

## **FROM THE PRESIDENT'S DESK**

Dear delegates,

Welcome! It is my pleasure to welcome you all to the Security Council at ISM MUN 2014. My name is Tanumoy Majumder and I will be serving you as the President of the Council.

Right before I get to the point, I shall formally introduce myself. I am a third year law student, with an avid interest in International Law and International Relations. I had been a part of ISM MUN 2013, and thus having an on-hand experience I can say this is one MUN you would not want to miss at any cost.

And now I will deal with a few pertinent and common questions regarding council procedures! I would be allowing the use of laptops during the committee to make work easier for you, and to save you from carrying enormous amounts of paper, however the use of internet, need I say it, is strictly forbidden inside council and any infringement of this rule will make you liable to be thrown out of committee. The proof you need to submit when it comes to the validity of any claim is in this order of priority: Reuters reports> UN reports> Government reports. The facts stated in the Background guide too cannot be used as an answer to a particular question or claim, because a background guide is supposed to guide you, and be bedrock of your research but should not form the source of your research.

I hope you will have enough research walking into committee and I hope you will carry it through the council sessions with élan. I will be looking forward to seeing you in ISM MUN and hope to have a brilliant time, learning, debating and knowing each other. Needless to say, any questions can be directed to me anytime you wish and I promise I will answer it as soon as possible.

All the best!

Tanumoy Majumder  
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## HISTORY OF THE SECURITY COUNCIL

The United Nations Security Council (UNSC) is the organ of the United Nations charged with the maintenance of international peace and security. Its powers, outlined in the United Nations Charter, include the establishment of peacekeeping operations, the establishment of international sanctions regimes, and the authorization for military action. Its powers are exercised through United Nations Security Council Resolutions.

Under Chapter Six of the Charter, "Pacific Settlement of Disputes", the Security Council "may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute". The Council may "recommend appropriate procedures or methods of adjustment" if it determines that the situation might endanger international peace and security. These recommendations are not binding on UN members.

Under Chapter Seven, the Council has broader power to decide what measures are to be taken in situations involving "threats to the peace, breaches of the peace, or acts of aggression". In such situations, the Council is not limited to recommendations but may take action, including the use of armed force "to maintain or restore international peace and security". This was the basis for UN armed action in Korea in 1950 during the Korean War. Decisions taken under Chapter Seven, such as economic sanctions, are binding on UN members.

The Security Council held its first session on 17 January 1946 at Church House, London. Though the council has met at many locations since its first meeting, the seat of the UNSC is at the UN headquarters in New York City, where the Security Council members are always present so they can meet at any time to deal with any crisis.

The basic structure of the UNSC is set out in Chapter V of the UN Charter. The role of president of the Security Council involves setting the agenda, presiding at its meetings and overseeing any crisis. It rotates in alphabetical order of the Security Council member nations' names in English.

There are two categories of membership in the UN Security Council: permanent members and elected members. The Council seated five permanent members who were originally drawn from the victorious powers after World War II:

- The Republic of China
- The French Republic
- The Union of Soviet Socialist Republics
- The United Kingdom of Great Britain and Northern Ireland
- The United States of America

It is significant to note that at the time of the Six Day War, China's interests were represented by the Republic of China not the People's Republic of China, which didn't take its seat in the SC until 1971. The Russia's interests, of course, were represented by the USSR, not the Russian Federation, which didn't take its seat in the SC until 1991.

These were two of the three times when the SC's composition has changed, the first and most important one being in 1965 when amendments to articles 23 and 27 came into effect to increase the number of elected members from six to ten.

Under Article 27 of the UN Charter, Security Council decisions on all substantive matters require the affirmative votes of nine members. A negative vote, or *veto*, by a permanent member prevents adoption of a proposal, even if it has received the required number of affirmative votes. Abstention is not regarded as a veto despite the wording of the Charter.

