

EUROPEANS AND THE JCPOA, ONE YEAR LATER

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It is no secret that, in contrast to experience in the United States, the European powers involved in the Joint Comprehensive Plan of Action (JCPOA) negotiations (France, Germany, the United Kingdom, the so-called “E3”) have had little trouble selling the JCPOA to their domestic audiences after its conclusion in July 2015. For sure, the deal fell short of fulfilling all the requirements set out by successive UN Security Council resolutions, namely that uranium enrichment be suspended and that Iran cooperates fully with the International Atomic Energy Agency (IAEA) on possible military dimensions of its nuclear program. But achieving a diplomatic settlement ensuring that Iran would not acquire a nuclear weapon—at least for the duration of the JCPOA—always had been a core political objective of the E3 since they launched negotiations with Tehran as early as 2003. The E3 later built upon these early talks’ failure to convince their EU member states to put in place the most ambitious sanctions regime ever adopted by the European Union.

This, along with a less politicized foreign policy environment in Europe, explains why European audiences mostly welcomed the JCPOA. Europeans own the JCPOA, perhaps as much as the United States, even if Washington played a central role in several steps of the negotiating process from 2013 to 2015. After all, there would likely have been no deal with Tehran without the pressure imposed by EU sanctions, the lifting of which was always a core objective of Iran’s negotiators. Furthermore, Iran is a critical stakeholder in the Middle East to many European powers, albeit one on which

Europeans do not necessarily share similar opinions, or interests for that matter. But if the past year has demonstrated anything to Europeans, it is that instability in the Middle East is a recipe for instability in Europe. The Syrian civil war, a conflict in which Iran has been heavily involved to the detriment of European interests, created both a refugee crisis that has overtaken Europe and opportunities for ISIS to spread terrorism on the European continent with the help of returning European foreign fighters.

Therefore, the success of the JCPOA, and the extent to which it can prevent further instability at Europe’s doorsteps, is even more critical for Europe than it is for the United States. For there is no doubt that an Iranian breakout that leads to a nuclear military capability would only destabilize the Middle East further. And there are hopes that the JCPOA could in the long run make Iran a more cooperative partner to address regional challenges rather than creating them in the first place.

So far, European experts have for the most part been satisfied with the way Iran has implemented its JCPOA nuclear obligations. For sure, the challenges are many, either in interpreting and implementing some provisions of the JCPOA, such as in making the UNSC-supervised acquisition channel an efficient framework, or in ensuring that the IAEA gets what it needs from Iran and is able to provide sufficient transparency on Iran’s nuclear activities to nongovernmental experts and the wider public. But what matters most is that Iran is much further from a nuclear military capability in July 2016 than it was a year ago, thanks to the

restrictions and enhanced IAEA monitoring put in place under the JCPOA.

On the sanctions front, Europe and the United States have delivered the legal lifting of the sanctions as envisioned by the JCPOA. Still, significant constraints to western companies doing business with Iran represent a political challenge for Europeans. The European Union wants to make sure Iran can benefit economically from the JCPOA, as it definitely should. This involves more transparency from regulators, especially U.S. regulators, as well as reforms in Iran that make the country a more business-friendly environment.

Furthermore, Europeans are well aware that they better avoid endorsing Iran's narrative and claim that the P5+1 haven't made good on their part of the deal. The JCPOA is and will be a long game that both Europeans and Americans need to play as partners. For the P5+1, this means ensuring that Iran has fewer rather than more reasons to complain about the JCPOA. But it also requires a rigorous and strict implementation of the JCPOA nuclear obligations. The P5+1 need to raise all doubts and concerns with regard to Iran's compliance, privately or publicly as necessary. Finally, Europeans should bear in mind that Iran may well be disappointed with the economic payback of the JCPOA, but this should not make the alternatives more attractive—a snapback of old sanctions (something that would surely happen if Iran stopped complying with the JCPOA) or a return by Iran to acquiring nuclear weapons.

Altogether, it is fair to say that the JCPOA has so far fulfilled the limited expectations it created in Europe a year ago. It has indeed put Iran further from a nuclear weapon but has not yet reassured Europeans on Iran's long-term nuclear intentions. It has created economic opportunities for European companies unfortunately frustrated by legal, political,

and financial constraints both on the side of international markets as well as of Iran itself. It has had a very limited impact, either positive or negative, on Iran's regional policy, first and foremost in Syria where Tehran keeps participating in a war that has proved dramatically destabilizing for Europe. Although being convinced that the JCPOA would be an indisputable net positive in the Middle East, few Europeans believed it would be *the* magic key to make it less chaotic. Even fewer would think differently today.

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