



Ensuring that the Nuclear Agreement Effectively Constrains Iran

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The nuclear deal announced earlier this week between Iran and leading global powers set off an intense debate just hours after its announcement.¹ With vital national security interests at stake, this is an important debate to have—one that will continue in the months ahead as Congress deliberates the deal.

This agreement versus the alternatives

The nuclear agreement with Iran offers the United States and its international partners a historic opportunity to block Tehran's nuclear ambitions. The agreement enjoys the support of the P5+1, the five permanent members of the U.N. Security Council—Russia, China, the United Kingdom, France, and the United States—as well as Germany and the European Union. It has created a new consensus about the best way to deal with Iran's nuclear program.

To properly assess the agreement, it should be compared to the three main alternatives:

1. The status quo before the deal
2. More rounds of coercive diplomacy with additional international sanctions to impose costs and extract more concessions
3. Military action targeting Iran's weapons facilities and nuclear research sites

The first two alternatives—trying to return to the status quo before the deal or more coercive diplomacy with additional international sanctions on Iran—are currently unrealistic unless Iran does not abide by the commitments it made in the agreement.

There are no doubt critics of this new international consensus. But unless Iran violates the terms of the agreement, it is difficult to imagine a scenario in which the leading world powers would return to the status quo before negotiations.

The second alternative—additional sanctions to impose higher costs on Iran in order to get better terms in a nuclear deal—is not likely because key global powers, including many European countries, China, and Russia, have signaled neither interest in nor support for additional sanctions when Congress proposed them earlier this year.² Moreover, other leading countries around the world—such as India and South Korea, which have absorbed many of the costs of international sanctions on Iran³—are unlikely to be enthusiastic about additional sanctions.

Since this week's deal offers a credible plan for addressing the outstanding questions about Iran's nuclear program, these countries are unlikely to join any effort that would put more sanctions on Iran for its nuclear program unless Tehran cheats. If the United States tries to move into another round of coercive diplomacy with Iran, the international consensus built by this agreement—and the sanctions regime that produced it—would unravel. As a result, Iran would get its money without any controls on its nuclear program.

The third alternative—military strikes to set back Iran's nuclear program—offers no guarantee that it would prevent Iran from eventually getting a nuclear weapon. Risk and uncertainty are inherent in any military endeavor, and the broader consequences of an American military strike on Iran's nuclear program are difficult to predict. But such strikes would risk igniting another major regional conflict. At the same time, estimates of the damage such a strike could do to Iran's nuclear program make it clear that the deal on the table is the superior alternative. Israeli defense officials believed in 2010 that an Israeli military strike would delay Iran's nuclear program by only three to five years.⁴ While American military capabilities are much greater than Israeli ones, Joint Chiefs of Staff Chairman Gen. Martin Dempsey stated in November 2014 that the U.S. military could only “delay [Iran's] nuclear enterprise by some number of years.”⁵ In contrast, the nuclear agreement puts the brakes on Iran's nuclear program for more than a decade.

The United States and its close partners in the region should not take any option off the table when it comes to stopping Iran from getting a nuclear weapon. At some point, if Iran fails to live up to its commitments, it may become necessary to explore military means to stop Iran's nuclear effort. If military force becomes necessary, it is important to note that the terms of this week's agreement would actually make potential military action against Iran's nuclear program more effective since the agreement rolls back Iran's nuclear capabilities, concentrates them in fewer locations, and gives the international community greater knowledge of Iran's facilities.

Measured against these three alternatives, the deal announced this week is the most effective pathway to prevent Iran from getting a nuclear weapon. Congress should debate these alternatives, but this deal meets the five criteria for an effective deal that the Center for American Progress outlined last month.⁶

Three key steps Congress can take to ensure the effective implementation of the agreement

Ultimately, the debate should focus on how Congress and the administration can work together to ensure strong and effective implementation of this agreement, while at the same time taking more assertive coordinated action against Iran's destructive behaviors in the Middle East and against its own people. On these fronts, there are three key steps Congress can take to strengthen implementation of the agreement and counter Iran's destabilizing influence.

