

Trump Preparing to End Iran Nuke Deal

US President Trump seems determined to kill the nuclear deal with Iran. European leaders should strive to prevent this, as it would severely damage transatlantic relations and the nuclear non-proliferation regime.

By Jack Thompson and Oliver Thränert

One of the most successful examples of transatlantic cooperation in recent years was the conclusion of the Joint Comprehensive Plan of Action (JCPOA), which was finalized in July 2015. The deal imposes strict constraints on Iran's nuclear program, and provides for enhanced transparency, in return for relief from international sanctions.

However, that deal is now under threat. US President Donald Trump, who as a candidate called the JCPOA the "stupidest deal of all time", is convinced that it does little to prevent Iran from developing nuclear weapons. Therefore, the White House is laying the groundwork for withdrawal, possibly as early as October 2017.¹ If the US were to unilaterally withdraw from the JCPOA, this would antagonize the European signatories who, through their early and intense diplomatic engagement, made the JCPOA possible in the first place. With transatlantic relations already under strain, mostly as a result of the Trump administration's ambivalence about NATO and, more broadly, the liberal world order, the

termination of the JCPOA would constitute yet another significant blow to US-European relations. Furthermore, ending the deal would lift the present limitations on Iran's

KEY POINTS

- The Joint Comprehensive Plan of Action (JCPOA) of 2015, which would have been impossible without close transatlantic cooperation, brought Iran back into compliance with the Nuclear Non-Proliferation Treaty (NPT)
- US President Trump and some of his political advisors are preparing to end participation in the JCPOA, possibly as early as October 2017. Iran is gaining ever more influence in the Middle East, they contend, which is why sanctions need to be reinforced, not lifted
- If the US were to withdraw from the JCPOA, it would deal another blow to US-European ties and could weaken the NPT
- Hence, European governments need to talk to Trump's most influential advisers and convince them that withdrawal from the JCPOA would leave the US isolated

nuclear program and weaken the entire nuclear non-proliferation regime. Therefore, decisive European action is required to stop the Trump administration from abandoning the JCPOA.

Divisions in the Trump Administration

Two factors are likely influencing the thinking of Trump and other hardliners. Partisanship is one. For many conservatives, the Iran deal was emblematic of what they viewed as Barack Obama's feckless foreign policy, and Trump has been adept at channeling conservative anger at the former president. Second, Trump and other critics emphasize Tehran's extensive involvement in Syria and Iraq and its support for Hamas and Hezbollah. As a result, they argue, Iran is gaining ever more influence in the Middle East. To stop Iran, goes the argument, sanctions have to be reinforced, not lifted. Intense lobbying by the Saudi and Israeli governments has reinforced the administration's anti-Iran tendencies.

Key political advisors in the administration, such as Chief Strategist Steve Bannon and Deputy Assistant to the President Sebastian Gorka, have played a role in convincing the president to put more pressure on Tehran, to end the JCPOA, and to enforce sanctions. At the same time, most of the president's principal national security advisors – with the notable exception of CIA Director Mike Pompeo – oppose leaving the JCPOA. Though some of them are critical of the agreement, unilateral withdrawal would leave the US isolated, they believe, and would remove any ability it would have to influence the development of Iran's nuclear program. This group includes Secretary of Defense James Mattis, National Security Advisor H.R. McMaster, Chairman of the Joint Chiefs of Staff General Joseph Dunford, and Secretary of State Rex Tillerson. But this faction appears to be losing the battle on the Iran deal. Instead, ideologues such as Bannon, Gorka, and Stephen Miller, a Senior Advisor to the president, appear to have scored an important victory. These aides are skeptical of the national security establishment, which they view as the embodiment of the corrupt Washington "swamp" that is in need of draining, and as hostile to Trump's presidency.

