



Beyond Implementation Day: A Brief Statement on U.S. Policy Toward Iran

- Endorsed by a Bipartisan Group of American Diplomats, Legislators, Policymakers, and Experts

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For more than three years, members of the bipartisan Iran Study Group have convened regularly under the auspices of The Washington Institute for Near East Policy to discuss the status of the Iran nuclear issue, frequently benefitting from the input of senior administration officials. Last June, with the target date looming for completion of the nuclear talks, members of the group issued a statement offering their consensus view on aspects of those negotiations and on broader U.S. Middle East policy (<http://washin.st/IranStatement>). As the Joint Comprehensive Plan of Action (JCPOA) now moves into a new phase with Implementation Day, members of the group believe it is timely and appropriate to issue this new consensus statement on U.S. policy.

The arrival of Implementation Day marks an important juncture in the execution of the JCPOA. Some of us supported the Iran nuclear agreement; some of us opposed it and still do; and others took no formal position. All of us, however, believe that it is essential now to underscore three critical points.

First, Implementation Day recognizes certification by the International Atomic Energy Agency (IAEA) that Iran has

fulfilled those major commitments under the JCPOA that would lead to a suspension of the sanctions regime. These include decreasing its stock of installed centrifuges from about 19,500 to 6,104; rendering inoperable the Arak heavy water reactor; and shrinking its stockpile of low-enriched (3.67 percent) uranium from more than ten tons to 300 kilograms.

However, it is a mistake to infer that Iran has now satisfied its JCPOA requirements. In addition to those steps

cited above, the JCPOA imposes a set of requirements on Iran that will remain in place for many years to come. They include, among others, tight restrictions on the level of enrichment and Iranian research on or production of advanced centrifuges; the timely shipment out of Iran of spent fuel; and, in the words of the JCPOA, a ban on “activities, including at the R&D level, that could contribute to the development of a nuclear explosive device.”

To ensure Iran’s full compliance over the life of the JCPOA, it is essential that the United States, along with its P5+1 partners, establish the highest level of vigilance now. It is especially important that the Obama administration put into place a system for rigorous enforcement of all aspects of the JCPOA, including the full implementation of UN Security Council Resolution 2231, since the Iranians and, perhaps, some of our P5+1 partners may cry foul if rigorous enforcement is left to the president’s successor. That includes, among other points, a vigorous program of intelligence collection, regardless of concerns that Iran would consider certain intelligence activities as a violation of the JCPOA, as well as an understanding that the United States reserves the right in the event of infractions to impose penalties on Iran should it conclude that the Joint Commission for dispute resolution and the Security Council are reluctant to do so. This should also include cooperation between the White House and Congress to extend the Iran Sanctions Act, to provide full funding for IAEA monitoring and verification of the agreement, and to establish appropriate oversight mechanisms to guarantee the vigilance needed to ensure full Iranian compliance. Congress should play a role in helping to ensure there are appropriate responses to any Iranian violations of the JCPOA.

Second, IAEA certification that Iran has fulfilled its Implementation Day requirements does not necessarily mean that all processes and mechanisms are in place to ensure the smooth functioning of the monitoring and verification regime envisioned under the JCPOA. It is unclear whether the IAEA-monitored procurement channel through which Iran will acquire nuclear-related material is ready for operation; much about how it will work is uncertain. The JCPOA’s provisions about timely IAEA access to sites to which Iran refuses visits need to be clarified, especially the penalties Iran will pay if it blocks access. Iran needs to ratify the Additional Protocol, which it is only applying provisionally. Iran needs to provide visas on a timely basis for any inspectors the IAEA designates.

Third, in our [June statement](#), we noted that, even granting the wisdom of a strategy that separated the nuclear issues from other items on the U.S.-Iran agenda, negotiations needed to be “buttressed by a resolute regional strategy” or the result “may fall short of meeting the administration’s own standard of a ‘good’ agreement.” To that end, we urged the administration to “bolster any agreement by doing more in the region to check Iran and support our traditional friends and allies.” This proposal reflected our judgment on the organic link between Iran’s regional policies and the nuclear agreement.

It is important to note the connection between Iran’s regional policies and the nuclear accord. If Iran views the regional environment as permissive, in which there is not sufficient pushback against its negative regional behavior, it will be more inclined to test the bounds of the nuclear agreement. By contrast, if Iran finds that it encounters effective U.S. pushback wherever it seeks to expand its influence, it will likely be less inclined to test the limits of the nuclear agreement. Ironically, the surest way to empower more pragmatic forces in Iran is to raise the costs of hardline behaviors—the very logic that led Iran to negotiate on its nuclear program.

In the days following the announcement of the JCPOA, administration officials frequently endorsed the need for more active measures against Iran’s problematic regional behavior, including measures to prevent Iran from shipping weapons to its terrorist proxies, from engaging in subversive behavior in neighboring states, or from supporting the rebels in Yemen. As President Obama said on July 14, “We share the concerns expressed by many of our friends in the Middle East, including Israel and the Gulf states, about Iran’s support for terrorism and its use of proxies to destabilize the region.” And as he promised on July 20, “If Iran continues to support these bad activities, we have agreed with the Gulf states that we are going to push back, intensely.”

Still, since the announcement of the JCPOA, Iran has violated multiple Security Council resolutions by undertaking ballistic missile tests, transferring arms and military personnel to Syria, and resupplying Hezbollah. In addition, Iran has harassed U.S. naval ships, permitted an attack on a foreign embassy in its capital, and persisted in pernicious incitement against member-states of the United Nations. While some of these problematic policies

predate the JCPOA, there is no evidence Iran has moderated its foreign policy since the JCPOA.

