



Snapback Is the Way Forward Against Iran's Nuclear Violations

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Even if they have since been abandoned, the Biden administration's recent efforts to avoid censuring Iran's nuclear safeguards violations reflect a fundamental lack of any strategy to address Tehran's push toward the nuclear weapons threshold. This self-induced caution will backfire by making oft-stated U.S. concerns and threats ring hollow, undermining already-weakened U.S. credibility in Tehran's eyes, and further hurting inspectors' efforts to regain transparency into Iran's nuclear program precisely when it is needed most. Working closely with its European partners, and backstopped by Congress, the administration should use this week's IAEA board meeting to refer Iran's violations to the UN Security Council, "snap back" prior robust prohibitions on Iran's illegal nuclear activities, and build up added pressures to deter further Iranian nuclear escalation.

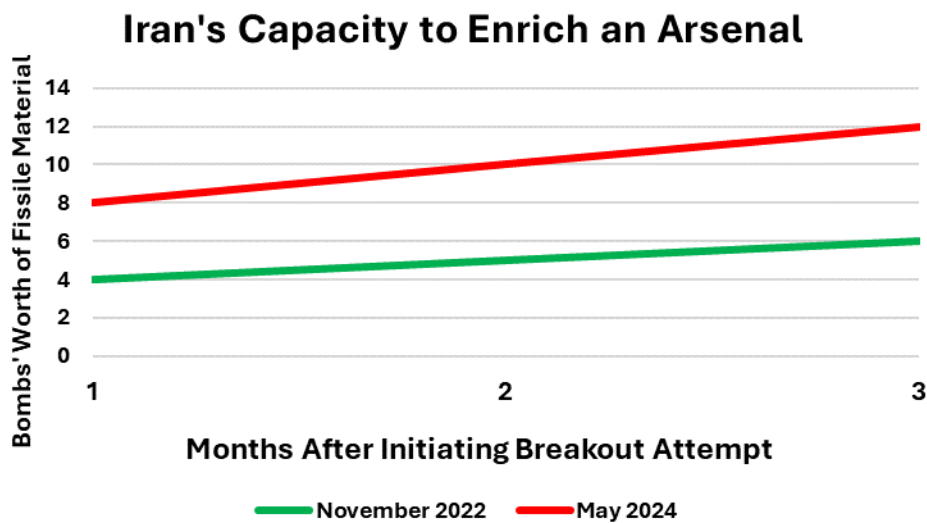
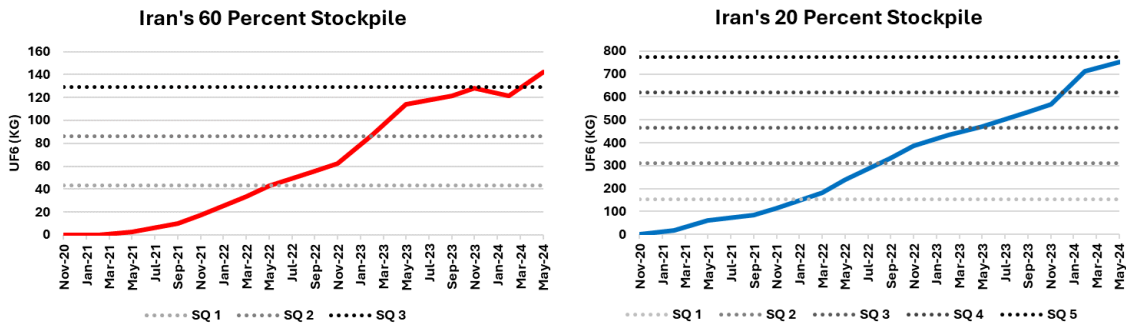
What Happened?

- On May 27, the International Atomic Energy Agency (IAEA) reported Iran's [stockpile](#) of 60 percent enriched uranium had grown to its largest amount to date, 142.1 kilograms (kg), up from 121.5 kg in the previous report from February.
- That same day, it was reported the Biden administration initially urged its European diplomatic partners (E3) not to [censure](#) Iran at the IAEA's next board meeting in early June.

Why Is It Important?

- This patent desire to avoid pressure – for fear Tehran will retaliate by boosting enrichment and/or curtailing inspections further – is added proof of the Biden administration's lack of any cogent Iran policy since at least late 2022, when the president privately [admitted](#) the failure of nuclear diplomacy. Though intended to avoid tensions by kicking the Iran can continually down the road, urging the E3 to avoid censure counterproductively encourages Iran to keep advancing to the nuclear weapons threshold, and undercuts deterrence and nonproliferation efforts, by contradicting explicit repeated U.S.-E3 ultimatums against such violations.
 - » Based on the [forthcoming](#) IAEA report, Iran's "breakout" time to enrich one bomb's worth of fissile material ("significant quantity," or SQ) remains roughly where it has been for more than a year – at a mere 1-2 weeks, which is too short to reliably be detected – but its broader ability to rapidly produce an arsenal's worth of weapons-grade uranium has grown markedly since the Biden team conceded the failure of talks in late 2022.

