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Iran's nuclear programme: the need for an international response

Report
Political Affairs Committee
Rapporteur: Mr Göran LINDBLAD, Sweden Group of the European People's Party

Summary

The nuclear programme of Iran continues to be a cause for serious and well-founded concern for the whole international community.

Iran has so far rejected all attempts to find a comprehensive solution, failed to co-operate in order to respond to these concerns about the nature of its nuclear programme and ignored legally binding United Nations Security Council resolutions demanding a halt to uranium enrichment.

The report takes stock of developments related to this issue since the adoption of Resolution 1436 (2005) of the Assembly on the same issue. It stresses that a nuclear-weapon Iran would pose an unacceptable threat to international peace and security, welcomes the common understanding within the UN Security Council on that issue and calls for even broader international support of relevant Security Council resolutions.

The report looks at the roots of mistrust towards Iran, whether or not they lie in the nuclear field, and calls on Iranian leadership to address these issues.

It also suggests that the Assembly should seek a dialogue with the Iranian Parliament on matters relating to the core values of the Council of Europe, as a means of dispelling mutual mistrust.

A. Draft resolution

1. The Assembly refers to Resolution 1436 (2005) on Iran's nuclear programme: the need for an international response, in which it resolved to remain seized of the Iranian nuclear programme issue. It takes note of the main developments relating to the Iranian nuclear issue since April 2005 and regrets that the situation has deteriorated considerably.
2. The Assembly is preoccupied by Iran's continued failure to respond to serious and well-founded concerns of the international community about the nature of its past and present nuclear programme, and by the intention of the Iranian authorities to speed up and broaden works in the nuclear field, including uranium enrichment on an industrial scale.
3. It takes note that on 24 September 2005 the International Atomic Energy Agency (IAEA) adopted a resolution stating that Iran is not in compliance with its obligations under the Non-Proliferation Treaty (NPT) Safeguards Agreement.
4. It particularly deplores that Iran, to date, has not ratified the Additional Protocol to the Safeguards Agreement, has put an end to its voluntary implementation of this protocol on a provisional basis and has significantly lowered the level of co-operation with the IAEA.
5. It further regrets the rejection by Iran of a comprehensive solution to the nuclear issue presented by Mr Javier Solana on behalf of the group of six countries (China, France, Germany, Russian Federation, United Kingdom and United States) in June 2006.
6. Furthermore, it is particularly concerned by Iran's refusal to comply with United Nations Security Council Resolutions 1696 (2006), 1737 (2006) and 1747 (2007) which make it mandatory for Iran to suspend all uranium enrichment activities. Such an attitude constitutes an open challenge to the international community and calls for a common response.
7. In this context, the Assembly underscores the common understanding among the group of six countries that a nuclear-weapon Iran would pose an unacceptable threat both to the already fragile situation in the Middle East and to international peace and security as a whole. It welcomes the fact that the members of the UN Security Council showed unity on Iran by unanimously adopting Resolutions 1737 and 1747, and that this common position is gathering growing international support.
8. The Assembly believes that Iran has the potential to become a respected actor in regional and global affairs and assume the role of a pillar of regional stability to which it aspires. It acknowledges that Iran's legitimate rights must be respected and its security concerns addressed. However, this requires that Iran act in a responsible manner and in full compliance with its international obligations. Iran must also fully respect human rights as being universal and individual. The Assembly also considers it to be of great importance that Iran establishes democracy and the rule of law.
9. Regrettably, acts by the Iranian leadership, such as provocative statements regarding Israel, the refusal to recognise Israel and its right to security, the denial of the Holocaust, as well as the support of Hamas and Hezbollah terrorist groups, are in clear contradiction with generally accepted norms of international relations.
10. Such attitudes further undermine the international community's trust in Iran, which has already been compromised by an almost twenty year-long policy of concealment of its nuclear programme. Moreover, they lead to an even greater isolation of Iran, which is contrary to the interests of the Iranian people. Iran's poor human rights record is a cause for additional mistrust and concern.
11. The Assembly remains convinced that the solution to the Iranian nuclear issue must be found through negotiation and diplomacy. It welcomes the renewed efforts by Mr Solana, on behalf of the group of six countries, aimed at convincing Iran to comply with the UN Security Council requirements. It further welcomes the United States' readiness to engage directly in the negotiation, subject to Iran's suspension of enrichment.

12. Mutual confidence is of key importance both in finding a solution to the nuclear issue which would take into account Iran's rights while responding to other countries' concerns and in allowing the Iranians to take the place they deserve among the community of nations. In order to restore that confidence, the Iranian leadership must change its position from defiance to co-operation.

13. Broader contacts with various parts of Iranian society, including people-to-people contacts, would be instrumental in building trust and confidence, whereas the further isolation of Iran would hamper them.

