

## The Present Situation and Trend of Negotiations on the Iranian Nuclear Issue

Yue Hanjing<sup>1\*</sup>

<sup>1</sup>School of Government Management, Shanghai University of Political Science and Law, Shanghai 201701, China

DOI: [10.36347/sjahss.2022.v10i11.002](https://doi.org/10.36347/sjahss.2022.v10i11.002)

Received: 13.10.2022 | Accepted: 22.11.2022 | Published: 25.11.2022

\*Corresponding author: Yue Hanjing

School of Government Management, Shanghai University of Political Science and Law, Shanghai 201701, China

### Abstract

### Review Article

After Iran and the United States and Europe disagreed on the “final text” put forward by the European Union in early August, the Iranian nuclear talks once again reached an impasse and have continued to this day. The main contentious points that deadlocked the negotiations are: “guarantee problem” “problem of lifting of sanctions” “safeguard problem” and so on. At present, the Iranian nuclear issue is in a state where there are no formal negotiations but secret indirect communication, although there is a lot of progress, there are still major obstacles and although no agreement has been reached, there is no crisis. As far as the trend of Iranian nuclear negotiations is concerned, it is an inevitable trend to restart negotiations, and when to restart negotiations is affected by accidental factors. The form of resumption of negotiations is more likely to be the form of indirect talks between the United States and Iran mediated by the European Union. In fact, the goal of the negotiations will no longer be to return to the 2015 agreement but to reach a new one. Even if the talks are resumed, it will still be difficult to reach an agreement. The long-term failure to reach an agreement in the Iranian nuclear negotiations will increase the risk of nuclear proliferation in the Middle East, affect peace and stability in the region, and at the same time promote the formation of international opposing camps, which is not conducive to international peace.

**Keywords:** Iranian nuclear negotiations, Nuclear Issue, international peace.

Copyright © 2022 The Author(s): This is an open-access article distributed under the terms of the Creative Commons Attribution 4.0 International License (CC BY-NC 4.0) which permits unrestricted use, distribution, and reproduction in any medium for non-commercial use provided the original author and source are credited.

## INTRODUCTION

With the joint efforts of all parties involved in the 2015 Iran nuclear deal, negotiations on the Iranian nuclear issue began in Vienna on April 6, 2021. However, after the start of the negotiations in Vienna, the progress has not been smooth, and eight rounds have been carried out intermittently so far. Although certain results have been achieved, there are still serious differences on some key issues. The indirect talk between the United States and Iran held in Doha in June 2022 did not make a major breakthrough. Under such circumstances, the current situation and trend of Iran’s nuclear negotiations is an issue of great concern to the world. This article will answer this question.

### I. The Status Quo of Negotiations on the Iranian Nuclear Issue

This part discusses the current situation of the Iranian nuclear negotiations, which is mainly related to the signs of the negotiations reaching a stalemate again, the main controversial points that make the negotiations

deadlocked, and the current state of the Iranian nuclear issue.

#### (I) The Negotiations Are in a New Impasse

After the eighth round of Iranian nuclear talks was suspended in March 2022, the Iranian nuclear talks once again reached an impasse. The main reason for this stalemate was Iran’s insistence that the Biden administration cancel the Trump administration’s recognition of Iran’s Revolutionary Guards as a “foreign terrorist organization”, while the Biden administration firmly refused. On 8 June, the quarterly meeting of the Board of Governors of the International Atomic Energy Agency adopted a resolution condemning Iran for not cooperating fully with the International Atomic Energy Agency to resolve its safeguard problems. The resolution was strongly opposed by Iran, which shut down nearly 30 surveillance cameras installed under the 2015

agreement [1]. In this way, the “deadlock” has been further deepened.

With the mediation of the European Union, the United States and Iran held indirect talks in Doha on June 28. Although the talks were publicly reported to have yielded no results, Iran began to loosen its position on the status of the Iranian Revolutionary Guards. This had created certain conditions for breaking the deadlock. On this basis, at the end of July, the European Union launched a draft text on resolving the Iranian nuclear issue endorsed by the United States [2]. Iran rejected the draft text and proposed amendments, while expressing the hope that the talks in Vienna would resume.

