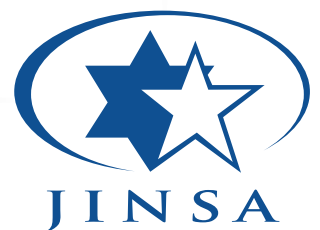


Principles for Diplomacy with Iran

JINSA's Gemunder Center Iran Task Force

Co-Chairs Ambassador Eric Edelman and Ambassador Dennis Ross
October 2013



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Task Force and Staff

Co-Chairs

.....

Ambassador Eric Edelman

Former Under Secretary of Defense for Policy

Ambassador Dennis Ross

Former special assistant to President Obama and NSC Senior Director for the Central Region

Members

.....

The Honorable Chris Carney

Former U.S. Representative from Pennsylvania

Admiral (ret.) Gregory Johnson

Former Commander of U.S. Naval Forces, Europe

Professor Eliot Cohen

Director of Strategic Studies Program at Johns Hopkins School of Advanced International Studies

Steve Rademaker

Former Assistant Secretary of State for Arms Control and Nonproliferation

Lt. General (ret.) David Deptula

Former Deputy Chief of Staff for Intelligence, Surveillance and Reconnaissance, U.S. Air Force Headquarters

Ray Takeyh

Senior Fellow for Middle Eastern Studies, Council on Foreign Relations

Larry Goldstein

Founder and Director of Energy Policy Research Foundation, Inc.

General (ret.) Charles Wald

Former Deputy Commander of U.S. European Command

John Hannah

Former Assistant for National Security Affairs to the Vice President

Mort Zuckerman

CEO and Chairman of the Board of Directors, Boston Properties, Inc.

JINSA Policy Staff

.....

Dr. Michael Makovsky

Chief Executive Officer

Jonathan Ruhe

Senior Policy Analyst

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Introduction

Momentum is once again building for diplomacy with Iran. The election of Hassan Rouhani as Iran’s president and his public embrace of a negotiated agreement has encouraged the Obama Administration and its international partners that a deal is feasible.

Stopping a nuclear-capable Iran is the gravest, most pressing national security threat facing the United States today. It is also the most dire threat facing Israel and our Persian Gulf Arab allies. With time running out, the United States needs to pursue all realistic policy options to address this challenge. A diplomatic agreement is the best or, more realistically, the least bad, means to achieving this objective. But it is only that: a means to preventing a nuclear Iran. Diplomacy should not become an end in itself. A deal struck only for the sake of reaching a deal – one that simply kicks the can down the road rather than secures fundamental U.S. interests – is worse than no deal at all: it would still allow for a nuclear Iran, while surrendering crucial international leverage; it would undermine the legitimacy of any subsequent U.S. or, much more likely, Israeli attempts to arrest Iran’s nuclear progress by military action; it would discredit and compromise the strength of U.S. declarations; and it would weaken if not destroy the international nonproliferation regime.

Therefore the United States should only pursue a diplomatic agreement with Iran within certain parameters that ensure the deal actually furthers U.S. interests. As a corollary, American negotiators should be prepared to walk away from the table if their Iranian counterparts are unwilling to accept a deal within those boundaries. As Under Secretary of State Wendy Sherman stated earlier this month – echoing a similar comment by Secretary of State John Kerry – “no deal is better than a bad deal.” American leaders should also make clear the alternatives to an acceptable deal are enhanced sanctions that could collapse Iran’s economy and/or a U.S. military strike. Further, they must continue to stand firmly behind U.S. Secretary of Defense Chuck Hagel’s assertion on April 21 of this year: “Israel will make the decision that Israel must make to protect itself, to defend itself.”¹ Certainly, Iran must realize it has the most to lose from the failure of diplomacy.

In a previous report we argued that, rather than engage in time-consuming confidence-building measures and incremental agreements that threaten to squander U.S. leverage, the United States could offer Iran a complete package, an end-game proposal, to test their intentions definitively in the relatively short time that remains before Iran attains an undetectable nuclear weapons breakout capability.

In this paper, we detail the principles that should determine the content of that package and the boundaries of U.S. negotiations with Iran. Based on these principles, we agree the optimal solution – and the one that would contribute the most toward peace and stability in the region – would be a settlement only permitting Iran to retain a civilian nuclear power program but no enrichment facilities or capabilities. The tenability of any actual agreement would need to be evaluated in terms of the principles we lay out below.

