



THE PROBLEM WITH THE IRAN NUCLEAR DEAL: IT'S NOT THAT IRAN WILL VIOLATE IT BUT THAT IRAN WILL COMPLY

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The Belfer Center's *The Iran Nuclear Deal: A Definitive Guide*¹ is a commendable discourse on one side of the coin of the Joint Comprehensive Plan of Action (JCPOA) regarding Iran's nuclear program – namely, the side which focuses on what Iran will do to forego, or postpone, its nuclear weapons breakout options. However, much of the JCPOA — about half — is devoted to the other side of the coin, which focuses on what Iran will gain from complying with its provisions. Supporters and critics alike of the Vienna agreement are overlooking the probability that Iran's negotiators have designed an agreement with which to comply, not to violate, to gain pivotal strategic advantages and capabilities — to fundamentally alter the balance of power, regionally and beyond. Then, later, the nuclear weapons option will be back too, with zero breakout warning time. The Iranian "Grand Plan" may well involve exploiting to the fullest what the JCPOA offers: (1) gradually gaining immunity to military action to foil a future breakout to nuclear weapons; (2) then fielding disabling or first-strike capabilities against regional allies and partners of the United States; and (3) accumulating formidable survivable retaliatory assets alongside immunity to punishment. This strategic sea-change will empower Iran as the regional superpower it has sought all along to be, dominant and dominating, regardless of the question what kind of Iran it will be.

The Nuclear Aspects of the JCPOA

The Belfer Center's *Definitive Guide* is a comprehensive, outstandingly well-organized, and exhaustive discussion of the nuclear aspects of the JCPOA. It explains how Iran's access to a nuclear weapons breakout option will be blocked, by both the plutonium and the enriched uranium routes, assuming full implementation and full compliance by Iran for its entire duration, for many years hence — perhaps fifteen, or even longer. It discusses in detail how the agreement's inspection regime, reinforced by the intelligence efforts of countries of concern, is likely to expose virtually any Iranian attempt to substantially violate the agreement. This would particularly be true if Iran attempted to construct a parallel covert capability, which would involve facilities that are impossible to hide, and cannot be obfuscated in the 24-day grace period allowed Iran by the JCPOA to grant IAEA inspectors access. Weaponization-related developments that do not require specially constructed facilities and do not involve nuclear materials that leave tell-tale traces would be more difficult to discover, but intelligence may be expected to expose them in the future too, albeit possibly with some delay.

The Belfer Guide devotes a great deal of attention to the critics' concern that Iran will, sooner or later, violate the agreement, and will not be adhering to its provisions for the full fifteen-year duration of the more stringent of the JCPOA's restrictions,

¹*The Iran Nuclear Deal: A Definitive Guide*. Cambridge, MA: Belfer Center for Science and International Affairs, August 2015
<http://belfercenter.ksg.harvard.edu/files/IranDealDefinitiveGuide.pdf>

which in effect block Iran's path to the bomb. It also reiterates that military options available today to foil Iranian breakout will be available in the future too — given that sanctions may be slow-moving and part-time, and by implication not pack quite the required punch. This, of course, underscores the assumption that U.S. military capabilities will remain overwhelmingly superior to those of Iran, so that the U.S. will be able to foil, by use of force if necessary, any future Iranian breakout to nuclear weapons, given adequate warning. It remains for the reader to ponder whether the exercise of such an option will in the future be perhaps more difficult, more costly, or less feasible than today; in fact, supporters of the agreement claim that it will be easier to execute, because there will be more information available thanks to the JCPOA's intrusive transparency regime. More likely, however, Iran's strategic empowerment will allow it to become both immune to slow-moving and part-time re-imposed sanctions; and it will radically transform the cost-benefit matrix regarding limited military strikes to foil an Iranian breakout to nuclear weapons, as Iran incrementally acquires both defensive and retaliatory offensive capabilities on a scale to invalidate and reverse the current assumptions regarding the exercise of such a military option.

Iran's Strategic Empowerment -- The JCPOA's Underlying Logic

In fact, there is an entire spectrum of possibilities. On the optimistic side, during the run of the JCPOA we might certainly plausibly witness encouraging developments in Iran, which could turn Iran into a moderate and constructive member of the regional and international communities. This possibility is certainly something for which to hope, and perhaps for which to pray, by supporters and critics of the JCPOA alike. Another guardedly optimistic possibility is that Iran will comply with the JCPOA, while projecting far into the future a generally "more of the same" scenario regarding its other relatively low-level destabilizing activities. Two more pessimistic, and more probable, scenarios appear to each be of medium- to medium-high probability: one is a relatively early violation or abrogation by Iran of the JCPOA (after a few years); or, worse, for another, compliance so as to exploit the JCPOA to its fullest to establish a strategic transformation in Iran's favor.

