceful purposes, subject to safeguards administered by the International Atomic Energy Agency (IAEA). However, according to several sources, Iran has also been building a top secret nuclear-programme since the beginning of the 1980s. Key underground facilities were kept hidden from the international community². Iran says these installations have been developed for the purpose of creating a '*civilian nuclear energy capacity*', but the West fears that this technology could also be used to develop nuclear weapons. Furthermore, the regime in Tehran has been developing a state-of-the-art missile programme. Combined, this threat –if accurate– could pose a far-stretching danger to the region, and the world. According to Iran, the 'West' is denying this Shi'ite muslim country the means to develop itself – it is the 'West' itself that is exerting a destabilizing force for *geopolitical reasons* (access & control to 'cheap oil' for the international –read Western–markets). During the last years, Iran has been under increasing scrutiny from the IAEA. The Iranian government asserts that its programme is for peaceful purposes only. Iran has entered into a *Safeguards Agreement* with the IAEA and it has not interfered with IAEA-surveillance of its *declared* nuclear facilities, but some of Iran's past conduct in connection with undeclared nuclear activities has led Western governments to be highly suspicious of Tehran's 'real' intent.

Diplomatic Developments During the Last Years

During the year 2003, the disclosure (thanks to tip-offs from Iranian opposition groups abroad) of a number of secret facilities in Iran caused the United States of America to openly lobby for military intervention. In October 2003, Iran promised to declare any additional elements regarding its nuclear programme. During 2004, IAEA-inspectors proved that these declarations were incomplete. Three European countries –the UK, France and Germany– took the lead in a diplomatic effort to avert military confrontation. The so-called 'EU-3' wanted Iran to *suspend* activities on its nuclear programme, e.g. in return for 'financial incentives'. Iran however maintained its position that the 'West' could not indefinitely 'halt Iranian progress', although it engaged in the negotiations (some analysts think that Iran hoped to realize certain trade agreements with the 'West', although other observers maintain that the Iranian 'calculus' at that time might have been more complex). In November 2004, Iran agreed to suspend its nuclear programme in Vienna (in the margins of a Board Meeting of the IAEA), but stated clearly that this would only be *temporary*. During the first half of 2005, the relations between Iran and the international community worsened. Mid-2005, a new 'hard line'-president, Mahmoud Ahmadinejad, was elected – he soon warned that Iran would restart its nuclear programme.

² E.g.; the nuclear enrichment plant '*Natanz*', the now dismantled site with unknown purpose '*Lavizan*' & the '*Esfahan*'-site with its undeclared, secret 'tunnel' beneath --- according to Tehran simply a 'storage facility'. According to Iran, the country was not in violation of the *Safeguards Agreement* (see *infra*) since this agreement stipulates that you only have to declare a facility 180 days before you introduce nuclear material into the plant. However, IAEA-inspectors found traces of extremely enriched uranium (54%) in the experimental installation of *Kalaye*. Iran claims that these 'residues' were coming from the nuclear centrifuges of the countries from which Iran bought this enrichment-equipment...

Recent Developments in Iran

Mid August 2005, Iran resumed a process of converting yellowcake uranium that *could* eventually lead either to the production of energy for peaceful purposes or to the production of nuclear weapons. This action ended in effect two years of diplomacy. In August 2005, Iran accused the EU of hypocrisy in an escalating war of words following Tehran's decision to resume its nuclear fuel programme earlier that month. The new Iranian president Mahmoud Ahmadinejad addressed the Iranian parliament on Sunday, August 21st, 2005: "*We are importing goods worth billions of US dollars from some certain countries but they are not buying our oil or other products. Such countries should be thankful to us, but they behaved like we owe them*". According to BBC-analyst Andrew Rettman, this statement alludes to trade with the UK, France and Germany – the EU-3 – which have represented Europe and the US in recent attempts to stop Iran from building uranium enrichment centrifuges at its plant in Esfahan, in the heart of the country. Interesting to note in this respect is that the EU was by far Iran's largest trade partner in 2004, with imports from Iran of up to 8 million euros, of which some 80% are oil products.³ An Iranian ban on trade with the EU could lead to a problem in Europe's oil supply...