Principles for Diplomacy

In entering into a subsequent round of negotiations with Iran, U.S. policymakers should be guided by principles that signify the core security interests at stake. Reaching a deal that hews to these tenets – of which we believe there are six – will ensure that U.S. concerns about Iran’s nuclear program are being addressed. Any agreement that violates them would not do enough to confront Iran’s repeated and relentless violations of its international obligations and should thus be left on the table. Indeed, following these principles is just as important for securing a deal that addresses U.S. concerns about Iran’s nuclear program as it is to preventing Iran from using diplomacy as a stalling tactic yet again.

1. Resolve Outstanding International Concerns

We still do not possess a full and accurate picture of the complete scope of Iran’s nuclear activities. It is believed to extend well beyond the most public aspect – uranium enrichment – to include experimentation with nuclear weapons design and ballistic missile research. Indeed, the International Atomic Energy Agency (IAEA) has repeatedly expressed its “deep and increasing concern about the unresolved issues regarding the Iranian nuclear program, including those which need to be clarified to exclude the existence of possible military dimensions.” The list of IAEA concerns is quite long and includes significant evidence that Iran has pursued research into the construction of a nuclear weapon.²

Undertaking such activities constitutes a clear breach of both the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and IAEA Safeguards Agreement that Iran has signed. Thus, the IAEA has repeatedly engaged Iran in the hopes of clarifying whether such activities have in fact taken place, and if they are ongoing.

However, the IAEA’s most recent report noted with regret that it “has not been able to begin substantive work with Iran on resolving the outstanding issues.” Iran has consistently stonewalled the IAEA, refusing to answer its questions and blocking its inspectors from suspected facilities. In fact, Iran has gone so far as to “sanitize” the site where it is suspected to have tested explosives for a nuclear device: it washed down the building, bulldozed it and brought in fresh dirt to cover it.

For a diplomatic agreement to inspire any international confidence about Iran’s sincerity, such obstruction of international inspectors must end immediately. Thus, American negotiators must insist on Iran coming clean in a very short timetable about the entirety of its nuclear activities and addressing all outstanding IAEA concerns.³

2. Adhere to International Legal Requirements

Already in 2003 Iran’s stonewalling led the IAEA to find that “Iran has failed in a number of instances over an extended period of time to meet its obligations under its Safeguards Agreement.” After tolerating more than two years of consistent obfuscation, the IAEA effectively declared Iran in violation of the NPT, and in 2005 referred the matter to the United Nations Security Council (UNSC).⁴

Acting on the recommendation of the IAEA, the UNSC has passed six resolutions calling on Iran to “suspend all enrichment-related and reprocessing activities” and “to implement without delay all transparency measures as the IAEA may request in support of its ongoing investigations.” Of the six resolutions, five were passed under Chapter VII of the U.N. Charter, making compliance with their provisions legally binding on Iran. These UNSC resolutions (UNSCR) form the foundation of the legal case against Iran’s nuclear program. Yet, Iran has continued to not only ignore these UNSCRs but also to deride their legitimacy.⁵

Going even further, Iran has repeatedly asserted that the NPT grants it a right to enrich uranium and that any attempts to curtail that right – such as the UNSCRs – are illegal. Thus, Iranian negotiators have made the acknowledgement of this right by the international community one of their central demands. But nothing in the NPT implies a right to possess all, especially potential military, elements of nuclear technology. As the late nuclear strategist Albert Wohlstetter warned, “the NPT is, after all, a treaty against proliferation, not for nuclear development.” Indeed, of the 24 countries that have peaceful nuclear energy programs without possessing nuclear weapons, 18 have foregone any indigenous enrichment capability. Under Secretary Sherman underscored this point earlier this month when she testified before the Senate that “Article 4 of the Nuclear Non-Proliferation Treaty does not speak about the right of enrichment at all. [It] doesn’t speak to enrichment, period. It simply says that you have a right to research and development. [...] So we do not believe there is an inherent right by anyone to enrichment.”⁶

Taken together, Iran’s defiance in the face of sustained and continued UNSC sanctions and distortion of the NPT represent a threat to the nonproliferation regime. If allowed to continue in this vein, Iran will succeed in diluting the NPT to the point of meaninglessness and rendering UNSC edicts hollow, making clear to other rogue regimes that they can follow in Tehran’s nuclear footsteps without fear of repercussions.