A state that is a member of the UN, but not of the Security Council, may participate in Security Council discussions in matters by which the Council agrees that the country's interests are particularly affected. In recent years, the Council has interpreted this loosely, enabling many countries to take part in its discussions or not depending on how they interpret the validity of the country's interest. Non-members are routinely invited to take part when they are parties to disputes being considered by the Council.

## **THE CONCEPT OF SANCTIONS**

### **1. INTRODUCTION TO SANCTIONS**

Since 1979, the United States, the European Union, and the United Nations have imposed a variety of multilateral and unilateral sanctions on the Islamic Republic of Iran. These measures are intended to increase the international community's leverage in efforts to compel Iran to halt its support for terrorism, curb potential WMD development activities, and comply with international norms regarding its nuclear program. Since 2006, penalties on Iran have become more severe and far-reaching as other nations have joined the U.S.-led sanctions effort to an unprecedented degree.

Sanctions seek to influence a target country's<sup>1</sup> behavior by imposing economic penalties on its national government, individuals within the target country, or entities that conduct prohibited transactions with the target country. Penalties may include denial of loans, credit, trade licenses, or insurance, as well as fines or jail time. In recent years, sanctions have been imposed to penalize state sponsorship of terrorism (examples include Iran, Iraq, Syria, and Sudan), to urge cessation of civil war (Somalia, Angola, and the former Yugoslavia), and to address non-proliferation concerns (South Africa, Libya, North Korea, and Iran).<sup>2</sup>

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<sup>1</sup> Sanctions are also often used to compel individuals or other non-state actors, but we have generally restricted our discussion here to sanctions aimed at nations.

<sup>2</sup> For a comprehensive list of economic sanctions, including their intended targets and intentions, see "Summary of economic sanctions episodes, 1914-2006," Peterson Institute for International Economics. <http://www.piie.com/research/topics/sanctions/sanctions-timeline.cfm>.

## 2. BASIS FOR UN SANCTIONS

The basis for UN sanctions under international law derives from Chapter VII of the UN Charter, and more specifically, Article 41, which covers enforcement measures not involving the use of armed force. While Article 41 does not specifically mention the word “sanctions”, it lists specific sanctions measures to be taken while at the same time making it clear that the list is not exhaustive:

*“The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.”*

Article 41 has been used by the Council for a range of purposes and measures other than sanctions, such as the creation of international tribunals (e.g. the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda) or compensation funds (e.g., UN Compensation Commission). The drafters of the UN Charter were careful to learn from the perceived failures of the League of Nations. In particular, Article 16 of the Covenant of the League of Nations had three weaknesses that were corrected in its successor, Article 41 of the UN Charter: Article 16 narrowly determined under what circumstances sanctions would be applied (i.e., interstate war), it specifically defined what form the sanctions would take (i.e., comprehensive diplomatic and economic), and it failed to centralise decision-making. In contrast, Article 41 does not delineate under which situations sanctions may be applied, and it merely provides guidelines as to the types of measures that may be implemented, while decision-making authority resides centrally within the Council<sup>3</sup>. Article 41 has proven flexible with respect to the application of varying measures to address evolving threats to international peace and security.

## 3. UN NON-PROLIFERATION SANCTIONS REGIME

Two current UN sanctions regimes concern non-proliferation: the Democratic People’s Republic of Korea (DPRK) 1718 and Iran 1737 regimes. (Previous non-proliferation sanctions regimes include the South Africa 418 and Iraq 661 regimes.) Mandatory sanctions were first imposed on the DPRK with Resolution 1718 of 14 October 2006, following its 9 October 2006 nuclear weapons test. Five demands were made of the DPRK:

- cease all launches and tests of nuclear and ballistic missiles;
- retract its announced withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT);

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<sup>3</sup> Andrea Charron, *UN Sanctions and Conflict: Responding to peace and security threats* (New York: Routledge, 2011).

- return to the NPT and adherence with the International Atomic Energy Agency (IAEA) safeguards, such as monitoring and inspection;
- provide the IAEA with transparency measures beyond the safeguard agreement;
- abandon all other existing weapons and ballistic programmes in a complete, verifiable and irreversible manner.

