

# Creating the Conditions for War with Iran

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*Hawks inside and outside the Trump administration have not been afraid to threaten the nuclear option when it comes to the re-imposition of sanctions on Iran. From threats to sanction European central banks and SWIFT's board of directors to threats against foreign government officials facilitating trade with Iran, U.S. hawks have adopted the madman theory to undermine international adherence to the Iran nuclear accord (the Joint Comprehensive Plan of Action or JCPOA) and to deflate the confidence of those resisting the U.S.'s withdrawal from the agreement and its re-imposition of sanctions.*

But now U.S. hawks are signaling their intent to attack more directly the very foundations of the nuclear accord, including in ways that undermine core U.S. nuclear non-proliferation objectives. Their willingness to do so is ultimately illustrative of their intent, which—contrary to their feigned concern over Iran's nuclear program—is to create the conditions for war with Iran.

Few items have better crystallized U.S. hawks' ultimate objectives vis-à-vis Iran than a Foreign Policy article published this week by Foundation for the Defense of Democracies (FDD) Senior Advisor Richard Goldberg and FDD Visiting Fellow Jacob Nagel. Goldberg and Nagel argue that the Trump administration should use its sanctions authorities to target foreign governments, as well as their agencies and officials, engaged in activities authorized under the JCPOA. This includes, in particular, those very activities that seek to reduce the proliferation capabilities of Iran's nuclear program. For instance, Goldberg and Nagel state that foreign governments involved in the re-design and re-build of Iran's Arak nuclear reactor—which, nuclear experts agree, would ultimately reduce the plutonium-producing capabilities of that reactor ten-fold—should be targeted for U.S. sanctions.

Moreover, Goldberg and Nagel argue that those parties establishing research or business ties with U.S.-designated entities—which, come November, will include the Atomic Energy Organization of Iran—should be subject to U.S. secondary sanctions. Since the JCPOA required Iran to convert its Fordo uranium enrichment facility into a nuclear, physics, and technology center at which “international collaboration, including in the form of scientific joint partnerships, [would] be established in agreed areas of research,” foreign parties—including foreign governments, agencies, and officials—engaged in such international collaboration consistent with the express terms of the JCPOA would nonetheless be subject to U.S. secondary sanctions for engaging in transactions with a U.S.-designated entity—i.e., the AEOL.

Current U.S. sanctions authorities would indeed permit the Trump administration to target

foreign governments for their scientific collaboration with Iran to reduce latent proliferation risks. In the upside-down world of U.S. hawks, the Trump administration could determine that foreign parties, including foreign governments, engaged in activities to reduce nuclear proliferation risks in Iran consistent with the JCPOA—such as the reconfiguration of the Arak nuclear reactor—are instead engaged in activities that materially contribute to or pose a risk of contributing to the proliferation of weapons of mass destruction and are thus engaged in sanctionable activities pursuant to Executive Order 13382. Similarly, upon the re-listing of the Atomic Energy Organization of Iran on OFAC’s SDN List, foreign parties that provide any financial, material, technological, or other support to the AEOI would meet the criteria for designation under E.O. 13382, even if such support takes the form of efforts to reduce the proliferation capabilities of Iran’s nuclear reactor. Parties designated under E.O. 13382 would have all property that is or comes within U.S. jurisdiction frozen and would likely be subject to U.S. secondary sanctions.

Not satisfied with targeting foreign governments engaged in non-proliferation work with Iran, Goldberg and Nagel further argue that the Trump administration should threaten to cut funding to the International Atomic Energy Agency (IAEA) if the agency continues to provide technical assistance to Iran and to host seminars and conferences in Iran. Further, Goldberg and Nagel claim that U.S. funding to the IAEA should be predicated on its removal of all Iranian employees.

The JCPOA provides that the IAEA will engage in all kinds of technical cooperation projects with and technical assistance to Iran. For instance, the nuclear accord requires the Joint Commission to “support assistance to Iran, including through IAEA technical cooperation projects” and notes that the Arak modernization project, described above, would involve significant IAEA support. Annex III of the JCPOA describes a long list of civil nuclear cooperation between Iran and the other JCPOA participants—all of which is ultimately reliant on the IAEA’s technical assistance.

Goldberg and Nagel’s proposal seeks to entirely sever the IAEA from engaging in this work. But perhaps the most obvious and distressing consequence of Goldberg and Nagel’s scheme is that if the IAEA were to terminate all technical assistance projects with Iran and to discriminate against Iranian national employees at the agency, Iran would have little choice but to kick the IAEA out of the country and withdraw entirely from the agency’s oversight. The world would thus lose the unprecedented oversight of Iran’s nuclear program that the JCPOA had provided.

That may be a feature, rather than a bug, of Goldberg and Nagel’s proposal. If the ultimate objective of U.S. hawks is not to restrain Iran’s nuclear program and reduce its latent proliferation risks but instead is to create the conditions for war with Iran, then undermining the nuclear accord and ensuring the re-constitution and re-invigoration of Iran’s nuclear program—absent international oversight—may prove the means to doing so.

U.S. hawks have choreographed a well-developed scheme for undermining the JCPOA—first, successfully targeting the JCPOA’s promised economic dividend to Iran and now the JCPOA’s civil nuclear cooperation with Iran. Sanctioning foreign governments and international agencies engaged in the tough but fruitful work of reducing the proliferation risks inherent in Iran’s nuclear program appears a price that U.S. hawks are willing to pay to achieve their malign objectives.

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