

TIP Conference Call with Dr. Emily Landau

Omri Ceren: Thank you everybody for joining us this morning or this afternoon, depending on where you are, and I know this is short notice but we wanted to make sure that as the Geneva talks were winding up that we were able to help journalists, policymakers and diplomats contextualize not just where they're coming from but also what to look at.

One of the issues that's emerged beyond the substantive issues of the Iranian nuclear program – of course enrichment, the plutonium track and so on – has been the nuts and bolts of what Iran gets and what Iran has to give up which is to say, at least domestically, in town, here in D.C., the sanctions debate.

A couple days ago, Dr. Emily Landau wrote an opinion in the Israeli outlet, *Ha'aretz*, describing not just what leverage the U.S. has and the West has but also how that, ideally, would position them and what options they have. Dr. Landau is a senior research associate of course, at the Institute for National Security Studies in Tel Aviv and she also serves as the institute's arms control – the director of the Arms Control and Regional Security Project, so she is, as well as anyone, quite literally positioned to describe both what's at stake, and how the various players are and are capable of approaching it.

I won't take up any more time. I'll remind you again at the end of this call though we'll bounce around a transcript of this call and the audio as we always do within a couple of hours of the call ending and that if you have any more questions or need to follow up you can contact us at press@theisraelproject.org. And with that I will turn the call over to Dr. Landau.

Dr. Emily Landau: Good morning everyone. Thank you for having me for this conference call.

Basically, I want to devote my introductory remarks to four issues. The first, is I want to focus a little bit on this pending, interim deal and some of the problems that I see with, at least, what we know about this deal ... draft proposal from the media. Secondly, some of the problems that have to do with the very idea of beginning with such an interim deal, when your real goal, of course, is the comprehensive deal and what kind of problems that can raise. The third issue is what I do talk about, or, write about in my latest *Ha'aretz* piece, which is the fact that the P5+1 do have leverage now in a way that they have not had in the past and probably the most striking new aspect of the negotiation dynamic that we're seeing right now. And finally maybe a little bit about Israel and Netanyahu's position and just a few words on that.

Beginning with the deal itself, some of the problems I see. The logic of this interim deal as it has been discussed by the Obama administration is to get some kind of freeze in the Iranian nuclear activities in return for a modest lifting of sanctions for a period of six months, so that the parties will be free to negotiate a comprehensive deal without the P5+1 international community having to worry that Iran is advancing with its program, using the time to advance its program, and for Iran to get some kind of sanctions relief in return for that. As Obama has put it, that the goal of this short term deal is to be absolutely certain that while we're talking to the Iranians, they're not busy advancing their program. So that's the logic as it has been presented by the Obama administration. And I think that there are serious issues with regard to this draft that I'm not sure that are in line with this guiding principle. Specifically, I'll talk about four issues.

First of all the issue of enrichment. It seems that the draft proposal will include a demand that Iran suspend enrichment to 20%, but with regard to 3.5%, the low-enriched uranium, it seems that they are not going to be required to suspend that activity. So it's not clear how you can talk about a freeze when Iran will be able to continue to enrich to 3.5%. Obviously, Iran at this point has no plausible civilian explanation for enriching to 3.5% in light of its vast stockpile of 3.5% enriched uranium, the vast stockpiles that it already has. But it's equally clear that these stockpiles have potentially dangerous implications as far as enriching, obviously, to the high levels needed for nuclear weapons. So

continuing to enrich to 3.5% without a plausible civilian explanation for that is not a freeze. That doesn't, you know, fit the principle that you're sure that Iran's not using this time to advance its program. There also, it seems, that there are no constraints that will be placed on Iran with regard to manufacturing new centrifuges. Again, this important activity that Iran is very much interested in continuing as part of its aspirations to develop a military nuclear capability. There's also the issue about the new generation centrifuges, these new advanced centrifuges that can spin uranium to something like four to five times faster than the centrifuges that Iran has been using up till now. We know from the latest IAEA report, not the latest, but the one before the last one, the one that was released in late August of this year, that Iran has installed a thousand of these new generation centrifuges at Natanz and has readied them for testing. So again it seems that there will be a provision in the draft proposal that Iran cannot use these to start churning out enriched uranium, however will Iran be allowed to continue to test them. This is a critical issue because if Iran can use these months to test these centrifuges, again this will allow them to be on course to use them when the suspension period is over, if indeed, the comprehensive deal is not achieved. So again this is a very important issue, raises a lot of concern and I'm not sure that if it's not said very clearly that Iran cannot test these, as well as not being able to actually use them, that would be a problem.

