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Israel and the United States: Time for a Parallel Agreement

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Long before the signing of the JCPOA (Joint Comprehensive Plan of Action) between Iran and the P5+1, I called on the leaders of Israel and the United States to launch a constructive dialogue and work together to minimize the potential risks inherent in the JCPOA. The agreement signed between the P5+1 and Iran is very problematic for Israel, and is currently opposed by the majority of Americans and their representatives in Congress. Nonetheless, at this time it seems that Congress will not have the necessary majority to override a presidential veto, which means the JCPOA will be put into effect. Though convinced that the agreement entails potential dangers for Israel, I stand by my previous position, namely, that the Israeli government should avoid interfering in the United States internal debate about this very charged issue. I therefore call on Prime Minister Netanyahu to take measures now toward formulation of a “parallel agreement” between Israel and the United States that mitigates the JCPOA’s weak points.

Israel is a powerful nation, strong enough to confront the challenges that lie ahead, including those expected from implementation of the agreement. Nonetheless, the best way to do so runs through Washington and requires US-Israeli cooperation that manages the risks and maximizes the strategic possibilities expected after the agreement goes into effect. This cooperation should be formalized in an agreement rather than by exchanges of letters or the establishment of understandings at professional levels. Recent history shows that letters and understandings – such as the letter sent by President Bush to Prime Minister Ariel Sharon in 2004 – were not recognized in practice by subsequent administrations. Thus, on so critical an issue, it is necessary to conclude a formal, signed agreement that delineates a strategy to face future threats from Iran.

Signing a parallel agreement with the United States does not mean acquiescing to or reconciling with the problematic JCPOA. Quite the contrary, it is precisely because the agreement with Iran is so troublesome that a parallel agreement between the United States and Israel – which is not a signatory to the agreement with Iran – is imperative.

On the nuclear level, the most threatening scenario presented by the JCPOA is that once it expires (10-15 years), Iran will consolidate a legitimate nuclear infrastructure of

unrestricted scope. This infrastructure will include unlimited numbers of advanced centrifuges and vast amounts of 20 percent enriched uranium, placing Iran at what President Obama termed "almost zero breakout distance" from a bomb. Another hazardous scenario is one in which Iran violates the agreement before it expires, either by creeping, sneaking, or breaking out to the bomb. The weakness of the IAEA supervision procedures, especially at undeclared Iranian sites, makes it imperative to supplement the inspection efforts with the highest levels of intelligence possible, such that a good picture of Iran's nuclear status is maintained at all times. Another plausible scenario is that Iran will move to establish military nuclear capacity through acquisition or development efforts in a third country. An additional grave concern is that following the JCPOA, other Middle East nations will want to develop nuclear infrastructures similar to that of Iran, and it is therefore necessary for the US and Israel to prepare to thwart any such trends of regional nuclear proliferation.

On the conventional level, the financial boost expected in Iran upon the lifting of sanctions will generate and reinforce threats to Israel. A conventional arms race between Iran and the rich Gulf states that feel threatened by Tehran's armament is quite likely, and the first signs of Iranian buildup are already visible: an acquisitions agreement for S-300 aerial defense systems was signed recently between Iran and Russia, and there are talks between Iran and China about the sale of fighter jets. Iran's defense industries are also expected to expand significantly and grow more sophisticated. This arms race will erode Israel's qualitative advantage vis-à-vis both Iran and the Arab states, undermining the longstanding United States commitment to maintain Israel's Qualitative Military Edge (QME). Concurrently, and no less worrisome, Iran will likely expand its efforts to harm Israel using proxies such as Hizbollah and Hamas. One of these proxies, Islamic Jihad, launched rockets from Syria into the Golan Heights (on August 21, 2015). Iran is also likely to increase its subversive activities, destabilizing pro-Western regimes in the region wherever it can.

Facing these threats, both nuclear and conventional, Israel and the United States must prepare a bilateral parallel agreement. On August 19, 2015, President Obama sent a letter to Rep. Jerrold Nadler (D-NY) detailing ways in which the administration intends to strengthen Israel and cooperate with it in years ahead. The President's letter is a good foundation for discussion, but its contents require expansion and elaboration. In the letter, for example, the President spoke of strengthening Israel's anti-missile defenses and the efforts to discover terror tunnels dug into Israeli territory by Hamas on the Israel-Gaza Strip border. It is important to understand, however, that compared to the strategic nuclear threat emanating from Iran, issues like tunneling are of tactical, secondary importance. The potential risk they pose to Israel is orders of magnitude lower than the risk posed by Iran and its proxies. Therefore, it is now incumbent upon the Israeli government to seek an improved offer and make every effort to achieve a formal

agreement with a clear list of strategic understandings, agreements, and methods of action that will minimize the dangers inherent in the JCPOA.