- » This assiduous growth in Iran’s breakout capacity is driven in large part by the appreciable and steady rise in its stockpiles of 60 and 20 percent enriched uranium (which already represent fully 95 and 90 percent, respectively, of the enrichment work required to achieve weapons-grade uranium).



- Simultaneously, since 2021 Iran has steadily blocked IAEA access to its declared enrichment-related facilities, and stonewalled inspectors on its bomb-building efforts for even longer, in direct violation of its obligations as a Non-Proliferation Treaty (NPT) signatory.
 - » Following a pattern that routinely precedes IAEA quarterly board meetings, IAEA Director Rafael Grossi traveled to Iran in early May for talks on rebuilding Tehran’s safeguards compliance, based on a March 2023 Iran-IAEA [Joint Statement](#). Since then, Iran has resumed dragging its feet and enacting no concrete measures to restore transparency.
 - The urgent need to restore access was reflected in Grossi’s unusually sharp [criticisms](#) of Iranian obfuscation, declaring already on May 7, “I want results and I want them soon. The present state is unsatisfactory.”
 - On May 22, Grossi said these talks were now paused [indefinitely](#) following the unexpected deaths of Iran’s president and foreign minister in a May 19 helicopter crash.
 - At the same time, he [warned](#) Iranian officials’ public musings about potentially building nuclear weapons “need to stop” and are “unacceptable unless the country would choose to denounce or leave the NPT.”

- Back in March, he stepped up [alarms](#) regarding his “concern about the ability of my inspectors to be able to put the jigsaw puzzle back together again” when it comes to monitoring Iran’s enrichment program and verifying it is not working toward a bomb.
- The issue of a censure resolution, which could lead to the renewal of stringent UN Security Council (UNSC) sanctions on Tehran’s core nuclear activities, revolves around interrelated concerns over growths in Iran’s enrichment infrastructure and its non-compliance with IAEA safeguards that ensure proper monitoring and verification of its nuclear program.
 - » Iran’s violations create a vicious cycle for the IAEA and the outside world, since timely and accurate detection, and deterrence, of any breakout (including a potential covert “sneakout”) attempt becomes more imperative – and also more difficult – the more Iran’s enrichment activities progress and disperse across multiple underground sites.
- Iran’s nuclear infrastructure and NPT violations have ballooned in the vacuum of credible U.S.-led efforts to punish and deter them, in direct defiance of the Biden administration’s oft-stated concern that such pressure – including censure at the IAEA board meeting and potentially referring the matter to the UNSC – will trigger further nuclear escalation by Tehran.
 - » American officials worsen their credibility deficit by pairing inaction with repeated, full-throated denouncements of Iran’s violations and the need for strong responses.
 - Such clearly empty warnings, scattered across nearly every step of Iran’s path to nuclear weapons capability, risk undermining the global nonproliferation regime, embodied in the NPT, more broadly amid overlapping threats from Russia and others.
 - » The Biden administration is instead calling for a [comprehensive](#) IAEA report on Iran’s nuclear activities in order to build support for UNSC sanctions, but this places the cart before the horse by expecting the IAEA to prepare such a report in the absence of pressure on Tehran to cooperate in rebuilding inspectors’ “continuity of knowledge” from scratch.
 - Tehran failed to come clean, and the IAEA was unable to discover the full extent of Iran’s violations, when the latter conducted similar [assessments](#) in 2011 and 2015.

Iran Blows Past Empty Threats to Punish its Nuclear Violations			
<i>Date</i>	<i>Precipitating Event(s)</i>	<i>Statement</i>	<i>US/E3 Action?</i>
June 20, 2020	Iran fails to provide credible explanations for traces of undeclared man-made U.	U.S. : “Iran must immediately comply with its IAEA safeguards and provide the IAEA nothing short of full cooperation. If Iran fails to cooperate, the international community must be prepared to take further action.”	IAEA BoG resolution, no UNSC referral.
September 16, 2020	Iran fails to give credible explanations for undeclared activities and denies access.	U.S. : “Iran’s unprecedented denial of required IAEA access in disregard of its legal obligations is wholly unacceptable.”	None.
November 18, 2020	Iran fails to provide credible explanations for traces of undeclared man-made U.	U.S. : “Iran’s failure to resolve concerns, after almost two years of engagement, is absolutely unacceptable. Iran, or any other state under safeguards, cannot be allowed to revise its explanations indefinitely.”	None.
March 4, 2021	Iran fails to give credible explanations for undeclared activities and denies access.	U.S. : “This Board spoke clearly in its June 2020 resolution: Iran must cooperate fully with the Agency and satisfy its requests without further delay.”	None.

