

STUDY

Iran and the Challenges to Reviving the Nuclear Deal: Options and Potential Trajectories

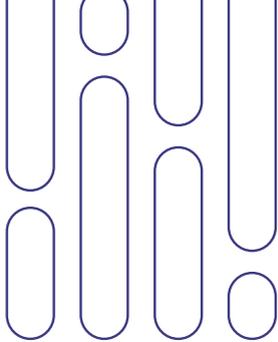
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Introduction

Diplomacy is viewed as the preferred US option when it comes to dealing with Iran's nuclear file since President Joe Biden was inaugurated in the United States. However, Iran must meet certain conditions set by Biden before returning to the nuclear deal, which are perhaps not so different from those set by former President Donald Trump. The difference is that Biden is seeking to use the diplomatic approach whereas Trump applied pressure. Iran is hoping that the existing nuclear deal will be revived without any substantial amendments or with it having to pay a real price via making excessive concessions.

But all the remarks coming from the Biden administration indicate that Washington's plan to return to the nuclear deal is premised on securing guarantees regarding Iran's missile program. This is in addition to including contentious issues in prospective nuclear talks, particularly Iran's regional behavior and ballistic missile program, as well as permitting other

parties to participate in the talks.

Hence, the United States reiterated that it will neither lift the sanctions nor return to the nuclear deal without setting the ground for comprehensive talks with Iran. However, Iran insists the sanctions must be lifted before it considers any other step.

This paper addresses the gap and divergence in positions between the United States and Iran despite the two sides agreeing on the importance of diplomacy. Hence, before beginning nuclear talks, whether directly or indirectly, there will be a tense phase. During this phase, Biden will use Trump's legacy to reach a comprehensive agreement with Iran.

On the other side, Iran will attempt to escalate pressure to speed up the course of talks and overcome the suffocating crisis which it is experiencing due to the sanctions excessive pressure. This will undoubtedly impact the options available to Iran and the chances to lift the sanctions as well as the possibility of reviving the nuclear deal.

I. Restoring the Prestige of Diplomacy and the Opportunities Available for Iran

There is no doubt that there are good opportunities available for Iran to revive the nuclear deal and lift the sanctions. These opportunities include the following:

1. The Preparation of the Parties to Engage and Reach an Understanding

The change in the White House has been critical in shifting the course of relations between the United States and Iran from a phase of confrontation to a phase of de-escalation. Biden is prioritizing the diplomatic approach. His administration believes that talks are necessary to convince Iran to comply with its obligations under the nuclear deal and to address outstanding issues which are a source of concern for Tehran and to prove that Washington is prepared to be part of the P5+1 group once again.

On the other side, Iran – especially the reformists – believes that there is an opportunity to promote diplomacy despite the divergence in positions and differences particularly concerning who should first pursue this approach and has urged the European Union (EU) to pursue the same approach. According to the EU's spokesman Peter Stano, diplomacy has a critical role in reviving the nuclear deal. He said that the EU wants to make sure the US returns to the nuclear deal and Iran returns to honoring its obligations under

the nuclear deal.¹ Stano said that Washington's return to the nuclear deal could be a starting point to expand dialogue concerning security and stability in the region.²

2. *The Priority of the Global Powers to Address Iran's Nuclear File*

There is a US priority to ensure Iran complies with its nuclear obligations. This was mentioned by the US National Security Adviser Jake Sullivan on January 29, 2021, when he said, "From our perspective, a critical early priority has to be to deal with what is an escalating nuclear crisis as they (Iran) move closer and closer to having enough fissile material for a weapon."³ In fact, the nuclear file has influenced Iran's relations with the United States and the West and is an effective lever when attempting to set the framework for relations, to achieve some equilibrium, and to make some gains at the negotiating table.

The Biden administration and the global powers view the Joint Comprehensive Plan of Action (JCPOA) to be the most comprehensive agreement ever reached and includes the most effective transparency and verification mechanisms in the history of the Treaty on the Non-Proliferation of Nuclear Weapons, let alone the highest level of commitments. The JCPOA also obstructs Iran's potential methods to acquire a nuclear bomb or start a clandestine military program. The collapse of the nuclear deal or its benefits ending could push Tehran to boost its nuclear capabilities, resulting in its nuclear program growing out of control, particular its plan to suspend inspections of its sites in case the current crisis continues and worsens.⁴ The nuclear powers consider the nuclear deal as an important means to curb international nuclear proliferation⁵ and have shown an eagerness to revive

(1) "The European Union Follows With 'Concern' Iran's Announcement to Resume Uranium Enrichment," Deutsche Welle, January 2021 ,5, accessed February 2021 ,11, <http://bit.ly/3q9TSWY>. [Arabic].

(2) "Tehran Confirms Its Seriousness in Adhering to the Nuclear Agreement and Asks the Europeans to Mediate With Washington to Save It," Al-Jazeera, February 2021 ,2, accessed February 2021 ,11, <http://bit.ly/3jCHf42>. [Arabic].