On August 4th, the talks in Vienna resumed, and the draft text of the European Union was the basis for the discussions. After several days of talks, the differences between the two sides could not be resolved, but in spite of Iran’s opposition, the EU forcibly launched the so-called “final text” on the Iranian nuclear issue, submitted it to the parties concerned in the Iranian nuclear agreement, and asked Iran to answer “yes” or “no”. The United States had no objection to the final text. But Iran did not recognize it as the “final text” and said it would study it carefully before responding [3]. At the same time, Russia also believed that the EU was not qualified to unilaterally launch any “final text”. In this way, there are signs of a new stalemate in the Iranian nuclear talks.

A few days later, Iran gave its own response to the final text. The EU considered Iran’s response constructive. At this point, the key would be the response of the United States. More than a week later, the United States gave its own response. The United States response was reported to have rejected all key requests made by Iran in its initial response. Soon Iran responded to the “response” of the United States. However, both the United States and Europe believed that Iran’s response to the US’s was not constructive and a retrogression, while China and Russia supported Iran’s response [4]. In this way, the Iranian nuclear talks officially reached a new impasse.

<sup>1</sup>“UN: Iran Removing 27 Surveillance Cameras at Nuclear Sites,” June 9, 2022, <https://www.foxnews.com/world/iran-surveillance-cameras-nuclear-sites>.

<sup>2</sup>“EU Puts Forward New Draft Text to Revive Iran Nuclear Deal,” July 27, 2022, <https://english.aawsat.com/home/article/3781941/eu-puts-forward-new-draft-text-revive-iran-nuclear-deal>.

<sup>3</sup>Lahav Harkov, “Iran Inflexible on IAEA Probe As EU Tables ‘Final’ Text to Revive Nuclear Deal,” August 8, 2022, <https://www.jpost.com/international/article-714206>.

<sup>4</sup>Charles Kennedy, “Iran Nuclear Deal ‘Moving Backward’ After Tehran’s Negative Response,”

## (II) Contentious Points that Lead to a New Stalemate in the Negotiations

The following issues are the factors leading to the new impasse in the negotiations [5]. The first problem is the “guarantee problem”. Iran had asked the Biden administration to guarantee that the subsequent administration of the United States would not withdraw from the agreement reached. The Biden administration said it was limited to the U.S. political system and could not provide such guarantees. As a result, Iran later indicated that it could waive this guarantee request, but with two conditions: the first condition was that the agreement stipulated that the United States would be punished (financial compensation to Iran) if it withdrew; the second condition was that Iran demanded that the agreement only stipulate that the new generation of centrifuges in its nuclear facilities would not be operated rather than destroyed, in order for Iran to quickly reverse its nuclear activities if the United States withdraws from the agreement again.

The second problem is “safeguard”. Iran insists that the International Atomic Energy Agency’s investigation into artificial nuclear traces found at three undeclared Iranian nuclear sites must be terminated before any agreement is reached. Iran’s reason is that the investigation into Iran’s nuclear activities came to an end long before the Iran nuclear agreement was reached in 2015, that after the Iran nuclear agreement was reached, Iran accepted the safeguards carried out by the International Atomic Energy Agency in accordance with the provisions of the agreement and that the relevant investigation opened by the International Atomic Energy Agency in early 2019 is based on false information provided by Israel and is completely political manipulation, which aims to explore Iran’s military secrets, while Iran has no so-called undeclared nuclear sites at all. The United States and Europe insist on continuing the investigation. The reason is that the relevant findings of the International Atomic Energy Agency are credible, and in order to ensure the peaceful nature of Iran’s nuclear activities, it is necessary for outsiders to know the source and whereabouts of suspicious nuclear traces, that the relevant verification activities of the International Atomic Energy Agency are Iran’s obligations under the Treaty on the non-Proliferation of Nuclear weapons, and that the suspension of its activities cannot be linked to reaching an agreement.

