

# ISSUE BRIEF

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## Nuclear Negotiations with Iran: U.S. Must Avoid a Rush to Failure

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The November 24 deadline for a nuclear agreement with Iran is fast approaching, with no sign that a deal that would advance U.S. national security interests can be reached by that date. After almost a year of negotiations, Iran has won international acceptance of its once-covert uranium enrichment facilities and obtained substantial sanctions relief in exchange for symbolic and incremental concessions that can easily be withdrawn, as Tehran has done in the past. The Obama Administration, eager to conclude a deal to salvage a foreign policy “legacy,” has already made so many concessions on relaxing sanctions that it has undermined its own bargaining leverage as it seeks to close a deal. There is a real danger that if the Administration makes too many concessions, the legacy it leaves behind will be an Iran on the threshold of becoming a nuclear weapons state.

### **Iranian Foot-Dragging Blocks an Acceptable Agreement**

Diplomats from the P5 + 1 (the five permanent members of the U.N. Security Council, plus Germany) have convened in Vienna to hammer out the details of the Joint Plan of Action (JPA) framework agreed to last year. Huge differences remain to be

resolved, and the November 24 deadline is likely to be extended once again, as it was in July.

The major sticking points remain the future scope of Iran’s nuclear capacity, the duration of restrictions on that capacity, and the pace of lifting Western sanctions. Iran has refused to make concrete and irreversible concessions on key issues, such as uranium enrichment, plutonium processing, and the time frame for lifting sanctions. While stubbornly clinging to its maximal demands, Tehran has fanned expectations that a final deal is within reach in order to encourage more concessions from Washington.

Tehran rejects any reduction of its current uranium enrichment capacity: roughly 10,000 operating centrifuges and another 9,000 that have not yet been brought online. Moreover, it insists on building a much larger capacity in the future, ten times larger than its current capacity. This would be a deal-breaker that would reduce Iran’s nuclear breakout time (the speed with which it could amass enough weapons-grade fissile material for one nuclear weapon) to a matter of days.

Iran has tried to trade the promise of greater transparency for greater nuclear capacity, tentatively agreeing to more intrusive inspections while continuing to demand unrestricted enrichment capacity and unfettered research and development. But Iran’s commitment to genuine transparency is extremely suspect, as demonstrated by its repeated failures to fully cooperate with the investigation by the International Atomic Energy Agency (IAEA) of possible military dimensions of its nuclear program. Moreover, if Iran will not come clean on its past activities, as it repeatedly has pledged to do, how can

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it be trusted to fulfill future commitments? Washington should hold Tehran to its promise to cooperate with the IAEA and make it a prerequisite for any further agreements.

Iran already has been accused of violating the JPA by feeding uranium gas into an advanced IR-5 centrifuge, which goes beyond the “current enrichment research and development practices” stipulated in the agreement. After Washington complained, Tehran reportedly halted those activities. Former IAEA deputy chief Olli Heinonen also has warned that Iran may have up to 5,000 IR-2 centrifuges beyond the 1,008 that it has declared. These centrifuges, up to five times more effective than the IR-1 types, could have more enrichment capacity than Iran’s current declared capacity.

### **U.S. Policy Must Be: Distrust and Verify**

Since the 2002 discovery of its covert nuclear facilities, Iran has used a series of negotiations to stave off sanctions and buy time for advancing its nuclear weapons program. It has negotiated a series of interim agreements, which it serially violated, before discarding them when it suited its purposes. When caught cheating, Tehran promised full cooperation to defuse international pressure, then subsequently reneged on its commitments. In 2009, the Obama Administration thought it had a deal with Iranian President Mahmoud Ahmadinejad to move enriched uranium to Russia, but the deal was vetoed by the Supreme Leader, Ayatollah Ali Khamenei. The same “bad cop, worse cop” dynamic may recur this time.

As the Obama Administration approaches the endgame of the nuclear negotiations, it should:

- **Rule out any agreement that does not severely reduce the risk of an Iranian nuclear breakout.** Any deal must permanently preclude a rapid Iranian nuclear breakout, not merely temporarily slow Iran’s nuclear weapon program. It must include dismantling most of Iran’s uranium enrichment capability and the Arak heavy water reactor, and robust inspections of all parts of Iran’s nuclear infrastructure as part of a tight verification regime. Tehran must submit to intrusive inspections of all centrifuges, not just those at the Fordow and Natanz facilities, as well as of centrifuge manufacturing plants. Tehran must also accept “any time, any place” inspections of

suspected non-declared facilities, such as the Parchin military base, from which it has repeatedly barred IAEA inspectors.

- **Ratchet up sanctions to make it clear that Iran will be worse off if it continues to block an acceptable deal or cheats on agreements.** Tehran has pocketed major economic benefits from sanctions relief that are disproportionate to the limited concessions it made under the JPA. Iran’s economy grew by an estimated 4.6 percent in the first quarter of Iran’s calendar year, the first time it has grown after shrinking for the past two years under sanctions. The White House should stop blocking congressional efforts to give it more bargaining leverage through sanctions legislation that would penalize Iran if it backs out of negotiations or violates an agreement.
- **Seek congressional cooperation.** Although the Administration has sought to circumvent Congress by designing the proposed accord as an executive agreement rather than a treaty that would require Senate approval, the White House would be wise to cultivate congressional support to implement the terms of any agreement. Otherwise, the deal will not survive the Administration’s term in office, if Congress does not kill it before then.

### **Obama Administration Should Avoid a Legacy of Wishful Thinking**

The Administration should avoid a rush to failure and refuse to agree to a deal that would legitimize Iran’s expanding nuclear infrastructure and allow Tehran to gain nuclear weapons. Such a deal would jeopardize U.S. national security, distress U.S. allies, particularly Israel and most Arab states, and invite a bipartisan congressional backlash. If the Administration signs a deal that allows Iran to escape sanctions, while only temporarily slowing its march to a nuclear arsenal, the agreement will become another legacy of the Administration’s wishful thinking—like the “ending” of the war in Iraq and putting al-Qaeda on a “path to defeat.”

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