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Diplomatic negotiations and the Iran Nuclear Deal - between the realistic and liberal paradigms**

Antonia POP*

Abstract

The Joint Comprehensive Plan of Action or the Iranian Nuclear Deal was a real success of multilateral diplomacy. A transaction in the global request to stop the Iranian nuclear proliferation. The paper focuses on the United States withdraw from JCPOA and the difficulty of European Union to maintain the agreement. The research paper also proposes to answer at two key questions, which will provide as much analysis as possible on the Comprehensive Joint Action Plan. Which theory of international relations best explains the current situation of the Iranian Nuclear Agreement? What is the role of diplomacy in ratifying the agreement? The results have shown that the relationship between the Islamic Republic of Iran and the United States of America seemed to have every chance of escalating into a war, but the diplomacy is effective, while the European Union uses economic instruments to save the deal.

Keywords: diplomatic negotiations, Iranian Nuclear Deal, United States, European Union

Introduction

Nuclear weapons have played a central role in international politics since 1945, with their use by the United States against Japan. Although many analysts had hoped that the collapse of the Soviet Union would reduce the influence of nuclear weapons in international affairs, it did not, leading to a nuclear era characterized by fear and multipolarity (Gartzke and Kroenig 2009, p. 251). Iran's nuclear deal is the most comprehensive deal in the history of non-proliferation, a clear triumph and the most important security deal since the signing of the Intermediate-Range Nuclear Forces Treaty (INF) between Washington and Moscow during the twilight years of the Cold war. The many political figures who led the countries during the years of negotiation, the different way of perceiving the situation, the various objectives, the strategies used, the cultural differences. All these elements represented reasons for misunderstandings and prolongation of the situation of uncertainty and negotiation. The negotiation at the JCPOA center is the same that Iran is giving up, limiting or

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transforming parts of its nuclear activities. Agreeing to place these activities under a monitoring and verification regime led by the International Atomic Energy Agency, in exchange for exemptions from international sanctions related to its nuclear program. This analysis highlights the fact that two poles of power, located on diametrically opposed axes in political, social or cultural terms, managed to form an agreement, despite all obstacles. The aim of this paper is to demonstrate that the national interest of the states weighed more than the cooperation, with other words the realism paradigm won in front of the liberal one. Moreover, the paper aims to highlight the difficulties of the European Union after the withdrawal of the United States.

The methodological framework of the paper is represented by qualitative or historical research. Through qualitative research I will be able to approach the topic in more detail, to analyse the keywords. Document analysis will be the basis of the research. I will process, analyse and interpret quality materials to achieve the best results. This method consists in the detailed exploration of political, personal, media or academic speech and writing on a subject, meant to reveal how knowledge is organized, transmitted and reproduced in specific ways and through particular institutional practices. I will go through a way detailed texts, speeches, press articles, reports. Based on these documents I will take notes, data and observations. Finally, the research will focus on the interdependence between the textual elements.

1. Theoretical framework

The theory of international relations is often expressed as a way that seeks to explain the past behaviour of the state and to predict future behaviour. Hans J. Morgenthau presents the realism with the help of three levels of philosophical construction. The first level presents the selfishness of human nature, directed towards the struggle for power, characterized by a desire for domination and unchanging (Morgenthau, 1985, cited in Miroiu and Ungureanu, 2006, p. 98). The politician seeks to hold a more advantageous position in the international system or even the domination of the system. The United States wants to remain hegemonic in the Middle East in an attempt to limit Iran's actions, while Iran seeks to exert influence in the region and impose itself in the Islamic world. In the second level of analysis, the importance of the state in the international system is defined. The state has its own interests that it tries to achieve through inter-state relations. In the case of the JCPOA, each state involved and signatory of the agreement saw its own interests achieved by participating in the agreement at the time, whether it was about maximizing power, maintaining security or economic interests. In the third level, Morgenthau speaks about the anarchy of the international system (Morgenthau, 1985, cited in Miroiu and Ungureanu, 2006, p. 98).

Edward H. Carr argues that those who refer to universal interests are actually acting in their own interests. According to him, the world is torn by the particular interests of different people and groups. In such a conflict environment, order is based on power, not morality (Karpowicz, 2011, cited in Stanford Encyclopedia, 2017). Therefore, the signing of the Iranian nuclear agreement was not signed to promote peace and security throughout the international system, but simply that the agreement represented national interests of the states.