Provide additional resources to the U.S. intelligence community to reinforce the monitoring and verification components of the deal

The deal struck this week contains impressive and intrusive measures to monitor and verify Iran's compliance. For existing and known nuclear facilities, Iran will give access to International Atomic Energy Agency, or IAEA, inspectors, and these inspectors will have daily access via video monitoring of key components.

In addition, Iran has effectively committed to the Additional Protocol, which gives the IAEA the right to inspect suspected undeclared nuclear facilities when inspectors ask to visit.⁷ But the provision is short of "anywhere, anytime" because the inspectors first need to present evidence.⁸ In the event that additional sites not covered by the deal are discovered in the coming months and years, the IAEA has to present evidence in order to gain access. Iran can object, and if a dispute arises over access, this dispute would be presented in front of a joint committee consisting of the parties to the agreement: the P5+1, the European Union, and Iran. If a simple majority of this committee votes in favor of access, Iran must comply, meaning neither Iran, Russia, nor China can block access on their own. This process is not indefinite: Disputes must be resolved within 24 days. Most nuclear activities leave traces that can be detected beyond this period, meaning a delay of 24 days in inspecting a suspect facility is highly unlikely to hamper efforts to monitor and verify Iran's adherence to the agreement.⁹ These procedures were designed to give maximum access and visibility to Iran's facilities. But they no doubt will raise some concerns, and there should be a discussion about whether there are practical ways to improve access.

Congress can play an important role in providing additional resources for America's intelligence community and the IAEA to monitor and verify Iran's compliance with the deal. In the past, the United States has used various means to collect information on Iran's activities, and its technical intelligence capabilities are unrivaled. One thing Congress can do to ensure effective and strong implementation of the agreement is to pass additional funding to support the U.S. intelligence community and the U.S. Department of Energy in their efforts to monitor and verify the agreement.

Boost U.S. deterrence against Iran in the region

The deal struck this week places time limits on key aspects of the deal: After five years, the ban on conventional weapons sales to Iran could be lifted; after eight years, a ban on ballistic missiles could be lifted; and finally, after 15 years, many of the limits on enrichment would be lifted.

These provisions raise concerns about the possibility that Iran could once again become a nuclear threshold state by 2030 or further destabilize the region through terrorism or conventional means. These are concerns that the United States can address by making sure it provides effective deterrence against Iran in the coming years. Iran should understand that all options are on the table and that it will pay an extremely high price if it does not abide by the nuclear agreement or if it uses conventional weapons to threaten its neighbors. The United States and its partners can create incentives for Iran to abide by the agreement and refrain from further destabilizing actions in the region.

Similarly, the concerns that Iran might use some of the resources from sanctions relief to underwrite its proxies in the region can be addressed through a more robust set of measures to provide regional security assistance and cooperation with U.S. regional partners, as outlined in another brief by the Center for American Progress.¹⁰

Congress can pass legislation that supports the efforts to maintain America's unrivaled security presence in the region and boosts security cooperation with its Gulf partners and Israel.

Take steps to improve the international consensus on constraining Iran

The key to strong and effective implementation of this agreement is maintaining the international consensus so painstakingly built over the past few years. If Iran cheats, the agreement has a mechanism to put international sanctions back into place. These snap-back mechanisms are constructed so that there is no way for Iran, Russia, or China—either alone or in combination—to stop the U.N. Security Council from reimposing international sanctions.

The international community will watch closely how Congress debates this deal and whether or not Congress undermines its implementation. The most important thing Congress can do to maintain the international consensus and constrain Iran's nuclear program is to demonstrate that it will take seriously its obligation to debate this deal, measure it against the alternatives, and offer legislative support for its effective implementation.

Conclusion

All in all, the nuclear agreement gives the United States and its allies their best shot at reining in Iran's nuclear program. It offers a longer delay than any military option and places restrictions on Iran's nuclear activities that would be absent without an agreement. Implementation and monitoring of the agreement will be crucial to ensure Iran lives up to its terms, and the United States should remain vigilant against Iran's other destructive behavior in the Middle East.

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Endnotes

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