

## The Iran Nuclear Agreement: One Year Later

A HEARING AT THE UNITED STATES SENATE COMMITTEE ON FOREIGN RELATIONS WITH TESTIMONIES FROM MARK DUBOWITZ AND RICHARD NEPHEW

**To prevent Iran from acquiring nuclear weapons in the near future, the Joint Comprehensive Plan of Action (JCPOA) was signed last year. One year later, as challenges to the Iran Nuclear Agreement emerge, sanctioning Iran becomes an increasing focus of political debate again. Therefore, the United States Senate Committee on Foreign Relations welcomed the Witnesses Mark Dubowitz, Executive Director at the Foundation for Defense of Democracies in DC, and Richard Nephew, Program Director at the Center on Global Energy Policy at Columbia University, to present their evaluations of the agreement's success.**

### The Witnesses

At the hearing, the witnesses had dissenting opinions about the agreement's success a year after its signature. Yet both called for an extension of the Iran Sanction Act (ISA). **Mark Dubowitz** described the deal with Iran as "fatally flawed." Not only does it leave Iran with the ability to develop nuclear and other advanced weaponry, but its "substantial economic relief" leaves enough room for Iran's economy to grow and become immune to Western sanctions. In fact, he claimed that German Intelligence findings already point towards violations of the agreement itself. Simultaneously, Iran pushes for "even-greater sanctions relief." Washington's reluctance to take necessary and harsher counteractions is, in Dubowitz's opinion, due to the fear that Iran could simply pull out of the agreement. In the

long run, reluctance to hold Iran accountable to its promises will only increase the risk of a permanent Iranian "nuclear snapback." As the U.S. is determined to uphold the agreement, Dubowitz points to the necessity to reauthorize ISA as a mean to control Iran. This would not violate the agreement, "as no new sanctions would be imposed."

**Richard Nephew** sees the developments coming out of the Iran Nuclear Agreement more favorably, as it lays the foundation for future negotiations with Iran that could create a more stable and fruitful diplomacy. In contrast to Dubowitz, Nephew claims that up to this point, "Iran fulfilled its part of the bargain." Thus, the U.S. should uphold its promises as well. Especially as a global superpower, they have the responsibility to create a balance between help and protection for less developed countries. Despite the moderate success of the agreement, Nephew agrees with Dubowitz that the U.S. has to be able to sanction Iran at any given point if necessary, as he acknowledges that it is impossible to create a situation with no risks. Therefore, Nephew supports reauthorizing ISA as well.

### Responses from the Republican Senators

The Republican Senators attending the hearing overwhelmingly shared Dubowitz negative assessment of the Iran Nuclear Agreement. Senator **Jonny Isakson** (R-Georgia) pointed out that even the more optimistic Nephew admitted that the risk of Iran cheating is not zero. As Isakson deems this risk to be very high, his greatest worry is that Iran was left with enough "wiggle-room" to break their promises unnoticed.

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Thus, the U.S. needs better means of controlling Iran's activities, so that "if cheating is going on, we can detect it."

Senator **James E. Risch** (R-Idaho) was even more opposed to the agreement than his colleague Senator Isakson. Not only is Senator Risch convinced that Iran will cheat, but he also disagreed with Nephew's claim that America has a responsibility to help less developed countries and its citizens. He told Nephew to "count me out. I don't want to help these people until they changed their way." Instead, Senator Risch wants to see America toughen up by imposing stricter control and sanctions, including an extended ISA.

The chairman of the Committee on Foreign Relations, Senator **Bob Corker** (R-Tennessee), pointed out that Congress was very much aware that the agreement is flawed. Therefore, Senator Corker claimed that Congress "would already have passed legislation here, but the fact is the administration is pushing back." While it is obvious to Congress that Iran is trying to push the limits of the agreement, which increases the danger of Iran acquiring nuclear or other advanced weapons, both Obama as well as America's "European friends" are unwilling to take necessary actions. Moreover, Senator Corker accuses Europe to put its business interest with Russia and China - which are both friendly towards Iran - above global security concerns. In his opinion, this leaves America with no choice but to act on its own, and to act quickly in limiting Iran's rising power.

Responses from the Democratic Senators

The Democratic Senators present at the Hearing also shared Dubowitz's view that the Iran Nuclear Agreement is fatally flawed. Senator Bob Menendez (D-New Jer-

sey) justifies his concern by specifying several activities Iran continues to pursue in violation of the one year old agreement. Senator Menendez claimed that Iran not only continues to support acts of terrorism, but also pursues missile development, in order to commit human rights violations, expand its cyber-attack abilities, and further destabilize the region. All of these flaws listed undermine the aims of the agreement, allowing Iran to prosper while the United States gained nothing in return. Thus, Senator Menendez looked favorably upon extending ISA as a way to keep Iran at bay.

Senator **Chris Coons** (D-Delaware) emphasized that he would only lend his support to the agreement, because he believed it to be the "worst-best solution." One year later, Senator Coons seriously questions the ability of the agreement to keep Americans safe. Therefore, Senator Coons presents three points for discussion he deems necessary to prevent Iran from becoming a real threat in 10 years' time. Firstly, Congress has to push the executive to hold Iran accountable to the agreement. Secondly, America's ability to deter Iran has to be strengthened, possibly including the extension of ISA. Thirdly, Senator Coons puts a special emphasis on ensuring that a credible military deterrence is available at all times. Only then can the agreement fulfill its aim of preventing Iran to become a nuclear threat.

The Senators present at the hearing all called for giving Congress greater means in enforcing compliance with the Iran Nuclear Agreement, including the extension of the Iran Sanction Act. In its current form, the agreement cannot be deemed sufficiently suitable in keeping Iran from developing nuclear weapons, and promoting human rights in the region. To illustrate the difficult road ahead in reforming the agreement, Senator **Ben Cardin** (D-Maryland) conclud-

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ed the hearing by pointing out the only consensus between the current administration and Congress, namely they both agree that there has never been an "administration that wouldn't wish Congress would go away."