Even though the president has openly stated that he advocates direct abrogation of the deal, some of his advisors reportedly favor a more subtle approach. They believe that it would be preferable to find a way to goad Tehran into withdrawing from the agreement or, alternatively, into taking steps that could be portrayed as being in violation of the JCPOA. The most likely option at present is that the International Atomic Energy Agency (IAEA),



Iranian-made Emad missile is displayed during a ceremony marking the 37th anniversary of the Islamic Revolution, in Tehran February 11, 2016. Raheb Homavandi / Reuters.

which is responsible for conducting inspections under the JCPOA, would be convinced to request unrestricted access to all of Tehran's military sites. This thinking reflects a complete misunderstanding of international organizations, such as the IAEA, on the part of Trump and his followers: Their purpose is not to serve narrowly defined US national interests, but to implement provisions agreed to by all parties. Furthermore, the IAEA would be well advised to ask for access to particular sites only if it has information that hint at anomalies not compatible with the JCPOA. The US is in the process of attempting to gather intelligence that would convince its allies and the IAEA of the need to inspect these sites. In any event, to gain access to additional military sites, a step that Tehran would likely resist, the US would need the support of a majority of the other JCPOA signatories.

The JCPOA and its Implementation

To be sure, the JCPOA is imperfect. Particularly controversial is the fact that it allows Iran to maintain its entire nuclear infrastructure, and to continue conducting research. Moreover, the deal is of limited duration. Iran can return to full-scale uranium enrichment – a dual-use technology that can be used for the production of bomb-grade fissile material – once special restrictions in the JCPOA are removed, beginning about eight years from now. Because Tehran probably knows how to build nuclear explosive devices, it is what nuclear proliferation experts call a "threshold state": A country that has the knowledge and the infrastructure available to become a nuclear state in a short period of time. Moreover, the JCPOA does not limit Iran's right to develop and test ever more sophisticated missiles. It is therefore free to perfect its delivery systems, which could be fitted with nuclear weapons.

In spite of such flaws, the JCPOA is a remarkable achievement. It is the only example of a determined violator of the Nuclear Non-Proliferation Treaty (NPT) having been brought back into full compliance without using military force. This was made possible by the creation of an international coalition, which was initiated by the three main European powers – France, United Kingdom and Germany – in October 2003. In an intense diplomatic effort, this troika and the EU joined forces with an initially hesitant George W. Bush administration, as well as with Russia and China. The E3/EU plus 3, or P-5 plus 1, orchestrated, beginning in July 2006, the adoption of a series of UN Security Council resolutions directed against the Iranian nuclear program, including sanctions. When Barack Obama became president, the US immediately took the lead in these diplomatic efforts, which eventually led to the JCPOA.

Unsurprisingly, Iran has tested the limits of the agreement. For instance, its heavy water production exceeded the cap defined by the JCPOA. But this issue has been addressed through the Joint Commission that was set up as a negotiating channel between the E-3/EU plus 3 and Iran. So far, the IAEA apparently has not inspected Iranian military sites, because it did not feel this to be necessary, given that Iran's plutonium reactor at Arak remains filled with concrete; 15,000 centrifuges for uranium enrichment remain locked under IAEA supervision; and Tehran continues to provide inspectors with timely access across the entire uranium chain. At this point, in contrast to Trump and the hawks in his administration, representatives of the E-3/EU plus 3 and the IAEA believe that the JCPOA is working.²

The Threat of Nuclear Proliferation

The cornerstone of international efforts to prevent the proliferation of nuclear weapons, the Nuclear Non-Proliferation Treaty (NPT), has been under stress for some time. Many non-nuclear weapons states contend that the disarmament pace prescribed by this treaty is too slow. The recent adoption in the UN of a treaty on the prohibition of nuclear weapons will further complicate matters. All nuclear weapon states, and those that shelter under the US nuclear umbrella, have boycotted this agreement – a split which is heightening divisions within the NPT community.³ Furthermore, one of the few things that NPT members agree upon is continued implementation of the JCPOA, which many see as essential.

