



REVERSING IRAN'S NUCLEAR PROGRAM

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Mr. Chairman, Mr. Ranking Member, Senators, thank you for the opportunity to appear before your committee on this critical matter.

The rapid pace of events since Iranian president Hassan Rouhani took office this past summer has significantly increased the possibility of a successful negotiation on Iran's nuclear program, thereby forestalling either a military strike on Iran or the emergence of a nuclear-armed or nuclear-weapon-capable Iran. Either of these latter eventualities would unleash unknown but likely very serious consequences on an already stressed international situation. The United States thus should vigorously engage, with Iran and with our allies and partners, accepting risks when necessary, to achieve a diplomatic breakthrough that would meet President Obama's criteria of being meaningful, transparent, and verifiable.

The technical outlines of any such agreement have been sketched out many times, by the P5+1 in its September 2009 offer to Iran and in studies and essays by many analysts, myself included. Iran will have to largely forgo use of its huge enrichment infrastructure, including closing the Fordow site, stop work on the Arak heavy water reactor, agree to much more intrusive IAEA inspections and implementation of a safeguards agreement, and come clean on its nuclear-related military research. Iran will insist on enrichment as a principle, but that would have to be limited in quantity and quality -- that is, no more than 5 percent, with all but immediately required enriched uranium stored "temporarily" outside Iran and the whole process vigorously monitored. The P5+1 will have to lift or suspend nonmilitary sanctions, especially those targeting hydrocarbons trade and banking not tied to illicit nuclear materials trade, and de facto will have to countenance a minimal amount of Iranian enrichment.

While the outline of such a "big for big" deal can be sketched out as above, two sets of detail-related issues will bedevil the negotiations. The first is operational: how to sequence tit-for-tat concessions and intermediary steps to move toward "big for big" in a low-trust environment. The second involves the two core concessions, enrichment and sanctions relief. The Iranians have repeatedly demanded formal international recognition of a "right to enrichment." The P5+1 should resist this demand. The right to enrichment is informally anchored in the Nuclear Nonproliferation Treaty, and has been explicitly annulled by legally binding UN Security Council resolutions. The most the P5+1 should do is void or, better, suspend the ban on enrichment as a "quid" for Iranian accommodation.

The sanctions relief problem cuts two ways: first, difficulty reinstating international sanctions once lifted or canceled, given their economic disadvantages and possible noncooperation by Russia and China, thereby undercutting the "stick" component of any deal; and, second, likely reluctance by many in Congress to lift sanctions for any inevitably less-than-perfect agreement, thus undercutting the "carrot" needed for any deal.

A solution to the two-headed sanctions problem could focus on temporary "test" arrangements. UN and EU sanctions could be suspended for X period, following which they would automatically kick back in, absent new votes to extend or make permanent the sanctions relief, based on the degree of verified Iranian compliance. On the key U.S. sanctions -- namely, the highly effective 2012 National Defense Authorization Act, which imposed bank penalties for funding Iranian oil purchases -- the president in consultation with Congress could exercise the national security waiver in the act. To avoid a strong congressional reaction, any agreement would have to be at least minimally acceptable to Israel and a majority in Congress. Iran in turn would have to accept, at least initially, temporary, contingent sanctions relief in return for its concessions and actions (which themselves would be reversible).

But even if these tough issues could be resolved, the opportunity to reach agreement remains only a possibility. To increase the chances of it becoming a reality, the following should be kept in mind in executing our diplomatic strategy.

First, Iran's foreign policy reflects long-term regional ambitions amounting to de facto hegemony, broadly supported by the population. With or without an agreement, with or without more mutual trust with the outside world, these ambitions are unlikely to change, and they are inimical to the interests of the other states in the region, to the United States and its world role, and to an international community based on the UN charter. But we should neither demand that Iran give up these ambitions as the condition for any agreement, nor "sell" any agreement as a gateway to a friendlier Iran. Any agreement must rest on its own merits as a better alternative to military action or a nuclear Iran. Any acceptable agreement would perhaps improve understanding and trust between Iran and the outside world. While this would be a good thing for crisis management between hostile camps, it should not be an expectation from, or motivation for, doing a deal. Given this underlying reality, the United States should absolutely avoid concessions in return for "enhanced trust" or "good chemistry."

Second, we are at this hopeful point only because of the threat of U.S. or Israeli military action, the impact of UN, EU, and especially U.S. sanctions on the Iranian economy, population, and political system, and the willingness of the international community to accept these sanctions despite their costs. Thus, nothing done inside or outside the negotiations should weaken these three pillars and their necessary synergy.

Third, it would be a mistake in any negotiation to hold international sanctions relief and other benefits hostage to a change in Iran's fundamental worldview and ambitions, or abandonment of its specific activities beyond the nuclear account, from internal oppression and support of terror to engagement in Syria. Iran's nuclear effort is a tactical sortie that in the face of sufficient pressure can be at least temporarily abandoned. Iran, however, is highly unlikely to yield to pressure on its fundamental interests, as it sees them. And any effort to compel it to do so will likely strengthen those who argue that a nuclear agreement is really a Trojan horse for regime change. Pushing such an agenda would not only scuttle negotiations but likely mobilize in opposition to the United States much of the international community needed for continued U.S. sanctions. As Congress considers new sanctions, it will be important to consider the timeline for their implementation.

Finally, the credible threat of military force must overshadow any negotiating effort; not so obvious as to be provocative but present enough to be credible. Here, American will to act is as critical as American military capabilities. Frankly, the administration, beginning with its Afghanistan and Libya decisions and on to the president's May terrorism speech and punt to Congress on the Syria strike, has called our will into question. This can be reversed by our military readiness, more clarity on the administration's redline, a presidential commitment to act on his own authority if the line is crossed, and expressions of congressional support for such action. However, the credibility of any threat of military force and other sticks is also enhanced if the United States puts a reasonable and comprehensive offer on the table. As seen in the run-ups to U.S. strikes in 1991, 2001, and 2003, the international community's vital support for military action is only attainable if the United States demonstrates it has taken every effort to offer a fair compromise.

Pulling off a diplomatic coup of the present magnitude will require extraordinary effort, as the administration must deal simultaneously with the Iranians, our European allies, Russia and China, an Israel and Arab Gulf deeply skeptical of any compromise with Iran, an American public generally opposed to the use of force, and a Congress sharing seemingly the attitudes of both the American people and the regional skeptics. But the current standoff between Iran and the rest of the world is inherently unstable, and the alternatives apart from a negotiated settlement--a nuclear-armed or capable Iran, or a new war--in the midst of a region already slipping out of control, are far worse.