

## EXPERT VIEW

June 2015



Red lines and pitfalls for the Iran deal and beyond:  
A conversation with Michael Herzog

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## KEY POINTS

- From the perspective of Israel and many of its Arab neighbours, this deal does not effectively block all Iran's pathways to the bomb over time. It may reduce risk for around a decade, but then the risk is significantly increased, as the deal allows Iran to reduce its breakout time to near zero and legitimises it as a nuclear threshold state. This holds profound implications for Israel's long-term national security.
- The choice posited by the Americans between a war and a deal is false. Though the basic framework cannot be changed, there are specific elements that could still be improved with strong US deterrence including a credible military option, and international unity.
- Whilst the US argues that this deal may empower moderates, most Israeli analysts believe it is more likely to empower hardliners and Iranian destabilising policies in the region.
- The P5+1 should insist on certain critical elements: anytime, anywhere inspection and verification; irreversible conversion of excess enriched material in Iran; significant restrictions on R&D of advanced centrifuges; a clear and binding pathway to resolving IAEA files on possible military dimensions (PMD); and phased sanctions relief linked, among other elements, to satisfactory resolution of PMD issues.
- It is vital to reinforce deterrence against Iran in the first 10-15 years, so Iran can be deterred from breaking out and crossing the threshold when enrichment restrictions are lifted.
- Israel, major European actors and the US should also hold a close dialogue on how to deter Iran from pursuing its hegemonic regional agenda from a strengthened economic and political position after a deal is signed and sanctions are lifted. They should also consider how to prevent a regional race for nuclear capability.
- Contrary to the views of some in the West, there is little room for strategic partnership with Iran, given their contrasting vision of the Middle East with respect to sectarianism, inclusion, human rights, democracy, and the use of violence.

## PART I: UNDERLYING CONCERNS WITH THE FRAMEWORK

**Toby Greene: Proponents of the deal, led by President Obama, argue that this deal is the best way to stop Iran getting the bomb. They say it will delay them far more than any military option and that sustaining sanctions as we have is not viable. At the same time, advocates say the deal will reduce regional tensions and give us a much better chance of resolving conflicts. So, why do Israel, the Sunni Arab states and opposition voices from the US, see this so differently?**

**Michael Herzog:** From the perspective of Israel and many of its Arab neighbours, this deal does not effectively block all of Iran's pathways to the bomb over time, as the US contends. It may reduce the risk for a number of years, but after that the risk is significantly increased. Even assuming Iran keeps to the deal and does not erode it in the first decade – in which breakout time to one bomb's worth of fissile material is supposed to be extended from 2-3 months to one year – in the second decade, Iran is gradually allowed to add many more and much faster centrifuges, to enrich at the Fordow fortified site, and after year 15, to enrich to higher levels. In other words, Iran can reduce breakout time to near zero.

So whilst Iran's motivation and ability to breakout in the first decade might be reduced, depending on the precise terms of the deal, over the longer term, Iran is legitimised as a nuclear threshold state. For Israel, this has serious national security implications.

In the meantime other negative developments may occur. Firstly, if Iran is legitimised as a nuclear threshold state, others in the region may seek the same status. Saudi Arabia, for example, is openly saying that this is what they want, which should not be underestimated, and this could trigger a dangerous race for nuclear capability in our region.

Secondly, the deal will leave Iran empowered and emboldened in its hegemonic ambitions, both politically and economically, and that could further destabilise the already volatile situation in our region.

**TG: If the deal, over the next decade or two, makes Iran into a nuclear threshold power, and the Americans are aware of this consequence, why are the Americans going for this deal?**

**MH:** The Americans are taking a position that I call 'mortgaging the long term future'. They contend that, firstly, a delay of 10-15 years is more than you could get by a military option. Secondly, in the meantime, we will

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have better knowledge about Iran. Thirdly, there may be a positive transition in Iran.

Ultimately though, once we are talking about a nuclear threshold Iran, then you have to rely on deterrence to prevent Iran from crossing that threshold. From an Israeli perspective, relying solely on US deterrence to stop Iranian nuclearisation is highly risky.

Israelis believe US deterrence has eroded (and had it not done, the US could have achieved a better deal). In addition, no one in Israel believes the deal will lead to a positive change in Iran. Quite the contrary, it is more likely to empower hardliners, the IRGC and others, validate their way of thinking, and enable Iran to invest more in its hegemonic ambitions.