The parallel agreement should rest on **four complementary pillars** that provide a suitable response to future dangers of the agreement with Iran, and promote the vital interests of Israel and those of the United States in the Middle East. These are the areas the parallel agreement will need to address:

On the nuclear level, the parallel agreement must first and foremost clearly articulate the response to scenarios in which Iran breaks out to the bomb before the agreement lapses. Second, it must spell out a response to Iran's expected positioning on the nuclear threshold, while under an unchanged fundamentalist regime that maintains its call for the annihilation of Israel. Third, it will have to specify what constitutes a significant breach of the nuclear agreement, detailing the nature and scope of the response to that breach. Fourth, it will have to enhance intelligence cooperation and efforts to close the gaps expected in the verification regime imposed by the IAEA in Iran. Fifth, the parallel agreement will have to enhance intelligence and operational cooperation to prevent Iranian nuclear development outside of Iran, as well as a nuclear arms race in other Middle East states.

On the conventional level, Israel and the United States must formulate a coordinated campaign to combat Iran's negative influence in the region, with emphasis on the Quds Force and its subversive activities against Israel and other countries. This goal will best be achieved by removing Assad's murderous regime in Syria – an Iranian strategic asset of the highest degree – and by weakening Hizbollah through the interdiction of its weapon transfers and the undermining of its activities in Lebanon and Syria. The challenge facing the United States is to formulate a dual track policy that on the one hand cooperates with Iran on the implementation of the nuclear deal, and on the other hand, defines principles for offensive conduct against subversive Iranian activity in the region. The United States acted similarly during the Cold War, and would be wise to do so again.

On the bilateral security level, an updated strategic framework must be created to preserve and enhance Israel's QME in the regional military balance. The bilateral cooperation should be enhanced in aspects of force buildup, with emphasis on missile defense, cyber capabilities, and intelligence, as well as bolstered strike capabilities in Iran in order to maintain deterrence. As part of US-Israel cooperation, it is also necessary to emphasize the strengthening of moderate, pragmatic partners in the region, such as the Hashemite Kingdom in Jordan, Sisi's regime in Egypt, and moderate factions in Syria, Lebanon, and the Palestinian Authority.

On the political level, both Israel and the United States will gain from demonstrating to Iran the strength of their bilateral alliance, and the far reaching levels of support Israel

enjoys among the American people and in Congress. The drafting of a new ten-year Memorandum of Understanding (MoU), mentioned by the President in his letter to Congressman Nadler, is an opportunity to bring the bilateral alliance to unprecedented levels. This could also be achieved through political measures such as formal American recognition of Jerusalem as Israel's capital and the transfer of the American embassy there, without waiting for a resolution to the Israeli-Palestinian conflict. Another possibility is to formalize American recognition of the current realities in the West Bank and Jerusalem, creating a clear distinction between Jerusalem and the settlement blocs on the one hand, and isolated settlements on the other. Other steps could include promoting recognition of Israel's sovereignty over the Golan Heights, given the dissolution of Syria, and/or the inclusion of Israel into the "Five Eyes" group, which enjoys full mutual access to intelligence.

Within the framework of the parallel agreement, it is necessary to establish a **joint annual review forum** that would examine the status of the threat from Iran. It would assess the probability of a scenario in which Iran breaks out to the bomb and the possibility of Iran sneaking toward it. It will periodically review trends and changes in the nature of the Iranian regime, and evaluate the scope of Iranian subversive and terrorist activities in the Middle East and beyond. The review forum would coordinate responses to such scenarios, including a strategy to stop nuclear proliferation elsewhere in the Middle East and/or Iranian nuclear activities outside its borders.

The policy proposed herein for a parallel agreement between Israel and the United States should satisfy the JCPOA's opponents, as well as its proponents. Those who support the agreement concede that it contains risky compromises; the parallel agreement would provide a reasonable response to those risks. At the same time, the JCPOA's opponents, who agree that its implementation presents serious risks to Israel, the United States, and its allies, will find that the parallel agreement provides practical, concrete answers to many of their concerns. A responsible leadership in Israel should move beyond merely objecting to the JCPOA, and update Israel's strategy to address the agreement and the changes it will bring. That strategy should be devised and implemented hand in hand with the United States, Israel's greatest ally, in a way that will reduce as much as possible the risks incurred by the agreement.

