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Following the Problematic Nuclear Agreement: Scenarios and Policy Recommendations

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The agreement reached last week in Vienna between the world powers and Iran on Iran's nuclear program, the Joint Comprehensive Plan of Action (JCPOA), is a highly problematic agreement that entails risks to Israel's national security. It is very likely that the agreement will be implemented and its practical measures put into effect, and it appears that Israel has little ability to influence the process at this point. Still, a comparison between the Vienna Agreement and the Munich Agreement signed with Nazi Germany in 1938 is far-fetched and removed from Israel's current strategic situation, as Israel is a strong country that, with the adoption of appropriate policy, is capable of contending successfully with the ramifications of this problematic agreement.

The US administration's position that this is the best possible agreement reflects two assumptions embraced by all six powers negotiating with Iran. The P5+1 believed that the sanctions regime against Iran would crumble if an agreement were not achieved, and the negotiating powers would be left without any significant leverage that could be wielded against Tehran. Furthermore, in the course of the negotiations, the military option was effectively removed by the United States – which undermined the main point of leverage over the Iranian regime. Throughout the negotiations, the Obama administration insisted that the only alternative to an agreement was war, and that the American people would not stomach another war in the Middle East. This statement is highly problematic, from both operational and historical perspectives. There are a variety of ways to neutralize a country's nuclear capability in a surgical, pinpoint manner, and without escalation. Given that already at an early stage of the talks the United States essentially eliminated the possibility of a military strike and made it clear to the Iranians that it was interested in reaching a "legacy" agreement, its position in the negotiations was weak. Consequently, it was specifically Iran, which needed the agreement far more than the administration, that secured achievements regarding issues debated since the Lausanne understandings of April 2015 (R&D of advanced centrifuges; the possible military dimensions of the program – PMD; and particularly the issue of supervision, "anywhere, anytime," as originally demanded by the P5+1). Ultimately, the negotiations

concluded with an agreement much closer to the Iranian position. This dynamic, as it unfolded during the negotiations, does not bode well for how future Iranian violations of the agreement will be handled.

The agreement, and specifically its problematic aspects, should be assessed on three levels: the short term nuclear aspect, the long term nuclear aspect, and Iran's negative conventional activity in the Middle East.

The agreement contains a number of positive elements on the short term nuclear level. The agreement rolls back the Iranian nuclear program to the point of a breakout time of one year, reduces the scope of the program, and places it under a verification regime that is much more invasive than the current system and includes access to military facilities. For at least the next ten years, the threat of nuclear armament in Iran has been reduced. Although Iran retains a significant nuclear infrastructure, it should be compared to the infrastructure that existed at the end of 2013, prior to the interim agreement. Had no agreement been reached, the infrastructure existing in 2013 would have expanded even further to the point of immediate breakout capability, with no inspection regime in place. Comparing the current agreement to a “dream agreement” whereby Iran would enrich no uranium is not realistic.

However, the picture is far bleaker and more ominous regarding the medium and long terms. The agreement legitimizes Iran's status as a nuclear threshold state. This status will be entrenched even further following the removal of the temporary limitations on the scope of the program and once Iran is permitted to operate an unlimited number of advanced centrifuges, resume unlimited 20 percent uranium enrichment, and engage in the reprocessing of plutonium. As acknowledged by the President of the United States, this situation will leave Iran with near zero breakout time to a bomb. The standards and norms approved for Iran, in both the short and the long term, will make it difficult to contend with the nuclear aspirations of other countries in the region, which – in light of the agreement – may also demand the right to develop comparable threshold capabilities.

Likewise in its non-nuclear aspects, the agreement is extremely problematic and constitutes a significant challenge to Israel's national security. The lifting of sanctions will facilitate the immediate influx of more than \$100 billion to Iran, as well as additional billions of dollars over the coming decade. Even if most of these funds are invested in the Iranian economy, enough will be left to strengthen Iran's conventional military forces; develop the Iranian defense industry; and support the preservation of Bashar al-Assad's murderous regime in Syria. These will all help Iran advance its hegemonic aspirations and subversive activities in the region. Just a fraction of this sum would be enough to triple the annual budget of terrorist organizations such as Hizbollah, Hamas, and Palestinian Islamic Jihad.

President Obama's statement to the effect that the aim of the JCPOA is to deal only with the nuclear issue, which is the most serious and troubling threat of all, will be valid only in the event that alongside the Vienna agreement, a policy that contends effectively with the non-nuclear dangers emanating from Iran is likewise implemented. The additions to the Vienna agreement that were not dealt with in Lausanne – such as lifting the arms embargo against Iran after five years and the embargo on the components for ballistic missiles after eight years – **all raise considerable doubts regarding the ability to separate between the nuclear issue and Iran's other negative activities.** Therefore, the burden of proof that the United States is not pivoting toward Iran at the expense of its traditional allies lies with the American administration.

Three Possible Scenarios

The developments in the Middle East in recent years underscore the difficulty of foreseeing future events. The regional upheaval in the Middle East; the rise of the Islamic State; the dissolution of the state frameworks in Syria, Iraq, and Libya; the crisis in Ukraine; and other surprising developments illustrate this difficulty well. Nonetheless, some basic future scenarios must be outlined, in order to prepare a comprehensive and credible response to the strategic threats they present. In the Iranian context, preparations must be made for three principal scenarios.