Thus, entering into negotiations with Iran, the United States should be mindful not just of the security threat posed by Iran’s nuclear program but also of its implications for future nonproliferation efforts. To preserve the international legal regime regulating the pursuit of nuclear weapons, U.S. negotiators must reassert the authority of the UNSC and the true purpose of the NPT.

3. Deny Iran Ability to Reach Nuclear Weapons Capability

In keeping with the need to preserve the NPT’s limitations on the spread of nuclear technology, the United States should only agree to a diplomatic agreement with Iran if it successfully constrains Iran’s ability to pursue a nuclear weapons program. This will require focusing on Iran’s ability to produce fissile material as a totality, not just individual elements of the fuel-making process. Too often policymakers have made the mistake of identifying Iran’s race to the bomb with just one aspect of its program – such as Israeli Prime Minister Benjamin Netanyahu’s redline drawn last year at a certain stockpile of 20 percent enriched uranium (a line he implicitly suggested is insufficient in a more recent speech). But multiple variables contribute to how quickly Iran is able to produce fissile material. Concentrating on just one of these allows

Iran to slow that element of its program, thus appearing to comply with international pressure, while finding ways to advance in other areas, without ever slowing its overall pace towards nuclear weapons capability.

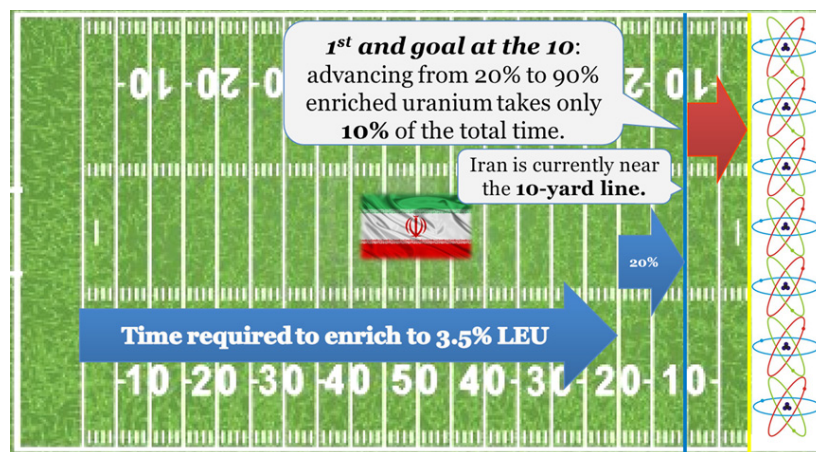
Thus, the variables that need to be considered and addressed by any diplomatic agreement should include:

ENRICHMENT LEVEL

Iran currently enriches uranium to 3.5 percent and 20 percent. It claims to require the former as fuel for its civilian nuclear energy program and the latter to produce isotopes for medical purposes. Both of these are legitimate uses for uranium enriched to such levels, but they do not legitimate Iran's pursuit of them.

Though Iran faces growing demand for electricity, it makes no economic sense for it to meet that demand with nuclear energy, as it sits on vast reserves of natural gas that are much less expensive to exploit and turn into electricity. However, even if Iran were to build nuclear power plants to meet its energy needs, it would be far cheaper to buy fuel for those reactors on the global market than to invest in indigenous enrichment capability, let alone enrich uranium in the quantities it has. The same economic logic holds for Iran's Tehran Research Reactor (TRR), which it uses to produce medical isotopes. Those isotopes, and the fuel for that reactor, could be purchased more economically abroad than produced at home. These factors help explain why many more countries have peaceful nuclear programs without enrichment capabilities than maintain indigenous enrichment capabilities.

But enriched uranium can also be used for fissile material for a nuclear device. This requires uranium enriched to levels above 90 percent, a step Iran has not yet taken. But enriching uranium even to lower levels, such as 3.5 or 20 percent, brings Iran much closer to weapons-grade uranium than the numbers would suggest. Enrichment is not a linear process; small increases on the lower end of the enrichment scale require more effort than much bigger jumps at higher levels. Enriching natural uranium to 3.5 percent consumes about four-fifths of the total time it would take to get to 90 percent enriched uranium. Put another way, with 3.5 percent enriched uranium, Iran has already driven the ball 80 yards. With 20 percent enriched uranium, it moves up the field with only ten yards separating it from its goal of weapons-grade uranium.



