

# The Middle East After the JCPOA

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**The United States and its allies are more than up to the challenges posed by post-deal Iran, but they will need to focus on objectives rather than tactics, and engage in long-term planning rather than continuing their reactive, shorter-term approach.**

***B***elow is an excerpt from the closing recommendations of Mr. Singh's prepared remarks. For his full testimony, download the PDF or [watch video of the hearing \(http://www.foreign.senate.gov/hearings/the-middle-east-after-the-jcpoa-12016\)](http://www.foreign.senate.gov/hearings/the-middle-east-after-the-jcpoa-12016).

Discussions of foreign policy too often begin with tactics -- whether, for example, to enforce the JCPOA strictly or to walk away from it altogether. I believe we will arrive at better policy if we instead begin by considering the objectives and outcomes we hope to achieve, and mapping our way to achieving them. We also have a regrettable tendency to think of foreign policy as an exercise in problem-solving, focusing first and sometimes last on addressing conflicts, and neglecting the more prosaic work of building relationships and heading off new problems. Yet in the Middle East, we are likely to have far more and faster success in bolstering alliances that have weathered the region's storms -- such as those with Jordan, the GCC, and Israel -- than in, say, ending Syria's civil war or building a new government in Libya. Finally, we have a tendency to think and plan in short increments, considering what must be done over the coming months, without reference to any clear longer-term agenda.

Despite the dramatic developments of recent years, our interests in the Middle East have not fundamentally changed. They include things like nonproliferation, counterterrorism, the free flow of energy and commerce, and the security of Israel. However, the obstacles to advancing those interests have changed starkly -- they include not only a flawed JCPOA, but also the rise of the Islamic State, the fall of allies (albeit problematic ones) in Egypt, Tunisia, and elsewhere, and so forth. This new context demands a new strategy -- a set of actions that, given the obstacles and

opportunities we face, holds the best chance of advancing our interests. This is not the forum for articulating a new Middle East strategy in full. But as we consider how we move forward in the aftermath of the JCPOA, it is important that the post-deal Iran policy we devise be consistent with and reinforce such a strategy. It is worth noting that none of the policy steps I recommend below strictly require that the JCPOA be renegotiated.

The first objective of our policy toward Iran should remain preventing nuclear proliferation in the Middle East. While the JCPOA provides some useful tools in this regard -- chiefly by increasing the access of IAEA inspectors and recommitting Iran to implementing enhanced safeguards arrangements -- it also has significant weaknesses.

The first and most critical weakness of the JCPOA is that it is not strong enough to prevent Iran from pursuing a nuclear weapon clandestinely. Iran is permitted to continue R&D on advanced centrifuges, the efficiency of which would be well-suited to the operation of a small, secret enrichment facility; it was not required to provide the IAEA with access to facilities and personnel involved in weaponization, making it difficult to have confidence that these will not be utilized again in a future weapons push; and it is permitted to openly pursue a ballistic missile program, and may receive international aid to do so within eight years. Uncovering a clandestine nuclear weapons program is complicated by the IAEA's lack of "anytime, anywhere" inspection authority, and the relative paucity of enforcement mechanisms, either in the JCPOA or in the national policies of the United States and its allies.

To address these weaknesses, I recommend the following steps:

- IAEA efforts to gain access to PMD-related facilities and personnel should be resumed, using the access provisions of the Additional Protocol and the JCPOA;
- The IAEA should use those same access provisions to verify the completeness of Iran's initial declarations regarding its uranium stocks, inventory of centrifuge components, and any related declarations;
- The IAEA should use those same access provisions to perform end-use verification of both nuclear-related and dual-use items, even though the latter is not specifically provided for in the JCPOA procurement channel;
- Whenever possible, the 24-hour inspection requirement of the Additional Protocol should be applied, rather than the 24-day schedule of the JCPOA dispute resolution mechanism;
- The United States and its allies should press the IAEA to be forward-leaning in its access requests, and ensure that the next Director-General of the IAEA is focused and credible on this matter;
- The United States, European Union, and other partners should agree on a "menu" of penalties short of full snapback to be applied in the event of Iranian delays or violations of the JCPOA, and indicate their willingness to begin applying those penalties during the 24-day dispute resolution mechanism if Iran proves slow or reluctant to cooperate with the IAEA;
- The U.S. Treasury and State Departments, in conjunction with counterparts in allied capitals, should continue to actively educate U.S. and foreign firms about remaining sanctions on Iran, and invest resources in detecting Iranian efforts to circumvent them;
- The United States and its allies should provide the IAEA with the funding it requires to carry out its mission in as robust a manner as possible;
- The United States continue to invest in detecting illicit Iranian nuclear activities, and the United States and its allies should enhance their cooperation to gather intelligence on Iran's nuclear program and furnish information as appropriate to the IAEA to assist in its monitoring and verification mission;
- The United States, European Union, and other partners should assist other states in putting in place and executing sufficient export controls to prevent illicit Iranian procurement, and should urge states to institute a presumption of denial for the export of sensitive goods to Iran; vigilance will also be required to monitor Chinese and North Korean

compliance;

- The United States and its allies should invest in deterrence, indicating clearly their continued willingness to use the military option if Iran violates the JCPOA, and ensuring that their force posture and actions reinforce the credibility of such statements; this should include investing in a sufficiently large Navy to provide coverage in multiple geographic theaters so the United States is not forced to "choose" between Asia and the Middle East.

It should be noted that many of the above steps rely on the United States retaining the support of four other members of the JCPOA's eight-member joint commission -- the EU, UK, France, and Germany. But there can be no guarantee that coming elections in France, Germany, and elsewhere will ensure these governments' continued support. Should political developments in Europe leave the United States with less support on the Joint Commission than needed to rigorously enforce the above actions, the United States will be left with little choice other than to reconsider its adherence to the JCPOA...

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*Senate Foreign Relations Committee*

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