14. The Assembly stands ready to contribute to efforts of building confidence by engaging in a dialogue with the Iranian parliament and in contacts with the civil society of the country. Such a dialogue should not be limited to nuclear issues but should encompass the Council of Europe's basic values of democracy, rule of law and the respect for human rights and fundamental freedoms, and could include other matters of mutual concern. In this context, it refers to its Resolutions 1520 (2006) and 1550 (2007) which call on the Parliaments of the Middle East region, including Iran's, to contribute to regional stability and to engage in a meaningful dialogue for peace.

15. The Assembly urges Iran:

15.1. to put an end to its policy of defiance and to co-operate with the international community so as to alleviate concerns about its nuclear programme, and in particular:

15.1.1. to comply without delay with United Nations Security Council Resolutions 1696 (2006), 1737 (2006) and 1747 (2007), and to suspend all activities in the nuclear field which are matters of concern as reflected in the said resolutions;

15.1.2. to resume full co-operation with the IAEA, to provide it with exhaustive and accurate information on its past and current nuclear programme, and to resolve outstanding issues which prompted the Agency to declare it in non-compliance with its obligations under the NPT Safeguards Agreement;

15.1.3. to ratify without delay and to effectively implement the Additional Protocol to the NPT Safeguards Agreement, and to take voluntary action going beyond the requirements of the Additional Protocol;

15.2. to address other issues which cause mistrust of the international community, and in particular:

15.2.1. to fundamentally reconsider its attitude towards the State of Israel, to recognise its right to security and to abstain from anti-Israeli and anti-Semitic statements;

15.2.2. to stop its support to terrorist groups such as Hamas and Hezbollah;

15.2.3. to refrain from any activities aimed at destabilising Iraq and to use its influence in order to promote peace, order and reconciliation in this country;

15.2.4. to respect universally recognised human rights and fundamental freedoms.

16. The Assembly calls on Council of Europe member and observer states:

16.1. to provide full support to the efforts of the group of six countries aimed at a negotiated solution to the Iranian nuclear issue along the lines of the relevant UN Security Council Resolutions;

16.2. to contribute to strengthening international support for the UN Security Council position on sanctions against Iran, in particular among states participating in the Non-Aligned Movement, and to fully and rapidly implement them;

16.3. to intensify contacts and to multiply channels of dialogue with Iran at government and parliamentary levels, as a means of confidence building and conveying to the Iranian side the concerns of the international community;

16.4. to develop co-operation with Iran in areas of mutual interest and shared concerns which do not fall under the UN Security Council sanctions, such as the fight against drug trafficking;

16.5. to facilitate people-to-people contacts, scientific, cultural and students exchanges with Iran, thus contributing to its opening to the world.

17. The Assembly resolves:

17.1. to remain seized by the issue of the Iranian nuclear programme, and asks its Political Affairs Committee to continue to follow this matter closely;

17.2. to seek to open, at committee level, a dialogue with the Iranian parliament on matters relating to the core values of the Council of Europe, as well as on other issues of mutual concern. It reiterates its call on the Parliaments of the Middle East region, including Iran's, to contribute to regional stability and to engage in a meaningful dialogue for peace.

B. Explanatory memorandum, by Mr Göran Lindblad, Rapporteur

I. Introduction

1. In April 2005, the Assembly adopted Resolution 1436 (2005) on *Iran's nuclear programme: the need for an international response*. Paragraphs 11 and 12 read as follows:

"11. The Assembly resolves to remain seized by the issue of the Iranian nuclear programme and instructs its Political Affairs Committee to continue to follow closely this matter.

12. The Assembly resolves to envisage measures to be taken in order to promote democratic values, full respect for human rights and fundamental freedoms and an open society in Iran through parliamentary dialogue."

2. In January 2006, the Political Affairs Committee noted that the situation regarding the Iranian nuclear programme had become extremely complicated following the Iranian authorities' decision to end the moratorium on the enrichment of uranium. The Committee suggested to the Bureau that it be asked to draw up a new report and accordingly, I was appointed rapporteur in March 2006.

3. In November 2006, I carried out a fact-finding visit to Tehran, where I was able to discuss nuclear issues with representatives of the country's authorities as well as matters relating to democracy and respect for human rights, as mentioned in paragraph 12 of the aforementioned Resolution 1436.

4. I also suggested – and the Committee accepted – organising an exchange of views with representatives of the Iranian parliament at one of the Committee's meetings. In January 2007, the Secretariat sent an invitation through the Iranian Embassy in Paris to hold such an exchange of views at the meeting on 13 February. A second invitation was sent personally to Mr Mohammadi, Chair of the Iranian parliament's Foreign Relations Sub-Committee, for the meeting on 12 March. To my considerable regret, in both cases, the Iranians cited important debates in their parliament as their reason for being unable to accept.

5. There is no point at all in repeating here the information and analysis made by my predecessor Mr Ateş in the report¹ he presented in April 2005, which I take as my starting-point. In addition, many of the proposals contained in Resolution 1436 are still relevant. The main conclusion, namely that the international community cannot accept a nuclear-armed Iran and must prevent such a possibility from becoming a reality, is also still valid.

