

No Iran Deal Is Better Than Any (Feasible) Deal

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Brief Analysis

At present, Iran is unlikely to accept more limitations on its nuclear activities, but that doesn't mean Washington has to settle for a watered-down deal that further damages U.S. strategic interests.

The Obama administration appears headed toward a nuclear agreement that will do little more than memorialize the limited Iranian concessions made in last year's Joint Plan of Action (JPOA), at the likely cost of significantly more sanctions relief than called for in the JPOA. This is a bad deal for the United States, but options to improve its terms may not be feasible. It is therefore time to consider an alternative approach not built around a new formal deal with Iran.

In his [July 29 Senate testimony \(http://www.washingtoninstitute.org/policy-analysis/view/iran-status-of-the-p51\)](http://www.washingtoninstitute.org/policy-analysis/view/iran-status-of-the-p51), Washington Institute fellow Michael Singh diagnosed the JPOA's inadequacies as a check on Tehran's nuclear ambitions and warned of any final "comprehensive" agreement that simply codifies the JPOA with bells and whistles. As an alternative, he laid out two courses of action -- a much tougher negotiating position that would trade sanctions relief for total cessation of Iranian efforts to enrich uranium, and a JPOA-like final agreement reinforced with evidence that Iran has made a "strategic shift" and essentially given up its quest for regional hegemony.

These alternatives make sense, but if they prove impossible to reach, there are few options left. As Singh pointed out, U.S. military credibility has been weakened, and additional sanctions would require support from both the UN Security Council and key oil-importing states such as China and India. An inventory of theoretical courses of action illustrates Washington's dilemma:

1. Convince Iran to give up enrichment, completely rework the Arak heavy-water plant (which could otherwise give the regime a plutonium path to a nuclear weapon), and come clean on the military dimensions of its program. This would render a nuclear weapons program of any sort all but impossible without large lead times and thus likely discovery. Such an outcome would be a true success for Western diplomacy, meriting the lifting of sanctions.

2. Accept a JPOA-like agreement in return for convincing evidence that Iran has accepted a strategic shift and is changing its role in the region.
3. Heighten the pressure to achieve Option 1, but with stronger sanctions or credible threats of military force in addition to current diplomatic efforts.
4. Contain Iran on the threshold of nuclear weapons, or even with them (i.e., the North Korea option).
5. Insist on whatever remaining U.S. demands prevented agreement in the initial negotiations with Iran, even if this approach results in isolation from the other members of the P5+1 (Britain, China, France, Russia, and Germany).
6. Reach a formal agreement along the lines of the JPOA, with more sanctions relief in return for additional but limited reduction in enrichment -- what Singh warned is the looming U.S. default. In that scenario, Washington would yield to the Iranians on enrichment authorization and significant (if reduced) centrifuge operation; it would also be settling for less than perfect concessions on the Arak reactor and silence (however dressed up) on weaponization.

Option 6 suffers from the various flaws Singh described, but the administration and other P5+1 states will likely compare it to the other courses of action and conclude that it is the "least bad." For example, Option 1 seems impossible to achieve at present -- as Institute fellow Patrick Clawson noted on July 17, while the current sanctions are biting, Iran has been effective in coping with them, and there is no guarantee that other nations would support unilateral U.S. oil import restrictions purely to get a better deal ([see "Iran Can Afford to Say No to a Nuclear Deal" \(http://www.washingtoninstitute.org/policy-analysis/view/iran-can-afford-to-say-no-to-a-nuclear-deal\)](http://www.washingtoninstitute.org/policy-analysis/view/iran-can-afford-to-say-no-to-a-nuclear-deal)).

Option 2 suffers from a dearth of evidence that Iran's leaders would ever renounce a geostrategic mission central to their worldview. Option 3 would require aggressive threats of military force, but with the world currently a powder keg, this is not feasible; the international community could understand using a risky remedy (military action) for an even more dangerous ailment (Iran on the cusp of a nuclear weapons capability), but it would not tolerate such action simply to lower Iran's nuclear threat level from its current status under the JPOA to that described in Option 1. As for Option 4, Tehran's hegemony agenda makes Iran a far more intractable problem than North Korea right now; imagine the regime with a nuclear option. Option 5 would be diplomatically difficult and could not promise any formal agreement at the end of the day. Given the apparent infeasibility of the first five options, U.S. policymakers are likely defaulting to Option 6.