(3) "Biden Priority Is Dealing With Iran's Growing Fissile Material Stockpile – Sullivan," Reuters, January ,29 2021, accessed February 2021 ,10, <http://reut.rs/3qcyujK> .

(4) Seyed Hossein Mousavian & Mohammad Mehdi Mousavian, "Building on the Iran Nuclear Deal for International Peace and Security," *Journal for Peace and Nuclear Disarmament* 1, no. 185-184 :(2018) 1.

(5) Bryan Bender, "'This Is Going to Be Quite a Show:' Biden's Arms Control Team Eyes Nuclear Policy Overhaul," *Politico*, January 2021 ,27, accessed February 2021 ,11, <http://politi.co/3tPOQRt> .

it.¹ Iran is now aware of its importance to the global powers. Hence, it decided to reduce its commitments under the nuclear deal and to increase its enrichment levels and the number of active centrifuges as well as to undertake other moves. Tehran continued its escalation; the International Atomic Energy Agency (IAEA) announced on February 11, 2021, that 3.6 grams of uranium were present at the Esfahan nuclear site.² This is in addition to Tehran announcing its plan to lower cooperation levels with the IAEA, particularly to suspend inspections of its sites beginning on February 23, 2021. This announcement had a significant impact on pressing forward on the path to reach an understanding between the parties.

3. *Relaxing the Excessive Pressure*

Since Biden entered the White House, the maximum pressure campaign started by the former US administration somewhat came to a halt. The United States has not imposed any new sanctions on Iran. Moreover, the US representative withdrew a request on February 18, 2021, to implement the snapback mechanism which was activated by the former Trump administration. This move indicates the inclinations of the new US administration to prioritize a diplomatic path and to reach an understanding. The United States also permitted some countries to unblock some Iranian financial assets and oil sale revenues, such as South Korea and Japan. This move clearly indicated the inclination of the Biden administration. This US position is based on the belief that Trump's maximum pressure campaign failed to curb Tehran's support for terrorism and its other malicious activities, according to Biden's National Security Adviser Jake Sullivan.³ Keeping in place Trump's legacy provides grounds to reach a better settlement with Iran. These moves have coincided with an upward trend in the export of Iranian oil and non-oil products in recent months.⁴

Iran's oil exports increased in January, after recovering in the last quarter of

(1) "The Iranian Nuclear Program. Washington Denies the Existence of Communications and Tehran Is Installing Hundreds of Centrifuges, and Israel Seeks to Prevent Return to the Agreement," Al-Jazeera, February ,3 2021, accessed February 2021 ,11, <http://bit.ly/3aPkZ30>. [Arabic].

(2) "Iran Produces Uranium Metal in New Violation of Nuclear Deal," BBC, February 2021 11, accessed February 2021 ,14, <http://bbc.in/2ZhFqAj> .

(3) Jeff Seldin, "Biden's National Security Approach Sees Merger of Foreign, Domestic Policy," Voice of America (VOA), January 2021 ,29, accessed February 2021 ,11, <http://bit.ly/3b9At2b> .

(4) "Zanganeh: The Enemies Failed to Cut Off the Sale of Iranian oil," IRNA in an interview with the Yemeni network, February 2016 ,26, accessed February 2021 ,11, <https://bit.ly/36qLMS3>.

2020, three assessments showed.¹ This means that there is an opportunity for Iran to reduce the impact of sanctions and isolation, hence limiting the worsening crisis at home. This could lead to improving the legitimacy of the government which declined to unprecedented levels during Trump's leadership. Sources and reports indicate that the Biden administration is considering to relax the restrictions on the supply of humanitarian aid to Iran and to approve Iran's request for a \$5 billion loan from the International Monetary Fund to fight the coronavirus pandemic. However, these moves will be conditioned on Iran halting steps to further reduce its nuclear commitments. Although the mentioned moves are not fully compatible with Iranian demands, they could lead to a broader understanding and the eventual lifting of the sanctions. Biden will not face opposition in the Congress as it is controlled by the Democratic party.

4. *Creating an Appropriate Atmosphere to Start Diplomatic Mediation*

The current interactions concerning the nuclear deal have created an appropriate atmosphere for mediation which favors Iran, as there would be a shift away from the path of imposing sanctions and pressure on Tehran. Josep Borrell, the EU Minister for Foreign Affairs, during his visit to Moscow on February 5, 2021, suggested that the parties to the crisis pursue a path of "disciplined diplomacy" instead of excessive pressure.

On the same day, French President Emmanuel Macron indicated his readiness to be an impartial mediator between Iran and the United States to overcome the current deadlock. Spokeswoman for the Russian Foreign Ministry Maria Zakharova on February 5, 2021, announced Moscow's readiness to cooperate with the parties to the Iranian nuclear deal, including the United States, to salvage the deal. However, Qatar and Oman expressed during the same month their readiness to play a mediating role to bring closer the viewpoints of Iran and the United States. Although Iran has previously refused several mediation offers during Trump's tenure, it seems that during this phase European mediation is preferable for Tehran. Zarif has explicitly requested European mediation and the United States has agreed to this.