6. In this report, I intend to review the main events in the development of the Iranian nuclear issue since the adoption of Mr Ateş's report, to analyse the causes of the mutual mistrust between the international community and Iran that make a compromise more difficult, and to consider the proposals which could prompt a search for a solution to the Iranian nuclear problem, acceptable both to the Iranians and the world as a whole.

7. Contrary to proposals made by some of my colleagues, I do not intend to detail the technical aspects of the problem. Like Mr Ateş, I am convinced that the Council of Europe does not have the expertise or the necessary competence in this matter. Our role is to analyse whether we are in a position to help resolve this issue by taking action in our fields of competence with the means at our disposal.

8. I am also convinced that one of the reasons why Iran's nuclear activities are a source of such unease is the very nature of the regime in power in Tehran and its defiant attitude to the concerns of the international community. By way of comparison, it may be pointed out that the acquisition of a nuclear weapon by India and Pakistan did not provoke a similar reaction. In contrast to Iran, these two states are, like Israel, which is believed to possess nuclear weapons, not signatories to the Non-Proliferation Treaty, and two of them are democracies.

¹ See Doc. 10496.

9. However, I do not intend to advocate a change in the Tehran regime by force. Nevertheless, I think it is possible to help bring about a change in the regime's thinking by engaging in a more constructive dialogue on the nuclear issue, by increasing our contacts with the Iranians and by winning their trust.

II. Ongoing stand-off between Iran and the International community on the nuclear issue

i. Main developments since 2005

10. When the previous report was adopted in 2005, a number of positive developments gave room for some optimism, but these hopes were quickly dashed by subsequent events. Since then, the nuclear issue has continued to deteriorate.

11. In June 2005, Mahmoud Ahmadinejad, an ultra-conservative nationalist, was elected President of Iran. This change quickly led to a hardening of the Iranian position on their nuclear programme.

12. For example, in September 2005, Tehran announced the resumption of the conversion of uranium in the Isfahan facility. The International Atomic Energy Agency (IAEA) adopted a resolution stating that Iran's many breaches of its obligations constituted a violation of the Non-Proliferation Treaty.

13. In January 2006, the Iranians removed the seals on the Natanz research facility that had been put in place by the IAEA in order to verify the moratorium on the enrichment of uranium.

14. On 4 February 2006, the IAEA passed a resolution calling on the Director General to report on the Iranian nuclear programme to the United Nations Security Council. In response, Iran resumed its research work on uranium enrichment at the Natanz nuclear facility and announced in April 2006 that this work had produced the anticipated results.

15. In June 2006, Mr Solana, the European Union's High Representative for external relations, presented to the Iranians a number of proposals made by the 3+3 Group (Germany, France, United Kingdom, China, United States and the Russian Federation) for a comprehensive solution to the problem. In exchange for the suspension of enrichment, Iran would obtain international co-operation on nuclear technologies, guarantees of the supply of nuclear fuel and commercial benefits. The Iranians rejected this proposal.

16. On 31 July 2006, the UN Security Council adopted Resolution 1696 (2006) calling on Iran to suspend all enrichment activities by 31 August. Unlike an IAEA resolution, one passed by the Security Council has legal force and Iran was obliged to comply with it.

17. After the 30-day deadline had passed, the IAEA Director General informed the Security Council that Iran had failed to comply with the resolution.

18. Consequently, on 23 December 2006 the Security Council unanimously passed Resolution 1737 (2006) imposing sanctions on Iran. Amongst other things, it prohibits all commercial relations that might contribute to the continuation by Iran of its nuclear and ballistic missile programmes. It also provides for the freezing of the assets of individuals and companies involved in these programmes and calls on UN member states to impose travel restrictions on key personnel involved in the Iranian nuclear programme. The text demands the suspension of enrichment within 60 days.

19. Iran rejected the Security Council's demands, describing them as "lacking any legal basis", and announced its intention to speed up its nuclear programmes. It also indicated that, in the light of the "illegal" action taken, it too might take illegal action. This is doubtless an allusion to its possible withdrawal from the Non-Proliferation Treaty.

20. On 22 February 2007, the IAEA published its new report, in which it observed that Iran had not met the Security Council's demands. On 24 March 2007, the Security Council unanimously passed a new resolution strengthening the sanctions against Iran. At the same time, Mr Solana called on the Iranian authorities to resume contacts in order to consider ways out of the present deadlock.

For their part, the Iranians indicated that they had no intention of complying with the international community's demands and threatened to limit their relations with the IAEA.

