

Iran vs. the IAEA and the West: The Growing Confrontation

Sima Shine and Eldad Shavit | No. 1767 | September 27, 2023

The tensions between Iran and the International Atomic Energy Agency reached new heights with Tehran’s recent decision to revoke the entry visas of eight inspectors, including those with profound knowledge of uranium enrichment technology and deep familiarity with Iran’s nuclear program. Iran’s decision was preceded by an announcement by France, the United Kingdom, and Germany (the E3) that they would not cancel sanctions, due to expire in October, barring Iran from exporting or importing ballistic missiles and drones. In addition, IAEA Director General Rafael Grossi said that Iran had not provided an adequate explanation for the discovery of traces of nuclear material at undeclared sites – a violation of the NPT. While the West is hard pressed to formulate an effective strategy to deal with Iran, the Islamic Republic is displaying increased self-confidence given the fruits it has reaped of late from its diplomatic efforts on the international stage, including a prisoner exchange with the United States.

The striking decision by Iran to revoke the entry visa of eight inspectors from the United Nation’s International Atomic Energy Agency (IAEA), thereby slashing by one third the number of inspectors on Iranian soil, once again highlighted the problematic dynamic between the Islamic Republic and the IAEA, as well as Tehran’s relations with the United States and those European states that are partners to the pressure exerted on Iran with regard to its nuclear program. According to the British Foreign, Commonwealth, and Development Office, the expelled inspectors were experts in enrichment and had accumulated much experience vis-à-vis the Iranian nuclear program. Iran’s decision impinges on the IAEA’s verification and monitoring operations, which are binding on Tehran in accordance with the NPT – and not only by virtue of the 2015 Joint Comprehensive Plan of Action (JCPOA).

IAEA Director General Rafael Grossi confirmed that Iran’s actions would hinder the agency’s ability to fulfill its mandate effectively, and that if Tehran did not back down there would be immediate consequences. The United States and the E3 – the United Kingdom, France, and Germany – demanded the immediate reversal of the Iranian decision and the regime’s full cooperation with the IAEA, along with guarantees that its nuclear program is designed for purely peaceful purposes. That demand was also directed at the “open issues” that the IAEA has discussed with Iran over the past four years – issues that focus on nuclear material discovered at sites that Iran had not previously disclosed. At the same time, Grossi’s statement did not mention any possible response should Iran not respond positively to IAEA demands.

Two developments preceded the Iranian decision, both of which likely served as a pretext for rescinding the entry visas of the eight inspectors:

- The first, which at first glance does not appear to be directly connected, was the announcement by the E3 that they had no intention of lifting sanctions against Iran – sanctions that forbid the Islamic Republic from importing or exporting ballistic missiles, including missiles and drones with a range of 300 kilometers (186 miles) or more. This is despite the fact that according to the timetable stipulated by the 2015 nuclear agreement and in accordance with United Nations Resolution 2231, these sanctions are due to expire on October 18, 2023. According to Josep Borrell, the European Union’s High Representative for Foreign Affairs and Security Policy, the reason for the decision was that Iran has been in gross violation of the JCPOA in terms of the uranium stockpile and the level of enrichment, as well as access by IAEA inspectors to its nuclear facilities. The UN sanctions, which were due to be lifted, were imposed on Iranian individuals and organizations involved in the country’s missile, nuclear, and armament programs and will now be anchored in law by the UK, France, and Germany. The British statement was especially harsh, stressing that Iran currently has a stockpile of enriched uranium that is 18 times larger than what the JCPOA allows and that there is no justified civilian use for these materials.
- The second development was the periodic IAEA report issued on the eve of a meeting of the nuclear watchdog’s Board of Governors on September 14, 2023. On the eve of the first day of discussions, the Danish representative read a statement, signed by 63 nations, regarding the “open issues” and Iran’s violation of its undertaking to provide the IAEA with technically credible explanations for the presence of uranium particles of anthropogenic origin at undeclared locations in Iran (Marivan and Turqzabad), as well as Tehran’s refusal to inform the IAEA as to the current location of related nuclear materials and/or contaminated equipment. The statement called on Iran to explain the discrepancy between the assessment of nuclear material related to the uranium conversion facility (UCF) and to implement modified Code 3.1, which obligates Tehran to provide information about any new planned nuclear facility.

