

## Analyses

### Understanding the threats and barriers to reviving the JCPOA

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**With Joe Biden taking office in 2021, optimism that the revival of talks and the JCOPA mechanism will once again reduce tensions between Iran and the United States as well as the Middle East arose. [Al Jazeera]**

U.S. efforts to weaken Iran's position through policies such as sanctions and maximum pressure will only lead to increased tensions and insecurity in the Middle East. The experiences of four-year aggression by Donald Trump demonstrated that the only outcome of the maximum pressure policy is further aggression by both parties without any long-term benefits for either side.

The Joint Comprehensive Plan of Action (JCPOA) nuclear deal was a major step in de-escalation between the United States and the Islamic Republic of Iran. However, U.S. withdrawal from the JCPOA not only led to a U-turn in interactions to resolve disputes, it also increased tension levels more than ever. With Joe Biden taking office in 2021 as a president who favours interaction with Iran, optimism that the revival of talks and the JCOPA mechanism will once again reduce tensions between Iran and the United States as well as the Middle East arose. But the level of optimism declines as more time passes from the presidential election.

Secretary of State Antony Blinken's position on the danger of Iran acquiring a nuclear weapon in a matter of weeks and the requirement to involve regional issues in the talks ahead to revive the JCPOA is significant. Also, Iranian Foreign Minister Javad Zarif's condition of the lifting of sanctions for a return to the deal, and a reluctance to involve non-JCPOA issues in the talks, is

also notable.

Perhaps some of these diverging issues, indicating more obstacles on the path to reviving the JCPOA, can be pinpointed as a diplomatic game and introduction to interactions by stating maximum demands for minimum achievements. But another part is rooted in understanding the threats felt by both sides after forty years of intense conflict, culminating in the post-JCPOA experience. Iran's experience of the JCPOA is intertwined with the slow process of lifting sanctions in the Obama era, and the unilateral U.S. withdrawal from the deal and increased sanctions and threats in the Trump era. Regardless of events influencing political, security and military ranks, effectively based on this very understanding of threats by the serious opponents of interaction with the West and the United States, certain authorities in Iran who support the JCPOA have also felt seriously threatened by the recent U.S. position. For instance, on 20 January 2021, President Rouhani stated, "We expect those who are taking office today to return to their responsibilities under international law and do what they can to erase all the black spots of the previous four years in the next four. Of course, if it is possible to erase them all." [\(1\)](#) Opposition member and Parliament Speaker, Mohammad Bagher Ghalibaf, also said on 31 January 2021, "If the United States believes in the JCPOA, it must show its commitment through actions rather than set conditions. The experience of the JCPOA is in plain sight of the Iranian people – a smart people who are not naïve enough to re-enter a game of jam tomorrow and jam yesterday, but never jam today." [\(2\)](#)

Apart from the staunch opponents of the nuclear deal, the supporters of interaction with Iran in Washington also experienced a step-by-step defeat in resolving issues with the nuclear deal as a first step. Iran was also uninterested in engaging in the next steps of talking about its missile programme and regional issues. This, in turn, has added to the perceptions of threats in Washington regarding Iran's real intentions to reach an agreement to resolve issues or buy time to strengthen regional events. Blinken's keenness on including discussions on regional issues in future talks also stems from this same perception of threats.

Aside from the threats perceived by both sides, hurdles on the U.S. path include the opposition of its regional allies to revive the JCPOA; antagonism in decision-making circles inside the United States towards increased interaction with Iran; and the challenging cases of Iraq, Afghanistan, Syria and Yemen. On the Iranian side, these hurdles include the opposition of certain centres of power and decision-making circles to interacting with the United States and revive the JCPOA,

and a probable change in the 2021 presidential election in the country. Be that as it may, the 2015 experience of concluding the nuclear deal demonstrates that both participants are able to manage these hurdles.