5. *The Desire of Russia, China, and the EU to Revive the Nuclear Deal*

The three parties want to return to the nuclear deal and opposed Trump's withdrawal from it and undermined his efforts to forge an international

(1) Alex Lawler, "Iran's Oil Exports Rise in January Despite Sanctions – Trackers," Reuters, January 2021 ,26, accessed February 2021 ,11, <http://reut.rs/3rFPx eo> .

consensus against Iran over the past three years. Mikhail Ulyanov, Russia's permanent representative to international organizations in Vienna, on February 9, 2021, floated the possibility of Moscow holding talks to revive the nuclear deal, and he indicated that it would be acceptable to hold an unofficial multilateral meeting under the JCPOA.¹

Yet, China is a significant Iranian ally and its vision on the nuclear deal agrees with Iran's. Iran is also taking advantage of the European position, which was expressed by Josep Borrell, the EU Minister for Foreign Affairs and Cornelia Ernst, the head of the European Parliament's Delegation for Relations with Iran, who said on February 11, 2021 that, "Tehran didn't breach the nuclear deal and the first step should be taken by Washington."² This position represents an opportunity for Iran to coordinate with the Europeans as well as with the other parties to ensure its viewpoints are adopted at the negotiating table and to ensure it has allies that support its vision.

II. The Challenges and Problems Facing Iran in Reviving the Nuclear Deal

There are a host of challenges the Iranian government is facing during the current transitional period, such as the following:

1. *Internal Disagreements in Iran as the Presidential Election Approaches*

The nuclear file is still a source of polarization at home among Iran's political currents. This was evident when Zarif asked the political currents not to make the nuclear file an electoral issue.³

The reformists want a return to the nuclear deal as this will boost their position which declined after Trump withdrew from the deal. This US move was exploited by the conservative current in the parliamentary elections held in

(1) "Ulyanov: Russia Is Ready for Constructive Cooperation With the United States on the Nuclear Agreement With Iran," Sputnik Arabic, February 2021 ,9, accessed February 2021 ,11, <http://bit.ly/2Z42WR0>. [Arabic].

(2) "Without Boundaries Show, Without Boundaries - Interview With Cornelia Ernst, Head of the European Parliament Delegation for Relations With Iran," YouTube, Al-Jazeera News, 48:21 minutes, February ,11 2021, accessed February 2021 ,28, <https://bit.ly / 3bJzXlg>. [Arabic].

(3) "Zarif: I Will Not Run for the Presidency and Do Not Take Advantage of the Nuclear Agreement in the Elections ... and 37 Human Rights Organizations Call on the International Community to Pay Attention," The International Institute for Iranian Studies (Rasanah), February 2021 ,6, accessed February 2021 ,11, <http://bit.ly/ 3tMTtfe>. [Arabic].

February 2020. During the elections, the reformists were excluded from the political scene and could not prevent the conservatives from dominating the interactions regarding the nuclear deal. This mounting rivalry between the two currents is closely related to their respective preparations for the upcoming presidential election to be held in June 2021.¹

This dispute between the two current clearly impacted Iran's domestic policies. The Parliament preemptively acted before the inauguration of Biden, issuing a bill which was approved by the Guardian Council on February 21, 2021, which made its obligatory for the Iranian government to raise enrichment levels and to suspend the implementation of the Additional Protocol within a period of three months. The bill was opposed by Rouhani initially as it undermined the diplomatic path. However, he was pressured to implement it, with plans to raise the percentage of enriched uranium to 20 percent purity after it was approved by the Guardian Council.²

Rouhani reached an agreement with the IAEA on February 21, 2021 to extend the inspections according to new understandings, such as surveillance cameras being kept in place for up to three months, with the Iranians hoping that this period would lead to sanctions relief via a new round of talks. Later, the Iranian Parliament unanimously voted to refer Rouhani to the judiciary because of his recent agreement with the IAEA. It cited breaches of the bill, such as suspending the implementation of the Additional Protocol completely. The supreme leader's positions – who has spoken of the need to lift the sanctions – are divergent from those of Rouhani and Zarif who support mutual understandings – though partial- according to the policy of “commitment for commitment.”³ These divergences may impede the diplomatic path for a short while, even until after the presidential elections scheduled to be held in the middle of 2021.

2. The Internal Pressure on Biden Not to Abandon the Maximum Pressure Campaign

Differences exist in the Biden administration regarding how to handle the Iranian file. This is in addition to Republican members of Congress oppos-

(1) “Member of Parliament: Zarif Has Political and Electoral Goals From the Deal,” IRNA, in February ,23 2016, accessed February 2021 ,11, <https://bit.ly/3qH0dJ4>. [Persian].

(2) “The Diplomatic Apparatus Should Provide the Ground for the Convergence of the Countries of the Region,” Khaneh Mellat News Agency, February 2016 ,28, accessed February 2021 ,11, <https://bit.ly/2Ye73Kb>.