ENRICHMENT FACILITIES

Iran has publicly admitted to enriching uranium at three sites: the Natanz Pilot Fuel Enrichment Plant, the Natanz Fuel Enrichment Plant and the Fordow Fuel Enrichment Plant. Of these, the latter two are underground and the last is fortified against attack. Because of these reinforcements and its relatively small size, the Fordow plant in particular seems to have no legitimate civilian justification. Instead, it appears designed to provide Iran with the capability to produce the small amount of weapons-grade uranium needed for a nuclear device, safe from military strikes. The fact that Iran built Natanz and Fordow covertly and only admitted their existence to the IAEA belatedly, after they had already been discovered, further underscores its illicit intentions.

Negotiators will need to weigh the enrichment capability and protection that each of these facilities affords Iran, and decide whether allowing Iran to keep operating them undermines the goals of limiting it to a civilian nuclear program without a breakout capability. If so, they should require their closure as part of any acceptable diplomatic agreement.

URANIUM STOCKPILE

As of the last report by IAEA inspectors, Iran had a stockpile of nearly 4,600 kilograms of 3.5 percent enriched uranium and 127 kilograms of 20 percent enriched uranium. These stockpiles exceed the fuel needs of its civilian nuclear program and constitute a proliferation risk. With further enrichment, Iran could turn the enriched uranium it has already amassed into sufficient fissile material for at least three nuclear bombs. Yet, that same material is superfluous for Iran's civilian needs.⁷

The Bushehr nuclear reactor, which has been producing electricity since 2011, uses fuel rods containing 3.5 percent enriched uranium, the putative reason for Iran's enrichment to this level. But the fuel used at Bushehr is supplied by Russia, not Iran's indigenous enrichment program. In fact, none of the 3.5 percent enriched uranium that Iran has produced has been turned into fuel for the Bushehr reactor.

However, Iran uses the 3.5 percent enriched uranium to produce 20 percent enriched uranium that it then turns into fuel for the smaller TRR. This reactor, which is designed to produce medical isotopes, uses a very small amount of fuel, between 7 and 10 kilograms of 20 percent enriched uranium. But Iran has already turned roughly 90 kilograms of 20 percent enriched uranium into fuel for the TRR, meaning it has at least a decade of fuel already. The need for additional stockpiles is unclear.

Negotiators will therefore have to weigh the proliferation risks of Iran's uranium stockpiles against their potential civilian uses, and decide how much of this dangerous material Iran is allowed to retain as part of a diplomatic deal.

CENTRIFUGES

Iran's rapid installation of centrifuges has been chiefly responsible for its recent acceleration toward an undetectable nuclear weapons breakout capability. It has over 19,000 centrifuges installed across its three known enrichment plants, an increase of 3,000 since May 2013 alone. Moreover, more than 1,000 of these centrifuges are a new, more advanced model, the IR-2m, which is estimated to be up to five times as productive as the model Iran now uses. At least 8,000 of these centrifuges are not currently operating, including all of the IR-2m models. We estimate that if all of these centrifuges were turned on right now, it would reduce the time Iran needs to produce enough fissile material for a nuclear device by at least 30 percent.⁸

Given Iran's lack of any need for additional indigenously enriched uranium for civilian purposes, it is unclear what purpose this rapid expansion of enrichment facilities serves other than production of weapons-grade uranium. Because Iran's breakout capability is determined by both number and type of centrifuges it has installed and/or operating, negotiators will have to impose limitations on both these criteria to credibly deny Iran a nuclear weapons capability.

PLUTONIUM TRACK

All of the above conditions apply to Iran's pursuit of a nuclear weapons capability by creating the technology to produce fissile material in the form of highly enriched uranium. A nuclear weapon can also be constructed using plutonium as fissile material, which Iran has also tried to follow. Plutonium can be extracted from the spent fuel used up by a nuclear reactor. This is precisely how North Korea gained the fissile material for its first nuclear weapon.

