

## **Proposed Economic Sanctions against Iran**

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**If, as Mr Tony Blair says, the ‘nature of the battle has changed’, the proposed Security Council sanctions to halt Iran’s uranium enrichment activities may be counter productive**

The 30 August deadline has now long passed for Iran to comply with the Security Council’s demands that it should suspend its uranium enrichment programme under resolution 1696. The imposition of such an artificial deadline exposes a fundamental dilemma for the Security Council. If it fails to respond within a reasonable time of the deadline, or at all, the Security Council is exposed as weak and fatally vulnerable to the veto power of the permanent member states. Yet diplomatic efforts to find a long term comprehensive solution or to agree upon economic sanctions are being driven by an urgency that is not supported by the facts.

While estimates inevitably differ, those of the International Institute of Strategic Studies in London suggest it could be between 5-15 years before Iran has developed a capacity to explode a nuclear bomb. The International Atomic Energy Agency (IAEA) reported on 15 November 2006 that Iran was continuing its efforts to purify uranium while refusing to provide full access to information about its nuclear activities. It seems that no progress has been made in determining the origin of traces of highly enriched uranium and plutonium discovered by inspectors. Despite this lack of cooperation, the Director General of the IAEA, Mohamed ElBaradei, stressed on 23 October 2006 that:

*‘Iran in the worst case scenario is still a few years away [from developing a nuclear weapon], I have ample time to talk to them, I have ample time to negotiate with them, and I need to encourage them to cooperate with me.’*

For ElBaradei, time is needed to develop a climate of trust with Iran so as to draw it back into compliance with the NPT and the IAEA inspections regime.

Faced with new United States policies in Iraq, Britain’s Prime Minister, Tony Blair, has recognized that the ‘*nature of the battle has changed*’. He is now calling for a ‘*new partnership*’ with Iran and for a ‘*whole of the Middle East*’ strategy. Mr Blair, like ElBaradei, is casting around for ways to engage Iran in discussions that might persuade it back into compliance with the NPT and the IAEA safeguards regime and encourage cooperation with solving wider Middle Eastern conflicts.

Despite the recently nuanced thinking about a Middle East strategy, the group of ‘five plus one’, the Permanent Members of the UN Security Council and Germany, have been hoist on their own petard by the perceived need to agree either upon economic sanctions or a negotiated end to Iran’s nuclear programme. It is paradoxical that discussions within the Security Council are continuing this week for a response to Iran’s failure to halt its uranium enrichment activities in an environment in which the cooperation of Iran is seen as a vital element in any solution to issues such as Southern Lebanon, the conflict between Israel and Palestine, continuing violence in Iraq and mounting evidence of international terrorist threats. In contrast with such fresh thinking, President George W Bush continues to insist that no negotiations with Iran are possible until it first halts its enrichment of nuclear fuel; the very question that is at the core of the proposed negotiations. President Bush’s rejection of the Mr Blair’s proposals for talks with both Iran and Syria came shortly after his meeting with Israel’s Prime Minister Ehud Olmert. It seems that the US and Israel support Security Council economic sanctions against Iran as a matter of urgency.

Diplomatic attempts over the last two and a half months by Britain, France, Germany, China, the United States and Russia to dissuade Iran from its enrichment programme have been proceeding glacially. The ingredients of any long term comprehensive agreement to suspend the enrichment of uranium include a guarantee by Russia of nuclear fuel, possibly by building a joint nuclear enrichment facility in Russia to enrich Iran’s uranium to the level necessary for power but lower than that needed for bombs. Russia might also provide support for the building of new light water reactors in Iran. Major trade incentives are on the table including assisting Iran to join the WTO, the lure of a trade agreement with the EU along with access to United States and European Union technology. United States trade sanctions, in place from as long ago as 1979 following the Tehran hostage crisis, might also be lifted, enabling Iran to develop its civilian aircraft fleet.

If such positive efforts at a negotiated settlement fail, and so far they have failed, the false alternative appears to be that sanctions must be agreed. Resolution 1696 provides that, if Iran has not complied with the demand to suspend its enrichment-related and reprocessing activities, the Security Council intends to adopt ‘appropriate measures’ under Article 41 of Chapter VII of the Charter of the United Nations to persuade Iran to comply. In a precaution against the claimed ‘triggering effect’ of resolution 1441, employed by the ‘coalition of the willing’ to justify their war in Iraq, the Security Council was careful to add a rider to its resolution 1696; any additional measures adopted against Iran must be subject to further decisions of the Security Council. The threat to adopt such measures once the deadline for compliance is past cannot therefore be an authorization for unilateral state retaliation against Iran in the absence of a Security Council resolution. Israel’s deputy defense minister, Ephraim Sneh, has suggested that Israel might be forced to launch a military strike against any Iranian nuclear capacity in much the same way as it did against the Iraqi facility at Osiraq in 1981. Any such action would be in clear breach of international law unless it could be demonstrated that Israel was under imminent threat of armed attack.

As the Security Council struggles to retain control over a response to Iran's refusal to discontinue its uranium enrichment programme, one point upon which all states appear to agree for the moment is that any solution must be sought through peaceful means. Measures adopted under Article 41 of the United Nations Charter may not include the use of armed force and must take the form of economic sanctions, the severance of diplomatic relations or an interruption to communications. The economic sanctions currently under consideration are to limit the ability of Iranians involved in nuclear work to travel or to impose financial restrictions upon them; to impose trade bans on nuclear or ballistic missiles or a ban on the export to Iran of finished petroleum products. Members of the Security Council remain far from in accord as to the appropriate sanctions to employ. France's President Chirac has suggested that the suspension of uranium enrichment should not be a necessary condition for negotiations. Russia and China are loath to employ economic sanctions at all. Russia has stressed that sanctions will risk 'unpredictable results' and that the better approach is to strengthen non-proliferation measures and search for collective solutions. The European draft, largely supported by the United States demands a ban on the sale or supply of any equipment, technology or financing that will contribute to Iran's nuclear or ballistic programmes, freezing of assets abroad and travel bans on those connected with the nuclear programme.

Iran has been highly vocal in rejecting the imposition of economic sanctions arguing that its uranium programme is for peaceful purposes and permitted under the NPT. Moreover it points to the double standards implicit in allowing Israel, Pakistan and India to have a nuclear weapons capacity, while remaining outside the NPT and the IAEA regime of inspections. The problem for Iran, however, is one of credibility. The IAEA reported in 2003 that Iran had failed accurately to inform the IAEA of its nuclear activities for the previous 18 years, contrary to its obligations under the NPT. The world has cause to demand some assurances that Iran will accept IAEA safeguards and inspections in the future.

The current initiatives by the Permanent Members plus Germany to agree upon Security Council economic sanctions against Iran may be yesterday's answer to today's problems. The battle, as Mr Blair puts it, is not only changing but growing. Far more effective than doubtful economic sanctions are confidence building measures over time, engagement with Iran on wider issues of Middle Eastern policy, guarantees of a multilateral fuel supply in the future and, above all, continued diplomatic discussions. The threat of Security Council economic sanctions does not of itself create an obligation to adopt them.

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