In response, the Obama administration did implement some of our suggestions to strengthen its regional policy, including arming Iraqi Peshmerga, allowing U.S. advisors and Special Forces to operate more directly with Iraqi units, and providing more arms and air support to some Syrian opposition units. Most recently, after a delay apparently triggered by the reluctance to complicate negotiations for the release of Americans wrongfully detained by Iran, the administration announced designations of institutions and individuals complicit in Iran's ballistic missile program, the first expansion of U.S. sanctions since the JCPOA was announced—and we welcome these designations.

Regrettably, the administration has opted not to pursue some of the most important items we proposed last June. The most significant of these is the creation of safe zones in Syria. The bottom-line result is that the position of Syria's Bashar al-Assad—Iran's only Arab government ally and the principal catalyst for jihadist mobilization in the region—has improved considerably in the months since the JCPOA, thanks both to the direct deployment of Iranian forces to the Syrian battlefield and the arrival of Russian military forces to support the Syrian military effort.

We urge the administration to take the moment of Implementation Day—and Iran's receipt of considerable sums in sanctions relief—to implement a truly robust strategy to counter Iranian destabilization. This would include fuller expression, in word and deed, of support for our traditional friends and allies confronting Iran's efforts to destabilize the region; more active efforts to counter Iranian military and other support to terrorist proxies; and swifter resort to punitive measures, including sanctions, as a response to egregious actions by Iran outside the scope of the JCPOA.

Worse than the appearance of delaying or deferring appropriate action against Iran's problematic regional behavior has been a perception that Washington sees Iran as a potential, or even actual, ally against ISIL. Nothing could be further from the truth. The reality is that Iran's policy across the region is to promote instability. Iran funds, trains, arms, and recruits militias outside the control of governments, even governments friendly to the Islamic Republic, like Iraq and Syria. The Popular Mobilization Units (PMU) in Iraq and the National Defense

Forces (NDF) in Syria are, to a significant extent, outside the control of Baghdad and Damascus, often being more responsive to directives from Tehran and its agents on the ground. Both the PMU and NDF are major forces; arguably, the NDF has been more important for Assad's survival than is the Syrian Arab Army. The PMU is as active in promoting anti-Americanism as fighting ISIL, and the NDF devotes precious little effort to countering ISIL. Until now, at least, the violent sectarianism of the PMU and NDF is among the most important factors feeding support for ISIL among beleaguered Sunni populations. By the massive aid it provides the most extreme Shiite forces in Iraq and Syria, Iran is hard at work fanning the flames of sectarianism, which has the twin effect of keeping ISIL alive and ensuring that Iran has a major role throughout the region. In other words, Iran is as much ISIL's recruiting sergeant as its enemy.

The U.S. government should systematically call attention to Iran's strategy of weakening and undermining governments across the region, and at the same time Washington should clearly articulate how countering Iranian destabilization and sectarianism is at the heart of the U.S. strategy to defeat ISIL. Statements to this effect would provide a convincing strategic rationale for U.S. policy, countering the widespread view in the region that the United States is slipping into a de facto alliance with Iran against Sunni states, ceding to Tehran regional hegemony as part of a U.S. turn away from the Middle East. As that view grows stronger, U.S. influence grows weaker, and the Saudis and others feel the need to impose their own limits on the Iranians.

Syria is a particularly difficult situation, because Bashar al-Assad is so determined to survive in at least a part of his country by attacking his own people—not by attacking ISIL. Indeed, his government has shown once again in recent weeks that its priority is defeating the non-ISIL Arab opposition forces.

Recognizing that the Obama administration is unlikely to commit enough force directly to Syria to change the military balance, we will be left with no palatable alternatives until such time as the non-ISIL, non-Assad forces are strong enough to compel compromise. If such forces show they are strong enough to hold onto important areas indefinitely, then and only then might the Assad coalition crack, leaving the Iranians and a narrow Assad circle isolated. Both the Russians and many in the Alawite community, as well as many in the urban

Sunni elite, may be unhappy with Assad, but it is overly optimistic to count on them taking the dangerous, desperate step of breaking with him unless they feel compelled to do so.

In other words, the desirable diplomatic solution of a transitional government for which Secretary of State Kerry has labored so indefatigably is much more likely in the event that the Assad forces, with their strong backing from Iran, are no longer able to ensure the survival of the regime and require more support to do so than Russia or Iran is willing to provide. In this regard, there is no benefit to “partnering” with Iran against ISIL. Cooperation with Russia would only make sense if Moscow demonstrates readiness to force Assad to stop the barrel bombs, forced starvations, and massive civilian targeting and open humanitarian corridors. Without these changes, ceasefires are unlikely, and the United States will have little ability to influence the Sunni states to take a stronger role against ISIL.

In this regard, a critical aspect of U.S. policy must be concerted effort to repair relations with Sunni Arab states

and Turkey, whose leaders are convinced that Washington is purposefully rebalancing relations to reflect an even-handed approach to them and to Iran. Permitting the perception of “even-handedness” is a lose-lose option for the United States—it will never earn real cooperation from Iran, which is bent on undermining America’s standing in the region, and it will drive Turkey and the Sunni Arab partners to take measures on their own that may complicate U.S. policy.

Similarly, the United States should take the post-Implementation Day moment to project tangible improvement in the damaged relationship between Washington and Jerusalem. While this is important as a way to strengthen Israel’s deterrent, it is even more important as a way to repair the strained perception of America as a reliable ally. Completing discussions with Israel over a long-term agreement about enhanced military assistance is an important step in this process. Here, too, it would be best if this occurred under the Obama administration, not its successor.

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