DEBATE: The US Withdrawal from the JCPOA: Where Do We Go from Here?

Moderated by George N. Tzogopoulos

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Q: On May 8, 2018, President Donald Trump announced the withdrawal of the US from the Joint Comprehensive Plan of Action, or JCPOA. His intention is to impose the highest possible level of economic sanctions on Iran and perhaps sanction other nations that assist Tehran in its quest for nuclear weapons. The “nixing” of the deal might be followed by a “fixing” of the deal. BESA joins the debate by posing the question: After the US withdrawal from the JCPOA, where do we go from here?

Respondents: Emily B. Landau, Michael Rubin, Benny Miller, Richard Goldberg, Seth J. Frantzman, Doron Itzchakov

Emily B. Landau, Senior Research Fellow, Head of the Arms Control and Regional Security Program, Institute for National Security Studies (INSS), Tel Aviv

The next chapter in the Iran nuclear saga, after President Trump’s withdrawal from the JCPOA, will depend on the decisions made by the parties that agreed to the deal. At present it is clear that Iran desperately wants to keep the deal – not a surprise taking into account that the JCPOA has major benefits for it, while
requiring only minimal nuclear concessions – and the European states would like to go along, as would the Russians and Chinese. The Europeans are focused more on business opportunities than nonproliferation, and want the US to allow them to move forward with economic deals with Iran. But this is at direct odds with the aim of President Trump – namely, to implement the harshest sanctions on Iran, with the hope that renewed severe economic pressure will help in ultimately renegotiating a better nuclear deal.

There is one significant piece missing from the puzzle of the past months, and that is what transpired between the US and the Europeans in their attempts to come to agreement on strengthening the deal. How committed were the parties to this effort? The Europeans only grudgingly agreed to enter discussions in February, after Trump threatened to leave the deal – but then they complained they had done “everything possible” to answer Trump’s demands, but he remained set on withdrawing. Is that true? Were the parties close to agreement? What was the content of their “fix”? And what were the remaining sticking points? Unfortunately, the answers are not available. If there’s any hope of getting a better deal – either strengthened or renegotiated – the answers to these questions are crucial, and should be public knowledge. Right now it looks like the only party that is focused on nuclear nonproliferation is the Trump administration, while the others are cynically brushing nuclear dangers to the sidelines in favor of economic gain.

Michael Rubin, Resident Scholar, American Enterprise Institute (AEI), Washington DC

On May 8, 2018, President Donald Trump announced that the US would withdraw from the Joint Comprehensive Plan of Action (JCPOA), the so-called Iran nuclear deal. While pundits and diplomats make Trump’s announcement out to be some great watershed in US credibility and its relations with allies, the reality is that Trump’s actions will not change things much.

Within Iran, diplomats talk about staying the course while the Islamic Revolutionary Guard Corps responds with threats and bluster. That good cop, bad cop approach is exactly what occurred before Trump’s announcement. And
despite the lionization of the JCPOA by some diplomats, the agreement did not fully constrain Iran’s nuclear program. Unlike in South Africa and Libya, the international community allowed Iran to maintain an industrial-scale nuclear program. And the IAEA abided by the Supreme Leader’s prohibition on the inspection of military sites in order to maintain the fiction of compliance.

There are three main components to a nuclear weapons program: enrichment, warhead design, and delivery. Iran had mastered the first before agreeing to the JCPOA, and the exposure of a secret Iranian nuclear archive showed that Iran’s warhead work was also well-advanced. Secretary of State John Kerry’s concession to Iran on ballistic missile work enabled Iran to continue to develop missiles capable of delivering nuclear missiles regardless of the JCPOA.

As for US relations with the rest of the world, Trump’s decision may be irrelevant. Many European officials, especially those motivated more by mercantile than strategic concerns, may be angry. But they were equally angry when President Bill Clinton imposed extraterritorial sanctions on their companies two decades ago. Then, however, European officials came into compliance, much as they are doing now. Trump’s announcement opened a new chapter in diplomatic posturing, but in terms of substance it was simply a recognition of reality.

**Benny Miller, Professor of International Relations, University of Haifa**

Europe is weaker than the US and China and militarily it might be even weaker than Russia. However, the future of Iran’s nuclear accord – and, even more importantly, the future great-power alignment – depends on Europe, particularly the E3 (Germany, France, and the UK). The key question is: will Europe get on the US bandwagon by similarly withdrawing from the JCPOA, thus delivering a final blow to the agreement and to Iran’s economy as well? Or will it balance US unilateralism by joining China’s and Russia’s opposition to US hegemony?

There are many reasons to expect Europe to get on the American bandwagon. The most important is economic dependence on the huge American market and concern about economic sanctions that might be imposed by the US on banks and
companies trading with Iran. Moreover, the tradition of an alliance with the US since WWII (NATO) and common liberal values may lead Europe to join the US in abandoning the agreement.