Hence, if the Trump administration were to abandon the JCPOA, this would weaken the nuclear nonproliferation norm. Iran's nuclear program would be freed from the special JCPOA constraints. Moreover, more states may con-

sider the nuclear option. For instance, Iran's archrival Saudi Arabia might seek to develop a nuclear capability, which would further destabilize the Middle East. In addition, at a time when North Korea is in the process of developing intercontinental ballistic missiles that it could fit with nuclear warheads, Japan and South Korea have already begun to question US security guarantees. They note that, in the event of a military confrontation with Pyongyang, Washington would have to reckon with the possibility of a nuclear strike on its west coast. This has bolstered those in both countries, especially in South Korea, who wish to establish an independent nuclear deterrent. Until now, the very existence of the NPT has served as a check on these arguments. But within the context of a weakened NPT, South Korea – and other states such as Japan – going nuclear could become more likely.⁴

Europe: Time for Action

In the upcoming months, European governments should do their utmost to convince the Trump administration to not abolish the JCPOA. This will require intensive dialogue with the right people in Washington. These are no longer representatives of the State Department, who seem to have entirely lost their influence. Rather, European officials need to approach national security professionals that value transatlantic cooperation, such as Secretary Mattis. However, if possible, a dialogue with Trump advisers such as Bannon and Gorka might also be useful. Furthermore, Congress needs to be brought into the loop. Influential figures such as Republican Bob Corker, Chairman of the Senate Foreign Relations Committee, seem to be more flexible than the hardliners.

European officials should emphasize four points. First, they should reassure their counterparts that they would continue to support Washington in any meaningful effort to ensure that Iran implements all of the JCPOA provisions, including verification, but that the respective regulations should not be abused. Second, the Europeans

FURTHER READING

Trump Assigns White House Team to Target Iran Nuclear Deal, Sidelining State Department *Jana Winter, Robbie Gramer, and Dan de Luce, Foreign Policy, July 21, 2017*

This recent article provides the best overview of tension in the White House between critics and supporters of the JCPOA.

The Iran Nuclear Deal: Prelude to Proliferation in the Middle East?

Robert Einhorn and Richard Nephew, Foreign Policy at Brookings, Arms Control and Non-Proliferation Series Paper 11, May 2016

This is an excellent analysis of the JCPOA and its consequences for the Middle East.

need to make it clear that they continue to support US sanctions that are directed against human rights abuses and the Iranian missile program. Such was the case in August 2017, when the US, joined by the UK, France and Germany, sent a joint letter to the UN Security Council and the Secretary General. Iran's launch of a missile that carried a satellite into orbit, the letter noted, was inconsistent with UNSCR 2231, which codified the JCPOA.⁵ Third, European policymakers should seek to convince the White House that they would not allow Tehran to withdraw from the JCPOA, and thereby win the blame game, by arguing that sanctions directed against the Iranian missile program contradict the JCPOA. Fourth, however, Europe must leave no room for doubt: unilateral withdrawal from the JCPOA, let alone military action against Iran, would leave the US isolated.

SELECTED SOURCES

1. By law, the administration is required to notify Congress every 90 days whether Iran is living up to the JCPOA. Trump told advisers that he at least wants to have the option to decertify Iran next time, i.e. at the end of September 2017, so that the US would be free to withdraw from the JCPOA. Baker, Peter, "Trump Recertifies Iran Nuclear Deal, but Only Reluctantly", *The New York Times*, July 17, 2017.
2. Fitzpatrick, Mark, "Three strikes against claims that Iran is violating the nuclear accord", *ISS Voices*, July 27, 2017.
3. Gladstone, Rick, "The U.N. Adopts a Treaty to Ban Nuclear Weapons. Now Comes the Hard Part", *The New York Times*, July 8, 2017.
4. Burton, John, "Moon's nuclear option", *The Korea Times*, July 26, 2017.
5. Gladstone, Rick, "Now U.S. Has Company in Pressing Iran on Missile", *The New York Times*, August 3, 2017. Paragraph 3 of Annex B of resolution 2231 (2015) calls upon Iran not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology.

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