III. The nuclear issue: a sign of a crisis of confidence between Iran and the international community

21. The Iranian nuclear issue has therefore reached severe deadlock. In order to find a negotiated way out, which still seems to be the preferred option, mutual concessions will be necessary, as will due consideration for the parties' legitimate and justified concerns. This will require at least a minimum degree of mutual trust. However, the international community and the Iranians think they have good reasons for not trusting one another.

i. Causes of the international community's mistrust of Iran

a. Secret nature of the Iranian nuclear programme up to 2003

22. The first cause of the international community's mistrust of the Iranian nuclear programme is the fact that the Iranians developed it secretly for almost twenty years without declaring to the IAEA some of its key aspects, as they are required to do under the Non-Proliferation Treaty.

23. Furthermore, the Iranians have obstinately denied the existence and nature of their nuclear work, in particular the enrichment of uranium, and only acknowledged these activities following revelations that were made by the Iranian opposition in 2002 and subsequently substantiated by the publication of irrefutable proof.

24. The fact that the Iranians procured nuclear equipment and technology – which may be used for both civil and military purposes depending on the degree of enrichment – through the network of the Pakistani nuclear dealer Abdul Qadeer Khan, involved in illegal supplies to countries subject to an embargo (eg, Libya and North Korea), can only increase this mistrust.

25. Many experts doubt the civil nature of the Iranian nuclear programme, questioning the need for a country that is so rich in oil and gas to develop nuclear energy. The economic justification for setting up a process for producing nuclear fuel, which is already available on the international market, is also questionable. Furthermore, according to some experts, even if the Iranians wanted to use their own-produced enriched uranium as fuel for the only nuclear power plant currently under construction in Bushehr, they could not, both for legal (licence) and safety reasons. Thus, the Iranian enrichment process, as well as the whole nuclear programme, appear to be designed first and foremost for military use.

b. Failure to respond to the international community's concerns over the nuclear programme and to reassure the IAEA of its peaceful nature

26. Forced to recognise the existence of a secret nuclear programme, the Iranians demonstrated, in 2004 and 2005, a more open attitude to co-operation with the international community in the context of the IAEA's monitoring system. As a result of the inspections and information provided by the Iranian authorities, the IAEA was better able to understand the extent and main parameters of the Iranian nuclear programme.

27. However, the IAEA was not able to establish that the programme was exclusively limited to the peaceful use of nuclear energy and had no military purpose. In order to reach this conclusion, there would have to be a much more rigorous monitoring system that went beyond Iran's commitments under the Non-Proliferation Treaty and the Safeguards Agreement. Greater transparency is thus essential on the part of the Iranians in order to reduce the international community's mistrust and concerns.

28. An Iranian moratorium on the enrichment of uranium, capable of being monitored by the IAEA, would help to reduce the mistrust. Iran undertook to suspend its enrichment activities in November 2004 but resumed them in January 2006. As a result, the IAEA decided to refer the Iranian nuclear issue to the UN Security Council.

29. Although the nuclear issue is one of the main points of disagreement between the international community and Iran, it is far from being the only one. Other worrying aspects of Iran's external and domestic policies place this country on the outside of the community of nations and make the search for understanding over the nuclear issue all the more complicated. It is reasonable to assume that the extent of the international community's concern about the Iranian nuclear programme is mainly due to the nature of the regime in Tehran.

c) Support for radical extremism and terrorism (Hezbollah, Hamas, Shi'ite militias in Iraq)

30. The Iranian authorities do not conceal their spiritual, political and financial support for organisations and groups that spread violence and commit terrorist acts in the most sensitive regions of the Middle East: Lebanon, the Palestinian territories and Iraq.

31. In Lebanon, the Iranians are financing and equipping, through Syria, Hezbollah's political, educational and charity programmes, a fact acknowledged by its leader Hasan Nasrallah. These programmes are financed from the "Islamic Religious Fund", controlled by Iran's Supreme Leader Ayatollah Khamenei. There is little doubt that the Hezbollah militia's weapons come from the same source. The Iranians are using their influence on Hezbollah to weaken, or indeed bring down, the Lebanese government.

32. Iran is also well-known for its support of Hamas. For example, it announced its intention to finance the Palestinian government and Hamas's "cultural institutions" to the tune of 350 million dollars after Europe and the United States had frozen their aid programmes. The Israeli authorities prevented the Palestinian Prime Minister Ismail Haniyah, who went to Tehran in December 2006, from returning to Gaza because he was carrying cash estimated at 35 million dollars.

33. In Iraq, the Iranians are exerting strong influence on the armed Shi'ite groups that form the "Mahdi's Army" (Jaish al-Mahdi) run by the religious leader Muqtada Al-Sadr. The Shi'ite militias funded by Iran are playing a destructive role in Iraqi political life by helping to strengthen sectarian rivalries.

d. Refusal to recognise Israel; Iran's verbal anti-Semitism; aggressive rhetoric

34. One of the most worrying aspects of Iranian policy is the Tehran regime's attitude to Israel. Iran does not merely refuse to recognise Israel as a state and its right to security but avoids using the word "Israel" and refers to it as the "Zionist Entity".