Kenneth Waltz uses the theory of rational deterrence to explain the spread of nuclear weapons. According to this theory, once several states have acquired a nuclear capability, war between nuclear states is unlikely to occur due to the fact that mutual destruction is practically assured (Schelling, 2008, p.151). K. Waltz has suggested that a bipolar nuclear world will be more stable than a conventional multipolar world. The transition from bipolar to multipolar is the most important stimulus for intensified proliferation, as states are trying to ensure their survival. Therefore, nuclear weapons are a rational response of states trying to protect their interests, because security is the ultimate challenge for a state's survival.

For liberals, the basic issue is how to develop a political system that allows states to protect themselves from foreign threats without subverting the individual freedom of their citizenship. Liberals believe that states voluntarily agree to cooperate to avoid the crisis and the outbreak of violence. The signing of the nuclear agreement can also be explained by this idea of cooperation. Cooperation is the first step in ensuring regional and international security. Through auspicious thinkers such as Locke and Kant, the theory of liberal international relations rejects the idea that nuclear capabilities restore long-term peace. While realists acknowledge the harsh realities of the anarchic world, liberals focus on treaties like the NPT, arguing that states are capable of cooperating and making mutual gains. Even if at the time of the conclusion, the liberal paradigm triumphed under the elixir of cooperation and alliance, today things are completely different.

2. Diplomatic negotiations between P5+1 and Islamic Republic of Iran

Both the American and Iranian sides came to the negotiating table laden with years of accumulated discontent and suspicion. The parties involved in the negotiations were named P5 + 1 (USA, Russia, China, United Kingdom, France and Germany). Negotiators representing P5 + 1 and EU countries are nationals of a single country. Negotiating the agreement represents the interaction between states, each with its own agenda of stakes, which influences strategies and the outcome. Iran's foreign policy decision-making process is complex, with several centres of power. In addition to the government, the Islamic Revolutionary Guard, which is loyal to its supreme leader, Ayatollah

Ali Khamenei, has an important word in the security decisions. In the negotiations, the involvement of people from at least six countries and several cultures between the US and Europe and between the Middle East and Asia gave the complexity of the negotiation process. Between 2002-2006, took place the constructive dialogue strategy developed by the EU3. A strategy aimed at finding a mutually beneficial solution, based on cooperation, pursuing the interests of both parties (Puşcaş 2016, p.76). In this dialogue, the Tehran Declaration and the Paris Agreement were concluded. The Iranians soon resumed uranium conversion, giving up the voluntary suspension of nuclear research and development activities. In 2006, Iran was finally sent to the UNSC with an EU resolution supported by Russia and China (Sauer, 2007, p. 12).

Between 2006 and 2008 there was a strategy from positive to negative manipulation. The EU has tried to persuade Iran with a strategy of manipulation through positive incentives. Despite the long list of positive incentives, Iran rejected the offer for the usual reason: the precondition of suspending enrichment was considered unacceptable.

Between 2008-2012, dual-track diplomacy was used, with the arrival of President Barack Obama at the White House. President Barack Obama has signalled his desire to enter into a dialogue that "will not be advanced by threats," but by honour and "mutual respect" (Stein 2009). However, the strategy contained two important elements. First, the suspension of enrichment would not be a precondition for engaging in confidence-building efforts, but would be presented at a later stage in the diplomatic process. Second, the negotiations would focus strictly on the nuclear program and leave issues such as human rights and regional stabilization.

The final negotiation took place between 2012-2015. The chosen leadership strategy was the coercive diplomacy. Iran has pledged to freeze construction and enrichment activities and to cooperate fully with the IAEA. Instead, E3 + 3 suspend existing sanctions for gold, precious metals, petrochemicals and the automotive industry. The second step includes resolving concerns about Iran's heavy water reactor, cooperating on a civilian nuclear program, implementing transparency measures, including the supplementary program, and a comprehensive lifting of the remaining nuclear sanctions (US Department of Treasury).

Every state involved had the own interests. Iran may pursue the possession of small arms to maximize its influence in the region. Iran's aspiration for regional hegemony and recognition of its international status comes from its large territory and population, its geographical location, its central status in the Islamic world and intelligence, its history as a regional empire and its economic and military potential. In recent years, Iran has been working to expand its regional and international influence. Tehran understood that it was essential to create a direct corridor to the Mediterranean, which would divide the Arab territories into several slices and keep them under Persian control. Syria

can get closer to Israel, Tehran-funded militias are practically a province away from the border with Israel, and Iraq can get closer to the centre of the world's energy policies.