Mandatory sanctions were imposed on Iran shortly thereafter in resolution 1737 of 23 December 2006. In the case of Iran, the impetus for resolution 1737 was a lack of compliance with the IAEA, particularly as outlined in resolution 1696 four months earlier. Resolution 1696, which had imposed limited voluntary measures, had been authorised in response to an IAEA report stating it was “unable to make progress in its efforts to provide assurances about the absence of undeclared nuclear material in Iran”. The dual objectives of the Council with respect to the DPRK and Iran have been clear: constrain their ability to develop nuclear weapons and ballistic missile technologies and compel them to return to the international non-proliferation framework. In terms of Council strategy regarding the DPRK and Iran, there has been a two-track approach of incrementally strengthening sanctions while encouraging dialogue. The DPRK sanctions regime was strengthened three times, expanding the arms embargo and tightening financial restrictions (among other measures), with resolutions 1874, 2087 and 2094, in each case in response to further nuclear tests by the DPRK. The Council also repeatedly urged the DPRK at each stage.

## **THE SITUATION IN NORTH KOREA**

### **1. BACKGROUND OF THE SANCTIONS**

During the 1993–94 nuclear crisis, the sanctions option was considered but ultimately not pursued. Policymakers in the United States, Japan, and South Korea all feared a violent and possibly pre-emptive North Korean response to the imposition of sanctions (North Korea repeatedly threatened a war that would turn Seoul into “a sea of fire”<sup>4</sup>). Moreover, there were concerns about the possible ineffectiveness of sanctions, either due to Chinese (and Russian) unwillingness to support them in the Security Council or the unwillingness of provincial authorities in northeast China to implement a sanctions policy. Nevertheless, the United States, Japan, and South Korea discussed the possibility of pursuing limited sanctions outside UN purview in the event that China was unwilling to enforce sanctions, presaging the Proliferation Security Initiative a decade later<sup>5</sup>.

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<sup>4</sup> South Korea took some of these threats sufficiently seriously to put its military forces on alert in June 1994.

See Don Oberdorfer, *The Two Koreas: A Contemporary History* (Reading: Addison-Wesley, 1997).

<sup>5</sup> See Leon V. Sigal, *Disarming Strangers: Nuclear Diplomacy with North Korea* (Princeton: Princeton University Press, 1998).

By the time of the July 2006 missile tests, attitudes had hardened considerably. In 2003, in response to North Korean diplomatic recalcitrance<sup>6</sup>, China allegedly cut off an oil pipeline to North Korea briefly. China had also cooperated in the September 2005 investigation into North Korean assets at Banco Delta Asia located in Macau, one of China's two special administrative regions, and subsequently allegedly froze North Korean accounts in a Chinese bank<sup>7</sup>. Before the July missile firings, China publicly and privately warned North Korea not to proceed. When the North Koreans went ahead, China (and Russia) supported the adoption of UN sanctions (Resolution 1695—targeted sanctions on missile proliferators). Although China blocked more sweeping proposals from the United States and Japan, one observer characterized the erosion in North Korea's diplomatic support as a "momentous move"<sup>8</sup>.

The sanctions were the strongest reprimand of North Korea by the Security Council since 1950, and clearly represented an escalating response on the part of the United Nations. When in October 2006 North Korea announced its intention to test a nuclear device, the UNSC issued a vague warning, which could have been interpreted as alluding to the prospect of tightened sanctions<sup>9</sup>. One prominent observer predicted that such a test could lead to military action by the United States and possibly South Korea as well<sup>10</sup>. As it had in the case of the July 2006 missile tests, China cautioned North Korea not to proceed, warning of "grave consequences" if it did so<sup>11</sup>. When North Korea once again defied Chinese wishes, Beijing described the act as "flagrant and brazen" and supported more robust sanctions—though as in the case of the July missile tests, with a less severe package than that proposed by the United States and Japan. Resolution 1718 was passed relatively quickly in six days. The resolution imposed an embargo on exports of heavy weapons, dual-use items, and luxury goods to North Korea, as well as the importation of heavy weapons systems from North Korea.

