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Preventing an Iranian Breakout after a Nuclear Deal

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Washington must urgently reestablish the credibility of its military threat, along with other steps, to guard against noncompliance from Tehran.

Assuming a final Iranian nuclear agreement is achieved, whatever the details, the task of the United States, the rest of the P5+1 (Britain, China, France, Russia, and Germany), and U.S. allies and friends in the region to manage the threat of an Iranian nuclear program will not slacken. Thus, the arrangements to encourage Iran to stick with an agreement will be every bit as important as the specifics of an agreement itself. It is thus important to begin thinking about these arrangements now.

Furthermore, even with an agreement, the United States and its partners will face a long-term Iranian push for hegemony in the Middle East. That fact, plus analogous recent Russian and Chinese behavior and questions about U.S. responses, offers the context within which any nuclear deal, and plans to maintain it, must be considered.

In any likely final agreement with Iran, a residual nuclear enrichment program, however undesirable, will likely be permitted. This will necessitate a regime to prevent Iran from breaking out of that agreement to develop nuclear weapons, or exploiting the threat of a breakout for regional intimidation. Such a regime would require three interlocking components: specific limitations on Iran's program, in order to maximize Iran's prospective breakout time; extensive verification, monitoring, and intelligence capabilities, inside and outside the agreement, to spot any breakout as soon as possible; and, finally, credible response scenarios should a breakout occur. Steps for achieving these essential goals are inventoried as follows:

Immediate next steps. The path to enforcing a final deal begins with enforcement of the current interim deal. The administration has rejected the option of passing conditional congressional sanctions in case a final deal proves beyond reach. But neither that nor the language of the Joint Plan of Action (JPOA), as the interim agreement is known, should stop the White House from immediately underlining that any Iranian infringement of the

interim deal will incur new sanctions, along with other enforcement actions. Iran will protest, but this should be the first signal of U.S. resolve in enforcing any deal with Tehran. Iran is unlikely to walk away from the talks in response. And if it does, that will be an invaluable warning of the inherent fragility of agreements with the regime. Moreover, if the United States cannot credibly enforce a limited interim deal, how will it ever enforce a final one?

One way for the White House to reinforce this crucial early message would be to clearly state that it prefers no extension of the interim deal beyond its first six-month timeframe. As it is unlikely that this call would gain wider acceptance, however, Washington could lay down a clear marker that only one six-month extension will be acceptable. Otherwise, the temptation to extend the interim deal indefinitely, offering no real rollback of Iran's nuclear program while sanctions erode, may well prove irresistible to Iran and to some other interested parties.

Verification of a final deal. Verification is critical to deterring Iranian breakout, spotting Iranian noncompliance, and triggering a rapid international-community reaction, including sanctions and ultimately use of force. It is thus essential that the most intrusive monitoring regime possible be secured in any agreement, building on the enhanced International Atomic Energy Agency (IAEA) inspection regime in the JPOA and following up on Iranian commitments to sign the Nuclear Nonproliferation Treaty's Additional Protocol as part of the final agreement. National means of verification must be strengthened and their findings accepted, once tested and confirmed, as a supplement to the IAEA.

Any UN Security Council resolution adopting a final agreement should empower the IAEA's on-site personnel to provide certain reporting to the Security Council through -- but not requiring votes by -- the IAEA board. A precedent is UN Security Council Resolution 1022 on the Dayton Accords, which directed NATO's Implementation Force (IFOR) commander to report through its channels to the Security Council.

Enforcement of a final deal. Any agreement, or the UN Security Council resolution adopting the agreement, necessarily would have provisions for alleged or proven noncompliance. At a minimum, these provisions would resemble those of UN Security Resolution 3118, on Syrian chemical weapons, which "Decides, in the event of non-compliance with this resolution...to impose measures under Chapter VII of the United Nations Charter." Even better would be to include the specific enforcement measures directly in the UN Security Council resolution under Chapter VII.