Therefore the Bushehr reactor technically poses a proliferation risk. However, Russia, which supplies the fuel for the reactor, is also supposed to secure it after it has been used to prevent Iran from reprocessing it and extracting plutonium. Moreover, Bushehr is a light water reactor that uses 3.5 percent enriched uranium for fuel and produces relatively small amounts of plutonium. Another type of nuclear power generator – known as a heavy water reactor – poses a much graver proliferation risk because it uses natural uranium, which is much easier to acquire, and yields much greater amounts of plutonium in its spent fuel. Iran has built, and is in the process of operationalizing, a heavy water reactor at Arak.

As with other aspects of its nuclear program, negotiators will have to consider the proliferation risk posed by the Arak reactor and how to limit it.

4. Impose Strict Inspections Regime

Preventing a nuclear Iran through a diplomatic settlement will require more than just Tehran agreeing to limit its nuclear program. It could still retain or reconstitute the capability to produce enough fissile material for a nuclear device, or seek to circumvent an agreement by constructing covert nuclear facilities at which to continue its program. Iran has tried such tricks before: both the Natanz and Fordow enrichment facilities were being built secretly until discovered by the international community; the IAEA's ability to monitor and inspect Arak has routinely been constrained; and access has been denied entirely to the Parchin facility, where intelligence suggests nuclear weaponization work occurred. Furthermore, under a previous deal with the European Union in 2003, Iran continued work on its nuclear program despite having agreed to suspend it – a fact President Rouhani has proudly claimed as one of his main achievements when he served as Iran's chief nuclear negotiator.⁹

To protect against such an eventuality, negotiators should require the implementation of a strict inspections regime to monitor Iranian activity as part of any deal. At a minimum, the IAEA Additional Protocols would need to be put in force. This agreement strengthens the IAEA's inspection capabilities, to include shorter advance notices and access to all sites where the IAEA believes nuclear material may be present (not just declared facilities). Given concerns over Tehran's previous undeclared activities, this framework would be crucial to help verify Iranian compliance with its obligations.

Ideally, the United States and its diplomatic allies should insist on a specially-designed, enhanced verification and monitoring regime to ensure Iran would not reconstitute its nuclear

weapons program. This would include the IAEA Additional Protocols, but also complete and unfettered access to any Iranian facility with no advance notice, the right to interview all Iranian personnel and near-real-time video surveillance of all remaining nuclear facilities.

5. Negotiate from Position of Strength

Diplomatic engagement must be accompanied by greater pressure. This is because the Iranian regime not only exploits weakness in its opponents, but has also responded at times to the threat of force. For a diplomatic solution to be viable, it is imperative Iranian leaders believe they have more to lose than their counterparts across the table if negotiations fail. To achieve this, American policymakers must use all available instruments of coercive diplomacy to restore credibility to their oft-repeated statement that the United States is keeping all options on the table. Furthermore, the United States should offer sanctions relief only in exchange for, and subsequent to, verifiable Iranian adherence to any acceptable final agreement.

EXPAND EXISTING PRESSURE

The United States must build upon the existing pressures it has placed on the Iranian regime, especially since Tehran is not taking U.S. actions lying down. The centerpiece of U.S. policy has been a steadily-increasing array of sanctions targeting the Iranian regime's ability to fund its nuclear weapons ambitions, enrich itself, acquire weapons of mass destruction (WMD) technology and materials, support its broader strategic goals and maintain its apparatuses of domestic control. These measures have helped fracture elite and popular consensus in Iran on the aims and value of the nuclear program, and their economic effects may be helping undermine Iranians' confidence in their regime. At the same time, the United States and its allies have made sure to provide arrangements allowing Iran to procure humanitarian goods, including food and pharmaceuticals, from abroad.

However, Iran is pursuing a strategy of counter-pressure on the United States. It has continued enriching uranium, including to 20 percent; accumulating larger stockpiles of low-enriched uranium; installing more centrifuges (including more efficient ones); and dramatically reducing the time required for a nuclear breakout. More recently, Tehran accelerated enrichment and began making nuclear fuel for its reactor at Arak. The regime has largely maintained the offensive in its rhetoric as well, insisting upon its nuclear program's peaceful intentions, its right to enrich and the duplicity of the United States and its allies. Outside the nuclear realm, Tehran has also maintained pressure on U.S. allies with its support for terrorist groups and the embattled Syrian regime. These steps reflect the regime's proclivity to build as much leverage as possible and to exploit weaknesses in its opponent, for fear of having to yield in the face superior force, as it did to end the hard-fought Iran-Iraq War and in the aftermath of the rapid U.S.-led overthrows of its neighbors in 2001 and 2003.