June 10, 2021	Iran fails to provide credible explanations for traces of undeclared man-made U.	U.S. : “Failing to hold Iran to [its NPT obligations] would undermine the integrity of the international safeguards system and set a troubling precedent for international efforts to ensure that Iran is adhering to all of its nonproliferation commitments.”	None.
November 25, 2021	Iran fails to provide credible explanations for traces of undeclared man-made U.	U.S. : “It is imperative that the Board break the current pattern of Iran’s 11 th -hour attempts to undercut Board unity and forestall Board action in the face of continued Iranian non-cooperation.”	None.
June 9, 2022	Iran fails to provide credible explanations for traces of undeclared man-made U.	U.S./E3 : “The [IAEA’s] authority and integrity of NPT safeguards are at stake.... The challenge posed by Iran’s insufficient cooperation is serious and ongoing.”	IAEA BoG resolution, no UNSC referral.
June 30, 2022	Iran removes IAEA cameras and monitoring equipment.	U.S. : “When Iran defies the [UN] Security Council repeatedly – without consequence – it undermines the fundamental credibility of this Council.”	None.
November 17, 2022	Iran fails to provide credible explanations for traces of undeclared man-made U.	U.S. : “Iran must now provide the necessary cooperation, no more empty promises.”	IAEA BoG resolution, no UNSC referral.
December 19, 2022	Iran enriches 60 percent U and Fordo and continues blocking inspectors.	U.S. : This is not acceptable. There must be some degree of accountability for openly violating resolutions of the [UN Security] Council.”	None.
March 8, 2023	Iran enriches 84 percent U.	U.S. : “Iran must provide full and immediate cooperation with the IAEA.”	None.
		U.S./E3 : Iran’s action “is an extremely grave escalation [that] brings Iran dangerously close to weapons-related activities.”	
June 7, 2023	Iran fails to provide credible explanations for traces of undeclared man-made U, and for U metal production.	U.S. : “Iran must provide the Agency with the information and access that it requires.... If Iran fails to take these actions, the Board should be prepared to hold Iran to account at the appropriate time.”	None.
September 13, 2023	Iranian foot-dragging on implementing agreed-upon IAEA transparency measures.	E3 : the IAEA Board of Governors is “prepared to take further action ... to hold Iran accountable in the future, including the possibility of a resolution.”	None.
November 24, 2023	Iran expels IAEA personnel and obstructs inspectors.	U.S./E3 : “Iran cannot continue its lack of cooperation Board after Board without bearing consequences.”	None.
March 6, 2024	Iran continues enriching 60 percent U and severs IAEA “continuity of knowledge.”	U.S. : “Iran’s level of cooperation with the [IAEA] remains unacceptable. The Board must be prepared to take further action should Iran’s cooperation not improve dramatically.”	None.

What Should the United States Do Next?

- Harnessing the clear readiness of its E3 partners, particularly Britain and France, to push back on Iran’s systematic non-compliance with its safeguards obligations, the United States should agree to censure Iran at the upcoming IAEA board meeting and initiate [the process](#) to “snap back” stringent UNSC sanctions on Iran’s enrichment and other nuclear [activities](#).
 - » This process, which could be driven most effectively by any E3 party to the JCPOA nuclear deal, would restore legally-binding UNSC bans on key parts of Iran’s nuclear and proliferation activities, including enrichment, ballistic missiles, and blocking inspectors.
 - » American and E3 officials should tie snapback directly and explicitly to Iran’s long rap sheet of nuclear violations that have been expounded at past IAEA meetings, and to the need to restore UNSC prohibitions targeting Iran’s provision of armed drones to Russia.

- » In tandem, Congress should call on the administration to pursue snapback via the upcoming IAEA board meeting, and should urge the administration to work with the E3 to prevent nuclear-related sanctions and other restrictions on Iran from lapsing in 2025, as per UNSC Resolution 2231 that [instantiated](#) the JCPOA nuclear deal in 2015.
- If the administration fails to pursue snapback, Congress should initiate “legislative snapback” to block U.S. sanctions relief for Iran and signal bipartisan congressional support for enhanced pressure on Tehran, in response to the latter’s egregious and serial violations of its nonproliferation obligations.
 - » Congress also can convey [directly](#) its support for E3 countries’ desire to increase diplomatic pressure, including via snapback, by passing a resolution to this effect.
 - » Congress also should continue its efforts to enhance oversight, and ensuring accountability, of the Biden administration’s lax [enforcement](#) of existing U.S. sanctions targeting Iran’s oil trade and other lucrative revenue streams.
- Such diplomatic action to “isolate” Iran, in American officials’ [parlance](#), must be inseparable from enhanced U.S. deterrence efforts, as past IAEA censure resolutions and empty threats merely [encouraged](#) Iran to escalate its nuclear activities further, and continue eroding U.S. resolve and credibility, in the absence of any believable threats to punish such aggression.