September 2, 2022, <https://oilprice.com/Latest-Energy-News/World-News/Iran-Nuclear-Deal-Moving-Backward-After-Tehrans-Negative-Response.html>.

<sup>5</sup>See “Iran Says Insists on ‘Four Topics’ in Nuclear Talks,” September 6, 2022, <https://english.alarabiya.net/News/middle-east/2022/09/06/Iran-says-insists-on-four-topics-nuclear-talks->

The third issue is “the lifting of sanctions”. This involves two aspects. The first is the verification of lifting sanctions. Iran requires that objective and practical verification elements be included in the agreement to ensure that sanctions are lifted not only on paper, but also that international companies can return to Iran and operate freely. Iran believes that in the implementation of the 2015 agreement, Iran had significantly reduced its nuclear capabilities in time under the agreement, but the Obama administration had not completely lifted the sanctions it was required to lift. Based on this experience and lessons learned, the Iranian side put forward verification requirements related to the lifting of sanctions. The second is the guarantee of the degree of lifting of sanctions. Iran demands that the lifting of sanctions should be meaningful and sustainable because oil-rich Iran wants to reap the real economic benefits of lifting sanctions.

In addition, Iran has insisted that the Biden administration cancel the Trump administration’s recognition of Iran’s Revolutionary Guards Corps as a “foreign terrorist organization” as a prerequisite for reaching an agreement. But it gradually abandoned this requirement after June 2022. However, Iran still demands that the United States lift sanctions against the Revolutionary Guards Corps and that the status of the IRGC be discussed as a separate issue [6].

### (III) Current State of the Iranian Nuclear Issue

New background factors, such as the mid-term elections in the United States, especially the days of mass public protests over the headscarf incident in Iran, have contributed to the stalemate. Although the Iranian nuclear talks have reached an impasse, senior officials of both the United States and Iran have publicly stated that they are willing to continue the negotiations, and the relevant mediation activities of the European Union have been carried out either openly or secretly during this period.

At present, the Iranian nuclear issue is in a state where there has been no formal negotiations but secret indirect communication, although there has been a lot of progress but there are still major obstacles, and although no agreement has been reached but there is no crisis.

## II. The Trend of Negotiations on Iranian Nuclear Issue

The trend of the negotiations is discussed here, focusing on the following aspects: what are the prospects for the resumption of negotiations and in what form they may be resumed? Whether the possibly to be renewed negotiations aim to return to the 2015 agreement or to reach a new agreement based on the

2015 agreement; The prospect of negotiating an agreement, and so on.

### (I) Prospects for the Resumption of Negotiations

As the United States is currently committed to fighting Russia and forcefully containing China, in other words, it is taking effective competition among great powers as its primary strategic goal, so it is unwilling to escalate the Iranian nuclear issue into a crisis and is even less willing to engage in armed conflict with Iran. At the same time, limited to its own national strength, Iran is also unwilling to escalate the Iranian nuclear issue and lead to armed conflict with the United States. Iran’s almost forewarned missile attack on a US military base in Iraq as a result of the public assassination of General Sulejmani by the United States and the Trump administration’s moderate response to the missile attack illustrate this. In addition, although the use of force has not been ruled out, the Biden administration has publicly stressed that resolving the Iranian nuclear issue through diplomatic means is a priority path. At the same time, Iranian leaders have repeatedly stressed that Iran does not seek nuclear weapons. Senior Iranian officials have said that even if the United States does not lift sanctions, Iran will not enrich uranium to more than 60% [7]. Moreover, the frequency and intensity of Iranian-backed militias harassing US troops and other personnel in Iraq and other places have been reduced. Since neither the United States nor Iran is willing to escalate antagonistic relations, and at the same time, the United States, Europe and other countries have a high degree of mistrust of the peaceful nature of Iran’s nuclear activities, it is a high probability or even an inevitable trend to restart negotiations. However, it cannot be ignored that achieving reconciliation or normalization of relations is not an urgent goal for the United States and Iran, especially the United States, when there is no fundamental change in the nature of the Iranian regime, that is, without regime change in Iran. This means that they all value “relative benefits” in the negotiations, so that they will not easily make concessions on important issues or reach an agreement hastily and quickly.