Of course, there is the issue of Arak and here, I must say, that the original clause that seems to have been in the draft before the French foreign minister came with his reservations to Geneva ten days ago, the original provision was very problematic because they would have allowed construction work to continue on Arak and the only requirement of Iran would be not to commission the facility, not to have it start to operate. But Iran was not on course to commission it in the next six months, but they definitely need to continue construction work in order to be on line for commissioning it in the latter half of 2014. So, again, this is a very puzzling clause. Why were the negotiators even agreeing to this clause in the first place? Anyone that, you know, has knowledge of these issues would immediately notice that this clause is very problematic. It didn't need the French to come and tell everyone, "Wait a minute, this is crazy. This is absolutely no concession for Iran if they can continue construction work. That's all they meant to do in the next months in any case." So again, a very problematic aspect of it. It seems that, hopefully, this was changed after the French foreign minister came with his reservations. This is something that needs to be clear that Iran cannot continue construction work at Arak.

Finally, what about the military dimensions? No mention of that, it seems, in this draft proposal. There are serious questions that have been on the table at least for the past two years. The IAEA has been trying to get access to Parchin, where the suspicions are that Iran was conducting tests that have to do with nuclear explosions at Parchin and since the IAEA report of November 2011, they have been trying to gain access to this military facility. Iran has repeatedly led the inspectors to believe that they can come in to Parchin, they would come to Parchin, and then the Iranians would say "no access." Just several days ago a deal was reached with the IAEA. This was hailed as a great achievement; however the inspections that Iran is now going to allow, according to this latest deal, are at Arak and other places ... again no mention of Parchin. This really important issue that has been on the agenda in such a strong manner, for two years and no mention of it in this deal with the IAEA, no mention of it in the draft proposal. So, I think these are at least four issues that raise a lot of concern as far as the principle of not having the Iranians use this next six months in order to advance their program.

The second issue I want to mention is problems regarding the interim deal, almost regardless of the precise content of the deal. The problem is that we have the experience of the early period, the 2003-2005 period when Rouhani was leading the nuclear negotiations on the part of Iran. Two very short periods of suspension of uranium conversion activity were achieved in those – during the course of those two years. But what happened in those periods, very short periods – the first was eight months, the second was six months – the activities were suspended, but Iran was also trying to circumvent the deal at almost every turn. And those first eight months and the later six months were spent with the

sides haggling and quibbling over every aspect of the very limited deal that they had reached. Who was upholding what and why and what did they really agree upon and just endless arguing, haggling, over these issues. The first suspension period, the eight-month one, ended with the Iranians accusing the Europeans – at the time it was negotiations with the EU-3 – of not upholding their end of the bargain, saying that the Europeans had promised to get the Iranian case off the agenda of the IAEA by June of 2004, and because that was not the case they were ending the suspension. Well, why was it not taken off the agenda of the IAEA? Because Iran was not upholding, in good faith, the provisions of this suspension deal. And that is the kind of dynamic that we can probably expect to see in the next six months with regard to any interim deal.

The third point is about the leverage that the P5+1 does have. After years of the international community negotiating with Iran from a structural disadvantage, because they wanted a negotiated deal to stop Iran on its path to a military nuclear capability, but Iran, for its part, had no need of the negotiations. That was the last thing the Iranians wanted was a negotiated deal because that would mean that they would have to give up their military nuclear plan. And therefore they would use the negotiations in order to play for time and at the same time they would push their program forward. It was an unequal negotiating situation, where the international community was at a serious disadvantage because they had no leverage, when you're dependent on something that translates into weakness. Now, finally, because of the excellent sanctions that were put in place over the course of 2012, the international community has leverage. Iran is now coming to the table because they have no other way to get the sanctions off their back except cooperating with the international community. This is a major change in the negotiations dynamic, and I think the P5+1 need to realize they do have the leverage, and they can use it.