35. In October 2005, the Iranian President Ahmadinejad sparked international outrage by making an appeal in a public speech to "wipe Israel off the map". He has also drawn attention to himself on several occasions by questioning the truth of the historical facts relating to the Holocaust and making overtly anti-Semitic statements.

36. This attitude is unacceptable for the civilised world and constitutes a major obstacle to the re-establishment of the international community's trust in Iran.

e. Links to dictatorial regimes (eg, North Korea, Zimbabwe, etc.)

37. The current Iranian authorities say they share the values of democracy but nevertheless maintain excellent relations with certain regimes that they themselves implicitly recognise as dictatorships, such as North Korea and Zimbabwe. These special links can doubtless be explained by the authorities' concern to steer the country out of its international isolation, and even to position itself as leader of part of the international community. This does not alter the fact that links with the worst enemies of democracy and human rights do not help to re-establish trust in Iran.

f. "Revolutionary" model for society in Iran based on political Islam

38. The reasons for mistrust also include the conflicting views on a model for society between, on the one hand, states based on the principles of democracy, the rule of law and respect for human rights and, on the other, a state that has emerged from an "Islamic revolution" and is based on political Islam.

g. "Islamic democracy" where ultimate power belongs in the hands of the clerics

39. It has to be acknowledged that there are democratic elements, institutions and procedures in Iran, such as the separation of legislative, executive and judicial powers and regular elections of the President, the Parliament and the regional and local assemblies, etc. There is also genuine political competition both between the different political groupings and the institutions.

40. However, alongside, and even above, the institutions of classical democracy there are parallel structures that embody the dominant role of the Islamic authorities. The influence of the religious authorities on the political process is decisive. The "Supreme Leader" occupies a central position in the country's political hierarchy and has much more power than the President. This role is enshrined in the constitution. The Council of Guardians, which is appointed by the Supreme Leader, also has considerable powers with regard to determining the conformity of legislation with Islam. In addition, contenders for the position of Head of State must receive the approval of the religious authorities in order to be nominated as candidates.

41. The doctrine of "Islamic democracy", which puts the religious authorities at the heart of the political process, is based on the premise that sovereignty belongs to God and not the people.

42. The influence of the Iranian religious leaders is exerted well beyond the country's borders. It should be noted that representatives of the state institutions, when seeking to justify the claim that Iran does not need a nuclear weapon, refer to the "spiritual power" of their country in the Muslim world.

h. "Islamic human rights" as opposed to the universal concept; human rights abuses

43. Contrary to what is generally believed, the problem of human rights is very much a subject of public debate in Iran and in the political statements of the country's leaders. However, the Iranians reject the universal nature of human rights and put forward their own concept of "Islamic human rights" to justify the current Iranian practices of persecuting political opponents, torture and the death penalty. I believe that the issue of human rights in Iran is a very political one.

ii. Iran's grievances towards the international community

44. For their part, the Iranians have no lack of arguments to explain why they do not trust the international community, especially the West, on the nuclear issue.

a) Importance attached to the past

45. Like many other nations, the Iranians have a long memory and acute sense of history and attach particular importance to past events in which their country was badly treated by foreign powers.

46. In this context, the West's current policy towards Iran on the nuclear issue is seen as the prolongation of painful episodes of the past, such as the Great Game, the overthrow of the Mossadegh government, support for the Shah's dictatorship and the Iran-Iraq war.

47. Especially with regard to the nuclear issue, the Iranians point to contracts not fulfilled in the past by Western partners (General Electric, Siemens etc.) in order to explain their lack of trust in the promises made by foreigners and their need to be able to master the technology for the production of fuel for nuclear power stations.

b) Iran's international isolation

48. The Iranians are very sensitive to the international isolation and economic sanctions to which the country has been subjected since the "Islamic revolution" of 1979. These sanctions are cited as justification for the secret nature of the Iranian nuclear programme before 2003 and for their determination to possess civil nuclear technology.

c) Iran's self-positioning as a regional power and its feeling of being sidelined and isolated

49. The Iranian political elite consider their country to be a haven of stability in the troubled Middle East and a regional power capable of exerting positive influence there. However, this self-assumed role does not coincide with the "troublemaker" image of Iran conveyed by the United States and some of its allies in the region. This lack of recognition of the potentially constructive role of a regional power is resented by the Iranians.

d) Responsibility for the failure of the 2005 negotiations blamed on the EU-3

50. The Iranians call into question the good faith of the Europeans in the nuclear negotiations and blame them for the failure of these negotiations in 2005 and 2006. They believe that the European negotiators had neither the independence nor the political will to bring about compromise solutions. The requirement of a moratorium on research into the enrichment of uranium for the duration of the negotiations, which was made a precondition for beginning the talks, was felt by the Iranians to be a European trick aimed at delaying the progress of the research and development in nuclear field.

e) Refusal to negotiate "under pressure"