So whilst the US paints an optimistic long term picture of Iranian reform, and argues that even if that doesn't prove right, then they still have tools of deterrence, Israelis are much less optimistic about reform and much less confident about the strength of US deterrence to keep Iran from crossing the threshold.

**TG: One of the responses that you hear from the defenders of this deal is, 'OK, we hear the criticisms, but what are the alternatives?' Is there an alternative to this deal?**

**MH:** There is a very basic element in the US argument, which Israelis and Middle Easterners at large don't buy, that if you don't do a deal, then inevitably, you will have war on your hands. This suggests that if there is no deal, then Iran will rush forward towards a bomb, to the point where the US is compelled to use force to stop it, then you have war. But why would the Iranians do so, unless they believe that the US is unwilling to use force?

For Israelis and many of our neighbours, the only reason that Iran may seriously move towards a bomb, would be if the US threat of force has lost credibility by associating it with the spectre of war. Holding a credible military option in your hand does not endanger the deal. Quite the contrary, if you have a credible military option, you deter Iran from breaking (or sneaking) out, distance the prospect of war and you may improve the terms of the deal.

Now, unfortunately, we already have an agreed framework, so it is too late to get a deal under which Iran's infrastructure would be permanently rolled back. However, we are not facing the choice between this deal and war as the US contends. There are still specific elements in the deal that with strong US deterrence, and international unity, could be improved. The realistic alternative therefore is not a perfect deal, but a stronger deal.

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## **PART II: STRENGTHENING THE TERMS OF THE FINAL DEAL**

**TG: Moving into the specifics of the deal, what elements are most concerning, and what should we be focussing on in the final negotiations?**

**MH:** I am highly concerned about the long term implications of the deal as embodied in the sunset clauses. Ten to fifteen years are the blink of an eye. However, since this has already been agreed upon in the Lausanne Framework, I would highlight five elements to focus on in the final deal. The first and the most important is **inspection and verification**. If you wish to deter and effectively stop Iran from breaking or sneaking out, you need to be sure you can discover violations with sufficient time to respond. Here, the international community should insist on 'anywhere, anytime inspections', meaning no sites are off limits, including military sites, and inspections can be carried out on very short notice.

There is a lot of resistance to this within Iran. But, we should remember that many, if not most of the Iranian weaponisation efforts were carried out in military facilities. We should also remember that the IRGC was highly active in the nuclear programme and they are a military entity. As regards 'anytime', the French Foreign minister recently disclosed that the Iranians are insisting on 24 days' notice, which is of course a lot of time which Iran could use to cover their tracks.

The second element is what happens with **excess enriched material** in Iran, beyond the 300 kilos of low enriched uranium which is permitted by the deal in the first 15 years. Regrettably, it seems most of this material will remain in Iran. Given that, the key point is to convert it in a way that will be irreversible, so that the Iranians cannot use it in the future if they decide to break out, or sneak out. That relates to not only low enriched uranium, but also near 20 per cent enriched uranium, which was converted to oxide and other forms already, but it is not clear whether it was done irreversibly.

The third element relates to **research and development (R&D)**. The framework agreement allows Iran 'limited R&D'. It needs to be clarified that Iran will not be allowed to complete R&D on new, much faster types of centrifuges, because that means that the breakout time will be reduced from one year to much less, already in the first decade.

The fourth element is **Possible Military Dimensions (PMD)**, which relates to past military nuclear research suspected by the International Atomic Energy Agency (IAEA). It is said that these activities will be addressed but

it is not clear how. It has recently become clear that satisfying IAEA concerns on PMD is not a precondition for implementing a deal and that Iran rejects interviews of its nuclear scientists by the IAEA – an important tool in addressing open PMD files. Resolving PMD concerns is essential for creating a baseline for inspection as well as for a credible estimate of Iran's breakout time. Therefore sanctions relief should be conditional on the IAEA closing its open files on Iran.

Fifth, there is the element of **sanctions relief**. We were told by the Americans that sanctions will be phased out gradually, over years, but now it turns out that a sizeable portion will be lifted quite early, once Iran complies with the key terms of the deal. Technically, Iran could comply with the key terms in as little as six months, after which executive sanctions imposed by the US and the EU will be lifted, and Security Council sanctions will also be lifted by way of a new UN Security Council resolution. The concern, therefore, is that the sanctions regime will collapse rather quickly, whilst international stakeholders enter Iran and start doing business.

