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Subcommittee on Middle East and North Africa

"Iran's Enduring Ballistic Missile Threat"

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Madam Chairman, Ranking Member Deutch, and Distinguished Members of the Subcommittee:

Thank you for the opportunity to come before you today, as well as for bringing attention to this often overlooked aspect of the broader Iranian nuclear issue. I would like to concentrate my remarks today on what it means and why it is problematic that the agreed framework for the ongoing nuclear negotiations with Iran does not provide for restrictions on any of the Islamic Republic's current or future missile programs. The upshot of my assessment is that leaving Iran's nuclear missile programs out of the current nuclear negotiations represents a significant flaw of omission that should raise serious questions about the efficacy of the prospective nuclear deal that is coming into focus. I should stress that all views are my own and do not represent positions of the U.S. Naval War College or any other agency or institution.

Treating Nuclear Missiles as 'Separate and Secondary' is Misguided

Many nonproliferation experts see Iran's longstanding and overt missile programs as a cognate but nonetheless separate, and in any case secondary, issue from more recent and increasingly urgent concerns about its presumed covert nuclear weapons program. This reflects a general tendency in how the nonproliferation community regards the broader relationship between missile and nuclear proliferation. It must be acknowledged that this is a perfectly logical perspective in the sense that, unless missiles are armed with nuclear warheads, then even the longest range and most accurate of them are thought to be comparatively harmless, at least in terms of strategic military effects. Moreover, whereas ballistic missiles are by far the most reliable way to deliver nuclear payloads,

they are by no means the only way. However, there is also a compelling counterpoint case to be made that this 'separate and secondary' approach is misguided. Why? Because a formidable arsenal of accurate and long-range missiles that can reliably deliver nuclear payloads should inherently be seen as part and parcel of the emergent Iranian nuclear weapons infrastructure. In other words, nuclear warheads and the missiles that can most reliably carry them to distant targets should not be understood as different threats, but instead as two aspects of the same threat; namely, Iran joining the ranks of formidable nuclear weapons powers outside of the Nuclear Nonproliferation Treaty (NPT) along the lines of India and Pakistan. Because nuclear weapons and associated delivery systems are integrally linked, any nonproliferation framework must deal with both to have a real chance of lasting success. Far from being a peripheral issue, the failure to deal with the most menacing of Iran's emergent intermediate- and longer-range nuclear-capable ballistic missile programs is likely to bedevil the ultimate credibility and effectiveness of any comprehensive settlement that focuses only on nuclear material and weapons *per se*.

To be fair, it is not as if the United States and its negotiating partners are likely to have failed to grasp that overlooking Iranian missiles is a highly regrettable shortcoming. Doubtless, the reality is that convincing Iran to restrict its missiles proved to be a negotiating bridge too far. Although giving up on addressing missiles may be understandable as a necessary negotiating expediency in order to get to yes on a deal, the fact remains that giving Iran a blanket pass on any and all of its missile programs represents a major concession with problematic implications that must be understood as part of an overall assessment of any final agreement that emerges. Let me now address four of these implications.

Raising Doubts About Iran's Fundamental Nuclear Intentions

Indigenous intermediate- and longer-range missile programs turn out to be a remarkably reliable litmus test for any country's nuclear intentions, peaceful or otherwise. Indeed, the lack of such programs is arguably the single most reliable indicator of peaceful nuclear intentions… and vice versa. Time and again real world experience has demonstrated that the lengthy time horizons, vast expense, and international taboo of ballistic missile programs – beyond those with shorter-ranges that have obvious tactical military utility – only make economic, political, and military sense in the broader context of an ambition to become a nuclear weapons power. Nuclear weapons and ballistic missile programs typically have been developed hand in glove, to the extent that no country that has not aspired to possess nuclear weapons has ever opted to sustain an indigenous intermediate- or longer-range ballistic missile program. There have only ever been one or two apparent exceptions to this correlation that in the end turned out to prove the rule, meaning that *over time this correlation has proved to be absolute*.

Of course Iran steadfastly denies that it has or has ever had any ambition to obtain nuclear weapons, notwithstanding prior shenanigans with International Atomic Energy Agency (IAEA) information sharing, inspections, secret facilities and so forth that form the basis of unresolved U.S. and international suspicions. Rather, the Iranian regime claims that it wishes to retain significant

nuclear enrichment capabilities for entirely peaceful and legitimate energy production needs. But Iran's determination to continue to develop long-range ballistic missiles tells a different story.