Second, certain current UN sanctions on Iran, rather than being lifted, should be suspended. Third, sanctions relief, rather than occurring immediately, should be phased in as an incentive for compliance, especially concerning the inspections regime.

Setting a military redline. Most important of all, the U.S. administration must maintain, convincingly, its explicit threat to use force if Iran attempts to develop a nuclear weapon, as the president has affirmed repeatedly. To reinforce this aim, the United States should push for military force authority in the adopting UN resolution, as a complement to, but not a prerequisite for, a unilateral U.S. threat. The United States should, further, make clear its redline that would spark a military response. At least as important will be the strict avoidance of mixed public messages, such as previous statements by senior officials about how "destabilizing" or "unpredictable" a necessary military action might be. Any such statement should be immediately and publicly disavowed by the president, or else his

own credibility will suffer.

The Obama administration understandably has previously refused to spell out what specific Iranian action would trigger a U.S. military response, along with the details of that response. But a verified violation of a nuclear agreement is different from an ambiguous development of a dual-use capability.

Recent experience and various other factors point to a limited military response focused on nuclear infrastructure and missile systems. But the United States also has a compelling interest in neutralizing Iran's retaliation to a U.S. or international strike. So it should prepare if Iran retaliates not to slog out an air-sea campaign in the Gulf but rather to strike back asymmetrically against Iran's strategic command, control and communications, fuel production, and electrical generation capabilities, with standoff, precision-guided weapons - - making sure Iran is aware of these intentions.

Establishing military credibility. For any planned military response to serve as a deterrent, the threat must be credible. Given the present administration's considerable deficit in this area, it must strengthen its regional military presence and encourage other states, such as France and Britain, to follow suit. Some such developments are under way, but public attention needs to be kept on this issue. Moreover, U.S. military actions, from Afghanistan to NATO missile defense and deployment cancellations, can color perceptions of its determination and thus of its deterrence. Worst of all is an administration that actually intends to respond militarily to a breakout, with an Iran that does not believe it.

Restoring the balance following a breakout attempt. The United States needs a game plan for "the day after" any breakout attempt is stopped, whether by negotiations, sanctions pressure, or military action. Possibilities include ending Iranian enrichment altogether, restricting oil exports, confidence-building measures including U.S. and other military presence, and diplomatic steps to sustain P5+1 and alliance solidarity.

Diplomatic Efforts

Implementing the program just outlined requires multiple simultaneous negotiations. A breakout response regime, especially one automatically linking Iranian failure to comply with a UN Security Resolution to the use of force, would be controversial. Washington would have to persuade its fellow P5+1 states, some of which recoil at the idea of military action, that such a regime is a sine qua non of any agreement. Likewise, Iran would have to tolerate intrusive verification and breakout enforcement provisions. Aside from the "sticks" discussed in this piece, "carrots" to encourage Iran to remain with any agreement, while outside the scope of this discussion, will likewise be important. Finally, Gulf allies and Israel will need to be convinced of the wisdom of any nuclear agreement.

Domestic Considerations

The U.S. Congress and the American people are skeptical about a deal with Iran, but, as the Syrian chemical weapons scenario showed, both can also be leery about using force. Here, only the president can make the case. He should make clear that he would use his presidential prerogatives, consulting with but not requiring consent from Congress, if military force were needed. Congress, in turn, could relieve some of the administration's burden at the time an agreement was reached by passing a general resolution of support,

including for a U.S. military response if the deal were violated. Because this would significantly enhance the military option's credibility, it would be well worth the advance consultations with Congress, starting right now, required to secure its explicit endorsement.

Concluding Recommendations

For any agreement to secure regional stability and prevent a nuclear-armed Iran, the elements discussed here for a breakout response must be strong and mutually supporting. And they must be reinforced with the following understandings: (1) an agreement with Iran would not signal the creation of a new ally; (2) a credible, internationally endorsed response to any violation is obligatory; (3) U.S. military action must be at the core of any such response; and (4), relatedly, credibility must urgently be restored to the much-doubted U.S. threat of military force against Iran.

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