Therefore, the United States needs to increase pressure by making it abundantly clear to Iran that it will either use military force if necessary to prevent a nuclear Iran, or support Israel's efforts to do so. To this end, the Administration could bolster its credibility by shoring up and clarifying its declaratory policy. American leaders should also refrain from making any more public statements undermining the viability of U.S. or Israeli military action, and instead reiterate at regular intervals that the United States will always be supportive of the fundamental right of Israel and other regional allies to ensure their self-defense.

Such rhetoric must be underpinned by actions to communicate concretely U.S. resolve to stop Iran's nuclear program by any means necessary. As we outlined in our September 4 report, the United States must undertake efforts to prepare for an effective military strike against Iran's nuclear program. The deployment of additional air and naval assets to the Persian Gulf, military exercises with regional allies and steps such as arms sales to augment Israeli strike capabilities would be crucial elements of this strategy.

SANCTIONS RELIEF FOR IRANIAN COMPLIANCE

With this backdrop for negotiations, the United States should use this leverage to insist on a high standard for any potential deal, and for Iran to verify its continual compliance with that agreement. American diplomats must therefore avoid the temptation to use sanctions relief as a confidence-building measure to convince Tehran of U.S. good intentions. Instead, while making clear the United States' intention to lift all relevant sanctions once Iran's nuclear weapons program has been verifiably eliminated, American diplomats should insist that such relief will occur only gradually and concomitant to concrete actions by Iran that irreversibly roll back its nuclear program and resolve critical questions about its past activities that triggered such sanctions in the first place.

The Administration's hand at the negotiating table could be strengthened by Congress. First, Congress could demand to review and approve any deal negotiated by the Administration. Iran's nuclear negotiators will seek to leverage their American counterparts by arguing for a deal they can sell back home; Congress could similarly bolster the United States' bargaining position and credibility, especially since the Administration recently set a precedent by seeking Congressional approval for its policy on Syria.

Second, and related to this, some sanctions may require legislation or a joint resolution before being lifted. Congress could condition removal of the trade limitations contained in sanctions on Iran meeting certain qualifications relating to any nuclear deal. A precedent would be its role in the 1990s in codifying the embargo against Cuba into law, whereby U.S. economic sanctions remain in place until certain claims against its government's policies are fulfilled.

The need to condition sanctions relief upon compliance rests mainly on three factors. First, the enforcement provisions for arms-control agreements of any type are usually weak, and determining what constitutes a material breach is usually subject to multiple interpretations. Second, sanctions regimes are difficult to reconstitute in practice, especially in an atmosphere of détente following years of confrontation and a lengthy arms-control process. This would be particularly true in the case of Iran, given the sheer extent of coercive measures over the past three years just to bring Tehran to this point. Absent any tangible inducement to comply – like that offered by real sanctions relief – such arrangements naturally are more honored in the breach by countries agreeing officially to limit their military capabilities.

Third, American leaders likely would find it politically infeasible to relax or repeal sanctions unless they can point to concrete indications of Iranian conformity with a final agreement. The President can repeal the many executive orders issued against Tehran over its nuclear program, but overturning most relevant sanctions legislation requires the President certify to Congress that Iran has ceased its pursuit of *all* WMD and ballistic missile programs *and* no longer supports international terrorism. Such certification would be difficult even if Iran adheres to a deal, but the President's broad discretion to implement sanctions means the Executive Branch could choose to enforce them commensurately with Iranian behavior.

Sanctions relief should extend no further than measures designed to compel Iran to the negotiating table in the first place. The United States maintains extensive sanctions against Iran independent of this purpose. Most of these target the regime's human-rights abuses, support for terrorism and efforts to acquire WMD (including delivery systems). Logically, relaxing or removing these measures should not be included in any negotiations over the future of Iran's nuclear program. In fact, some of these sanctions – particularly those against proliferating WMD technology or material to Iran – could be crucial elements in preventing Tehran from reconstituting its nuclear program.