(3) “Rouhani, on the Day of ‘The End of the Despot Trump,’ Calls on Biden to Return to the Nuclear Deal,” RT Arabic, January 2021 ,21, accessed February 2021 ,10, <http://bit.ly/3pDE2Ue>. [Arabic].

ing any radical shifts pertaining to this file, especially the lifting of the sanctions on Iran. These members of Congress have the right to monitor the implementation of the sanctions on Iran which remain in place.¹

Several Republican congressmen have started to oppose Biden's inclinations by introducing a bill to the Senate which opposes the United States rejoining the nuclear deal. Some lawmakers, including Democratic ones, oppose the lifting of the sanctions on Tehran without actual and tangible pledges including Iran halting its ballistic missile program and destabilizing activities in the region.²

Moreover, some prominent political figures oppose Biden's policies, including former US Secretary of State Henry A. Kissinger who advised Biden not to reverse Trump's decision to withdraw from the nuclear deal, warning of a disastrous nuclear arms race in the Middle East.³ It must be pointed out here the pressure imposed on the Biden administration by lobbies affiliated to regional countries not to rejoin the nuclear deal.⁴

3. The Pressure of Regional Powers to Influence the Course of Negotiations

The regional powers are pressuring for the United States not to rejoin the nuclear deal without taking their interests into consideration. Hence, they want to be included in any nuclear talks. They also want provisions to be added to the nuclear deal covering Iran's missile program and destabilizing regional behavior. The United States has succumbed to these pressures and called on some European countries to include other parties in the talks, such as the Kingdom of Saudi Arabia. The Biden administration is well aware that bypassing the demands of regional parties will push them to boost their capabilities and cooperation levels to thwart US policies regarding Iran.⁵ Israel is exerting excessive pressure on the Biden administration

(1) Nahal Toosi, "Trump Left Behind a Sanctions Minefield for Biden," Politico, January 2020 ,30, accessed February 2021 ,11, <http://politi.co/3aTerQP>.

(2) Rana Abtar, "Congress Pressures the White House to Keep Sanctions on Tehran, the Middle East," Asharq al-Aawsat, February 2021 ,6 , accessed February 2021 ,11, <http://bit.ly/2Z5vbyT>. [Arabic].

(3) "Henry Kissinger's Wise Warning to Joe Biden on the Iran Nuke Deal," New York Post, January 2021 ,12, accessed February 2021 ,11, <https://bit.ly/39t8rxr> .

(4) "In an Interview With IRNA; Former Diplomat: Biden Should Return to the Nuke Deal in the First Week of His Presidency," IRNA, December 2016 ,13, accessed February 2021 ,11, <https://bit.ly/2XzeJ9w>. [Persian].

(5) Eric R. Mandel, "A US-Israel Defense Treaty Has Benefits — and Perils," The Hill, January 2021 ,8, accessed February 2021 ,11, <http://bit.ly/2Z37vew> .

to prevent it from rejoining the nuclear deal.¹

4. The Shift in the Position of the European Troika and Coordination With Washington on Iran

Biden has started to re-establish Washington's relations with the European countries after the downturn in their mutual relations during Trump's term — resulting from their disagreements on Iran. Forming a unified front (between the United States and its European allies) can possibly contribute to stronger levels of coordination between the two sides in relation to the Iranian file. The European Troika believe that reviving the nuclear deal with Iran is insufficient, and they are pushing for a new deal with additions including Iran's ballistic missile program and its regional behavior, as they are key European interests. The office of the French president called on Iran to fully comply with the nuclear deal before the United States rejoins it.² On February 5, 2021, US National Security Adviser Jake Sullivan indicated that the Biden administration is actively engaged in discussions with its European partners. These discussions will lead to the establishment of a united US-European front regarding the strategy that will be implemented towards Iran.³

5. US Reactions to Iran's Ongoing Nuclear Breaches

Some believe that the United States wants to keep the Iranian government at a certain level of strength to serve its regional objectives and achieve a regional balance which preserves its different interests. The United States could pursue a harsher strategy towards Iran if it becomes apparent that Tehran is accelerating plans to develop a nuclear weapon or intends to change the regional balance of power. Biden has an opportunity to use Trump's legacy while not abandoning his ambition to kick-start the diplomatic path. Before taking office, Biden said, "The excessive pressures failed to contain Iran and they weren't effective. Hence, we should add smart sanctions."⁴ It is likely that the United States will not lift the sanctions without Iran mak-

(1) "Report: Mossad Chief to Meet Top US Officials During Upcoming Visit to Washington," Israel Hayom, January 2021 ,31, accessed February 2021 ,11, <https://bit.ly/3tNrK7W> .

(2) "France Reiterates Position on the Nuke Deal," Khabar Online, February 2016 ,28, accessed February ,11 2021, <https://bit.ly/3pmdjeN>. [Persian].

(3) "The US National Security Council to Submit Recommendations to Biden on Iran," Asharq Al-Awsat, February 2021 ,6, accessed February 2021 ,11, <http://bit.ly/3tPWLOE>. [Arabic].