It is an inevitable trend to continue negotiations, but at the same time, when both sides are unwilling to reach an agreement hastily and quickly, when to start formal negotiations is accidental, which is greatly affected by occasional domestic political events and sudden international events in the United States and Iran. For example, domestic protests in Iran have temporarily made the Biden administration’s support for the protesters a priority over nuclear talks.

<sup>6</sup>Iran International Newsroom, “Iranian Nuclear Program Goes up Another Notch,” June 21, 2022, <https://www.iranintl.com/en/202206213798>.

<sup>7</sup>“Iran Says Won’t Enrich Uranium beyond 60 Percent If Nuclear Talks Fail,” December 25, 2021, <https://english.alarabiya.net/News/middle-east/2021/12/25/Iran-says-won-t-enrich-uranium-beyond-60-percent-if-nuclear-talks-fail->

## **(II) The Form in Which Negotiations May Be Resumed**

Although it is an inevitable trend to continue negotiations, there is uncertainty about how to restart negotiations. There are several possible ways to restart talks: first, direct negotiations between the United States and Iran; second, direct resumption of talks in Vienna; and third, indirect negotiations mediated by the European Union between the United States and Iran, that is, similar to the Doha negotiations.

The possibility of direct negotiations between the United States and Iraq is the least. The Biden administration demanded direct negotiations with Iran from the very beginning, especially after the outbreak of the conflict between Russia and Ukraine, but this request of the United States was rejected by Iran. The initial reason was that the United States had withdrawn from the agreement and was not qualified to participate in direct negotiations. The later reason was that the time was not ripe enough [8], implying that the United States had not done enough (therefore, whether the United States and Iran will start direct negotiations is an important basis for us to observe whether an agreement is about to be reached).

It is also less likely to restart the talks in Vienna directly. The main reason is that after the outbreak of the conflict between Russia and Ukraine, the West did its utmost to suppress Russia, which was prominently manifested in its political and diplomatic isolation of Russia, and the resumption of the Vienna talks was inconsistent with the Western policy of isolation towards Russia. The resumption of talks in Vienna also does not meet the requirements of the economic war between the United States and Europe against Russia. Russia has proposed that the United States should formally assure Russia that any agreement on “return” reached with Iran will not damage the normal economic and trade relations between Russia and Iran, implying that Russia should be exempted from US sanctions in this regard. Avoiding the Vienna talks mechanism seems to isolate Russia and avoid Russia’s demands for US assurances.

The indirect talks between the United States and Iran facilitated by the European Union in June 2022 have already made it clear that the United States and Europe are trying to break away from the Vienna talks mechanism. In early August, the EU’s launch of the so-called “final text” on the Iranian nuclear issue was also an attempt to make a mere figurehead the Vienna talks mechanism. If the United States and Europe respect the Vienna talks mechanism, then the European Union will not launch the so-called “final text”, because in theory, the final text can only be the text agreed by all

<sup>8</sup>“US ‘Prepared to Meet Directly’ and ‘Urgently’ with Iran on Nuclear Issue,” January 24, 2022, <https://www.arabnews.com/node/2011111/middle-east>.

participants in the Vienna talks. It cannot be just a text agreed by the European Union or the United States (the United States claims to agree with this text). In fact, the so-called Vienna talks that resumed on August 4 were more like the second Doha talks, because Britain, France and Germany did not send senior negotiators to attend. The European Union says the talks are a special one and not a continuation of previous rounds of talks. The United States, Britain and France also said the talks held in Vienna do not mark the start of a new round of negotiations, because these are technical discussions.

From the above analysis, it can also be concluded that the third way (the negotiation mediated by the EU between the United States and Iran), that is, the way similar to the Doha negotiation is a very likely way to restart the negotiations on the Iranian nuclear issue.