Russia has no interest in Iran possessing nuclear weapons. Such a prospect would increase its regional influence, which would harm Moscow's interest in the region. Russia, without an aggressive policy in the Middle East, wants its interests to be respected: maintaining access to the oil and gas pipeline that crosses the area, fighting radical Islamism to prevent its expansion into Russia, protecting political, economic interests and military in Syria. The Chinese economy is becoming increasingly dependent on oil imports. Thus, in order to cope with its industrial growth and domestic consumption, it is obliged to pursue a policy of rapprochement with the countries of the Middle East (Munteanu, 2019). China's interests in the Middle East are both structural, by ensuring energy security and access to new markets. as well as strategic, by fighting terrorism.

The relationship between Berlin and Tehran is a special one, with close diplomatic relations. Germany often tries to mediate conflicts between Tehran and its neighbours.

The P5 + 1 talks improved Germany's status: for the first time in the post-war period, Berlin was invited to shape world politics together with the five veto powers of the United Nations. Germany has in fact obtained a two-pronged approach to these discussions, both through its national representative and through the EU's chief negotiator, Helga Schmid. Germany, as an economic giant, does not want to be marginalized. The strong position of the United Kingdom on The JCPOA can be seen as part of the spirit of Brexit, as the British are trying to assert a global role after withdrawing from the European Union. As part of its post-Brexit international diplomacy, the United Kingdom seeks to strengthen ties with major regional powers such as Brazil, South Africa, Turkey and Iran. He is looking for an initiative to bring France back to the international stage and political activity in the Middle East. France is concerned that Iran's isolation in the international arena would make its position more difficult, which could further complicate the geopolitical situation in Syria and Iraq. Iran can define the possession of the nuclear arsenal as a means of defending the country against external dangers. The nuclear program is the expression of the inclusion of its territory, the memory of the trauma caused by the use of chemical and biological weapons by Sadaam Hussein's regime. Iran may be pursuing nuclear weapons to maximize its influence in the region. Iran's aspiration for regional hegemony and recognition of its international status comes from its large territory and population, its geographical location, its central status in the Islamic and Shiite world, its history as a regional empire and its economic and military potential. In recent years, Iran has been working to expand its regional and international influence. Tehran understood that it was essential to create a direct corridor to the Mediterranean, which would divide the Arab territories into several slices and keep them under Persian control. Through Syria can get closer to Israel, Tehran-funded militias are

practically a province away from the border with Israel, and through Iraq can get closer to the centre of the world's energy policies.

The American interest for Iran's nuclear program can be understood in purely realistic terms. The United States considered that its interests in the region can be affected. There is almost no war or crisis in the Middle East without Iran. Iran becoming a key global player with significant international influence, which could jeopardize the hegemony of the United States in the region. Washington wants not only to prevent the development of an Iranian nuclear weapon, but also to end Tehran's ballistic ambitions and limit Iran's sphere of influence (Beauchamp, 2011).

3. The US withdrawal from Iran's Nuclear Deal

On 8 May 2018, the president of the United States announced the withdrawal from the JCPOA. The US withdrawal from the agreement came despite of the fourteen checks by the International Atomic Energy Agency that Iran was fulfilling its obligations (Vakil and Quilliam, 2019). Trump's policy focused on the idea that JCPOA fails to achieve the goal of a non-nuclear Iran and only delays their goal of becoming a nuclear state. The Washington administration is promoting, as far as possible, the delegitimization of Iran in order to discourage its reintegration into the international community. The United States has fully adopted the argument that Iran is the main, if not the only cause of regional instability. The administration considers Iran's role in Iraq, Syria, Lebanon, Yemen and in other minor theatres in the region extremely destabilizing (Alcaro, 2017, pp. 4-7).

During the presidential campaign, Donald Trump gave early indications that the Iran issue would become a political target. Specifically, he criticized the agreement for various reasons, such as: the limited timetable, because it offered a significant exemption from sanctions, which could turn into sponsorship of regional groups beyond its borders but also for neglecting to approach the Iranian program of ballistic missiles (Vakil and Quilliam, 2019). Iran does not have intercontinental ballistic missiles, ICBMs, which have a range of more than 2,900 miles, but has 13 types of short and medium-range ballistic missiles, as well as cruise missiles. During the JCPOA negotiations, Iran rejected attempts. to include ballistic missile constraints. UNSCR 2231 provided for limitations on Iran's ballistic missile program, which will be lifted in 2023.