(4) "Shariatmadari: Biden's View of Nuke Deal Is the Same as Trump's View, and It Is Even Harsher," ISNA, February 2016 ,26, accessed February 2021 ,11, <https://bit.ly/39YJcn5>. [Persian].

ing substantial concession – the Iranian economy is suffering excessively due to the sanctions.¹ There is no doubt that Iran violating its nuclear obligations has concerned the United States, however, it has the ability, whether directly or via its allies, to prevent Iran from becoming a nuclear power.

6. *The Procedural Problems*

Despite restoring the prestige of diplomacy, reviving the nuclear deal faces a host of impediments, particularly regarding who will make the first move. Each party insists that the other should make the first move. The second problem is related to the differences concerning the lifting of the sanctions. It is unlikely that the Biden administration will compromise on the most significant tool to pressure Iran.² Finally, there are difficulties related to bridging the confidence gap, and stipulating guarantees to prevent going backward in the crisis. In case Biden returns to the nuclear deal, Iran and all the other parties to the deal will have a question regarding what guarantee can the US president provide that under his watch the United States will not withdraw from the deal?³ Especially any withdrawal which will lead to the United States having the right to activate the snapback mechanism. This mechanism included in the nuclear deal allows the reimposition of the UN Security Council's sanctions in case Iran fails to comply with its obligations.⁴ The United States could also use this mechanism if the follow-up negotiations related to the non-nuclear contentious issues face an impasse. On the US part, some members of Biden's administration do not trust Iran's behavior if the nuclear deal is revived, especially as they experienced Iran's destabilizing behavior after the signing of the 2015 nuclear deal. Iran also has hesitations because of what happened under the Trump leadership, with his withdrawal from the deal.

III. The Options and Alternatives Available to Iran

It seems that the Biden administration has put an end to the maximum pressure campaign and replaced confrontation with Iran to pursue a diplomatic path. Iran betting on Trump's departure and a change in US policy has

(1) Michael Rubin, "Commentary: Trump Is Right on Iran," *The Times and Democrat*, January 2021, 11, accessed February 2021, 28, <https://bit.ly/3sm40C7>.

(2) "Seyed Hossein Mousavian, 9 Obstacles to the Revival of Nuke Deal," IRNA, December 2016, 20, accessed February 2021, 11, <https://bit.ly/3sG9Jhy>. [Persian].

(3) *Ibid.*

(4) *Ibid.*

yielded positive results. However, the Biden administration has considered important developments and factors, preventing the United States from automatically returning to the nuclear deal or lifting the sanctions on Iran. There is a US desire that the existing deal will be a base for a more comprehensive understanding addressing Iran's destabilizing activities. This had led to divergent positions emerging between the two sides. This divergence is not something that has occurred at the current stage, but it existed even during the nuclear talks before 2015. Iran succeeded in preventing any other outstanding issue being included in the deal. Iran is prepared to face condemnation for an extended period of time and pursues a policy to exert pressure on the US to hasten its return to the nuclear deal and to strengthen its position at the negotiating table. The Iranian moves include the following:

1. Threatening to Continue Enrichment and Develop Its Nuclear Program if the Sanctions Continue

Uranium enrichment is one of Iran's important cards that it uses against the Biden administration and the international community to kick-start talks but without conceding ground and limiting talks to selective issues. On February 22, 2021, Khamenei expressed the centrality of uranium enrichment to Iran's strategy, by announcing his country's readiness to raise enrichment levels to 60 percent if it needed to. Since the beginning of 2021, Iran has reduced its commitment by raising the enrichment rate to about 20 percent.¹ Iran's representative to the IAEA, Kazem Gharibabadi, announced that his country has installed 348 new centrifuges at the Natanz facility, and that they are now operational. They have been injected with uranium gas. Other devices were installed at the Fordow facility. Gharibabadi added that the capacity of the new centrifuges is four times the capacity of the first-generation devices. Concerns regarding this development were raised by the United States and Europeans, especially as they were confirmed by IAEA reports, in February 2021.² Based on an agreement with the IAEA, Iran decided to suspend the implementation of the Additional Protocol starting on February 23, 2021. However, the inspections remain in place. They will be carried out under the Safeguards Agreement. The main inspections and

(1) Hamd Ibrahim Targhinejad, Khatibzadeh: We will not allow ISIS to swell, IRNA news agency, (February 2016 ,26), Accessed: February 2021 ,11, <https://bit.ly/36btJPI>
(2) "The Iranian Nuclear Program: Washington Denies any Contact."

cameras stipulated in this Safeguards Agreement will continue as usual.¹ The Iranian Minister of Security and Intelligence Mahmoud Alawi on February 9, 2021, indicated his country's intention to possess nuclear weapons if external pressure continue to be imposed on Iran.

