

Preliminary Policy Recommendations
Nonproliferation Policy Education Center
Competitive Strategies Work Shop Series on Iran
March 11, 2004

1. Have a U.S. or allied executive branch principal ask El Baradei to task the IAEA's safeguards division to spell out what the IAEA requires in time, inspections, and analytical efforts to be able to certify that Tehran is completely out of the bomb making business. This request is not unprecedented: It was made before in the case of North Korea and was critical to backstop the DPRK's continued noncompliance throughout 2001 and 2002.

2. Prepare for the upcoming June G-8, NATO Summit, EU-US, and IAEA BoG meetings (and the threat that Iran might attempt either to withdraw from the NPT and start the 90-day clock ticking on such a withdrawal move or simply continue to insist that it is in full compliance with the NPT) by lobbying our allies to adopt as many of the following country-neutral nuclear nonproliferation rules (to be reflected in joint communiqués):

a.) Nations that the IAEA safeguards division is unable to find clearly to be in full compliance cannot free themselves from the obligations of the NPT simply by trying to withdraw. Instead, they must satisfy the IAEA that they are clearly in full compliance and completely dismantle all nuclear facilities they may have failed to declare to the IAEA as required by their safeguards agreement. This set of points should be pushed, if at all, possible at the United Nations Security Council (UNSC) on or before September.

b.) all nations should suspend nuclear cooperation with any nation the IAEA and the UNSC cannot clearly find to be in full compliance with either the NPT or full-scope IAEA safeguards.

c.) Civilian nuclear exports from NPT member nations that the IAEA cannot clearly find to be in full compliance with the NPT should be considered illegitimate and subject to interdiction until the IAEA and the UNSC determines such nations are completely out of the bomb making business.

d.) All nations should support maintaining the freedom of the seas and support the principles of the Proliferation Security Initiative and will work together to prevent nuclear exports or imports to or from nations the IAEA and the UNSC cannot clearly find to be in full compliance.

e.) All nations should show restraint in making significant, new investments in the key export industries of any NPT member state that the IAEA cannot clearly find to be in full compliance with the NPT until the IAEA and the UNSC can give that nation a clean bill of health.

f.) No nation whether nuclear armed or not, should threaten the legitimate passage of vessels through international waters. All efforts that increase the prospects for peaceful passage of legitimate goods deserve international support.

g.) All forms of energy deserve a right to compete for existing civilian markets but market mechanisms – e.g., private financing and open, international competitive bidding – should be relied upon much more to identify the most economical means of providing power and other high-technology benefits. A nation's unwillingness resort to such mechanisms prior to deciding to buy large power or research reactors to provide power and research isotopes should be considered among the indicators of non-civilian intent.

3. The US should quietly work with the GCC and its European and Japanese military organizations to prepare against the contingency of Iran using its nuclear capabilities in the future either to threaten control of the Straits of Hormuz (through conventional means, including mining) or to use nuclear mines directly. It should publicly announce its desire to work with nations in the region to create a Montreux demilitarization of the Straits of Hormuz agreement similar to that, which has successfully implemented in the Dardanelles and Bosphorus.

4. The US should quietly do contingency planning to impose a selective PSI nuclear quarantine on Iran's import or export of nuclear related items that would operate on the high seas and international airspace with as many like-minded nations as it can find. The U.S. might also include North Korea as a target for such contingency planning.

5. Urge the IAEA BoG to send all IAEA resolutions and reports on Iran to the UNSC now without saying Iran is in clear violation but noting also that the IAEA cannot clearly find Iran to be in full compliance.

6. Have Congress hold hearings on two topics:

a. The case for the imposition of nuclear nonproliferation sanctions: Review the evidence that Russian, European, and Chinese enrichment technology (or actual HEU) were sent to Iran in violation of the Nuclear Supplier Group guidelines and U.S. nuclear nonproliferation sanctions laws.

b. The case for imposing Iran-Libya Sanctions Act (ILSA) sanctions against French Total and Japanese Iranian oil investment plans.

7. Have the Secretary of State (or a designee speaking in his name) plead for help from France, the EU, and Japan to avoid a mix up in an American election year on ILSA and nonproliferation sanctions by having France and Japan and the EU declare that they intend to hold off making investments in Iran's oil industry until and unless

a.) the IAEA and the UNSC can find Iran clearly to be in full compliance or
b.) Iran dismantles the nuclear facilities and materials it forgot to declare to the IAEA as required by its safeguards agreement with the agency.