## 2. REACTION TO THE SANCTIONS BY DIFFERENT NATIONS

The administration of the sanctions was left up to the individual sanctioning countries. Russia, for example, defined "luxury goods" so narrowly (fur coats costing more than \$9,637, watches costing nearly \$2,000) that the sanctions' bite was questionable (Choi and Lee

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<sup>6</sup> Yoichi Funabashi, *The Peninsula Question: A Chronicle of the Second Korean Nuclear Crisis* (Washington, D.C.: Brookings Institution Press, 2007).

<sup>7</sup> Suh Bohyuk, "Are North Korea and China Drifting Apart after the Missile Test," Nautilus Institute, Policy Forum Online, no. 06-77A, September 2006 u <http://www.nautilus.org/fora/security/0677Suh.html>.

<sup>8</sup> Peter Hayes, "Embrace Tiger, Retreat To Mountain, Test Nuke," Policy Forum Online, no. 06-06A, Nautilus Institute, July 2006 u <http://www.nautilus.org/fora/security/06660Hayes.html>.

<sup>9</sup> Julia Choi and Karin Lee, "North Korea: Economic Sanctions and U.S. Department of Treasury Actions 1955-September 2006," National Committee on North Korea, October 2006.

<sup>10</sup> Michael A. Levi, "Levi: North Korea Nuclear Test Could Lead to Military Response from U.S.," interview by Bernard Gwertzman, Council on Foreign Relations, October 3, 2006 u [http://www.cfr.org/publication/11595/levi.html?breadcrumb=%2Fbios%2F11890%2Fmichael\\_a\\_levi%3Fgroupby%3D2%26hide%3D1%26id%3D11890%26filter%3D19](http://www.cfr.org/publication/11595/levi.html?breadcrumb=%2Fbios%2F11890%2Fmichael_a_levi%3Fgroupby%3D2%26hide%3D1%26id%3D11890%26filter%3D19).

<sup>11</sup> Joseph Kahn, "North's Test Seen as Failure for Korea Policy China Followed," *New York Times*, October 9, 2006 <http://www.nytimes.com/2006/10/09/world/asia/09china.html>.

2007). Due to Chinese opposition, Article 42 of Chapter VII, which allows the use of military enforcement action, was not included despite US and Japanese support, and Chinese UN Ambassador Wang Guangya expressed hesitation about full implementation (Choi and Lee 2007, International Crisis Group 2006). South Korea announced that in addition to the sanctions it would suspend food and fertilizer aid, though it would continue with other economic cooperation projects. North Korean UN Ambassador Park Gil-yon called the resolution “gangster-like” and the Foreign Ministry released a statement reiterating that sanctions were an act of war and threatening “a merciless strike” against any implementer of the UN resolution.<sup>12</sup>

The chair of the UN sanctions committee, Italian Ambassador Marcello Spatafora, subsequently advised that 71 countries and the European Union had submitted reports on their implementation activities (UNSC 2007). China’s report was notable in its lack of detail, however, and some countries such as Iran and Ethiopia, with past histories of North Korean weapon systems procurement, did not submit reports. In sum, in the face of repeated North Korean provocations and despite the apparent reluctance of some countries, the United Nations had adopted increasingly stringent sanctions—and the stage had been set for bolder future action. The widely respected International Crisis Group (2006) opined: “*Should the North test again, the Security Council would likely pass a new resolution with more sweeping sanctions and perhaps language authorizing enforcement by military means.*” The implication is that the activities of traders and investors in North Korea would be continually exposed to the vagaries of Pyongyang’s decision making, which, for whatever reason, has consistently elevated diplomatic over economic goals, as illustrated by the recent interference in the operation of the Kaesong Industrial Complex.

