

## Contents

### Nuclear Conflict with Iran: Options for the International Community

#### Papers, Panels, Conferences

- Podium Discussion in Hamburg: “The Privatization of War – Opportunities and Risks”
- Conference in Warsaw: “OSCE and Minorities: Assessment and Prospects”
- Joint CORE-Naumann Foundation Spring Academy
- Assembly of the World Movement for Democracy in Istanbul
- Symposium in Toronto “New Perspectives on Contemporary Ukraine”
- Presentation on “Euro-Atlantic Relations” at the IFSH
- Inaugural Visit by the Head of the Carl-Friedrich-von-Weizsäcker Centre
- Conference in Berlin: “International Relations in Eastern Europe”
- Accreditation Process for the “Master of Peace and Security Studies” degree programme
- Training with the European Safeguards Research and Development Association

#### Publications

- IFSH (ed.), OSCE Yearbook 2005
- Thorsten Stodiek, The OSCE and the Creation of Multi-Ethnic Police Forces in the Balkans
- Margret Johannsen, Israel in Conflict. On the Ability of a Deeply Divided Society to Make Peace
- IFSH as the “Featured Partner” of ISN Zurich

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### **Nuclear Conflict with Iran: Options for the International Community**

by Michael Brzoska, Götz Neuneck, and Oliver Meier

An earlier, longer version is available at [http://www.ifsh.de/pdf/publikationen/hifs/HI37\\_engl.pdf](http://www.ifsh.de/pdf/publikationen/hifs/HI37_engl.pdf)

The crisis over Iran’s nuclear activities that has been simmering since 2002 is currently escalating. After three weeks of divisive negotiations, on March 29, the UN Security Council unanimously adopted presidential statement S/PRST/2006/15, which calls on Iran to resume suspension of all uranium enrichment-related activities within 30 days and to fully co-operate with the International Atomic Energy Agency (IAEA) on resolving outstanding questions concerning the exclusively peaceful purpose of its nuclear program. In view of Iran’s earlier violations of its obligations under the nuclear non-proliferation treaty, these demands >from the UN Security Council are justified.

But what can be done if Iran does not oblige?

Three options have been mentioned: sanctions, military action and negotiations. It is our opinion that sanctions and military action are not feasible instruments for preventing Iran from acquiring nuclear weapons and may in fact be counterproductive. Negotiations provide the best option, even though success will not come easily.

The United Nations Security Council can impose a broad spectrum of sanctions, ranging from travel restrictions on the Iranian leadership to a comprehensive trade embargo. An analysis of past sanctions leads us to expect that imposing such measures on Iran would not lead to a change in Iranian nuclear policy, and might even strengthen those in Iran who favour a military nuclear program. Symbolic sanctions are liable to have very little influence on the Iranian leadership. Stronger sanctions, such as a ban on the export of dual-use technologies to Iran, would slow down both Iran's nuclear programme and its economic growth as a whole. The Iranian capacity to produce fissile material would be harmed but not crippled. It would take Iran longer to produce nuclear weapons, assuming the leadership in Teheran were determined to produce them. However, recent examples of strong sanctions, such as those imposed on Yugoslavia and Iraq, teach us that such measures may serve to bolster autocratic regimes.

The spectrum of publicly discussed military options is broad. Because it is not certain that all the key facilities of Iran's nuclear programme have been identified, it is possible that air strikes could fail. Furthermore, any military programme initiated by the Iranian leadership would be even more difficult to detect and bomb. Military strikes would also produce a wave of solidarity both in Iran and in the Arab world, thus playing into the hands of the Iranian hardliners.

When military options are discussed, little attention is usually paid to the highly restrictive legal barriers that stand in the way of their implementation. The use of military force against Iran without authorization by the Security Council would be illegal under international law. Germany is subject not only to the relevant provisions of international law, but also to the ban on preparations for wars of aggression contained in Article 26 of the German constitution. If Germany were to support military measures against Iran without authorization by the Security Council, this would also constitute a violation of Article 25 of the German Constitution.

Negotiations thus remain the only realistic option to prevent Iran from pursuing a dangerous nuclear programme. Such negotiations can only succeed when security guarantees are offered to Iran, and these must include guarantees from the United States. It may also be necessary to take some significant symbolic steps, for instance towards the establishment of a nuclear-weapon free zone in the Middle East. But such gestures would be worth the price involved in order to compensate the Iranian government for giving up its right to produce fissile material.

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On April 14, 2006, Prof. Hans J. Giessmann, Deputy Director of the IFSH and the Head of ZEUS, attended a controversial panel discussion on “The Privatization of War – Opportunities and Risks”, organized by the Friedrich-Nauman Foundation and held in the Bucerius Law School. The other panellists were Doug Brooks, the President of the IPOA, the lobby association of private military companies; Captain Heinz-Dieter Jopp, the Head of the Department of Security Policy and Strategy of the leadership academy of the German army (FüAkBw); and Tessa Fanelsa from the German Institute for International and Security Affairs (SWP).