Still, President Trump’s unilateral action in withdrawing from the agreement – on top of earlier unilateral withdrawals from the Trans-Pacific Partnership trade agreement (the TPP) and the Paris Climate Accord – undermine the world order as viewed by Europe, namely a world based on rules, international cooperation, and respect for multilateral agreements. Such concern about the future of the international order and the persistence of US unilateralism might compel the Europeans not only to hold onto the agreement with Iran but also to attempt to balance US hegemony together with the Chinese and the Russians. Should the EU follow that course, its focus will be on “soft” balancing; i.e., diplomatic and possibly economic opposition to US unilateralism rather than the military-strategic balancing against the US promoted by Beijing and Moscow.

By withdrawing from the JCPOA, President Trump shifted America’s Iran policy from appeasement to maximum pressure. Our new goal should be to force Iran’s leaders to choose between wide-ranging behavioral change and regime collapse. To achieve this goal, the US, in close coordination with our allies in the Middle East, should implement a three-pronged strategy using political, economic, and military tools.

We should wage political and ideological warfare against the Islamic Republic to undermine its legitimacy both inside and outside its borders. We should wage financial warfare to accelerate the regime’s ongoing currency crisis and bring it to the brink of economic collapse. Finally, we should raise the cost for Iran’s activities in Syria, Iraq, and Yemen; employ covert action where possible; and make clear that the US will use military force if the mullahs attempt a race to the bomb.

The Trump administration must fully enforce American sanctions for a maximum pressure campaign to succeed. That means holding sanctions-evaders accountable.
in Russia, China, the Gulf, and Europe. Any future negotiations with Iran should follow the same principle President Trump established for talks with North Korea – no relief from maximum pressure until complete, verifiable, and irreversible de-nuclearization.

**Seth J. Frantzman**, Executive Director of the Middle East Center for Reporting and Analysis; covers Middle East affairs for *The Jerusalem Post*

US President Donald Trump took away Iran's "war" card by withdrawing from the JCPOA. For years Iran was able to threaten that absence of a deal would mean war, a talking point that pro-Iran Deal lobbyists adopted in 2015. However, the reality is that Iran's regime cannot afford a major conflict. Tehran is in an economic crisis and is stretched thin through its commitments in Iraq, Syria, Lebanon, and Yemen. Now the Janus face of Iran, which claimed that "hardliners" might come to power, will be tested. This is because if Iran withdraws from the Non-Proliferation Treaty, it will show that its claims to have been seeking peaceful nuclear energy were misleading.

Iran’s regime keenly studied the western powers and grasped that they fear any new conflict. So it held up the "war" card to demand a deal, even while the regime waged war through proxies in the region. Now Tehran has to weigh the risks of an actual conflict in Syria that could harm the Syrian regime and anger Russia. For the first time in many years the Iranian regime is in check. It has overplayed its hand, encouraging Saudi Arabia, the United Arab Emirates, and Israel to all see Iran as the greatest threat to the region.
The American president's declaration of his decision to withdraw from the nuclear agreement prompted conflicting reactions regarding the wisdom of the move and its implications for stability in the Middle East. While the various arguments should all be seriously considered, a full analysis cannot focus on the advantages and shortcomings of each one separately. It requires an examination of the broader context; i.e., Iran's behavior over time.

It is possible that if Iran seeks to stay in the deal with the European countries, the US and Israel could experience a degree of isolation. On the other hand, acceptance of the existing agreement allows Iran to complete its hybrid program, which lets it seek the status of a nuclear threshold state – a situation Israel cannot accept. It seems that the need for a dramatic improvement of the agreement is acceptable to almost all opinion-makers, but Iran adamantly refuses to do so, leading some to argue that a bad agreement is preferable to the complete absence of one. This claim, too, is unacceptable to Israel.

The discussion of the agreement’s clauses cannot be detached from a retrospective look that examines Iran’s behavior over time. The focusing of efforts on the struggle against ISIS diverted world attention from Iranian subversion and allowed it to promote a whole set of interests without a proper response from major players in the geopolitical arena. Moreover, it appears that tactical understandings between the Obama administration and the regime in Tehran following the capture of Mosul in the summer of 2014, as well as the desire to conceive of Iran as a possible ally, also left an imprint on the signing of the agreement in the summer of 2015. As a result, the great wealth that flowed into Iranian state coffers allowed Tehran to become a threat to regional stability in general and to Israel's security in particular.

In the short term, the withdrawal of the US from the agreement and the return of sanctions to the negotiating table are signals to Iran that US policy has changed. This decision will also have a great impact on Rouhani’s status, as he will be under...
enormous pressure from the hardliners and the Revolutionary Guards. Despite the fact that there are risks in continuing the process, the clear message to Iran is that the US is filling the vacuum left by the previous administration. This is a matter of considerable concern in Tehran, which is well aware of the great economic challenges it faces.

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