### 3. EFFECT OF THE SANCTIONS

Till date no evidence has been found that economic sanctions by the UN Security Council have had neither any effect on either North Korea’s trade in luxury goods with its largest trade partner, China, or any indirect effect on North Korea’s aggregate trade with its two principal partners. From one perspective, the lack of robust results is perhaps unsurprising: The sanctions were limited to exports of military and luxury goods, with the definitions of these products and the administration of the sanctions left up to individual UN members. Perhaps some impact could be uncovered by focusing on narrow product categories, and restricting politically sensitive military and luxury products might have had some impact on regime behaviour even if sanctions did not bite at the level of aggregate trade, but in the case at hand, even this modest result is questionable.

But sanctions were not the only channel through which the test could have affected trade flows: One would have thought that the test and sanctions would have generally increased the

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<sup>12</sup> BBC News, “Full Text: North Korea statement,” October 17, 2006, available at <http://news.bbc.co.uk> (accessed on December 10, 2008).

risk premium on all forms of economic engagement with North Korea, but the evidence does not bear this out. Enterprises in China and South Korea appear to have shrugged off the test, much as the financial markets did. It is possible that the governments of China and South Korea undertook actions to offset or minimize the private risks faced by individual firms and enterprises. This is more plausible in the case of South Korea than China: There are a relatively limited number of South Korean firms engaged in trade or investment with North Korea and they operate through government-controlled programs that would facilitate the socialization of risk. Although the South Korean government did carry through on a threat to curtail humanitarian assistance, it did not impose sanctions on the nominally commercial trade associated with the Kaesong Industrial Complex—a decidedly mixed message that the critics of the Roh-Moo-Hyun government were quick to observe. It is less obvious that this explanation is plausible.

## **THE SITUATION IN IRAN**

### **1. INTRODUCTION**

Since 1979, the United States, the European Union, and the United Nations have imposed a variety of multilateral and unilateral sanctions on the Islamic Republic of Iran. These measures are intended to increase the international community's leverage in efforts to compel Iran to halt its support for terrorism, curb potential WMD development activities, and comply with international norms regarding its nuclear program. Since 2006, penalties on Iran have become more severe and far-reaching as other nations have joined the U.S.-led sanctions effort to an unprecedented degree.

Sanctions seek to influence a target country's<sup>13</sup> behaviour by imposing economic penalties on its national government, individuals within the target country, or entities that conduct prohibited transactions with the target country. Penalties may include denial of loans, credit, trade licenses, or insurance, as well as fines or jail time. In recent years, sanctions have been imposed to penalize state sponsorship of terrorism (examples include Iran, Iraq, Syria, and Sudan), to urge cessation of civil war (Somalia, Angola, and the former Yugoslavia), and to address non-proliferation concerns (South Africa, Libya, North Korea, and Iran).<sup>14</sup>

### **2. SANCTIONS IMPOSED ON IRAN**

Since 2006, the United Nations Security Council has imposed four rounds of sanctions against Iran in response to its nuclear program. Acting under Chapter VII of the *Charter of the United Nations*, the Security Council adopted resolutions 1737 (2006), 1747 (2007), 1803

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<sup>14</sup> For a comprehensive list of economic sanctions, including their intended targets and intentions, see "Summary of economic sanctions episodes, 1914-2006," Peterson Institute for International Economics. <http://www.piie.com/research/topics/sanctions/sanctions-timeline.cfm>.



(2008) and 1929 (2010) imposing sanctions against Iran in response to the proliferation risks presented by Iran's nuclear program in light of Iran's continuing failure to meet the requirements of the International Atomic Energy Agency (IAEA) and to comply with the provisions of earlier Security Council resolutions. These resolutions require Iran to fully cooperate with the IAEA and to suspend all uranium enrichment-related and reprocessing activities. The measures imposed against Iran pursuant to United Nations Security Council resolutions include:

