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Iran Continues Blocking Nuclear Inspectors

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On September 12, Iran reached a last-minute deal with international inspectors that does not require it to stop obstructing legally-binding transparency measures on its nuclear program. This one-sided agreement, which potentially paves the way for a resumption of talks on reentering the JCPOA nuclear deal, threatens to undermine the broader nonproliferation regime and leave the outside world in the dark about Iran's nuclear progress as its breakout window to a bomb becomes dangerously small. These developments only heighten the need for more concerted action by the United States and its allies to uphold the Nonproliferation Treaty and prevent a nuclear Iran.

What Happened?

- Since February, Iran has been blocking international inspectors' ability to monitor its nuclear program – a major violation of its legal obligations – including preventing them from conducting in-person inspections and, more recently, stopping them from retrieving data from digital recording devices placed in Iran's nuclear facilities.
- On Sunday, September 12, Iran allowed International Atomic Energy Agency (IAEA) inspectors to replace full memory cards in the cameras that monitor Iran's activities at its declared nuclear sites.
 - As part of this, Iran and the IAEA also agreed to future talks regarding inspectors' separate, ongoing inquiry into suspected undeclared Iranian nuclear sites, which Tehran has been stonewalling for years.
- During its September 13-17 meeting, and in the wake of the September 12 agreement, the IAEA Board of Governors decided against a resolution to censure Iran for its obstruction of its safeguards obligations and other transparency measures.

Why Is It Important?

- The September 12 agreement is extremely one-sided in Iran's favor and dangerous to the international non-proliferation regime.
 - The deal does nothing to restore the real-time monitoring that Iran has denied the IAEA for the last seven months and which is needed to ensure Iran's nuclear facilities are not being used for military purposes.
 - The deal highlights the IAEA's, and by extension the United States', limitations in enforcing legally binding non-proliferation obligations.
 - As a signatory of the Nonproliferation Treaty (NPT), Iran is legally bound to sign onto a safeguards agreement with the IAEA and submit to the inspections specified in that document. Yet, the deal agreed to by the IAEA does not reinstate the inspections required by Iran's safeguards agreement.
 - By blocking inspections, Iran is violating its safeguards agreement, and therefore the NPT. By agreeing to a deal that does not require Iran to resume NPT-required inspections, the IAEA effectively declared Iran no longer has to abide by the NPT.
 - By failing to censure Iran for these violations, the United States has similarly indicated it is willing to lower the nonproliferation bar for Iran.
 - The deal signals to Iran that Washington and its partners are more interested in getting any deal than one that requires Iran to fulfill its NPT obligations.
- This agreement potentially paves the way for the United States and Iran to resume stalled negotiations about rejoining the Joint Comprehensive Plan of Action (JCPOA) nuclear deal.
 - By agreeing to the deal, Iran avoided a formal censure by the IAEA Board of Governors, which could have led to new UN Security Council [sanctions](#) against Iran.
 - Tehran [threatened](#) to abandon JCPOA reentry talks in Vienna in the event of a censure.
 - Having side-stepped this immediate threat of economic punishment, Iran is angling to disrupt sanctions attempts or the consolidation of international opinion against it by, once again, signaling that it might return to negotiations without actually making any concrete commitments.
 - The Biden administration's standing offer to return to the Vienna talks only encourages more such tactics by Tehran.
 - Even if Iran were to [return to negotiations](#), this would not be an indication of its good-will or a willingness to return to the JCPOA. Tehran frequently uses negotiations as a tactic to stall and divide international pressure against it.

- Last Sunday's agreement highlights two separate issues where Iran is violating the legal obligations of its IAEA safeguards agreements that monitor and verify its nuclear activities:
 - First, Iran's uranium enrichment activities: in February 2021, Iran suspended [regular access](#) for IAEA inspectors to its main uranium enrichment sites.
 - Iran has also made it difficult for inspectors to perform [routine maintenance](#) on digital recording equipment that remained in place, namely replacing the cameras' memory cards approximately every three months.
 - Since June, on 4-7 separate instances Iranian officials [harassed](#) female IAEA personnel as they visited Iran's main nuclear facilities at Natanz.
 - On September 15, Iran admitted it [removed](#) IAEA surveillance cameras from a centrifuge assembly plant at Karaj that was hit with a [covert attack](#) in June 2021.
 - Iran's opacity is acutely problematic given that its "[breakout time](#)" for enriching one bomb's worth of fissile material has dwindled to one month.
 - Such a short breakout window increases the importance of real-time monitoring and on-site inspector visits. This would ensure that Iran is not reconfiguring centrifuges to enrich uranium more quickly and/or to higher purity, and that it is not diverting enriched uranium for use in a nuclear weapon.
 - Second, Iran is [stonewalling](#) an IAEA investigation into [four sites](#), including three where inspectors discovered unexplained traces of man-made radioactive material, which suggests Iran previously conducted illegal, undeclared work on a nuclear weapon.
 - Many of these sites were first brought to the world's attention by Israel's covert seizure and subsequent publication of Iranian [nuclear archives](#) in 2018.
 - The JCPOA required Iran to come clean about its past weaponization efforts; its ongoing obstruction of the IAEA's current inquiries underscore how Iran has never fully complied with the deal.
 - On September 16, Tehran underscored its own [obstructionism](#) by calling the IAEA inquiry "completely unprofessional, illusory and unfair."

What Should the United States Do Next?

- Reflecting its overall bipartisan opposition to a U.S. return to the JCPOA, Congress should pass a resolution calling on the Biden administration to refuse further talks in Vienna until Iran is verifiably in conformity with its NPT safeguards agreements, including restoring full access to its declared nuclear sites and resolving the IAEA's inquiries into its suspected weaponization activities.
 - Congress also should convene hearings to review the Biden administration's proposed strategy to address Iran's worsening non-compliance with its NPT legal obligations, and the broader implications for the global nuclear nonproliferation regime.
- Working with its European partners, the Biden administration should make clear that the September 12 agreement does nothing to resolve its concerns about Iran's nuclear progress beyond the JCPOA, and that it is prepared to walk away from the negotiating table in Vienna.
- In tandem, the administration also should make clear it is [preparing alternatives](#) to diplomacy, through which Tehran continues to advance its nuclear program and build leverage against the United States through reduced IAEA transparency and other actions.
- The administration can start by reiterating President Obama's 2009 pledge that the White House will "use all elements of American power to prevent Iran from developing a nuclear weapon," and it can underscore its determination through a series of readiness measures:
 - Updated contingency plans and force deployments for neutralizing Iran's nuclear facilities, including possibly:
 - Deploying Massive Ordnance Penetrator (MOP) munitions and strategic bombers to Diego Garcia in the Indian Ocean.
 - Boosting U.S. Navy carrier and missile defense presences in the Persian Gulf and Arabian Sea.
 - Military exercises with these new deployments, and strategic communications to publicize them.
- Building on the President's "[ironclad support](#) for Israel's security and right to self-defense," as he said during his August 2021 summit with Israeli Prime Minister Bennett, the administration should underscore its backing for Israel's freedom of action against Iranian nuclear threats. This should include ensuring Israel has adequate numbers of key [capabilities](#) such as precision guided [munitions](#) and aerial refueling tankers.

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