51. The Iranians are strongly opposed to continuing negotiations, either on the nuclear issue or any other subject, while under pressure or threat. For them, the search for a compromise is possible only between equal partners and requires dialogue and a co-operative approach. In contrast, the approach based on resolutions and sanctions is one of confrontation and cannot be accepted. Accordingly, the Iranians refuse to make any concession on their nuclear programme under the pressure of a UN Security Council resolution, which they describe as "nuclear apartheid".

iii. Iran's arguments to justify its nuclear programme

52. The Iranians put forward a series of arguments to justify their commitment to their nuclear programme and reject the demands to put an end to it. The main arguments are set out below.

a) Peaceful nature

53. The Iranians proclaim loud and clear that their nuclear programme is civil in nature and reject all the accusations that it only serves to conceal a military programme. It should be acknowledged that, to date, these accusations have not been supported by any tangible evidence. The IAEA has been unable to exclude the existence of military components of the programme but has also been unable to find proof that such components exist. IAEA experts have admitted that the specific information on suspect Iranian activities provided to the Agency by certain intelligence services could not be corroborated following checks carried out. According to the official position, Iran is opposed to any weapons of mass destruction, as this would be "un-Islamic".

b) Inalienable and non-negotiable right

54. As a signatory to the Non-Proliferation Treaty, Iran considers that it has the right – which it believes is inalienable and non-negotiable – to develop a civil nuclear programme, including the enrichment of uranium with the aim of manufacturing fuel for its nuclear power stations. The moratorium on enrichment that Iran observed in 2004 and 2005 was, according to the Iranians, an act of good faith and not an obligation arising from international agreements. Similarly, they challenge the legality of the demand contained in the Security Council resolutions to halt the enrichment.

c) Need for alternative sources of energy and self-sustainable sources of fuel

55. The Iranians reject the argument that, given the country's oil and gas wealth, they do not need nuclear energy and say they want to harness more sustainable energy sources. The Iranian nuclear energy development plan provides for the construction of twenty power stations. Up to now, the Iranians have also rejected any proposal for a compromise under which they would have to give up the enrichment of uranium, as this would make them dependent on imports of nuclear fuel through outside partners whom they do not trust.

d) Need to keep pace with technological progress

56. Finally, the ability to harness nuclear technologies is seen as proof that the country is still at the cutting-edge of technological progress despite its international isolation.

57. More than a simple technological matter, nuclear energy is thus becoming a reason for national pride. It is not surprising that the Iranian authorities' attitude on the nuclear question enjoys huge support in the population and has given rise to broad consensus among the various political groupings whatever their attitude to the present regime. It can be said that the nuclear programme and the pressure exerted on Iran by the international community on this subject are factors that serve to unify Iranian society and help to strengthen the regime.

IV. Ways out of the current deadlock

i. Maintaining unity within the international community

58. In order to force Iran to comply with the Security Council's demands and dispel concerns about the Iranian nuclear programme, it is crucial to broaden the consensus on this issue within the international community. In the past, the Iranians have tried to manipulate the divisions between the main players on the international stage in order to avoid isolation. According to some experts, they were very surprised at the unanimity of the Security Council in December 2006. At present, they are claiming that "the Security Council resolution does not reflect the opinion of the entire international community", hoping for the support of members of the non-aligned movement, so it is crucial to get as many UN members as possible to subscribe to the Security Council's position.

ii. Agreeing on a common objective and ways of achieving it

59. The main international players – the United States, the European Union, the Russian Federation and China – must reach agreement on a realistic objective that can be justified under international law and is capable of commanding the support of the vast majority of the international community with regard to the Iranian nuclear programme. It has to be recognised that this is currently not the case, despite the two unanimous Security Council votes.

60. There is unanimity on the ultimate objective, which is not to allow Iran to have nuclear weapons. However, the ways of achieving this may vary.

61. The permanent abandonment of all uranium enrichment would be the ideal solution, but there is growing doubt about whether the Iranians will accept this.

62. At the same time, limited enrichment, staggered and subject to strict international monitoring, could be a less radical but a no less certain alternative to rule out any deviation from purely civil objectives. An increasing number of international experts are considering this to be an option that is not as bad a solution as a direct confrontation.

63. The present demand – the suspension of the enrichment work, which should be permanent – has legal weaknesses since it is in contradiction with the rights specified in the Non-Proliferation Treaty². In order for the Iranians to accept it, they need to be offered something that compensates them for giving up this right and justifies their doing so. At the present time, the compensation offered is not attractive enough.

64. At any rate, it is very important to continue the dialogue and carry on negotiating with the Iranians and not to drive them to leave the Non-Proliferation Treaty. If the negotiating process is to be credible, the United States must participate directly.

iii. Offering Iranians positive prospects

65. One of Iran's presumed motives with regard to its nuclear programme is the country's endeavour to achieve a more prestigious international status than its current position as a marginal

² See Mr Ateş's report, Doc. 10496, paragraphs 20 and 21.

state. The international community, especially the Europeans and the Americans, would gain more trust from the Iranian elite if they agreed to recognise and promote the regional and potentially stabilising role to which the Iranians aspire and to respond to Iran's security concerns.