- a prohibition on the export to Iran of certain items, materials, equipment, goods and technology which could contribute to Iran's uranium enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems;
- a prohibition on the provision to any person in Iran of technical assistance, financial services, brokerage or other services related to the supply, sale, transfer, manufacture or use of any of the products subject to the export ban;
- a prohibition on making available to any person in Iran any property, financial assistance or investment, related to the supply, sale, transfer, manufacture or use of any of the products subject to the export ban;
- a prohibition on making property or financial services available to Iran for the purpose of investing in specified nuclear-related activities;
- a prohibition on providing any technology in respect of any activity related to ballistic missiles capable of delivering nuclear weapons;
- a prohibition on the export to Iran of any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircrafts, attack helicopters, warships, missiles or missile systems;
- a prohibition on the import from Iran of arms and related material and items related to proliferation-sensitive nuclear activities or to the development of nuclear weapon delivery systems;
- an assets freeze against persons and entities engaged in Iran's uranium enrichment-related, reprocessing or heavy water-related activities, or in the development of nuclear weapon delivery systems, who have been listed by the Security Council or the Committee established pursuant to paragraph 18 of resolution 1737 (2006);
- a travel ban against persons listed by the Security Council or the 1737 Committee as being involved in Iran's nuclear program;
- a prohibition against claims by Iran or designated persons in relation to any transactions prevented by reason of the sanctions imposed against Iran.

### **3. SANCTIONS AND IRAN'S NUCLEAR DECISION-MAKING**

***Sanctions signal international resolve & commitment to a peaceful resolution:*** A key way in which sanctions have succeeded is as a signalling mechanism: sanctions show that the international community is united against Iran's continued defiance, and that it is willing to

take significant action to facilitate a negotiated solution.<sup>15</sup> The unprecedented degree of international unity against Iran's nuclear program can be seen in the imposition of UN Security Council sanctions, which require approval by Russia and China, nations which have previously been reluctant to sanction Iran.

***However, Iran has not halted its nuclear development:*** Iran has not yet acceded to the desired limits on its nuclear program – it has continued to enrich uranium to levels close to weapons-grade, and it has proceeded with the upgrading and expansion of nuclear facilities. This continued progress suggests that sanctions alone are unlikely to convince Iran to change course: robust negotiations in which incentives (including sanctions relief) are offered to Iran will be necessary to persuade Iran to comply with international demands.

***There are some signs that Iran will be persuaded:*** In recent months, despite some shows of grandiose anti-Western rhetoric from Iranian leaders, there are some indications of a willingness to make a deal. For instance, in November 2012, a report from Iran's ministry of intelligence argued that diplomacy was a "necessary" way to resolve the problem and avoid a military attack.<sup>16</sup> More recently, in talks with the P5+1 countries (the United States, the United Kingdom, France, Germany, Russia, and China) in late February in Almaty, Kazakhstan, Iranian officials appeared less hostile and more open to the negotiating process, and gave signals that they would be willing to accept some of the international community's demands, such as the suspension of 20% enriched uranium fuel. Compared with previous negotiations, in Almaty, the P5+1 exhibited increased willingness to ease sanctions. This shift in the Western negotiating position, notably described as a "turning point" by Iranian foreign minister Saeed Jalili, contributed to a positive shift in the tone of the negotiations, although the talks ultimately yielded no concrete results.<sup>17</sup>

***However, an increasing reliance on sanctions and the apparent inflexibility of the measures have created doubts in Iran about Western intentions:*** Sanctions have increased in both scope and number, and the sanctioner's willingness to lift the measures has appeared dubious, with the recent limited exception of the first round of Almaty talks in February. In this way, the complexity of the set of sanctions may be impeding negotiations by creating doubts in Iran about whether negotiations in fact will lead to significant reductions.

There are two main reasons that an increased emphasis on sanctions could be impeding a negotiated solution. First, existing sanctions overlap with one another in complex ways, which means it will be difficult to start rolling them back, even if Iran does start to make the

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<sup>15</sup> Iran Project, "Weighing Benefits and Costs," op.cit., p. 33-34. See also Iran Project, "Strategic Options," 21.