2. *The Push for Mediation to Settle the Dispute*

One of Iran's options so that it does not miss the opportunities offered by the diplomatic path is to request the intervention of some parties to settle the dispute over the nuclear deal. Moscow was a key destination for Iranian officials. Mohammad Javad Zarif visited Moscow on January 25, 2021.² The Parliament speaker Mohammad Bagher Ghalibaf visited Moscow as well on February 8, 2021 and met his Russian counterpart. He delivered a letter from Khamenei to Putin.³ Meanwhile, Zarif called for European mediation that could be carried out by Josep Borrell to determine "the actions that are to be taken by the United States, and those that are needed to be taken by Iran, and provide a "mechanism" either to "synchronize" the return of both countries to the nuclear agreement, or "coordinate what can be done."⁴ For its part, the United States announced that it had accepted European mediation to settle the disputes and expressed its readiness to participate once again in the nuclear deal talks.

3. *Reducing Missile Tests*

Khamenei refused to give up his country's missile program, and indicated that this program "forced Iran's enemies to reconsider their actions."⁵ At the same time, Iran has significantly reduced its launching operations recently, and it has carried out the same actions as it carried out during the first and second phase of the nuclear negotiations before the 2015 nuclear deal. Iran in its attempt to legitimize its missile program says it is for scientific and re-

(1) Mehr's news agency, Zarif upon arrival in Moscow: The formation of the Union of a -6party organization is the most important goal of the trip to the Caucasus, (February 2016 ,27), Accessed: February 2021 ,11, <https://bit.ly/3cdgwJB>.

(2) Raed Jabr, "Moscow Calls on Washington to Return to the 'Nuclear Deal,' Lavrov and Zarif Discussed 'Confronting Provocations' Against Iran, the Middle East," January 2021 ,27, accessed February 2021 ,11, <http://bit.ly/3jBmSo5>. [Arabic].

(3) "Qalibaf Explains the Outcomes of His Visit to Moscow," al-Alam TV, February 2021 ,10, accessed February 2021 ,11, <http://bit.ly/3jBCcRB>

(4) "Iran FM Asks Europe to Help Mediate US Return to Nuclear Deal," France 24, January 2021 ,29, accessed February 2021 ,12, <http://bit.ly/3qaC5i5>

(5) "Khamenei: We Are in No Rush on the United States Return to the Nuclear Agreement," BBC Arabic, January 2021 ,8, accessed February 2021 ,11, <http://bbc.in/2L653Av>. [Arabic].

search purposes only. During the recent period it boosted its missile tests as well as satellite launches. The last satellite launch was on January 21, 2021. Iran is accused of abandoning the defensive nature of its missile program. Iran's missile program has become an effective tool in regional politics, after supplying its proxies with the technology needed to manufacture missiles. The United States is concerned that Iran will use long-range ballistic missile technology to put satellites into orbit around the Earth, and to launch nuclear warheads. Iran denies this claim, stressing that its satellite programs is it right and it is intended for only civilian and research purposes, hence compatible with UN Security Council Resolutions.¹

4. *Starting Negotiations on Foreign Detainees*

Foreign and dual national prisoners are a pressure card Iran uses to bargain with the United States and Western powers. The importance of this card resulted in the United States including the human rights file in any prospective understanding with Iran. Blinken indicated on February 1, 2021 that Iran should release US detainees, irrespective of any deal.² There is no doubt that Iran is skilled in using the foreigner card as it is politically inexpensive in talks and can be used to reduce concessions in other important files. Iran's ambassador to the United Nations, Majid Takht Ravanchi, indicated the use of prisoners in Iran's strategy. He said, "We are ready to engage in a comprehensive exchange of all prisoners and detainees with the United States, and this is a simple and a straightforward proposition."³ Indeed, the United States started "contacting Iran regarding the Americans detained there." The new US administration has prioritized this matter, according to National Security Adviser Jake Sullivan on February 21, 2021.

IV. The Future of Iran Returning to the Nuclear Deal

The Biden administration has suspended the maximum pressure campaign to pursue diplomatic options. Iran betting on Trump's departure and a change in US policy has yielded some positive results, most notably the re-

(1) "Iran Successfully Launches a New Satellite Carrying Missile," al-Jazeera, February 2021 ,2, accessed February 2021 ,13, <http://bit.ly/3jLmvXW>. [Arabic].

(2) "Washington Says That Iran Is Close to Possessing a Nuclear Weapon, and Tehran Sets Conditions to Return to the Agreement," al-Jazeera, February 2021 ,1, accessed February 2021 ,11, <http://bit.ly/2NjTFBH>. [Persian].

(3) "An interview with NBC America: Takht Ravanchi: The ball is at the US court / We are not in a hurry to talk to Washington," IRNA, accessed February 2021 ,11, <https://bit.ly/3oeAgip>. [Persian].

laxation of some restrictions and allowing some countries to unblock some of its financial assets held abroad. However, the Biden administration has taken into account important developments and factors, hence it has not completely lifted the sanctions nor automatically rejoined the nuclear deal before settling other important files with Iran. It wants to take advantage of Iran's difficult economic conditions resulting from sanctions and excessive pressure. Therefore, the United States plans to make its return to the agreement a basis for comprehensively addressing Iran's destabilizing activities. As a result, the divergence in positions between the two sides and key differences have arisen. This divergence is not something new but has existed even before the 2015 nuclear deal. Iran succeeded previously in avoiding the inclusion of some other outstanding issues in the previous deal, with the latter restricting its nuclear program in return for wide economic benefits. However, the Biden administration is more patient and determined to achieve greater gains at the negotiating table. This may complicate the course of diplomacy. The talks may take more time than expected. Therefore, it is most likely that the two parties will continue their policies and strengthen their negotiating cards to secure vital gains, to avoid making fundamental concessions, or to secure alternatives to the lengthy course of negotiations.