66. For this to happen, attention should doubtless be paid to the signals of positive engagement being put out by the Iranians. In this context, it should be recalled that Iran was the objective ally of the international community in the war against the Taliban regime in Afghanistan. More recently, it has re-established its diplomatic relations with Iraq (November 2006), and it participated in March 2007 in the Baghdad conference on stabilising Iraq.

iv. A better understanding of what is going on in Iran

67. It is also necessary, by specifying the line to be followed with regard to the nuclear issue, to take account of the domestic political dynamics and the balance of power in Iran. The nuclear programme enjoys considerable support throughout the political spectrum and in society as a whole. On the other hand, opinions on the country's political future are very much divided.

68. The advocates of the liberal reforms – former President Khatami and his allies – who were in power at the end of the 1990s and early 2000s are no less committed to the nuclear programme than the conservatives currently in power. However, they were willing to open the country up more to the outside world and were prepared to consider the international community's concerns. Among other things, they were in favour of broadening contacts with other countries, including the United States. Iran played a positive role in the dismantling of the Taliban regime in Afghanistan. It is regrettable that this outward-looking policy did not receive a constructive response from Western countries. On the contrary, Iran was mentioned in 2002 as being one of the countries of the "axis of evil", and the American administration did its utmost to demonise it. This attitude was certainly a factor in the defeat of the reformers in the elections held in 2005.

69. The present government exploits the outside pressure on Iran on the nuclear issue to consolidate its position and secure the support that it is beginning to lack, as shown by the local elections in December 2006. Poorly thought-out sanctions, not to mention military action, having the effect of strengthening the conservatives' position, should therefore be avoided.

a) Promoting the existing elements of political democracy

70. It should not be forgotten that, in spite of its distinctive characteristics specific to an Islamic model, Iran has well-developed institutions and voluntary organisations and that there is, without a doubt, a dynamic political process under way in the country. The Iranians consider themselves a democratic society, and the implicit recognition of this fact would help to establish an initial degree of trust. Inter-institutional exchanges and more extensive contacts with Iranian civil society would have the advantage of promoting universal values without surrendering the opportunity to criticise the country's shortcomings.

b) Taking account of the lack of internal cohesion in Iranian society and growing social apathy

71. This is all the more important as, according to many of the experts I have been able to consult, there is a lack of internal cohesion within Iranian society. Support for the regime is dwindling and there is less and less acceptance of its policies. Social apathy would appear to be taking hold of society. Although there are those who unfailingly support the regime, there are also a large number of undecided individuals as well as an active section of the population interested in change.

c) The place and influence of Islam in practice

72. Contrary to the widespread image of an Iranian society that is very much committed to religion, it would seem that this commitment is very superficial. During my visit, I had the impression, confirmed by a number of experts, that the proportion of the population who practise their faith is comparable to that in many European countries, so a distinction should be drawn between the formal position of Islam in the power system and its actual influence on individuals.

d) The deteriorating state of the economy; need for foreign investment

73. Despite a high growth rate and very high oil prices, the economic situation in Iran is generally rather unimpressive. The planned economy is not succeeding in meeting the country's needs and the Iranians' expectations for a better life. The gap between the statistical growth and the stagnating, if not declining standard of living could generate pressure on the regime for change and reforms. A lack of investment remains a sensitive aspect of the economy.

v. Restoring confidence by establishing or maintaining dialogue

74. It is in this area that the Council of Europe, and especially the Assembly, could make a contribution.

a) Seeking to prevent the isolation or self-isolation of the elite

75. Iran's international isolation is strengthening the conservatives and weakening the reformers since it enables society to be more strictly controlled. The international pressure on Iran with regard to the nuclear issue, the growing tension and indeed the possibility of an armed attack are all factors that help to increase the country's self-isolation.

76. However, Iran's intellectual elite are eager for international contacts, and there should be a response to this need by increasing the number of channels of communication and opportunities for an exchange of ideas through contacts at all levels with members of parliament, university teachers and experts.

77. In addition, representatives of the Iranian authorities claim to be willing and eager to develop contacts with the European institutions. Iran's ambassador in Paris visited the Assembly in the summer of 2006 and had contacts with several members of the Political Affairs Committee and the Committee on Legal Affairs and Human Rights.

78. Parliamentary dialogue could be one channel for establishing contacts and one that is particularly suitable for open discussions on a wide range of issues. As already pointed out, it is regrettable that it has not yet been possible to organise such a dialogue in connection with the preparation of this report. I am convinced it would be worthwhile for both parties.