And these, you know, fears – that if the international community is too harsh or not lenient enough on the sanctions – that Iran will leave the table, or that this will lead to war. We hear these kinds of statements coming from the Obama administration: that this could lead actually to war. I think these fears are really unwarranted because if we think about the situation, Iran is not going to walk away from the table, they now need a negotiated deal in order to get sanctions relief, so they're not gonna leave so fast. They might be threatening to leave, because that's their attempt to use the leverage that they have, but I think the P5+1 should be very secure in the knowledge that there is not a lot of...there's not a big chance, or a big fear that the Iranians will walk away or will suddenly make a mad dash to the bomb. If they made a mad dash to the bomb, they would be exposed as having lied and cheated for years, and would expose themselves to possible use of military force in line with U.S.-declared policy, so that would not make sense for Iran. Iran is very rational in this negotiating process, very cost-benefit directed, and I think that that should be clear to the negotiators.

Final point, with regard to Israel, I think it's unfortunate that the objections to the draft proposal are being framed as an Israel-specific issue. I think it's clear from the reservations that I raised – these are technical issues that go to, you know, the specifics of Iran's nuclear program. They're not a political issue, it's not an issue of interpretation. These are clear technical issues. Anyone who has expertise in these issues would probably see things the same way; and therefore, Netanyahu, yes, he has been pushing Israel to the forefront. As an Israeli, I find that unfortunate, but my question really is: Where are all the others? Why are the negotiators who are at the table not raising the same concerns? Because, as I've said, these are not political issues; these are technical issues. So the P5+1, to get the best deal possible, they need to be sure that these problematic aspects that seem to be part of the draft proposal do not remain when they really go for lifting of sanctions. Thank you.

Omri Ceren: Thank you. While we're waiting for folks to queue up, Emily, we got a couple questions via email that I want to bring up. One of them is about something that you said in the middle of the talk, that you gestured to twice actually, which is both the role that sanctions have played in facilitating

negotiations and the idea that people who are pushing for new sanctions are somehow undermining negotiations. The op-ed that you wrote spoke a lot about how – how sanctions have positioned the West, well the P5+1, the global powers, now. And I was wondering if you could unpack that a little – why, what the premises are behind the idea that sanctions would make the Iranians walk away and why you don't think that those are – that that's a credible way of evaluating the negotiation.

Emily Landau: I think all we need to do is look at what has happened over the past two years to see how the Iranians have responded in the face of more sanctions. I think these fears of pushing Iran too hard, of, you know, pushing Iran to the wall and giving them no choice but to exit the NPT, make a rush for the bomb, etc., etc. – these fears were raised before the biting sanctions were put in place in 2012. There were a lot of commentators out there saying, “Beware, don't do this; it's a mistake.” And what we saw happen is the exact opposite, which could easily have been predicted even beforehand, because you know, anybody who has been following the Iranian behavior in this over the past ten years has seen how Iran is very cool and calculated and cost-benefit oriented with regard to these negotiations. They don't behave in some kind of crazy, unrational manner. When they are pressed, they come to the table to try to get a deal to remove that pressure.

So we saw over the course of 2012, well...middle of 2012, after the sanctions were put in place, the oil embargo especially, and the beginning of 2013, we saw Iran coming to the table in a more serious manner than in the past and trying to get the P5+1 to lift sanctions. So, the lesson learned is: pressure works in this case. Iran acts exactly as the P5+1 would like them to act in the face of pressure – they come looking for a deal. So I don't think there's any reason to expect some kind of different Iranian behavior in the face of further pressure. And to say that those that are pressing for even more pressure are undermining negotiations...it's really the exact opposite: the sanctions are what is underpinning these negotiations. They would not be happening in the way that they are happening now without the sanctions, because the pressure has brought Iran to the table in a more serious manner than they have ever been at the table because they need the international community to get those sanctions lifted.

Aaron David Miller (Woodrow Wilson Center): Thanks Emily, you know negotiations are based...well, they're an inherently imperfect instrument because in the end, nobody gets everything that they want. They have to be based on some sort of balance of interests. And clearly no agreement that leaves Israel angry [inaudible] or suspicious or with a major breach in identity with its key ally, the United States, is a good [inaudible] So lay out for us, if you can, what do you think are the core elements of an agreement that would, in fact, be based on a balance of interests. Obviously, you're not going to get a capitulation on the part of the regime, they've got a \$100 billion nuclear infrastructure vested in this. Whether or not the regime is...no matter how much they may be determined to get sanctions removed, their nuclear program, non-civilian related, is very important. So what is the balance of interests in the real world that you think would not leave Israel angry, aggrieved.