The Americans contend that should there be a fundamental violation, sanctions will snapback. That may be technically easier when we talk about executive sanctions – even though that too is open to debate – but certainly when it comes to UN Security Council sanctions, it is hard to see a snapback because most if not all the international actors would have started doing business in Iran and will have no motivation to snapback sanctions. In any case, it is not clear what would constitute the exact trigger for the snapback mechanism and whether Russia and China will agree to forgo their veto rights in the Security Council.

**TG: We can imagine that coming up to June 30, we are going to see intensive negotiations going down to the wire. If you were advising British negotiators, officials and ministers, along with their P5+1 colleagues, on how to approach this moment, and maximise their gains in the deal, what would you suggest?**

**MH:** First, I would stress that these five elements I mentioned should be clear red lines, without which a deal cannot be signed. Iran's supreme leader repeatedly comes out with new stated red lines and then his delegation says we cannot violate them. OK, but the international community should also have some red lines. They should state them and stand behind them. But to maximise the chance of Iran accepting this, I think it is most important that the US enhance its deterrence vis-à-vis Iran both inside the deal and outside the deal.

With respect to the deal itself, this means rather than Western actors making themselves appear, as they have until now, as more eager than Iran, they should send the message that if the red lines are not met, then there will not be a deal. So far the US has appeared afraid of this possibility and the Iranians are taking advantage of that.

Secondly, there is the regional picture. The feeling in the region is that since the US is so focussed on a nuclear deal and on the war with ISIS, that it has allowed Iran to play its hegemonic game in Syria, Iraq, Yemen, Lebanon and other theatres.

The US has been trying to balance this picture recently. We have seen them supporting Saudi strikes in Yemen, sending some ships off the coast of Yemen, forcing an Iranian ship to undergo a UN inspection on its way to Yemen, releasing weapons to Egypt, inviting Gulf leaders to Camp David and offering assurances, conveying willingness to listen to Israeli concerns regarding the deal, as well as some other measures. I hope it is not too little, too late, but it is the right direction.

**TG: If it's clear that the key conditions that you have outlined have not been met, what would you expect, hope or advise the P5+1 delegation to do? Should they say they are getting up and walking away, sanctions remain as they are and Iran should call when it's ready?**

**MH:** This is a possible scenario. If the parties are close to a deal, I don't think that June 30 is sacrosanct. But if the parties are far apart then I think it could be logical to say to the Iranians 'Ok, take your time, these are our Red Lines'. But it should be followed by a deterrent message: 'If you think you can force your own position by rushing ahead with your enrichment programme, then you are making a grave mistake and will pay a price for it.'

### **PART III: IRAN AND THE REGION BEYOND THE DEAL**

**TG: Assuming a deal is agreed, even if these red lines are met, the terms will be far from what Israel would have chosen. How do you picture the next 10-15 years in the region?**

**MH:** The assumption is that while in the first few years Iran might not be motivated to breakout brazenly to a bomb, if it is allowed room it might advance or even 'sneak out' covertly towards a bomb. At the very least they may test the limits, and take whatever opportunity they can to violate without paying a price.

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The question then is, how do you reinforce your deterrence over the first 10-15 years, so that you can impact Iran's behaviour later on? This is a question first and foremost for the US, but is something that has to be discussed between Israel, the US, and leading European powers.

Beyond that, I expect a profound impact on the region as a whole. If we see a regional race for nuclear capability as I described earlier, that could have a very negative impact, in particular on Israel's security and that is something that I think that the US should look at as a priority. For the US to prevent Saudi Arabia seeking nuclear capabilities would require very strong US assurances and right now, the Saudis don't seem confident in these assurances.

We already see that regional powers are taking matters into their own hands, without asking the US or European powers. They are carrying out military strikes on neighbouring countries, they are buying arms from other countries, and they are now in the process of forming a unified force to first and foremost counter Iran, whilst doing many other things independently.

On the other hand, Iran's efforts to enhance its hegemonic policies might strengthen the converging interests between Israel and the Sunni powers; like Egypt, Jordan, Gulf states, and so on. We already have a good security relationship below the radar, but I think that this could develop.

Looking at this time frame of 10-15 years, Israel needs a deep dialogue with the US on how to enhance Israel's own margin of national security, given the emerging risks of this deal. I think that Israel also has to take a deep look at its own national security doctrine and how it could be impacted.