We have known about Iran's missile ambitions for far longer than we have had concrete suspicions about a covert nuclear weapons program. After more than a quarter century of unrelenting effort Iran now boasts by far the largest and most multifarious missile arsenal in the Middle East and it is dauntlessly working to expand these already formidable capabilities in terms of range, accuracy, and survivability. At the same time according to open source reporting, Tehran appears recently to have abandoned any pretext that its muscular missile programs might be intended only for innocent space launch purposes (which in any case has always been a dubious fig-leaf, lacking convincing economic or geospatial logic). Put simply, the scale and nature of its ballistic missile programs has long belied Iranian protestations of peaceful nuclear intentions, dating back to well before there was compelling evidence of any apparent nuclear weapons skullduggery. If the Iranians refuse to abandon or even curtail any existing or prospective programs as part of a larger grand bargain, and with no plausible answer for why they would still need these capabilities if not to deliver nuclear weapons, then it raises troubling questions about their ultimate goals. After all, we have already seen this scenario before (as have the Iranians), when in the 1990s the Agreed Framework that the United States negotiated with North Korea sought to resolve concerns about a suspected covert nuclear weapons program while deferring any restrictions on an overt missile program. As it turned out, both continued apace. Contrast this to the experience of sincerely repentant nuclear proliferators like South Africa, Libya and others, which in renouncing nuclear weapons also gave up on associated missile programs. History is not proof of the future, but these starkly different outcomes from the past should at least raise legitimate questions about the genuineness of Iran's commitment to abandon its hitherto apparent nuclear weapons ambitions in the face of its continued pursuit of long-range missiles.

Complicating Verification

Missiles also matter for verification. Covert nuclear weapons programs are relatively easy to hide even when international inspection mechanisms exist. Consequently, any chance for achieving plausibly effective verification of nuclear nonproliferation agreements requires highly intrusive protocols that in the event still may not provide a high degree of confidence that cheating will always be detected in time. This reality has been repeatedly demonstrated over the past few decades. Iraq successfully pursued an extensive covert nuclear weapons program during the 1980s despite being subject to IAEA inspections, until it was revealed in the aftermath of the 1991 Gulf War. Iran likewise successfully hid covert nuclear facilities in the 1990s and early 2000s, again under the noses of IAEA inspectors, until these facilities were revealed by exile opposition groups. In the late 2000s it was Syria's turn to hide a covert nuclear weapons facility from the IAEA, until Israel bombed it to the world's attention. Adding more intrusive measures like short-notice anytime/anywhere inspections could greatly help to improve the odds of detecting cheating, but verifying restrictions on nuclear material and warheads will always be intrinsically challenging.

By contrast, intermediate- and longer-range ballistic missile programs are relatively easy to detect at stages of development and testing that occur well before operational deployment, using only national technical means (NTM) that require no good faith cooperation. This is also true of detecting the deployment of existing operational systems. If a negotiated agreement on missile restrictions were also to include cooperative verification mechanisms (for example, inspections and bans on unsupervised flight or static testing), then we should be able to achieve very high confidence that any cheating could be detected in a timely manner. Indeed, it is important to recall that the successful nuclear disarmament treaties between distrustful Cold War adversaries, embodying President Reagan's "trust but verify" maxim, did not actually limit nuclear fuel stockpiles or weapons as such. Instead, for the sake of simplifying reliable verification, the Intermediate Nuclear Forces (INF) Treaty and the Strategic Arms Reduction Treaty (START) covered delivery systems (that is, missiles and/or bombers) rather than the warheads they carried. Using this same proven approach, by including missile restrictions as part of any nuclear deal with Iran, would greatly simplify verification challenges in detecting and demonstrating any militarily significant cheating down the road.

Forgoing a Brake on Breakout

Missile restrictions would slow down Iran's capacity rapidly to field a strategically robust nuclear force in the event that Tehran should ever renege on an agreement, or for that matter, if it merely waits out any time-limited provisions. In terms of such "breakout" potential, one of the gravest concerns that has been raised about the prospective agreement being negotiated by the P5+1 is that it would allow Iran to retain significant enrichment capabilities, so that without any need to cheat, the Iranians could tiptoe up to nuclear weapons threshold status. As long as Iran is allowed to maintain an enrichment program for peaceful purposes, and assuming that it has in fact had a covert weapons program, then it will retain a latent knowledge and capability that could quickly be put to use to produce weapons; it would simply be a matter of time, more or less, depending on details like the size and disposition of nuclear material stockpiles and the number of centrifuges that it retains. However, the means to deliver those post-breakout weapons is the other side of the breakout coin.