Emily Landau: No, that's of course a very important question, and I should first say that every day that goes by makes the deal harder to reach. If we were now five years ago, and the biting sanctions had been put in place, the international community would have been better positioned to get the deal that they're looking for. And, you know, I agree with you about there being some kind of balance of interests, not because I think that's the way it should be, but I think there's no choice at this point because the international community has handled this not very effectively over the past ten years. So we're at a very late stage, that the biting sanctions came in 2012, when Iran already had a vast nuclear infrastructure. So obviously, they're not going to give in too quickly – they've spent a lot of money, they've suffered sanctions, etc. They don't want to give this up. What I am saying though is, now there is leverage. Understand there's leverage, and that leverage should be used to get the best deal. Iran

should not see the international community too eager for a deal because they now want the deal. That's important, you know, crucial leverage that should be used in the negotiations.

What are the elements that Israel could live with? Basically, you know, taking these issues of concern seriously. You should not have negotiators at the table that would accept the clause on Arak in any, you know, potential deal. That is the kind of clause that, if negotiators were willing to accept that before Fabius came, that makes me quite worried because clearly that's a clause that means nothing. So with regard to Arak, I think it very clear, Iran cannot continue any work there for the six-month period. If you want to freeze the situation, freeze the situation: Say to Iran, 3.5% enrichment right now you do not need for a civilian program. That needs to be suspended together with the 20% enrichment. The new centrifuges cannot be tested, cannot move forward. If you're going for the interim deal – freeze for some modest sanctions relief – to be absolutely certain that Iran is not using the time to push its program forward, you'd have to make sure that every clause and every provision is in line with that guiding principle. And I think if that was the case, I'm not saying that it would necessarily be accepted by Netanyahu, I'm not in his head, but I can certainly say that a lot of people that right now have a lot of serious concerns, not only in Israel but experts all around the world, would feel a lot better about this interim agreement if they saw these issues as being treated very serious and not willing to give in to Iran on these points.

Natasha Mozgovaya (Voice of America): Hello, thank you for doing this call. I was wondering how helpful you think is Israel's lobbying for a stronger deal, and also if their public criticism of the United States in these negotiations?

Emily Landau: I don't think that very public criticism of the United States is helpful. I don't think very public criticism on any side is helpful, but certainly, you know, I don't think that's the way for Israel to voice its concerns. As I said, I think the concerns that Israel has, that many experts have, are concerns that really go to the technical provisions of this draft proposal. I think those concerns should be communicated perhaps through quieter channels, but I really, you know, I don't think that the points being raised by Israel are not valid; quite the opposite, I think they are valid, important concerns, and I think it would behoove the international negotiators to take them very seriously, and realize that they do have leverage vis-à-vis Iran, and not give in on these points. Another point that I didn't mention is this whole issue of Iran's so-called right to uranium enrichment – again, another point that was in the preamble, should not have been in the preamble. The French foreign minister, I think, put his foot down in that regard as well. Hopefully, the draft proposal has been altered, and the P5+1 will stand strong on that as well.

Stewart Ain (New York Jewish Week): Do I, reading between the lines understand that you would favor the Senate adding more sanctions, [inaudible] they would not take effect until sometime down the line and the United States and P5+1 [inaudible] as leverage?

Emily Landau: I would say that certainly the reaction, you know, from the administration I don't think needs to be so, you know, voicing such concern, with regard to Congress making a decision, well it's not going to happen now. I mean, I think we know that they've agreed not to make this decision before, I mean, Geneva is already happening, but when it was a relevant issue I don't think it should have been – the reaction should have been so forceful with statements coming from Secretary of State Kerry that this would undermine the whole negotiation process. As I said, the exact opposite is the case. The more pressure that you have, the more leverage that you have in the negotiation. I don't see that as something that would have undermined the process. I am not necessarily advocating going for more sanctions at this particular point in time, but I do think the reaction from the administration was some kind of

overreaction.

Scott Johnson (Power Line): Dr. Landau, isn't the situation you are describing easier to understand if you adopt the thesis that the United States, the Obama administration, is OK with Iran developing nuclear weapons?

Emily Landau: I hope that President Obama is not OK with Iran developing nuclear weapons. According to everything that he has said publicly, many statements, his policy is a policy of prevention, not a policy of containment. I take the president at his word, and I can only hope that I'm correct in that regard. And, you know, I really hope that the U.S. administration means what it says, and that President Obama means what he says and that the policy is a policy of prevention. But you're right, that when you see these kind of dynamics, a willingness to accept certain provisions that are clearly problematic provisions, questions do – are raised in this regard. But, as far as declared policy, the President has been very firm in this regard and I can only hope that the fact that we believe him is warranted.

