

ISSUES IN PERSPECTIVE

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Thoughts on the Iranian Nuclear Agreement

In mid-July 2015, Iran and six world powers plus the European Union (EU) announced an historic agreement that seemingly postpones Iran's capacity to build nuclear weapons. Arguably, Iran has suffered economically and financially under a series of sanctions the world community has imposed over the last several years. This agreement will lift those sanctions in exchange for a postponement of Iran's nuclear weapons development. But it is also arguable that the agreement legitimizes Iran as a threshold nuclear state. Regarding the nature of the Iranian regime, columnist David Brooks correctly observes: "Iran still fundamentally sees itself in a holy war with the West, a war that can be managed prudently but that is still a fundamental clash of values and interests. . . . If Iran still has revolutionary intent, then no amount of treaty subtlety will enforce this deal. Iran will begin subtly subverting any agreement. It will continue to work on its advanced nuclear technology even during the agreement. It will inevitably use nuclear weaponry, or even the threat of eventual nuclear weaponry, to advance its apocalyptic interests." There is therefore no real evidence that Iran desires to change, but President Obama is [naively?] banking on the proposition that Iran is changing. Only history will determine if he is correct.

- First, several observations about the agreement. The agreement consists of 159 pages of difficult prose, which few people will read and probably even fewer will truly understand. Frederick Kagan, resident scholar of the American Enterprise Institute, summarizes the timeline of the agreement:
 1. **Finalization Day** (14 July 2015) when the agreement is submitted to the UN Security Council with the goal of terminating all UN Security Council resolutions against Iran.
 2. **Adoption Day** (90 days after the approval of the Security Council resolution). At this point, Iran commits to apply the Additional Protocol of the Nuclear Nonproliferation Treaty, which governs enhanced international inspections.
 3. **Implementation Day** is much more difficult to determine for it depends on the completion of a series of negotiations between Iran and the International Atomic Energy Agency (IAEA). However, in a separate document, discussions are to be completed by 15 October 2015 and the IAEA director general will submit a final report to his board of governors no later than 15 December 2015. When this is completed, Iran will then be rewarded by the removal of sanctions. Iran's banks will be permitted to reintegrate into the dollar economy and move money freely throughout the world. The EU will also lift sanctions against the Islamic Revolutionary Guard Corps; the Quds Force and possibly its commander, Maj. Gen. Qasem Soleimani. In addition, other sanctions against a large

number of individuals and entities sanctioned for terrorism activities and human-rights abuses will be lifted.

4. One final comment about the agreement: It says nothing about Iran's terrorist activities, human-rights violations or its role in regional arms proliferation, all of which, as Kagan argues, "were drivers of the embargo [and sanctions] in the first place. Iran makes no commitment to change its terrorist or oppressive ways, but the international community promises to eliminate those sanctions anyway."
- Second, what does the agreement include about the specifics of Iran's nuclear program? Three key items are important:
 1. Iran has agreed to transform its deeply buried plant at Fordo into a center for science research. Another uranium plant at Natanz is to be cut back, not shut down. Some 5,000 centrifuges for enriching uranium will remain spinning. Iran has also agreed to limit uranium enrichment to 3.7% and to cap its stockpile of low-enriched uranium to 660 pounds for 15 years.
 2. Iran has agreed to redesign and rebuild its Arak reactor so that it will not produce weapons-grade plutonium. Under the deal, the reactor's spent fuel will be shipped out of the country [to Russia?]. Iran also agreed not to build any additional heavy water reactors for 15 years.
 3. Iran has agreed to provide the IAEA greater access and information regarding its nuclear program and to allow the agency to investigate suspicious sites or allegations of covert facilities related to uranium enrichment anywhere in the country. IAEA will supposedly also have access throughout Iran to mines, mills, storage facilities and centrifuge manufacturing during the life of the agreement.
 - Finally, a word about the IAEA inspections. In its summary of the agreement, the *New York Times* (NYT) highlighted a number of questions. Most germane was the question, "How can the US be sure that Iran won't cheat?" The NYT answer? "It can't. Iran agreed to provide the inspectors greater access and information regarding its nuclear program, and to allow investigation of suspicious sites, but there are no guarantees." Without question, this issue is the most important part of the agreement, for without meaningful inspections, there is simply no way to verify Iran's compliance. The goal of the Obama administration was an "anywhere, anytime" inspection format. The administration did not get this in the agreement. William Tobey, senior fellow at the Belfer Center for Science and International Affairs at Harvard's Kennedy School, provides a helpful analysis of this most important inspections issue. Under the agreement's terms, when the IAEA demands access to a suspect site, Iran will have 14 days to fulfill the request or propose other means to satisfy it. If the matter remains unresolved, a joint commission with representatives from each of the eight parties to the agreement would have a further week to act, and Iran would then be given three days to comply. Thus, 24 days might elapse between a request for access by the IAEA and a requirement upon Iran to provide it—ample time for Iran to hide or destroy evidence." For inspections to be really meaningful, Iran must comply by declaring all of its relevant nuclear activities and procurement—both past and present. However, under

previous IAEA obligations, the IAEA found that Iran repeatedly has failed to comply. As far back as November 2011, IAEA had identified 12 areas of Iranian activities that could only be explained by nuclear-weapons development, calling them the “possible military dimensions” of Iran’s nuclear program. Despite repeated attempts by the IAEA to investigate this, Iran blocked meaningful progress. Tobey meaningfully concludes that “Now the new agreement calls again on Iran to cooperate, but it offers no reason to believe that the Iranian regime will end its recalcitrance . . . What was essential is now conspicuously missing: Tehran’s submission of a complete and correct nuclear declaration, and the regime’s cooperation with IAEA efforts to verify it. Anything short of that is an illusion.” President Obama and Secretary of State John Kerry have both argued that what will make this agreement work is the capacity of IAEA to verify Iranian compliance. It defies all logic and common sense to believe that this agreement meets that claim. Without meaningful verification, this agreement is unworkable and a charade.

Many people both within the Obama administration and those who simply support the agreement have argued that there is no other alternative to this agreement. As *The Economist* has demonstrated, “With or without an agreement, the world is stuck with an Iran that continues to run a big nuclear program and remains slippery and dangerous. The real test of the deal is whether it is better than the alternatives.” That of course is the primary issue with this deal. It is difficult to conclude that this is the best we can hope for, and it is very difficult to believe that history will judge this as a good agreement. The inspection issue is deceptive, and, since there is the strong possibility that Iran will cheat, the agreement lifts the sanctions while permitting Iran to still have its nuclear weapons program. How can anyone who is intellectually honest claim that this is a good agreement?

See *The Economist* (18 July 2015), pp. 7, 19-22; William Tobey in the *Wall Street Journal* (15 July 2015); *New York Times* chart on the Iranian deal in its 14 July 2015 edition; Frederick Kagan in the *Wall Street Journal* (15 July 2015); and *Issues in Perspective* (25 April 2015).