It is worth noting that although Iran does not oppose the indirect US Iran negotiations mediated by the EU (after all, the Doha talk has already emerged), due to its low confidence in the US and Europe, it is likely to require the resumption of the Vienna talks when negotiations similar to the Doha talk get to a key point.

## **(III) Objectives to Be Achieved by the Possible Renegotiation**

If the Vienna talks, which officially began in April 2021, aim to revive the 2015 agreement, then as the negotiations enter the deep-water zone, with the clarity of the positions of the main parties involved in the Iranian nuclear issue, with the series of struggles between the United States and Iran, and especially with the passage of time, it becomes more and more suspicious that the negotiations are still aimed at “return to the deal”. And still targeting “return” can easily lead to a dead end to the negotiations, because both the United States and Iran believe that their positions are based on the 2015 agreement, such as disputes over key sanctions lifting and safeguards issues. That is to say, there are differences in the interpretation of the 2015 agreement between the United States and Iran, but at the same time, no authority has given an interpretation that forces both sides to accept it. The United States has repeatedly stressed that Iran’s relevant requirements exceed the requirements of the original Iran nuclear deal, but Iran refuses to recognize it. In fact, it is difficult to say that Iran’s demand for a “guarantee not to withdraw” does not go beyond the content of the original Iran nuclear agreement. Iran has kept the relevant surveillance videos from the International Atomic Energy Agency since February 2021, and turned off about 30 surveillance cameras in June this year. This objectively makes it impossible to assess the size of Iran’s nuclear program, thus making “return” without a realistic basis (such as what Iran should keep and destroy). During the period when Iran has been increasing its enrichment of uranium, the new

knowledge and data of nuclear technology acquired by Iran are irreversible. In the absence of a fundamental improvement in hostile relations between the United States and Iran, the agreement containing the sunset clause itself is indeed an expedient measure, both for the United States and Iran.

If a new agreement is actually reached, but the parties insist that it is a return to the 2015 agreement, then there is another difficulty: the agreement will have to be scrutinized by Congress. When the original nuclear deal was approved in 2015, then-President Barack Obama signed the Iran Nuclear Agreement Review Act (Inara), which gave Congress oversight during the 30-day review period [9].

Although no country has publicly announced that it has abandoned the goal of “return” since the start of the negotiations, the United States and Iran have made less and less mention. Since this year, senior Iranian officials have said more about striving for a “good and lasting deal” than returning to the deal.

Since it is objectively impossible to achieve a real “return”, if negotiations resume, the goal will be to reach a new agreement based on the 2015 agreement. Although the countries concerned may be reluctant to say so explicitly, they have already moved in this direction.

#### **(IV) Prospects for Negotiating a Deal**

Like previous US administrations since the Bush administration, the policy objectives of the Biden administration toward Iran have also focused on the following aspects: to limit Iran’s nuclear activities to the maximum extent, promote regime change in Iran, and curb Iran’s regional influence. Practice shows that the Trump administration’s policy of extreme pressure on Iran played a certain role in achieving the above-mentioned goals of the United States, and after the deal was reached with Iran during the Obama administration, the United States did not to a large extent get the policy results it wanted, so the Biden administration was unwilling to significantly reduce pressure on Iran from beginning to end. Recently, the mass protests triggered by the headscarf incident in Iran are likely to make the Biden administration feel the need to maintain pressure on Iran, so it is more reluctant to significantly reduce pressure on Iran. A reluctance to significantly reduce pressure on Iran means an unwillingness to significantly lift sanctions against Iran. The substantial lifting of sanctions against Iran has two meanings, one is that the lifting of sanctions should be large, and the other is that the lifting of sanctions should be sustainable, that is, the

follow-up administration of the United States will not withdraw from the agreement. Even if the Biden administration is willing to meet Iran’s demands in the first sense, it is difficult to meet them in the second sense. In early September, a bipartisan group of 50 members of Congress sent a letter to US President Joe Biden calling on him not to reach a nuclear deal with Iran before negotiating with Congress. They put forward this request for themselves for the following reasons: first, Iran, as the so-called country that mainly supports terrorism in the world, continues to finance and support proxies and militias throughout the Middle East, and the lifting of sanctions will strengthen the strength of the so-called terrorists. Second, Russia will play an important role in the conclusion and implementation of the agreement, while Russia, as the aggressor of Ukraine, does not deserve to play an important role in the settlement of the Iranian nuclear issue. Third, “Iran supports the illegal war in Ukraine and has been providing drones to Russia to kill Ukrainians”.