Omri Ceren: Emily, thanks for that. We have got a couple questions more in the queue, but I wanted to get to one that came in by email that I thought was relevant to a lot of what you were saying, but at the margins. Which is, starting yesterday, articles began to emerge that the Israelis are beginning to gear up for "the day after a deal is reached." I was wondering, assuming that such a deal is reached, what you expect the Israelis to do and whether or not you think that the policies that you expect are actually ones they should take, or if they should be doing something differently?

Emily Landau: Well gearing up for the day after, you know, I – I assume the Israelis like everyone, the government here, Netanyahu, everyone is pretty much with the same sense that this interim deal is imminent. Either at this round or maybe the next round, but it's gonna happen and the reason it's gonna happen is because everyone around the table wants it to happen. So, they are probably going to make the necessary concessions and it's going to be a fait accompli, this interim deal. But, many are now saying, "OK, this interim deal is for six months, with whatever problems it has, hopefully there will be less rather than more problems with the final interim deal that they agree upon." But the next six months are perhaps even more critical because these are the six months where they will be negotiating the comprehensive deal. And the comprehensive deal, of course, is the deal that is supposed to – and the end result is supposed to be that Iran backs away from its military nuclear aspirations. This is a tall order. I don't know on what basis the negotiators believe that they're going to get that deal, within six months after not getting it for ten years, but be that as it may that – that is what they are going to be focused on in the next six months. And I would assume that Israel will be devoting a lot of energy to explain, you know, the -- the issues that it feels are most important to pinpoint and to take care of with regard to Iran's nuclear program. So that this comprehensive deal is indeed a comprehensive deal if they do get to that point. So, Israel is gearing up for the day after, yes the interim deal that's probably a done deal, now let's ... (inaudible)

Benny Avni (The New York Post): The question is about Parchin, could you talk a bit about how important that (Parchin) is in the dynamic of Iran's dash toward a bomb? I mean, some analysts believe that this is the missing piece. Can you talk a little bit about Parchin?

Emily Landau: I think Parchin is very important because Parchin is linked to this whole aspect of Iran's nuclear program, which we call, you know, the weaponization aspect of Iran's nuclear program. When we talk about uranium enrichment, we are talking about dual-use technology that can, there is some kind of civilian explanation that can be given to it even though most of the international

community doesn't buy the civilian explanation that Iran is trying to sell. But be that as it may, it's dual-use technology. The weaponization activities, we are talking about activities that are clearly part of a weapons program, and Parchin is a central part of that picture. There's a whole set of questions that the IAEA has about these activities that Iran has not provided satisfactory answers to. And Parchin is where they believe that there was testing to do with the explosion process with nuclear weapons and they want to get into that facility. It's a military facility, that's why Iran is able to say no. Because the IAEA Safeguard Agreements only say that they have to allow inspectors into nuclear facilities. This isn't a nuclear facility, but it's definitely a facility of great concern. And Iran has been resisting. Now, we know that over the past two years there's lots of satellite imagery evidence that Iran has been conducting a cleanup operation at Parchin and probably when they finally allow the inspectors in, they won't find much because the Iranians have been trying to make sure that there will be no evidence left there. But, the whole question of Iran's activities that are clearly directed to a weapons program is a big issue. Rouhani, the new president, the so-called moderate president, is on-record saying Iran's never conducted a military nuclear program. Now, this stands in direct contradiction to questions that the IAEA has and to the intelligence services of many countries. So, this claim that Iran continues to maintain is something that the international community wants to check. If Iran is, you know, found to be blatantly lying about that, that is a very serious issue. So far, the Iranians have been able to evade these questions. They have been able to push them to the sidelines and it's been difficult to confront them on these issues. For example, because of Parchin being a military installation and not – facility, sorry -- and not having to allow the inspectors in. So, that whole weaponization part of the program is of central importance to the overall deal that the international community might get with Iran.

Omri Ceren: On that note, again, thank you Emily. And as a reminder, we will be sending around a transcript and the audio like we always do and if you need more information, or more follow up, feel free to send an email to press@theisraelproject.org. Thank you again for joining us today, Dr. Landau.