79. Iranian civil society needs to express its views in an international dialogue, and it would be a mistake to deny it this possibility. Consideration could therefore be given to involving representatives of the Iranian NGOs in those of the Assembly's activities that relate to various issues linked to the challenges facing modern societies.

b) Broadening the scope of dialogue

80. The scope of the dialogue should be broadened on such issues as human rights, democracy, an open society and the market economy. Contrary to certain preconceived ideas, these issues are not taboo for the Iranians, who have developed an entire doctrine to put their case forward on the subject and reject the European view.

81. Initiating an exchange of views on these subjects does not in any way mean abandoning our values. Nor should we expect the Iranians to abandon theirs. However, a dialogue could find areas of agreement and would create ways of opening the Iranian political debate towards universal values.

c) Promoting contacts between young people

82. Young people make up a significant proportion of the Iranian population. By its very nature, this section of society is more open to new ideas. It is worth further developing contacts between young people and providing places for Iranian students at European universities.

83. Such exchanges would contribute to the opening up of the country and, in the medium term, to the liberal transformation of the regime. A democratic, open and modern Iran would no longer be

perceived as a factor of instability, and its nuclear programmes would no longer be a threat if they became transparent and open to international monitoring.

Reporting Committee: Political Affairs Committee.

Reference to Committee: Resolution 1436 (2005) of 17 March 2006

Draft resolution unanimously adopted by the Committee on 21 May 2007

Members of the Committee: Mr Abdülkadir Ateş (Chairman), Mr Konstantion Kosachev (Vice-Chairman), Mr Zsolt Németh (Vice-Chairman), Mr Giorgi Bokeria (Vice-Chairman), Mr Miloš **Aligrudić**, Mr Birgir Ármannsson, Mr Claudio Azzolini, Mr Andris Bērziņš, Mr Alexandër Biberaj, Ms Raisa Bohatyryova (alternate: Ms Olena **Bondarenko**), Mr Luc Van den Brande, Ms Cornelia Cazacu, Mr Lorenzo Cesa, M. Muro Chiaruzzi, Ms Elvira Cortajarena (alternate: Ms Maria **Aburto**), Ms Anna **Čurdová**, Mr Noel Davern, Mr Dumitru Diacov, Mr Michel Dreyfus-Schmidt, Ms Josette **Durrieu**, Mr Joan Albert Farré Santuré, Mr Pietro Fassino (alternate: Mr Pietro **Marcenaro**), Mr Per-Kristian Foss (alternate: Mr Vidar **Bjørnstad**), Ms Doris Frommelt, Mr Jean-Charles **Gardetto**, Mr Charles Goerens, Mr Andreas Gross, Mr Jean-Pol Henry, Mr Serhiy **Holovaty**, Mr Joachim Hörster, Mrs Sinikka Hurskainen, Mr Tadeusz **Iwiński**, Mr Miloš Jeftić, Mrs Corien W.A. Jonker, Ms Darja Lavtižar-Bebler, Mr Göran **Lindblad**, Mr Younal Loutfi, Mr Mikhail Margelov, Mr Tomasz **Markowski**, Mr Dick Marty, Mr Frano Matušić, Mr Murat **Mercan**, Mr Jean-Claude Mignon, Mr Marko Mihkelson, Ms Nadezhda Mikhailova, Mr Aydin Mirzazada (alternate: Mr Sabir **Hajiyev**), Mr João Bosco Mota Amaral, Ms Natalia **Narochitskaya**, Mrs Miroslava Nemcova, Mr Grygoriy **Nemyrya**, Mr Fritz Neugebauer, Mr Theodoros Pangalos, Ms Elsa Papadimitriou, Mr Christos Pourgourides, Mr Gordon Prentice (alternate: Mr John **Austin**), Mr Gabino Puche (alternate: Mr Pedro **Agramunt**), Mr Lluís Maria **de Puig**, Mr Jeffrey Pullicino Orlando, Mr Andrea **Rigoni**, Lord **Russell-Johnston**, Mr Oliver Sambevski, Mr Ingo Schmitt, Ms Hanne **Severinsen**, Mr Samad Seyidov, Mr Leonid **Slutsky**, Mr Rainer Steenblock, Mr Zoltán **Szabó**, Baroness Taylor of Bolton, Mr Mehmet Tekelioğlu, Mr Tigran Torosyan, Mr Mihai Tudose (alternate: Mrs Florentina **Toma**), Mr José Vera Jardim, Ms Biruté **Vesaitė**, Mr Björn Von Sydow, Mr Harm Evert Waalkens, Mr David **Wilshire**, Mr Wolfgang Wodarg, Ms Gisela Wurm, Mr Boris **Zala**, Mr Krzysztof Zaremba (alternate: Mr Karol **Karski**).

Ex-officio: MM. Mátyás Eörsi, Tiny Kox

N.B.: The names of the members who took part in the meeting are printed in **bold**

Head of the Secretariat: Mr Perin

Secretaries to the Committee: Mrs Nachilo, Mr Chevtschenko, Mrs Sirtori-Milner, Mrs Pieter, Mr Alarcón