As far as Iran is concerned, it is also difficult to make major concessions when the United States is unwilling to meet its requirements, that is, it will not easily shrink its nuclear capabilities to the level after the implementation of the 2015 deal. Although Iran claims that it will not develop nuclear weapons, it at least pursues nuclear latency (with the capability to build nuclear weapons) and implements the strategy of nuclear hedge. The outbreak of the conflict between Russia and Ukraine is likely to strengthen Iran’s determination not to give in easily on nuclear rights. Although Iran has been subjected to severe sanctions, it has long been accustomed to it and has been increasing its ability to adapt. After the conflict between Russia and Ukraine, Russia has also reduced some scruples in developing relations with Iran, thus expanding its cooperation with Iran in various fields. This strengthens Iran’s ability to resist US repression. At the same time, the fact that Iran is about to become a member of the Shanghai Cooperation Organization has strengthened its leverage in the game with the United States and Europe.

Lifting sanctions in exchange for strict restrictions on nuclear activities is an essential part of the nuclear agreement, and the Biden administration is unwilling to substantially lift sanctions against Iran, and Iran will not easily significantly weaken its nuclear capabilities, so even if negotiations resume, it is still difficult to reach an agreement.

#### **III. Impact**

The long-term failure to reach an agreement in the Iranian nuclear negotiations has increased the risk of nuclear proliferation in the Middle East, and Saudi Arabia and other major powers in the Middle East that are wary of Iran may enhance their nuclear capabilities. Israel, the only country in the Middle East with nuclear weapons, is even more worried about nuclear

<sup>9</sup>Ellie Sennett, “Biden’s Iran Nuclear Deal Obstacles Extend beyond Tehran,” September 2, 2022, <https://www.thenationalnews.com/world/us-news/2022/09/01/bidens-iran-nuclear-deal-obstacles-extend-beyond-tehran/>.

proliferation in the region than the United States in order to maintain its regional nuclear monopoly position, so it is more likely to maintain a shadow war against Iran, thus aggravating regional tensions. Trump's withdrawal from the Iran nuclear deal is a serious damage to multilateralism and a serious destruction of the great power framework for international non-proliferation. After the Biden administration came to power, although the negotiations on the Iranian nuclear issue restored the spirit of multilateralism to a certain extent, its behavior of leading Western countries against Russia after the conflict between Russia and Ukraine directly led it to once again try to give up multilateralism in dealing with the Iranian nuclear issue in order to achieve the goal of isolating Russia.

The long-term failure to reach an agreement in the Iranian nuclear talks means that the fierce confrontation between the United States and Iran continues, and Iran will continue to be under strong pressure from the United States and other Western countries, which will prompt Iran to strengthen its relations with Russia, China and other countries. In the context of the United States' efforts to crack down on

China and Russia, a sustained and severe crackdown on Iran will intensify the formation of international antagonistic camps, which is not conducive to international peace. The long-term failure to reach an agreement in the Iranian nuclear negotiations means that Iran's energy cannot effectively enter the international market, which is not conducive to international energy security and the stability of the energy market, and will promote Europe's energy dependence on the United States in the context of the Russian-Ukrainian conflict. Europe's strategic autonomy has further declined. The long-term failure to reach an agreement in the Iranian nuclear negotiations will hinder the normal economic and trade exchanges between China and Iran and make it difficult to effectively implement the 25-year cooperation agreement between China and Iran, thus increasing the contradiction between the United States and China.

This article is part of the research work for the program "Research on the Renewal of the Intervention Discourse System of America in the Syrian Conflict" (2022BGJ006) financed by the Shanghai Planning Office of Philosophy and Social Science.