More probably, Iran will use the lifting of sanctions to landscape a new strategic environment -- a shift in the balance of power architecture, regionally and beyond. This will include within a few years immunity to limited military action to foil an Iranian nuclear breakout, through imposition of a fundamental change in the cost-benefit calculations of the military option. With the declaration of "Implementation Day," and the rescinding of sanctions, Iran will immediately begin to acquire defense value assets to make the military option exorbitantly expensive to carry out; and worse, will involve a credible threat of retaliation of a scope to rule out such action in the first place. As sanctions are rescinded, and in light of legislation mandating non-interference by the E.U. and the U.S. in the free flow of the items detailed *ad nauseam* in the agreement -- all of which runs for the length of about half of the JCPOA -- Iran will acquire strategic defense value assets to which it will have unlimited and incremental access. It will immediately buy a multitude of capabilities to enhance its strategic posture, including such non-shooting defense assets as computers, software², cyber warfare relevant assets, as well as transportation, logistical, communications and assorted advanced electronics, optics and other defense value assets. It will invest in associated defense relevant infrastructures, such as roads, rail, air, sea, as well as storage facilities, bunkers, tunnels, deep attack-immune shelters, intelligence, command, control, redundancy, power facilities, and many other assets of direct or indirect implication for Iran's both defensive and retaliatory/offensive strategic posture. And it will use the additional resources at its disposal to expand its indigenous weapons production capabilities, including its missile and rocket industries.

After five years, when the arms embargo is lifted, and Iran is able to buy a multitude of advanced state-of-the-art weapons systems from arms suppliers eager to tap in to Iran's profligate wealth, it will acquire additional and even more lethal moving and shooting weapons. After eight years, following IAEA confirmation that Iran is in compliance with the terms of the JCPOA -- "Transition Day" -- the missile sanctions will be rescinded, and Iran's ballistic and cruise missile programs will gain international legitimacy. According to the Belfer report, this may actually happen sooner, subject to IAEA confirmation that all of Iran's nuclear activities are peaceful. So, missile sanctions may actually be lifted in three, or four, or five, years' time, not eight, if Iran strictly complies with its commitments to the JCPOA; it, therefore, probably will. Thus, Iran will then be able to openly acquire state-of-the-art technology components and materials for its missile industries. The result will be that Iran will field a great number -- hundreds, perhaps thousands -- of state-of-the-art, accurate and reliable, ballistic and cruise missiles, free to deploy them and upgrade their survivability absent any quantitative or qualitative restrictions. State-of-the-art look-down radar capabilities will direct advanced interceptor air-defense missiles (such as incrementally advanced versions of the S-300) to shoot down manned, stealth, and unmanned aircraft and cruise missiles, making Iran significantly resistant to both preemptive and to retaliatory strikes, perhaps immune to them; while Iran's own retaliatory capabilities will become survivable, and intimidating, quantitatively daunting, and ominous. Finally, Iran will buy into Ballistic Missile Defense (Russian, European) to further frustrate retaliatory options against it.

² The word *software* appears in the JCPOA twelve times, but in the Belfer *Definitive Guide* not once.

Thus, a more alarming interpretation of the JCPOA would be the very probability that Iran designed the agreement in the first place not in order to violate it, but rather to comply with it, to gain pivotal strategic advantages and capabilities, as it acquires paradigmatically up-scaled both defensive and offensive retaliatory capabilities; to eventually empower Iran with disabling first-strike capabilities against regional rivals who are U.S. allies and partners; and to frustrate retaliatory punishment deterrence options. This Iran will be able to achieve only by compliance with the JCPOA, because its early gross violation would likely undermine the probability for achieving these overarching goals. Presumably the Iranian leadership understands this, and has labored intensely to design an agreement to facilitate realization of the higher comprehensive strategic agenda, while also allowing for a revival of Iran's economic and social vitality. Later, Iran will also be able to move towards acquiring nuclear weapons, if it so chooses, with virtually zero breakout warning time.

The Bottom Line

Admittedly, this is a worst-case analysis scenario. But it explains perhaps more forcefully the concerns of critics of the JCPOA with the dual worry about Iran both complying, and then later -- when it has benefitted to the fullest from the agreement, and has become immune to punishment -- violating it. This may well be a more realistic and probable scenario than optimistic scenarios of a welcome transformation for the good of Iran's agenda, for one, or of compliance with the JCPOA while continuing no more than a low-level "more of the same" nuisance agenda, for another -- although these cannot be altogether ruled out either. The agreement is thus more of a gamble of extremes than is characterized by the discourse; the oft-repeated caveats regarding "snapback sanctions," and "all options on the table now will be on the table in the future too," may not really be anchored in a considered analysis, but rather in an airy belief that the United States will always be the most powerful nation militarily, which is not at all the point. Instead, it will be whether Iran has become resistant to sanctions -- slow-moving and part-time -- and to limited military strikes to foil nuclear breakout, through enhanced defensive capabilities, and massive empowerment of its retaliatory options, thus fundamentally turning the tables on the decision-making dynamics.

Critics of the agreement have aimed too low: they consistently focus on Iran cheating, lying, and designing an agreement which it might, and wants to, violate. This misjudges the Iranian agenda, which is an agreement with which to comply, not to violate, in exchange for superseding benefits of a transformed strategic architecture, regionally and beyond, to complement the retention of a long term, if deferred, nuclear zero warning time breakout option. In other words, the Iranians have aimed much higher: they have loaned away their nuclear breakout option in exchange for a vision of a fundamental strategic shift in the balance of power, which will reaffirm Iran as the dominant, and dominating, regional superpower, immune to limited attack, and empowered of massive offensive disabling strike and deterring capabilities. Then, later, the nuclear weapons option will be back too, with zero breakout warning time.