The first, and most optimistic, is the “transformation scenario,” whereby Iran undergoes an internal change and by the end of the agreement period has gradually become a less radical country. This process could occur naturally if a younger generation is integrated into the national leadership, and extremist radicals such as Ayatollah Khamenei are replaced by more liberal, reformist figures. Should this occur, a new regime – less hostile and less threatening to Israel and the West – might rise to power. Unfortunately, the likelihood that this scenario will materialize is extremely low, as the centers of power in Iran are controlled by religious leaders and the Revolutionary Guards who will be strengthened by the agreement.

The second is the “North Korea scenario,” in which Iran violates its commitments under the Vienna agreement after a few years and breaks out toward a nuclear bomb, along the lines of what happened in North Korea just a few years after it signed a similar agreement. At any future point in time, if Iran reaches the conclusion that the strategic advantages of breaking out toward a nuclear bomb exceed the dangers it can expect to incur from a Western response, there is no doubt that Iran will choose the bomb. This scenario is unlikely but is not impossible. If it plays out, it will constitute a dramatic change. It therefore requires Israel and the West to maintain the intelligence and operational capacity to stop an Iranian breakout toward a nuclear bomb.

The third is the “strategic patience scenario,” whereby Iran will honor the agreement based on the understanding that after 10-15 years, it will emerge as a legitimate nuclear threshold state with a broad, unlimited nuclear infrastructure. This is the most likely and dangerous scenario. During the period of the agreement, Iran will continue to strive to achieve regional hegemony and use the money that it receives from the lifted sanctions to deepen its technological abilities and expertise in the nuclear realm. This would provide Iran with near zero breakout time for whenever it deems it appropriate, once the limitations stipulated in the agreement end.

Policy Recommendations

First, the United States and Israel must prepare for the problematic scenarios described above (the “North Korea scenario” and the “strategic patience scenario”). Israel must reach understandings with the United States regarding a shared and coordinated way to confront the risks stemming from the agreement. Such agreements and understandings should include the following areas: intelligence cooperation to compensate for lapses in the realm of inspections; a clear definition of what constitutes significant violation of the agreement; response mechanisms in the event of violation; and a security aid package to improve Israel’s ability both to contend with the threats that will stem from the strengthening of Iran and its terrorist proxies, and to thwart an Iranian breakout toward a bomb. **These understandings should be anchored in a side agreement between Israel and the United States.** As Israel is not a signatory to the Vienna agreement and does not regard itself as bound by it, this corollary agreement will ground the type of coordinated response by the two countries in face of the problematic future scenarios. The “North Korea scenario” must include an agreement with the United States regarding how to thwart Iran’s attempt to acquire a nuclear bomb, in light of President Obama’s declaration that he will not allow Iran to acquire nuclear weapons. This declaration should be the basis for a concrete strategic agreement with the United States. A response to the “strategic patience scenario” should include an agreement on how the United States and Israel will contend with an Iran that does not change in character, continues its subversive activities in the Middle East, and calls for the destruction of Israel, while increasing the conventional threat on Israel’s borders.

Second, Israel must take advantage of the coming years to prepare for the medium and long term dangers stemming from the agreement. Now that an agreement that worsens Israel’s strategic situation has been signed, Israel’s force must be constructed in a manner that provides an effective response to all aspects of this negative change. The next five years provide Israel with a respite and can be used to prepare the IDF and the State of Israel for the expected challenges in the medium and long terms. During the first five years of the agreement, Iran will remain under the weapons embargo and can be expected to be more cautious. This interval will allow Israel time to build the force

required for better defense against surface-to-surface missiles and rockets by developing anti-missile and anti-rocket defense systems, and to enhance the strategic military option against Iran.

Third, it is necessary to prepare for the possibility of additional nuclear proliferation in the Middle East. With the Vienna agreement's provision of legitimacy for the construction of a broad nuclear infrastructure in Iran that allows a rapid breakout toward a nuclear bomb, there is concern that this level of nuclear development will become a regional standard. The motivation in the Gulf states to achieve capabilities that are comparable to those of Iran will increase, both out of fear of Iranian nuclear capabilities and out of a demand for equality. Israel should follow signs of these problematic developments carefully and work in conjunction with the international community to prevent them.

Finally, and despite the severity with which it views the agreement, Israel must refrain from intervening in the American political system. The US Congress is not an appropriate place for Israel to intervene in a partisan struggle. Israel, however, is obligated to convey its assessments to both supporters and opponents of the agreement within the United States regarding the problematic nature of the JCPOA and the ramifications of the agreement, while ensuring that the political discussion occurs without Israeli intervention. If Israel opts to intervene officially by attempting to influence Congressional opinion, it can expect a twofold loss. If it succeeds in thwarting the agreement, Iran will remain closer to a nuclear bomb in the coming years, and the chances of a collapse of the sanctions regime will increase, as Israel will be accused of thwarting an agreement that was already approved by all the major powers and the UN Security Council. If Israel fails to block the agreement, its international standing and its deterrence will be damaged. In addition, the problems in working with the American administration in a constructive manner in order to prepare for the problematic scenarios will be compounded. Israel's preferred partner for contending with the dangers of the JCPOA is the American administration, which led the process to the agreement, within the framework of a parallel bilateral agreement that will undoubtedly receive the backing of American public opinion and Congress.

