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**Squaring the circle in Vienna**

The negotiations in the Austrian capital Vienna to revive the 2015 Joint Comprehensive Plan of Action (JCPOA) – or the Iran nuclear deal – seem to have reached a critical juncture as the negotiating parties await the initiation of the seventh round of talks despite invariably divergent objectives.

While both parties continue to express their willingness to go back to the original deal and adhere to their respective commitments under the 2015 agreement, the sequencing of the process has become a sticking point where each side wants the other to make the first move.

Iran is insisting on a complete lifting of the US sanctions before it returns to complete compliance with the agreement, and a commitment that the US government will not renege on the deal in the future. Washington, on the other hand, is pressing upon Tehran to first halt all activities prohibited under the agreement, especially uranium enrichment. Additionally, Washington is also trying to expand the scope of the deal aimed at seeking more concessions from Iran, especially on its missile development and regional rivalries. Iran has termed the US demands a non-starter, targeted at scuttling the entire process and has squarely ruled out any additional commitment beyond the scope of the original deal.

Since April this year, six rounds of talks have been held between the Joint Commission of P4+1, including officials from Iran, the European Union, Russia, China, France, the United Kingdom, and Germany to discuss re-establishing the full terms of the accord and mutual return to compliance with the JCPOA after the US’s unilateral withdrawal from the landmark nuclear agreement in 2018 under former president Donald Trump.

As an initial groundbreaker, two separate working groups were formed to find ways to bring Iran and the US back to their respective commitments. Interestingly, the US is not directly participating in the talks as Iran refused to do so unless Washington lifted sanctions. The US has remained part of the Vienna talks indirectly as intermediating parties took messages back and forth through shuttle diplomacy.

Almost a year after the US withdrawal, Iran informed the International Atomic Energy Agency (IAEA) that it was resuming production of enriched uranium beyond the set limit of 3.67 percent as previously agreed under the nuclear deal. Since July 2019, Iran has exceeded the limit of enriched uranium starting with 20 percent purity to some smaller quantities of 60 percent enriched uranium as well. It also resumed enrichment at the Fordow Fuel Enrichment Plant that was prohibited under the 2015 deal.

Although this 20 percent enrichment is still far below the 90 percent enriched weapon-grade uranium, the US and EU termed these activities a contravention of the nuclear agreement and an act of brinkmanship. Nonetheless, Iran asserts that the resumption of the enrichment process was a “remedial measure” in response to US withdrawal. Iran claims that it is entitled to take remedial measures under Article 36 of the JCPOA that outlines the dispute resolution mechanism and allows the complainant to treat the unresolved issue as grounds to cease performing its commitments under the JCPOA.

Official statements from both Iran and the US are blaming each other for creating this impasse. Iran’s posture hardened following the assassination of its nuclear scientist Mohsen Fakhrizadeh last year and further attacks on the Natanz nuclear facility allegedly perpetrated by Israel. In December 2020, the Iranian parliament passed a bill to scrap some of the inspection and monitoring measures, including the provisional implementation of the Additional Protocol that allowed the IAEA real-time information access, until the European partners of the deal did not lift sanctions on Iran’s oil and financial sectors. In February 2021, however, Iran agreed to an interim monitoring deal initially for three months, later extended by a month on May 24. This interim arrangement provided the necessary space for the continuation of the Vienna talks.

The seventh and potentially final round of talks has been delayed due to presidential elections in Iran. Various diplomats involved in the negotiation process have acknowledged the steady progress in the first six rounds but warned that the rigid positions of the parties will make it difficult to move past the remaining obstacles. They have also hinted at the risk of spoilers and cautioned that any delay in the resumption of talks may disrupt the initial gains. According to the European mediators from E3 – Britain, France and Germany – the longer Iran violates the deal, the more difficult it would be to restore it in its original form.

While there is significant progress on the technical details, domestic politics in both the US and Iran is hindering further progress to return to the status quo ante. Despite its clear commitment to return to the nuclear deal, the Biden Administration faces the grave challenge of domestic politics on the issue of giving concessions to Iran on the nuclear issue. The Biden Administration is facing severe criticism from the Republicans who are supported by Iran’s regional adversaries such as Israel and Saudi Arabia on any anticipated dispensation to Iran.

With the change of leadership in Iran and the formation of a new government in August under Ebrahim Raisi, more hiccups are expected on the Iranian side as well. However, it is important to note that nuclear matters are directly dealt with by Supreme Leader Ayatollah Ali Khamenei. Therefore, despite a reported hardliner approach of the new government, Iran’s official position on restoration of the JCPOA is likely to remain consistent.

Lastly, the nuclear talks have remained somewhat insulated from the other regional developments so far, such as renewed US military strikes against Iran-backed targets in Iraq and Syria. However, these regional developments certainly expose the fragility of the process and need for its urgent conclusion. With incoming hardliner governments in both Iran and Israel, it would be difficult to keep the nuclear talks segregated from other regional developments for long and failure to reach an early agreement will further add to the challenges for regional peace and security.

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