As North Korea and other cases demonstrate, it is arguably a faster feat to develop nuclear explosives than long-range missiles capable of reliably delivering them to distant targets. Whereas the North Koreans have conducted successful nuclear explosives tests (albeit with mixed results), they have not yet mastered an intercontinental missile capable of hitting the continental United States, nor the ability accurately to deliver a nuclear warhead on any range missile. For its part, Iran is believed to have operational intermediate-range missiles, but it is still working to develop longer-range systems and has yet to achieve the capability to target the United States or even most of Western Europe. Reversing a ban on intermediate- and longer-range missiles would be a lengthy and expensive undertaking for Iran. Even a ban just on further Iranian development of such missiles would serve to lengthen the timeline between an Iranian decision to renounce (or wait out) nuclear weapons restrictions and its ability to deploy nuclear forces that could credibly threaten the territory of the United States or many of our allies.

To be sure, negotiating a lag in Iran's missile capabilities is not a panacea. Tehran does not need intermediate- and long-range missiles in order to use nuclear weapons against its regional neighbors. Nor would missiles be necessary for Iran or one of its proxies to use a nuclear weapon as an instrument of mass terror with an improvised delivery method like a shipping container. But in terms of Iran's ability to make a sudden bolt to become a formidable nuclear power, restrictions could add a long pole to their tent.

Undercutting Missile Nonproliferation

Leaving missiles out of a nuclear deal not only fails to address this problem, it almost certainly will make it worse. In theory concluding a nuclear deal *sans* missiles should not impede existing supply-side missile nonproliferation efforts against Iran using tools such as the Missile Technology Control Regime (MTCR) and the Proliferation Security Initiative (PSI). This should be particularly true in the case of the MTCR, given that its multilateral export control guidelines focus on preventing the spread of any unmanned systems capable of delivering a payload of 500 kilograms to a range of 300 kilometers, regardless of whether such systems are explicitly linked to an associated nuclear weapons program. But for the majority of countries that do not belong to MTCR, the primary restrictions against exports that might support Iranian missile programs comprise various U.N. Security Council (UNSC) mandates such as UNSC Resolutions 1540 and 1737. If these are weakened or repealed as part of sanctions relief associated with a nuclear deal, then many countries are likely to see this as a green light to relax restrictions on missile-related exports. Even in the case of actual MTCR members like Russia and voluntary adherents like China, the regime is a purely good faith arrangement with few meaningful enforcement mechanisms, and in any case the guidelines permit wide latitude for national interpretation and discretion. By interpreting a nuclear settlement as a clean nonproliferation bill of health for Iran, it is likely that at least some MTCR partners and adherents could use this as a justification to attenuate their vigilance, especially if an Iran that is flush from sanctions relief is ready to pay top dollar for plausibly innocent dual-use items. At the very least, even if missile sanctions are not lifted as part of a deal, it will nonetheless behoove the United States to take active steps to shore up the missile nonproliferation regime in the wake of a nuclear deal with Iran that ignores missiles to mitigate any possible perceptions that these missiles have been legitimized.

Conclusion

In the final analysis the only real metric by which to assess an eventual nuclear deal with Iran is whether it reflects and embodies a strategic decision by the Islamic Republic to forswear nuclear weapons now and for the foreseeable future, or if instead it is nothing more than a tactical accommodation by Tehran on the road to becoming a nuclear weapons power. If the Iranians are sincere in renouncing nuclear weapons ambitions, then they should have no overriding reason to retain their most formidable intermediate-range missiles, and certainly even less so to pursue even longer-range and more capable systems in the future. If indeed the Iranians have been asked and have refused to consider missile restrictions as part of a comprehensive deal, then it begs the

question of why they still need capabilities that are so closely correlated with the delivery of nuclear weapons? It would be unfortunate if they are not even asked to explain this paradox.

Thank you, Madam Chairman and members of the subcommittee.