6. Don't Waste Time

It is critical that U.S. negotiators keep their eye on the clock. With Iran on schedule to attain an undetectable nuclear weapons breakout capability by mid-2014, the time available to both negotiate and verifiably implement a deal is scant. Thus, in the absence of an Iranian decision to suspend all aspects of its ongoing nuclear program and thereby freeze the clock, any deal that cannot be negotiated and put into effect in short order – even a deal that meets all the above criteria – must be rejected. This is important both to stop Iran from using diplomacy as a cover while it sprints for the bomb, and to address Israeli impatience so it does not feel compelled to act alone.

This will require American negotiators to place an expiration date on negotiations. In this regard, negotiators cannot wait for a simple “no” from Iran, as it is too clever to have ever rejected outright any of the deals it has been offered in the past. Instead, Iran will seek to stall and confuse while making reassuring statements. If not accompanied by meaningful steps to suspend Iran's nuclear progress, such tactics should not be tolerated. The United States should require a firm and concrete “yes” by a certain deadline and, if it is not forthcoming, must be prepared to walk away from the table and adopt stronger measures.

Similarly, if a deal is struck, its conditions should begin being implemented immediately – especially those pertaining to suspending further expansion of Iran's nuclear capabilities. If Iran attempts to drag its feet or delay upholding its end of any agreement, the United States should again be prepared to resort to other policy options. Iran has done nothing to earn international trust and is poised dangerously close to the nuclear threshold. It cannot be given the benefit of the doubt, or the clock.

Appendices

Appendix A: U.S. Sanctions Against Iran

Name and Date Enacted Against Iran	Target/Purpose			
	Leverage Against Nuclear Program	WMD Technology Transfers	Conventional Military/Terrorism	Human-Rights Abuses
Export Administration Act §6(j) (1984)			✓	
Foreign Assistance Act §620(a) (1985)			✓	
Executive Order 12613 (1987)		✓		
Iran-Iraq Non-Proliferation Act (1992)		✓	✓	
Executive Order 12938 (1994)		✓		
Executive Order 12957 (1995)	✓	✓		
Executive Order 12959 (1995)	✓	✓		
Antiterrorism and Effective Death Penalty Act §325-326 (AEDPA; 1996)			✓	
Iran Sanctions Act (ISA, formerly ILSA; 1996)	✓	✓	✓	
Executive Order 13059 (1997)	✓	✓		
Foreign Operations, Export Financing, and Related Programs Appropriations Act (1997)	✓	✓		
Executive Order 13094 (1998)		✓		
Iran Nonproliferation Act of 2000 (2000)		✓		
Executive Order 13224 (2001)			✓	
Executive Order 13382 (2005)		✓		
Iran Freedom and Support Act (2006)		✓		✓
Arms Control Export Act §40 (2008)		✓	✓	
Iranian Transactions Regulations Amendment (2008)			✓	
Comprehensive Iran Sanctions, Accountability, and Divestment Act (CISADA; 2010)	✓	✓	✓	✓

Appendix A: U.S. Sanctions Against Iran (cont.)

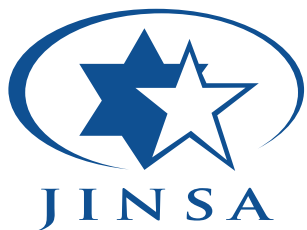
Name and Date Enacted Against Iran	Target/Purpose			
	Leverage Against Nuclear Program	WMD Technology Transfers	Conventional Military/Terrorism	Human-Rights Abuses
Executive Order 13553 (2010)				✓
Executive Order 13572 (2011)				✓
Executive Order 13574 (2011)	✓			
Executive Order 13590 (2011)	✓			
USA PATRIOT Act §311 (2011)	✓			
FY2012 National Defense Authorization Act (NDAA 2012) §1245 (2011)	✓			
Executive Order 13599 (2012)	✓			
Executive Order 13606 (2012)				✓
Executive Order 13608 (2012)	✓		✓	
Executive Order 13622 (2012)	✓			
Iran Threat Reduction and Syria Human Rights Act of 2012 (ITRSHRA; 2012)	✓	✓	✓	✓
Executive Order 13628 (2012)	✓			✓
FY2013 National Defense Authorization Act §1244-1254 (NDAA 2013; 2012)	✓	✓		✓
ITRSHRA §504 (2013)	✓			
Executive Order 13645 (2013)	✓			