This would be wrong. As Singh pointed out, a final agreement based on the JPOA would not only place insufficient limitations on Iran's nuclear program, it would also carry serious geostrategic downsides. Aside from the likelihood of Iranian violations, almost any feasible formal agreement would represent a major defeat for the United States -- in the current global context, a JPOA-like deal would be seen as yielding to Iran and giving hostile states (Iran, Russia, and probably China) more legitimacy within the international system they are attempting to replace. Just as during the Cold War, agreements today must be judged in terms of their larger effects on a less than friendly strategic context. As Institute fellow Dennis Ross wrote on July 30, the Obama administration "needs to read the new strategic landscape in the region and act accordingly. That landscape should shape our calculus as we approach the larger questions of Israeli-Palestinian peace, Syria, Iraq and Iran...How can it ensure that U.S. friends in the region are stronger in January 2017, and their adversaries (and ours) are weaker?" ([see "How to Think About the New Middle East" \(http://www.washingtoninstitute.org/policy-analysis/view/how-to-think-about-the-new-middle-east\)](http://www.washingtoninstitute.org/policy-analysis/view/how-to-think-about-the-new-middle-east)).

In that context, any JPOA-like agreement with Iran is dangerous. To be sure, the United States would gain some visibility on Iran's activities through enhanced inspections, and perhaps six months' warning time before the regime could break out to a minimal nuclear weapons capability. In return, however, it would have to lift or suspend many sanctions, formalize Tehran as a security partner, undercut longstanding nonproliferation policy, and effectively give Iran, Russia, and China a precedent to influence U.S. and allied security. Washington would also have to defend a deal whose terms would not much reduce the Iranian nuclear threat.

With these problems in mind, the administration may want to consider another course of action that does not depend on reaching a formal agreement. First, it should hold fast on the remaining sticking points in the current negotiations. If Iran caves, fine, but that is improbable -- the regime is unlikely to agree to any deal materially tougher than the JPOA. If the deadlock persists, Washington should proceed as follows:

- Freeze the negotiations.
- Forgo new sanctions, but keep existing sanctions at their current level by invoking the president's national security waiver under the National Defense Authorization Act. Iranian funds tied up around the world would remain frozen to the extent possible.
- Clarify to Iran the U.S. "expectation" that it not reverse its modest concessions in the JPOA, particularly the agreement to allow more intrusive inspections by the International Atomic Energy Agency (IAEA).
- Lay out clear redlines for military action that would apply if Iran approaches a nuclear weapons capability or blocks inspections. Specifically, these lines would be triggered if Tehran produces 250 kilograms of 20 percent enriched uranium (the amount noted by Israeli prime minister Binyamin Netanyahu in his September 2012 UN speech), makes final preparations to introduce nuclear fuel or heavy water into the Arak facility, develops larger stocks of 5 percent enriched uranium that could circumvent the 20 percent redline, or significantly curtails IAEA inspections.
- Cooperate with rather than attempt to rein in Israel's deterrent threat. This includes providing more weapons and systems to Israel that could facilitate a strike, and continuing the improvement of U.S. military capabilities in the Persian Gulf, especially missile defense.
- Shop these measures not as a formal agreement, but as an informal set of understandings with Iran, the P5+1, the IAEA, Congress, Israel, and various U.S. partners.
- Reopen P5+1 talks only if Iran is willing to negotiate seriously on an unambiguously civil nuclear program without enrichment.

This course of action would achieve most of what a "JPOA plus" approach offers, absent a few months' warning time, but without an embarrassingly bad agreement and yet another strategic defeat for the United States. There would likely be some erosion of sanctions enforcement under this alternative, but almost certainly less than in any formal agreement acceptable to the Iranians.

Central to this alternative is a U.S. commitment to use force if a redline is crossed. Although this commitment would be problematic to many, there is no good alternative, and Washington needs to emphasize that fact to reluctant allies. In the current international climate, the United States has to take considerable risks to protect vital interests, and those risks include force. Washington has threatened or used force scores of times in the past seventy years "to anchor global security," to paraphrase President Obama's remarks about military action last September. Americans must be ready to do so again, or eventually face a nuclear-armed Iran.

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