At the start of the meetings, the IAEA Director General stressed that Iran made the decision to stop fulfilling its obligations as part of the JCPOA as far back as February 2021, and exacerbated the situation even further by removing all of the agency’s monitoring equipment from its sites. According to Grossi, it has been more than two and a half years since Iran stopped provisionally applying the Additional Protocol, and therefore, since the agency has had complementary access to sites and suspected locations in Iran.

In tandem, Tehran and Washington completed a prisoner exchange deal, following two years of intermittent negotiations. Once Iranian money frozen in South Korean bank accounts was freed on September 18, each side released the other country’s nationals in its custody. According to leaks that the US administration refused to confirm, Iran committed as part of the agreement not to enrich uranium beyond 60 percent, not to

stockpile any more uranium enriched to that level than it had previously reported, and to help prevent attacks against American soldiers and civilians in Iraq and Syria by pro-Iranian militias. Indeed, on those two fronts it has been relatively quiet. On the enrichment front, Iran scaled back a small part of its stockpile of 60-percent enriched uranium and did not stockpile the amount it could have in the three months since the previous IAEA report. At the same time, it has accumulated 7 kilograms of uranium enriched to a level of 60 percent. This is an insignificant amount in technological terms, but it testifies to Iran's desire and ability to continue enrichment if it does not attain the sanctions relief it expects – including an additional \$1 billion that it claims South Korea deducted from the money it released. At the same time, the US administration continues to impose sanctions on the Islamic Republic and even recently announced fresh sanctions against former president Mahmoud Ahmadinejad and Iran's Intelligence Ministry for failing to disclose information regarding US citizen Bob Levinson, who disappeared while visiting Kish Island in the Gulf in March 2007.

Notwithstanding the desire of Iran, the European countries that were partners to the nuclear agreement, and the United States – each for its own reasons – not to close the door on the option of a political solution, the reality on the ground is that Iran, despite its frequent declarations that it is interested in returning to the agreement, is advancing its nuclear program, and it is patently clear that it has no intention of scaling it back to the dimensions of 2015. A meeting between representatives of the E3 with the head of the Iranian negotiating team on the sidelines of the UN General Assembly in New York reportedly failed to produce a compromise that would allow the return of IAEA inspectors. The criticism leveled in the US Congress against the prisoner exchange deal is nothing compared to the opposition that would likely greet a new deal with Iran. In any case, Congress was far from enamored with the original nuclear agreement, but at the start of his administration, President Joe Biden was willing to pay a price in exchange for reversing Iran's nuclear program. Circumstances have changed, however, and a year before the next presidential election, the administration cannot afford to make any significant concessions to Iran – especially while the Islamic Republic continues to facilitate Russia's war in Ukraine, kills demonstrators on city streets, hangs political prisoners, continues to advance its nuclear program, and creates obstacles preventing IAEA inspectors from doing their job.

Under current conditions, Iran's nuclear program progresses, inspection is in a terrible state, and it is still not clear whether the Iranian decision to bar inspectors from entering the country is a permanent move or a bargaining chip aimed at closing the "open issues." While the West struggles to formulate a coherent strategy vis-à-vis Iran, the Islamic Republic's behavior shows that its self-confidence is increasing. This is also due, in part, to Iran's achievements on the international stage, primarily its closer relations with Russia, which sent Defense Minister Sergei Shoigu to visit Tehran on September 19. During Shoigu's visit, a senior Iranian military official announced that the two countries were drawing up a long-term cooperation agreement with a significant military-security element. Shoigu also visited a plant that manufactures unmanned aerial vehicles, and it seems that despite their differences of opinion on various issues, relations and mutual commitment between Moscow and Tehran are on

an upward trend. Iran also sees the invitation to join the BRICS group of nations as another achievement, as well as its acceptance in 2022 to the Shanghai Cooperation Organization. The resumption of diplomatic relations between Iran and Saudi Arabia, notwithstanding the unresolved issues between them, is another example of how Iran's international standing has risen. In addition, Iran's financial reserves have improved somewhat thanks to its ability to sell oil to China. Although economic relations with Russia and China do not fully compensate Iran for the damage caused by international sanctions, it does seem that Tehran, especially its Supreme Leader, do not believe that sanctions will ever fully be lifted. Therefore, Tehran has turned to alternative routes.

Editors of the series: Anat Kurtz, Eldad Shavit and Judith Rosen