If we have now a window of around decade, we should all think hard – Israel, major European actors and the US – as to how to best use that time and shape the realities on the ground, so that things will not deteriorate. The most important element is to deter Iran from pursuing its hegemonic behaviour and from placing itself in a dangerous threshold position.

**TG: Some of the more optimistic interpreters of the deal say that this is a very negative approach and that on the contrary, this agreement creates an opportunity to work with Iran on calming some very dangerous and destabilising conflicts in the region, namely Iraq, Syria, etc. Isn't there a more positive approach that we can take? Why not try?**

**MH:** It is true that the international community, the US, the West and Iran have some converging interests,

especially with regards to fighting ISIS, which is a threat to both the West and Iran. That said, I think that there is very little in common between the Western vision of the Middle East and the Iranian vision, thinking about non-sectarianism, inclusion, human rights, democracy, the use of violence, and so on. Iranians seek Shi'ite dominance in areas where there is a Shi'ite population. Today in Iraq, they are fighting ISIS, but their ultimate goal is that Iraq is dominated by the Shi'ites – not the inclusive vision that the US and Europeans have.

The same goes for Syria, where they have been saving the Assad regime and supporting its atrocities, whilst building an alternative system in Syria, with Shi'ite militants from across the Middle East. I think that it would be dangerous to assume, that given the deal and converging interests relating to ISIS that you are better off cooperating with Iran on a broad regional platform. Iran is a destabilising force in the region, as seen in their behaviour in Iraq, Syria, Yemen, Lebanon, Gaza and many other areas.

Of course, for Israel, this point is even clearer because while the Iranians are negotiating the deal they openly talk about destroying Israel, and arm and fund groups on Israel's borders which aim or fire rockets at Israeli towns and cities.

Furthermore, if you cooperate with Iran, you risk the cooperation of major Sunni powers, who also regard Iran as a major enemy. You also endanger the possible cooperation of Sunni tribes and elements in Iraq and Syria, who are key to defeating ISIS. ISIS is a Sunni element, so you would want to defeat it with Sunnis and not with Shi'ites. By cooperating with Iran you may drive away Sunnis into the arms of ISIS.

#### **PART IV: ISRAEL'S POLICY APPROACH**

**TG: Looking at the internal Israeli discourse, clearly Prime Minister Netanyahu has a very sharp view of Iran as a genocidal threat to the Jewish people. He compares Iran to Nazi Germany, taking them at their word that they desire the destruction of Israel and assuming they might use nuclear weapons for that. Is that representative or is there some variation within the Israeli system?**

**MH:** There is a broad consensus in Israel regarding the dangers of the deal, and that the Iranian-led axis is still the most dangerous threat to Israel, since it is led by a regional power Iran, with nuclear and hegemonic ambitions, and includes the most important non-state actor, namely

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Hezbollah in Lebanon, with over 100,000 rockets aimed at Israel.

The debate in policy circles is regarding how Israel should deal with its concerns. The Government has taken the policy of fighting the deal in whatever way possible – including in Congress, through the media, through diplomacy and any other means – whilst not carrying out high level political dialogue with the US about possible compensation for the risk incurred by this deal. There is an alternative school, which accepts the deal is highly problematic, but argues that Israel would be better off carrying out a high level political (and not only professional) dialogue with the US administration.

In such a dialogue, it should be clear that you do not change your mind about the dangers of the deal and acquiesce to it, but you discuss the legitimate concerns about the impact on your long term national security. I think that Israel should have such a dialogue with all P5+1 members negotiating with Iran, including the UK, France and Germany.

One part of such a dialogue is to discuss the weak points in the deal. Another is to discuss alternative scenarios, like what happens if there is no deal. Also, what kind of response will there be in case of Iranian violations of the deal, big or small? There should be a dialogue regarding

how to prepare for the dangers of the second decade, which is even more perilous.

Dialogue could also cover enhanced intelligence cooperation and of course, the whole regional setting. In particular, how do you prevent Iran from using the deal to enhance its hegemonic policies in the region to the detriment of Israel and other regional actors.

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Cover Photo: US Secretary of State John Kerry Sits with British Foreign Secretary Philip Hammond and German, Chinese, European Union, French, and Russian Colleagues before P5+1 nations resume negotiations with Iranian officials in March 2015. Photo: US State Department.