The Trump administration's policy is based on the belief that sustained economic pressure and sanctions could force Iran to renegotiate the JCPOA. The rest of the JCPOA signatories criticized US unilateralism. In fact, US policy has created a rift between Washington and Europe, in which EU states have made the protection and preservation of the JCPOA a matter of principle, political independence and economic sovereignty.

It is difficult to define the future of this agreement, but one thing is certain, once the US left, things have no longer the same meaning. European states are doing their utmost to demonstrate their political and diplomatic importance in the international arena, while Iran is moving away from complying with the agreement in its original form. Trump's growing unilateralism in America has an impact on Europe in terms of awareness of the need to develop an autonomous foreign policy. Trump's decision undoes the signature foreign policy achievement of his predecessor, Barack Obama, and represents an affront to the United States' European allies, which had strongly lobbied the Trump administration to remain in the deal. But the more enduring impact will be in Tehran, where Trump's nixing of the JCPOA, and Europe's response will push Iran's leaders to move decisively into the camp of the United States' geopolitical rivals. Still, Europe's dependence on the United States in the realm of security and economics is significant, and it has no other alternative in the foreseeable future.

4. European Union-Iran relations

In a world where China and the United States are fighting for the global supremacy of the international system, the European Union is trying also to be a central player. The European Union must have a stronger voice in the world, and every diplomatic success brings it closer to that goal. The nuclear deal with Iran was seen by Europeans as a real diplomatic achievement and an instrument for regional stability. The European Union has played a central role in the negotiations with Iran through the High Representative of the Union for Foreign Affairs and Security Policy. And the multilateral diplomacy proved to be the winning book alongside the liberal paradigm. According to the liberal theory, security organizations and alliances have the role of intervening and ending a conflict.

The unilateral withdrawal of the United States has been a real challenge for European Union leaders. U.S. policy toward Iran is highly destabilizing for Europe. The European Union immediately announced that its commitments would be maintained, as long as Iran complies with the terms of the agreement. European states have struggled to ensure Iran receives enough economic benefits to persuade Tehran to stay in line after US withdrawal. The INSTEX was registered after months of negotiations and technical talks in the wake of the Trump administration's unilateral exit last year from the 2015 Iran nuclear deal. Works as a barter arrangement operating outside of the US-dominated global financial system. Trade is initially expected to focus on non-sanctionable essential goods such as humanitarian, medical and farm products. It is not expected to address oil-related transactions (Winter, 2019). Tehran has grown frustrated with the slow European response to the reimposition of US sanctions, but has pledged to maintain its nuclear deal commitments so long as it

receives the promised economic benefits. The Iran's economy is in tatters after two years of a U.S. policy of maximum pressure: a shrinking economy, falling oil sales, rising inflation, increasing government debt, deepening unemployment, and declining currency reserves all highlight the country's frailties.

Despite of the European Union's diplomatic and economic efforts to maintain the agreement, Iran has announced its partial withdrawal from the nuclear deal signed with France, Germany, Britain, Russia, China and the European Union. Iran's withdrawal is a controlled one and gives the European Union a grace period to finalize the mechanism of financial measures. France has said that if Tehran waives some of its obligations under the agreement, as announced, Europe will have no choice but to join US sanctions. In response to Iranian hostility, Britain, France and Germany have launched Iran's sanctions procedure for violating the agreement.

The European Union is trying to save the agreement with Iran for security and prestige reasons. While Iran refuses to negotiate a new agreement with the United States and demands more and more from the European Union. Everything seems like a game in a vicious circle. It is clear that the European Union does not have the international recognition that the United States enjoys. Its attempt to save the Iranian nuclear deal is only a matter of time. The European Union wants to play the role of power and voice heard in the world, but the truth is that this is not easy at all. While Iran tries and manages to get as many economic benefits as possible from European partners. Trump's decision is not a singular case, it comes after the withdrawal and from other agreements such as the one in Paris or the trans pacific trade agreement. Things cannot go on like this indefinitely, the European Union must impose its own power to stop Iran from moving away from the terms of the agreement.

