

Iran and the United States: Breaking the Rules of the Game?

Sima Shine and Eldad Shavit

The military, economic, and political conflict between Iran and the United States is escalating. Following the attacks on bases in Iraq where US forces are stationed and provocative action against US vessels by Iranian gunboats, potential exists for a limited direct conflict, even though neither side wants one. Friction is also increasing regarding the US drive to extend the article in UN Security Council Resolution 2231 on a conventional weapons embargo against Iran, which was passed following the signing of the nuclear agreement and expires in October 2020. Iran opposes this extension, and has hinted that it will respond in the nuclear sphere, including withdrawal from supervision agreements, and possibly also from the NPT. The American measure aims more to prevent Iranian purchase of modern weapons from Russia and China and less to damage exports, since Iran continues to send arms to Hezbollah, Syria, Iraq, and Yemen in spite of the embargo. The US demand to extend the embargo is opposed by Russia (and apparently China), and the European partners as well are reluctant to join. Failure of the US effort in the Security Council will impact negatively on Israel, and therefore it is now the time for an intimate US-Israeli dialogue to formulate a strategy on moves and policies to be pursued in case Iran decides on a nuclear breakout.

The military, economic, and political conflict between Iran and the United States has escalated recently, and even the worsening coronavirus crisis in both countries has not tempered this trend.

On the military level, the conflict is focused mainly in Iraq, where Shiite militias continue their attacks against bases where US forces are stationed. At this stage, the US response is relatively mild, consisting of an attack against Shiite militia camps (in which there were no fatalities). The US administration has made it clear, however, that it continues to regard Iran as responsible for the attacks against it, and threatens to include targets belonging to Iran in its response if the attacks continue, especially in the event of American casualties. Iranian Minister of Foreign Affairs Mohammad Javad Zarif said that Iran had no militias, rather many Muslim supporters around the world. Reflecting the interest of Iran and its Shiite allies in the withdrawal of American forces from Iraqi territory, Zarif again condemned the American presence in Iraq. The struggle for political

influence in Iraq continues, in particular involving the selection of a prime minister and the formation of a government there.

In tandem, the United States reported that gunboats of the Revolutionary Guards recently took provocative action against American vessels in the Gulf region. US President Donald Trump responded on Twitter that he had given an order (which was apparently not coordinated with the Pentagon) to "shoot down and destroy" the gunboats if such an action recurs. The Revolutionary Guards said that the Iranian navy had been ordered to attack any American ship threatening them, and recommended that the United States not get involved in a risky venture. At the same time, Iran sent its first satellite into outer space – an operation believed to be part of its intercontinental ballistic missile program, which Washington called a breach of UN Security Council Resolution 2231. This view of the launch is shared by European countries.

On the economic level, Iran continues its political effort to increase international pressure on the US administration to rescind its sanctions given the added distress in Iran created by the severe coronavirus outbreak. The administration, however, despite internal pressure, mainly by elements of the Democratic Party, is determined to continue its policy of maximum pressure, and even to add to it. In recent months, it instituted a series of designations and sanctions against entities inside and outside Iran. Data was published about Iran's money, in particular the corruption that was served by these funds. Iran's requests for a loan from the International Monetary Fund (its first request since 1960), the World Bank, and the Islamic Bank have not been granted at this stage, mainly because of opposition by the United States, and it is doubtful whether Iran will ever obtain the sums it would like.

On the diplomatic level, Iran is attempting to obtain the release of Iranians arrested in the United States or placed under surveillance with electronic handcuffs. The heads of five leading universities in Iran have sent letters to their counterparts at dozens of universities around the world demanding the release of these prisoners, while expressing willingness to accept a prisoner exchange. Yet even if there is progress in this process (as has happened before), it will probably fail to reduce the tension and escalation between Iran and the United States.