<sup>16</sup> Jason Rezaian, "Iranian ministry suggests openness to nuclear talks," *Washington Post*, November 7, 2012. [http://www.washingtonpost.com/world/middle\\_east/iranian-ministry-suggests-openness-to-talks/2012/11/07/dbd0fa18-28f2-11e2-bab2-eda299503684\\_story.html](http://www.washingtonpost.com/world/middle_east/iranian-ministry-suggests-openness-to-talks/2012/11/07/dbd0fa18-28f2-11e2-bab2-eda299503684_story.html)

<sup>17</sup> Laura Rozen, "Iran nuclear advisor: Almaty 'decisive turning point'," *Al-Monitor*, March 7, 2013. <http://backchannel.al-monitor.com/index.php/2013/03/4664/iran-nuclear-advisor-almaty-talks-decisive-turning-point/> and Associated Press, "Iran calls eased sanctions offer a 'turning point' in talks," February 27, 2013. <http://www.timesofisrael.com/iran-calls-eased-sanctions-offer-a-turning-point-in-talks>

desired concessions. As a result, Iranians have started to doubt whether negotiating will result in the meaningful sanctions relief they want.<sup>18</sup>

Second, and more importantly in the long term, many sanctions have been imposed on Iran for actions unrelated to nuclear proliferation, such as support for terrorist groups and human rights abuses. This means that making concessions on its nuclear program is unlikely to help Iran get the full relief from sanctions it seeks. From Iran's perspective, there may be no useful alternative to waiting out the sanctions and continuing its nuclear development to increase its bargaining power.

#### **4. POSSIBILITY OF A MIDDLE PATH**

***Sanctions have been useful for signalling international resolve against Iran's proliferation activities.*** Through sanctions, the international community has indicated to Iran that it is united against its defiance of the international non-proliferation regime and also that it is willing to entertain a peaceful solution to the standoff regarding Iran's nuclear program.

***However, sanctions have had important unintended consequences, including empowering the existing regime, while weakening more moderate, pro-Western Iranians who could be allies of the United States in the future.*** Paradoxically, economic woes have allowed the government to take greater control over the economy, and to use patronage, favours, and other methods to shield regime allies from the pain of sanctions. On the other hand, those hit hardest by the sanctions seem to be precisely those who otherwise would support a more moderate government in Iran, and who look favourably on the U.S. Reducing the economic and political power that such groups wield is not in the U.S.' long-term interests as it looks to eventually pursue a normalized relationship with Iran.

***Iran has continued to defy international demands, but has exhibited some openness to a negotiated compromise that includes sanctions relief.*** Iran has not yet halted its nuclear program or agreed to a compromise, but there are some indications that it is becoming more open to doing so. Iranian officials have signalled that they could be willing to halt the most problematic parts of their nuclear development, but have emphasized that they require sanctions relief in exchange.

***For sanctions to be effective in bringing about this compromise, the path to sanctions relief must be much clearer, and the West must be willing to lift sanctions step-by-step.*** The sanctions on Iran are a complex, overlapping set of measures that will be difficult to lift in the timely, sequential way that a compromise would require. To date, a clear path forward for how sanctions will be lifted in exchange for certain concessions by Iran apparently has not been put forth. The complexity and inflexibility of the existing set of sanctions makes it

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<sup>18</sup> International Crisis Group, "Spider Web," op.cit, 42-44. See also Usha Sahay, "Are Iran Sanctions Becoming a Runaway Train?" *Nukes of Hazard* blog, November 26, 2012  
<http://nukesofhazardblog.com/story/2012/11/26/13414/786>

difficult to credibly use the promise of sanctions relief as a bargaining tool when negotiating with Iran.

### **QUESTIONS TO BE DISCUSSED AND ANSWERED**

1. In what circumstances could sanctions be used as a tool of leverage and what conditions are necessary to be fulfilled for sanctions to be a real threat to the countries it is being imposed upon?
2. What can be done if countries continue to defy sanctions that are imposed?
3. Is there the possibility of a step by step removal of sanctions imposed on countries?
4. Who will be a judge of the process of sanction relief and what would be a prudent time for removal of sanctions?