Appendix B: U.S. Sanctions to Leverage Iran's Nuclear Program

Name and Date Enacted Against Iran	Relevant Provisions
Executive Order 12957 (1995)	Declaration of Iran as extraordinary national security threat, which allows President to regulate trade with Iran.
Executive Order 12959 (1995)	Comprehensive ban on U.S. trade with, and investment in, Iran.
Iran Sanctions Act (ISA, formerly ILSA; 1996)	Penalties for companies investing \$20+ million annually in Iran's energy sector.
Executive Order 13059 (1997)	Ban on re-export of U.S. goods to Iran through a third country.
Foreign Operations, Export Financing, and Related Programs Appropriations Act (1997)	Prohibition on direct or indirect U.S. foreign assistance to Iran.
Comprehensive Iran Sanctions, Accountability, and Divestment Act (CISADA; 2010)	Penalties for companies supplying refined petroleum products or refinery equipment to Iran.
Executive Order 13574 (2011)	Specifies financial penalties for ISA violators.
Executive Order 13590 (2011)	Expands criteria for activities prohibited under ISA.
USA PATRIOT Act §311 (2011)	Designation of Iran as money-laundering concern, which limits its banks' access to U.S. financial sector.
FY2012 National Defense Authorization Act (NDAA 2012) §1245 (2011)	Penalties for financial institutions transacting with Iran's Central Bank.
Executive Order 13599 (2012)	Blocks all Iranian government property in United States.
Executive Order 13608 (2012)	Penalties against entities helping Iran evade sanctions.
Executive Order 13622 (2012)	Prohibition on financial institutions purchasing oil or other energy products from Iran.
Iran Threat Reduction and Syria Human Rights Act of 2012 (ITRSHRA; 2012)	Prohibition on selling, shipping, or providing insurance for Iranian crude oil.
Executive Order 13628 (2012)	Places non-U.S. entities owned or controlled by U.S. persons under same prohibitions on economic activity with Iran as U.S. persons.
FY2013 National Defense Authorization Act §1244-1254 (NDAA 2013; 2012)	Prohibition on providing goods or services to Iranian energy, shipping, shipbuilding, metallurgical, or port sectors.
ITRSHRA §504 (2013)	Prohibition on repatriating funds from purchases of Iranian oil.
Executive Order 13645 (2013)	Penalties for entities transacting with Iran's automotive sector, conducting transactions in Iran's currency, or holding accounts in Iran's currency.

Endnotes

1. "In Israel, Pentagon chief Chuck Hagel presses agenda on Iran," Associated Press, April 22, 2013; "Kerry: 'Bad deal is worse than no deal' on Iran's nuclear program," CBS News, September 27, 2013; Wendy R. Sherman, "Written Statement before the Senate Foreign Relations Committee: Reversing Iran's Nuclear Program," U.S. Department of State, October 3, 2013.
2. "IAEA Board Adopts Resolution on Iran," International Atomic Energy Agency, November 18, 2011; "Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions in the Islamic Republic of Iran," International Atomic Energy Agency (GOV/2011/65), November 8, 2011 (Annex).
3. "Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions in the Islamic Republic of Iran," International Atomic Energy Agency (GOV/2013/40), August 28, 2013, 2.
4. "Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran," International Atomic Energy Agency (GOV/2003/75), November 10, 2003, 9.
5. "Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran," International Atomic Energy Agency (GOV/2006/53), August 31, 2006, 1.
6. Henry D. Sokolski, ed., *Reviewing the Nuclear Nonproliferation Treaty (NPT)* (Carlisle, PA: Strategic Studies Institute, 2010), 230-31; "Rubio Presses Obama Administration on Willingness to Negotiate with Iran without Preconditions," Office of Senator Marco Rubio press release, October 3, 2013. For a list of countries that have peaceful nuclear programs without possessing indigenous enrichment capabilities, see: "Nuclear Programs of the World," Foundation for Defense of Democracies (<http://defenddemocracy.org/nuclear-programs-of-the-world/>).
7. "Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions in the Islamic Republic of Iran," International Atomic Energy Agency (GOV/2013/40), August 28, 2013, 4-6; see also: Blaise Misztal, "Update on Iran's Nuclear Program," Bipartisan Policy Center, September 5, 2013.
8. "Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions in the Islamic Republic of Iran," International Atomic Energy Agency (GOV/2013/40), August 28, 2013, 4-6.
9. "Rouhani, on Iranian TV in May, detailed how he broke nuclear pledge," *Times of Israel*, October 6, 2013.



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