The conflict between the United States and Iran has escalated recently, after the US administration decided to take action to extend indefinitely the embargo on the sale/purchase of conventional weapons to and from Iran under Security Council Resolution 2231, which is due to expire in mid-October 2020. This resolution, which was passed following the Joint Comprehensive Plan of Action (JCPOA), in effect endorsed that agreement, canceled all previous resolutions in the nuclear sphere, and encompassed

a number of new decisions, among them the five-year embargo. The United States, led by Secretary of State Mike Pompeo, has made it clear that it would not agree to the expiration of this restriction, and is demanding an indefinite extension of the embargo. Pompeo's stance is supported by an unprecedented bipartisan majority of over two thirds of the House of Representatives, who signed a letter, leaked to Reuters, encouraging Pompeo to act in cooperation with allies and like-minded countries for the purpose of preventing Iran from buying and selling arms, including by means of a new Security Council resolution. The signers of the letter also called on him to take severe action against violators of this resolution.

The first draft of the resolution along these lines was sent to the European members of the Security Council who are partners to the nuclear agreement, but has not yet been shown to the other Security Council members. In order to pass, the resolution needs the support of at least nine Security Council members, without any veto from the permanent members of the Security Council. Since it is clear to Washington that under current circumstances there is little chance of passing a resolution to extend the embargo, it was also leaked that the State Department is formulating a legal document proving that the United States is still one of the signers of the nuclear agreement (even though it withdrew two years ago). As such, it will activate the "snapback clause," which authorizes any of the signers who can prove that one of the signers violated the agreement to enforce an automatic snapback of all the sanctions imposed on Iran before the nuclear agreement was signed. The threat of embarking on this difficult maneuver is apparently designed to strengthen American pressure on the other participants in the agreement to support extension of the embargo in order to avoid the more serious stage of canceling the agreement and restoring all of the sanctions, including those by the Security Council. At the very least, the threat is designed to persuade the European countries – for example, the UK, which is still a party to the agreement – to join the American threat of a snapback by the Security Council if the embargo is not extended.

For its part, Iran is making it clear that if this measure is pursued, it will prompt a "suitable response." Iranian spokesmen are hinting at the possibilities of canceling the nuclear agreement, terminating Iranian cooperation with the International Atomic Energy Agency (IAEA) on the expanded parameters, and possibly even withdrawing from the Non-Proliferation Treaty (NPT). Russia has made clear its opposition to the extension of the embargo (presumably Russia will be the first to take advantage of the situation to sell weapons to Iran).

At the same time, the immediate military consequences of removing the embargo are not that significant. Despite the embargo, and notwithstanding UN Security Council Resolution 2216, which bars arms sales to Yemen, and Resolution 1701, which forbids

supplying arms to Hezbollah in Lebanon, Iran continues to send arms to Hezbollah, the Houthis in Yemen, Syria, and the Shiite militias in Iraq. As to Iranian arms purchases, Resolution 2231 made an exception for the Russian S-300 air defense system, which was sold to Iran. The European countries have their own embargo on arms sales to Iran, which is due to expire only in 2023. In any case, the embargo on the sale of components for the Iranian missile project will continue, at least officially.

The primary importance of the American measure is more symbolic and declarative. It reflects the Trump administration's desire, as part of its policy of exerting maximum pressure, to deny Tehran any achievement whatsoever, particularly because the embargo is due to expire a few weeks before the United States presidential elections. The administration is embarking on this complex maneuver, however, after so far failing to achieve its strategic goal of forcing Iran to return to the negotiating table in order to reach a better agreement. In the Security Council the administration is dependent on the wishes of others; the tools at its disposal are inadequate for obtaining a new resolution, and it has no alternative strategy. It is questionable whether the measures will promote the administration's overriding goal; in fact, they are liable to push Iran into taking even more defiant steps.

Israel has a clear interest in extending the arms embargo against Iran, first and foremost to prevent the sales of advanced weaponry from Russia and China to Iran. However, it is possible that the US administration may be unable to reach understandings with the European states, and/or Iran may opt for a severe response, particularly in the nuclear context, with the result a United States failure in this move. Therefore, Israel and the US must be prepared with a comprehensive plan (beyond the "maximum pressure" policy) on how to prevent Iranian breakout measures in its nuclear program and obstruct Iran's drive to expand its influence in the Middle East.