In the light of this, the expected scenarios for Iran to lift the sanctions and return to the nuclear deal include the following:

1. The Loss of Diplomatic Opportunities and Adhering to the Confrontation Option

This option means that the Biden administration will hold on to its conditions to return to the agreement, which Iran will reject. Therefore, the Iranian government will resort to its traditional position of pursuing confrontation and resistance in response to external pressures and refuse talks in accordance with Biden's conditions. Resisting pressure over time has turned into a critical part of Iran's strategy. The government believes that, for more than 40 years, it has been able to cope with various external pressures. Therefore, during this stage, it seeks to make clear that Biden imposing pressure and sanctions will not force it to concede ground.¹

This option is boosted by the fact that it is a possible alternative that grants Iran power and a degree of balance when entering a possible confrontation

(1) ISNA news agency, Rezaei: The last sanction of the Trump administration is to throw stones at the path of the next US president, February 2016 ,25, accessed February 2021 ,11, <https://bit.ly/3cacn9D>. [Persian].

phase with the Biden administration. It also saves the government from making critical concessions that would impact its legitimacy and lower its popular support base. The government is used to this strategy and has the basic tools to be successful. The decision to return to the nuclear deal is still in the hands of the hardliner “revolutionary” wing led by the supreme leader and the Revolutionary Guards. This faction opposes openness with the United States and is unwilling to show flexibility in negotiations. This faction also dominates the Parliament, and intends to prevent the reformists from gaining the benefits that they did when they initially signed the nuclear deal. It is eager to do this prior to the presidential elections in June 2021, so that its interests are not risked. This concern is because the influence of the reformists would increase in the political system if the deal was revived and their popularity would grow if living conditions improved. The nuclear bill was introduced to thwart negotiations, which Rouhani opposed initially. However, the Iranian Parliament passed the bill.

The Biden administration may continue to build on Trump’s legacy and increase pressure on Iran, which will increase the possibility of a confrontation option because there are currents in the United States, which believe that it is difficult to tame Iran, arguing that the Iranian political system had an aggressive nature and its behavior could not be modified. It also believed that changing the government was the only solution left and that continuous pressure would eventually change the political system. The Biden administration has a greater opportunity to cooperate with the European parties to increase pressure on Iran, in light of the European Troika’s position that seeks to fundamentally amend the nuclear deal and the position of regional powers to address all outstanding issues at once and not to repeat the Obama scenario. Finally, Russia and China may support Iran’s approach within the framework of the ongoing international competition, especially if their relationship with President Biden deteriorates. The Biden administration seeks to assert the supremacy of the United States and its international leadership, by weakening Russia and China.

2. The Inability to Withstand and Accept US Conditions

This option means that Iran will agree to amend the nuclear agreement and include other issues such as its regional behavior, its ballistic missile program, and the human rights file in the talks in accordance with US demands. Although there are no clear indications regarding this option, it is a possibility, which could occur if Iran continues reducing its nuclear commitments and does not show flexibility. On the other hand, this option could

materialize if Biden abandons the diplomatic track, and adopts Trump's policy, insisting on complete concessions from the Iranian side along with activating a regional deterrence strategy to counter Iran's regional influence. Perhaps Biden will carry out directly or with Israeli coordination, military strikes targeting Iran's nuclear facilities, in addition to working to weaken the government, by supporting civilian actors, and agitating protests. In this case, the government will figure out that its survival is threatened, and then it will be forced to "drink poison," as before when Khomeini was forced to end the war with Iraq at the end of 1980s. Iran will accept the US conditions and reach an understanding on all controversial issues, especially given the fact that no global power, including Russia and China, will accept Iran crossing the nuclear threshold barrier.

3. *Limited Concessions "Less for Less"*

It may be an interim option, during which the two parties engage in limited understandings and actions to reduce escalation, rebuild confidence, and preserve the diplomatic path. Dennis Ross calls this path a "less for less" policy.¹ The United States may grant Iran economic concessions, but they will be less than the sanctions relief stipulated in the 2015 nuclear deal. Iran in turn will cease, or most likely give up its strategy of breaching its nuclear obligations.