It seems, however, that if no positive steps are taken towards moderating these negative perceptions within the next three to six months, it will make the job more difficult for three specific reasons: 1) the rebuilding of relations and strengthening of regional lobbies who are also U.S. allies opposed to the nuclear deal, 2) the Iraq, Syria, Yemen and Afghanistan cases further complicating U.S.-Iran relations, and 3) the strengthening of the position of opponents to the JCPOA in both countries. The outcome of these three factors will either deplete the revival of the deal over time or bring it to a stalemate.

The conclusion of the deal in 2015 demonstrated that the United States is able to adopt an active councillorship with the coalition against interaction with Iran and commit further to security and arms sales to countries such as Saudi Arabia [\(3\)](#) and Israel [\(4\)](#), in return for their cooperation. Also, due to Biden's majority vote in the 2020 presidential elections, high approval ratings and the honeymoon period, combined with a Democratic majority in the House and Senate, he does not seem to have difficulty in obtaining the political backing required to revive the JCPOA. Both sides can also use the nuclear deal to resolve the more complex regional and international deadlocks.

On the part of Iran, although serious disputes exist in interaction with the United States, exacerbated by the upcoming presidential elections, the country has already indicated that it is able to reach a domestic consensus to achieve its goals when necessary. Although the assassination of Major General Qasem Soleimani has only added to the volume of distrust, the distrust can be reduced to some extent given the exit of the Trump administration as political and security decision-makers and the perpetrators of the assassination if the new team in the White House takes positive action.

The successful Iranian-U.S. experience in concluding the JCPOA nuclear deal in 2015 has shown that there are ways to manage negative perceptions, the most important of which is diplomacy and mediation, especially as the mechanism is already in place at the heart of the JCPOA to some extent. Diplomacy generally moderates the negative perceptions and mind sets of parties to a conflict. In addition to diplomacy, the other JCPOA participants, namely Russia, China and the

European Union, seem to be actively involved in facilitating the revival of the deal through, or even beyond, its existing mechanisms.

The European Union has tried to play the part of an active mediator over the past five years. But its disputes with Iran and the United States, alongside its slow pace, have caused the distrust of both sides. Iran does not consider the European Union a decisive player in maintaining the JCPOA due to serious shortfalls in its commitments to the deal in practice and failure to get plans such as INSTEX off the ground. The United States also sees the European Union as pursuing its own interests in the deal and remaining indifferent towards international security.

The United Nations and states outside the nuclear deal seeking a de-escalation between Iran and the United States, like Japan, Turkey, India, Switzerland, Oman and Qatar, who acted positively in safeguarding the deal after the U.S. withdrawal, can engage in mediation to moderate the negative perceptions of the two sides.

Certainly, it is best for those sides willing and able to enter mediation to facilitate the revival of the JCPOA and expand interaction between Iran and the United States to prevent measures that can only lead to further distrust between the two. For instance, French President Emmanuel Macron's announcement that Saudi Arabia must be included in future talks has entailed a sharp reaction from the Iranian authorities. Such statements can only increase the level of distrust towards an actor who can facilitate a return to the JCPOA and eliminate the actor's capacity in the equation.

In the short-term, brave, small and practical yet effective and tangible steps can be taken by both sides. These can include issuing licenses to reduce the level of sanctions, especially for health and foodstuffs, unblocking parts of Iranian assets, issuing exemptions for countries working with Iran on the U.S. side, and a return to IAEA supervisions on the Iranian side. In terms of mediation, actors interested in de-escalating tensions in the Middle East and the Gulf region can accelerate the resolution of existing cases between the two sides and engage in the resolution of new cases by activating capacities in INSTEX and the Swiss financial channel in consultation with all those involved.

These small steps can create an opening, reduce the negative mentality to a certain extent, and lay the groundwork for bigger steps to be taken with more confidence. As stated by President

Rouhani, “If they issue an order, Iran will also issue an order. If they take practical steps, they will also see action on this side.” (5)

Both Iran and the United States must make efforts to expand their diplomatic interactions in the JCPOA through official channels, such as the Joint Commission, or send positive, unofficial messages, such as Track II diplomacy with a range of political elites, especially as the current diplomatic teams in Iran and the United States have adequate experience in rolling out interaction plans and are familiar with their reciprocal limitations and constraints.

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