Recent Diplomatic Developments: a Deep International Crisis Seems Imminent

On September 24th, 2005, a majority of the Board of Governors of the IAEA backed an EU-sponsored resolution to refer Iran to the Security Council for failing to comply with nuclear non-proliferation rules, but stopped short of setting a date for referral. In a compromise aimed at overcoming opposition from Russia, China, and others, the EU delayed referral, at least until the next Board meeting of the IAEA, expected at the end of November. At the beginning of October 2005, Vladimir Chizhov, Russia's ambassador to the EU, said that "*if Iran crossed certain 'red lines' (e.g. withdrawal from the NPT) it would face referral to the United Nations Security Council*". The EU-3 are again asking for '*objective guarantees*' from Iran that it is not using its nuclear material for non-civilian purposes. The US Government is even more tough; it demands the *immediate and complete dismantlement* of the Iranian nuclear weapons programme. President George W. Bush has stated on a number of occasions that "*all options are on the table*" should Iran decide not to comply. IAEA Director Mohammed El Baradei has stated that Iran should declare anything relevant to the international community, so as to '*restore confidence*'...

The current crisis is complex, and highly volatile. The UN Security Council could for example consider to impose trade sanctions on Iran. The Security Council has imposed mandatory economic sanctions on several countries in the past, but not all member states have fully complied with them. The sanctions normally involve embargoes on selected goods and services other than items of a humanitarian nature. To impose sanctions, the five permanent Security Council members – China, France, Russia, the United Kingdom and the United States – would have to vote in

³ See: '*European Voice*', October, 6th, p. 7.

favour of sanctions or at least abstain from voting against them. Some analysts, like Andrew Beatty of the *European Voice*, claim that sanctions are '*not the way to go*'; gaining consensus on substantial bars on trade and investment would prove difficult. Iran from its side has threatened to withdraw from the NPT if it is subjected to UN sanctions. Furthermore, some specialists fear that full-blown sanctions could result in a Tehran-government that would abandon diplomacy altogether, and perhaps step up its support of 'international terrorism'. On the other hand, doing nothing might prove to be equally difficult. However, the question remains whether 'lighter sanctions' (e.g. not on oil products) could really have an effect on Iran. To complicate matters further, the US and Israel have refused to rule out military intervention to stop Iran from developing an atomic bomb... To make matters even worse, president Ahmadinejad stated at a rally called '*A World Without Zionism*' in Tehran on October, 30th that "*Israel must be wiped off the map*". This statement led to a serious condemnation by a gross majority of leaders in the international community. UK prime minister Tony Blair said he was "revolted" by president Mahmoud Ahmadinejad's comments: "*I have been answering questions on Iran with everyone saying to me, 'Tell us you are not going to do anything about Iran'. If they carry on like this the question people will be asking is, 'When are you going to do something about it?'*"

Beware of the Dynamics in the Decision-making Arena!

The Security Council consists of the five permanent members (with veto powers); the Peoples Republic of China, the Republic of France, Russian Federation, the United Kingdom and the United States of America. *Furthermore*, the Security Council consists of an additional ten non-permanent members; currently Algeria, Argentina, Benin, Brazil, Denmark, Greece, Japan, the Philippines, Romania and Tanzania. *In addition*, a number of delegations will also be invited to the work of the Security Council during the negotiations; Dr. Mohammed El Baradei (Head of the IAEA), *and furthermore* also a representative of the following countries;





- the Republic of Germany,
- the Islamic Republic of Iran,
- the Republic of Israel,
- the Republic of Pakistan,
- the Republic of South Africa.

Be aware that these invited people and delegations can be a source of advice and/or exert informal pressures on the negotiations. However, as such they do *not* have any voting powers in the UN Security Council... In the end of the day, it will thus be upon the 15 to (try to) decide upon an international course of action to safeguard peace and stability.

The presidency of the Security Council will be observed by a number of professors, together with 2 vice-presidents (assistants).⁴

⁴ In the parallel Antwerp-session of December, 7th, 2005, the monthly rotating presidency will be observed by the right honourable representative of the United Kingdom. As a matter of coincidence, this country is also currently president of the European Union, and president of the G-8.