The indication of this option is Rouhani's talk about a second and third nuclear agreement, meaning that if the first nuclear deal succeeds, then the policy of settling outstanding differences can proceed albeit gradually. Washington also talks about allowing Iran some economic benefits, however, they will be no doubt less beneficial than the sanctions relief it received after its signed the 2015 nuclear deal. The United States is likely to approve Iran's request for a \$ 5 billion loan from the International Monetary Fund to confront the coronavirus pandemic, in exchange for Tehran ending its nuclear obligation breaches. The Biden administration has withdrawn a previous request made by the Trump administration to the UNSC to activate the snapback mechanism. Iran considers this to be a symbolic move to build confidence and push it to the negotiating table.

Likewise, there is talk about a US desire to address the concerns of the regional powers, by resolving the Yemeni crisis. Extensive efforts have started

(1) "An expert on international issues, said that the relationship between Europe and the United States in the Biden era is an opportunity and challenge for Iran," ISNA, February 2016 ,25, accessed February 2021 ,11, <https://bit.ly/2MkkaXd>. [Persian].

in this regard. The US State Department removed the Houthis from its list of terrorist groups. This move may be part of a “less for less” policy; considering that resolving the Yemeni crisis may limit the regional powers’ opposition against returning to the nuclear agreement without tackling all their concerns. The Houthis’ escalation of attacks against the Kingdom of Saudi Arabia at this stage may be part of Iran’s plans to push forward the diplomatic path within the framework of partial understandings.

This choice of boosting diplomacy is strengthened by the fact that the two sides are aware of the difficulties and challenges facing Washington automatically returning to the nuclear deal. At the same time, they do not want confrontation, and display a definite desire to pursue the diplomatic path. Iran may realize that it has entered a new era of international politics that is different from Obama’s era, and a return to the pre-Trump stage is impossible. It may also realize that the nuclear deal in light of the new European positions may not survive, and the economic crisis that the government suffers from may worsen further. This crisis threatens the government’s legitimacy, and it is likely to get even worse, if Iran does not display flexibility in dealing with its challenges.

As for the United States, waiting for a comprehensive settlement may take a long time, and this duration may be used by Iran to boost its nuclear capabilities. Therefore, invoking this option may be important in a phased manner because it would curb the danger of Iran stepping up violations, and address the concerns of regional powers, considering that these steps are preliminary, before starting a trajectory to tackle all the problems with Iran.

4. 4. Flexibility and Mutual Benefits According to the “Win-Win” Principle

This option means that the two parties start negotiations, directly or through mediation, on all disputed issues, as was the case in the 2015 nuclear deal, and no party achieves full gains, according to the “Win-Win” principle. The most important gain for both sides is Iran complying with its nuclear obligations and perhaps extending the nuclear deal’s duration, thus calming Israel’s fears in exchange for the United States returning to the deal and the lifting the sanctions on Tehran. In regard to the rest of the files, they will be within the follow-up negotiations. One of the files that is likely to be resolved is the Yemen file, and if done successfully, will contribute to mitigating the concerns of the Gulf states. Meanwhile, Iran will maintain its missile program without making concessions.

The indications of this option are President Rouhani’s and Foreign Minister Zarif’s remarks about simultaneously returning to their commitments, tak-

ing sequential steps to remove obstacles, and Zarif's request for European mediation to bring the points of divergence closer together. On the other side, the United States is carrying out consultations with the European parties to build a reliable path for negotiations. The EU has already announced that it is in the process of holding talks with all concerned parties to build a path to return to the nuclear deal.

This option is likely, given the fact that the United States and Iran are aware of what cards they have and how effective they are to reap more gains. Otherwise, the alternative to negotiations and diplomacy is war. For its part, Iran is escalating its nuclear threats to the maximum level, and it cannot pursue this path to its full extent because it will face global rejection, and perhaps a military war. On the other side, the United States imposed maximum pressure on Iran, but it did not curb the government's inclinations and policies, nor did it force it to surrender and accept US conditions. The United States also does not want war and conflict in the region, and perhaps it does not have a desire to change the government, because Iran is an important balancing actor for the United States in an influential region.

This option is likely, given the fact that the reality of the crisis means that any mediation efforts are likely to be much more effective, than ever before. European-Russian collaboration might be important to restore the diplomatic approach, given the fact that all parties realize that the nuclear deal is important to curb the international non-proliferation of nuclear weapons.

Conclusion

The path of diplomacy is the choice for both sides. There is a transitional period in which intentions will be tested, and confidence will be strengthened through some limited measures at the beginning. It is clear that the dialogue has already begun, even if it is conducted indirectly. It is likely that the option of "less for less" and making limited concessions is the path that will be tested in the short or medium term, due to the desire of both sides to push for a truce and to de-escalate, so that the crisis does not slide toward confrontation once again. It may end with military action that none of the parties to the crisis favors. Some of the de-escalation steps have already begun, in the hope that broader negotiations will take place indirectly or through mediation. At these talks, each party will be obliged to make secondary concessions in exchange for vital gains. This could be a marathon in which each party uses its pressure cards to achieve better gains. At the same time, regional and international parties seek to secure a future that limits

the risks and threats posed by Iran. It is likely that there will be no major progress before the Iranian presidential elections, which are scheduled to take place in the middle of 2021.



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