5. The new regional configuration

American influence in the region is certainly declining. The United States maintains a significant presence of troops in the region, but the American public has limited support for military involvement in the conflicts in the Middle East. At present, China does not play a central role in directing regional affairs, but it is building economic and diplomatic ties throughout the region and is able to be more influential in the future. Recently, more and more Chinese military ships have arrived in the area. The Beijing regime's policy is explained by the fact that China, the world's largest importer of oil, is Asia's largest consumer of fuel from the Persian Gulf. At the moment, China's relationship with the region is focused on the Gulf states, due to their predominant role in energy markets. China appears as a crucial development actor in the region, both through direct investment

and development support. Its economic importance for the region has the potential to surpass that of the US and Europe.

The primary actors from Middle East have distinct strategic objectives. Iran and Saudi Arabia are trying to balance themselves. Israel is trying to counter Iran's nuclear and regional ambitions and is committed to a conflict management approach, rather than a conflict resolution, to the Palestinians. Israel sees Iran as its predominant security challenge. (Kaye *et al.*, 2011). Russia seeks to protect state sovereignty and gain influence to the detriment of the United States. Moscow is trying to build relations with key players in the region.

The division of the Gulf Cooperation Council resulted in the strengthening of ties between Turkey and Qatar, two powers aligned or sympathetic to the Muslim Brotherhood, as opposed to Saudi Arabia and the United Arab Emirates, which oppose the Brotherhood. The division pushed Qatar into closer ties with Iran, probably temporarily. In theory, the forces of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates are united in a Gulf Cooperation Council that collectively has far greater resources than Iran and the potential to dominate the Gulf military balance. In practice, a long history of rivalries between these Arab states has left the GCC the bare shell of a military alliance.

Conclusions

The United States needs a new strategy to limit effectively Iran's future nuclear capabilities. The US must continue a renewed nuclear negotiation with Iran, building on the solid foundation of the original agreement and resolving its shortcomings. Diplomacy must play a central role in this effort. Following the latest developments in the Middle East, a negotiation or dialogue between the US and Iran seems impossible. Despite of a terrible pandemic that has overwhelmed entire cities in Iran and is now in the United States, the war between the two actors continues. The possibility of war in the midst of a global public health crisis is outrageous. Although Iran has not fully withdrawn from the 2015 treaty, it no longer recognizes the restrictions on uranium enrichment levels, the number of uranium centrifuges it operates or the amount of uranium enriched.

The deal offered to Iran the chance to reconfigure its own position in the international system but also the possibility to draw the new guidelines of the relationship with the West. Offering greater involvement, either through trade, investment or even negotiating regional issues. Iran's isolation has created a vacuum from New Delhi to Istanbul and from Moscow to Addis Ababa. Iran's return to the international stage would have strengthened the creation of new economic partnerships that, in the long run, would create more stability.

But success quickly turned into a failure. While this agreement helped thaw US-Iran relations during the Obama administration, President Trump's withdrawal from the agreement saw a massive drop in involvement between the two countries and a return to old animosities. President Donald Trump announced in May 2018 the US withdrawal from the nuclear deal with Iran. Marking one of the biggest foreign policy decisions he has made since his establishment in the White House. What Trump did by leaving the agreement was the re-imposition of secondary sanctions. Neither the President nor the Middle Eastern countries supporting his decision, mainly Israel and Saudi Arabia, have provided evidence that Iran is technically violating the agreement.

Washington has accused Iran of a series of attacks on oil tankers in the Gulf of Oman, prompting the United States to send additional troops to the region. Shortly afterwards, Iranian forces shot down US drones, which claimed to be operating in Iran's airspace. In September, the United States and Saudi Arabia accused Iran of being responsible for a rocket attack on Saudi oil facilities. Against this background of high tensions, things got worse. After a series of violent incidents in Iraq that hit Iranian-backed Shiite militias against US forces, Trump authorized the assassination of Iranian military leader General Qassem Soleimani. Fears of a full-scale war were averted when Iran limited its retaliation against US troops based in Iraq. Both sides have moved away from escalation, but without fundamentally addressing the differences.

The fight for the hegemony of the Middle East is between the United States on the one hand and its traditional allies Iran and Saudi Arabia, and on the other side of the axis is Iran, supported by China. The deterioration of US-Iran relations is taking place against the backdrop of a battle for regional influence between Iran and Saudi Arabia, including proxy wars in Yemen and Syria, as well as strategic competition in Lebanon and more recently in Iraq. The Iranian population is increasingly caught between the pressure of sanctions from Washington and the authoritarian repression of the Tehran regime.

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