The distribution of the delegations among the different Flemish universities is as follows:

 UNIVERSITEIT ANTWERPEN	 Vrije Universiteit Brussel	 UNIVERSITEIT GENT	 KATHOLIEKE UNIVERSITEIT LEUVEN
China	Russia	United Kingdom	France
Brazil	Denmark	Argentina	Greece
Philippines	Benin	Romania	United States of America
---	Tanzania	Japan	Algeria
IAEA <i>(observer)</i>	South Africa <i>(observer)</i>	---	Pakistan <i>(observer)</i>
Germany <i>(observer)</i>	Israel <i>(observer)</i>	---	Iran <i>(observer)</i>

The Role of the Security Council in this Case, and Your Role

In the scenario in which we will be negotiating, the Board of Governors of the IAEA has voted in its November-meeting in favor of the referral of this ‘dossier’ to the UN Security Council. The ‘Iranian nuclear dossier’ is further complicated by assertions from some countries (e.g. the US, the UK and Israël⁵) that the regime in Tehran is actively seeking to destabilize the region, and more specifically that it is trying to undermine the fragile democratization-process in Iraq. According to Washington, London and Tel Aviv, Iran is bent on a deliberate ‘collision course’ with the international community. This case thus has become a multifaceted problem.

⁵ In 1981, Israel took out Iraq’s main nuclear facility – which illustrates that Tel Aviv could take ‘matters in its own hands’ if decision-making at the international level would reach a stalemate...

Together with your colleagues, you will have to decide upon the following questions;

1. *How does the international community 'define' the current status of Iran?; Is it trespassing international law? -- Is Tehran definitely 'on a collision course' with the international community? What makes the nuclear aspect of this case any different from North Korea? Is Tehran furthermore destabilizing the region?*
2. *Will Iran be given a 'last chance' to comply with safety inspections by the UN Security Council? If yes, what are the modalities of such an arrangement?*
3. *Should sanctions be installed upon the Iranian regime? If yes, what kind of sanctions should be installed? Economic sanctions, or other? On what kind of products (e.g. should oil products be included or excluded)?*
4. *Under what conditions will 'further action be justified'? If the international community would decide upon military intervention; who would then lead the mission, what would be the goal, etc.?*
5. *Does the world need other instruments (e.g. other than the NPT) to counter the proliferation of nuclear materials and/or knowledge to fall in the 'wrong hands'? ⁶*

The UN Security Council will convene in an **Emergency Meeting in Brussels, from December 1st till December 4th**, in an attempt to develop a common answer from the international community to this volatile crisis. A Plenary Session will give each of the member-countries of the UN Security Council an opportunity to influence the course of current international politics. Some other countries and organisations will also be invited by the 15 to have a say, although they will themselves not be deciding parties. You will act as Ambassador of one of the 15, or of an invited delegation. Some delegations, though not all, will receive individual mandates from their capital, which will serve as rough guidelines for the upcoming negotiations. Be aware, however, that negotiations constitute a *dynamic process*; it will be up to you to defend the interests of your country/delegation! You and only you will also be answerable for your actions to your own Government upon returning to your capital. Thus, much is at stake... It will therefore prove crucial that you reflect in advance about the strategy you will follow during the deliberations. For this purpose, you will be asked to write a *position paper* in preparation of the Emergency Meeting in Brussels.

It is probable that the UN Security Council will move from a formal setting to an informal setting during its deliberations. This is called '*caucusing*', a setting which can be suggested by one or more of the 15 delegations. It is however for the presidency to decide upon the appropriateness of such a course of action. There are two forms of '*caucusing*'; moderated and unmoderated. Both are informal ways of negotiating. The difference can be stated quite simply; (1°) a '*moderated caucus*' is led by the presidency around the negotiating table, (2°) an '*unmoderated caucus*' can be seen as an interaction between delegations away from the negotiating table.

⁶ According to some specialists, it is thanks to Pakistan's nuclear programme (Dr. Khan) that Iran has come so far...

When you return to a formal setting, be aware that a resolution is adopted if 9 out of 15 votes are in favour and if there is no veto against it. Any amendments will be voted upon before the resolution has become final. In procedural matters, a veto cannot be used. The decision about whether or not a matter is procedural is subject to a veto (so-called 'double veto'). The presidency calls the meeting to order and as it proposed this emergency session of the Council, he/she will speak up first. After this opening address the permanent members will take the floor, followed-up by the non-permanent members. The Secretariat will open a Speakers List. The president chairs the negotiations.

A final piece of advice; be aware that the negotiations can also be affected by 'new developments on the ground'. You must thus *'be prepared for anything'*.

Good luck!