



Iranian Aggression & Bad Actions Since the JCPOA

“The other sides accepted (to recognize) Iran’s nuclear industry after they saw Iran’s might, that is enrichment to the 20% level, because everyone knows that reaching the 20% level is the most difficult part of enrichment.” He said that building 19,000 first-generation centrifuges, launching 10,000 centrifuges, production of the second, third and fourth generations of centrifuges and construction of a heavy water plant are other symbols of Iran’s nuclear power, and added, “The enemy which once wasn’t ready to accept even the existence of one centrifuge in Iran, was forced to accept the same fact after facing the country’s nuclear power; actually, the Americans didn’t make this concession but we took it in light of our own power.”

(Ayatollah Khamenei, May 26, 2016)

Despite predictions that the JCPOA deal would moderate Iran, since July 14, 2015, Tehran has increased its violations of international law, acts of military and terroristic aggression, and insults towards the U.S. and Israel (and others) and destabilized the Middle East. It also plans to boost its offensive weaponry.

Known or Possible Iranian Violations of the JCPOA¹

- Prior to the deal’s implementation, Iran refused to fully cooperate with the International Atomic Energy Agency (IAEA) investigating its PMD. During the PMD investigation, Iran enabled the IAEA to draw partial conclusions only on two of the 12 alleged elements. In five cases, the IAEA noted that PMD occurred despite Iran’s claims to the contrary.
 - “Iran has demanded that the international community “close the file” on PMDs. Iran also has prevented the IAEA from interviewing key personnel in charge of PMD activities.”
 - There was little new information in the Dec. IAEA Report: “For most of the 12 issues... Iran, has merely reiterated the evidence contained in its 2011 report.”
 - The Obama administration has concluded that uranium particles discovered at Parchin likely were tied to the country’s covert nuclear weapons program. This contradicts Iran’s claims.
- Post-deal, Iran refused to cooperate with the IAEA. See the IAEA’s second report:
 - The Institute for Science and International Security (ISIS) claimed in a report there are at least eight key pieces of information missing from the IAEA report.
 - ISIS Report: “The IAEA report continues to lack technical details about critical implementation issues. “Without this information, an independent determination of whether Iran is complying with the JCPOA is not possible.”
 - The missing information detailed in the ISIS report:
 - The amount of Low Enriched Uranium (LEU) in Iran’s possession is missing, as well as how much has been sent out of Iran, diluted and produced. LEU can be further enriched to make weapons-grade uranium or enriched to 3% and used as fuel for certain nuclear reactors.
 - An alleged “secret agreement” that requires Iran to irradiate its 20% LEU to an unknown level is not disclosed. The JCPOA requires Iran’s 20% LEU to be placed in a reactor in Tehran.
 - There is no information as to how many centrifuges are operating in Iran’s Natanz nuclear facility.
 - Certain information on Iran’s Fordow facility is not included. Per JCPOA provisions, all centrifuges at Fordow are supposed to be removed, while the facility is to be converted into a “research center.”
 - A shipment of Iranian heavy water is currently in Oman. Heavy water is a key component in the production of plutonium; plutonium can in turn be utilized in nuclear weapons. Under the JCPOA, Iran is permitted to have no more than 130 metric tons of heavy water. An IAEA report from May

¹ The Iranian parliament rejected the text of the JCPOA. The *majlis* approved their own version of the JCPOA, which may be more than 1000 pages long, which is very different. Leader Khamenei has endorsed this new version of the JCPOA. Hence, there is no real deal.

- 9 says Iran currently holds 116.7 tons of the product. The state of ownership of the heavy water in Oman is crucial to ensuring Iran's JCPOA compliance.
- Iran's research into advanced centrifuges has been within compliance, but little information is provided as to which models or how many are in production. This information is crucial due to the fact that certain [models](#) of Iranian centrifuges are more powerful than older models, meaning Iran could make a significant leap forward in its nuclear weapons development should the country cheat.
 - There is a lack of clarity in the IAEA report regarding Iran's nuclear weaponization research, particularly at Parchin, which was believed to have been involved in explosive tests.
 - The IAEA is not involved in the Procurement Working Group, which is responsible for any nuclear related transfers of technology and resources that could be used for nuclear weapons.
- Iran [continues to produce](#) excess heavy water at Arak in violation of the JCPOA.
 - The U.S. is [buying](#) the excess heavy water, which subsidizes their nuclear program, and will inevitably indirectly support Iranian terrorism. The U.S. [wired](#) \$8.6 million for 32 metric tons of heavy water.
 - Iran is [holding](#) talks with Russia to sell it about 40 tons of heavy water.
 - David Albright, head of the ISIS, has criticized this decision: "We shouldn't be paying them for something they shouldn't be producing in the first place."
 - Mark Dubowitz, of the Foundation for Defense of Democracies, has explained: "Iran has created a clever scheme—produce too much heavy water so as to break the nuclear agreement, then get the Obama administration and eventually U.S. companies to pay Tehran using the U.S. dollar to get rid of it. These U.S. subsidies will help Tehran perfect its heavy water production skills so it will be fully prepared to develop its plutonium bomb-making capabilities when restrictions on the program sunset ..."
 - ISIS has written: "The Department of Energy [did not](#) need to purchase the heavy water from Iran and could have bought it from India, Argentina, or Canada. Because DOE's current needs for the heavy water are relatively modest, most of the recent purchase is being considered for sale to private industry. However, in addition to the negative security implications, the US purchase of the heavy water from Iran threatens the development of a reliable North American supply chain of heavy water."
 - German intelligence [has noted](#) Iran's attempts to acquire nuclear technology in Germany at a "quantitatively high level" in 2015. This activity continued throughout the year despite the fact that Iran agreed to halt its nuclear weapons program in the Iran nuclear deal.
 - The Institute for Science and International Security (ISIS) [has learned](#) that Iran made an attempt to purchase tons of controlled carbon fiber. This attempt occurred after Implementation Day. This attempt raises concerns over whether Iran intends to abide by its commitments, as Iran may seek to stockpile the carbon fiber to be able to build advanced centrifuge rotors beyond its current needs, allowing it to quickly build an advanced centrifuge enrichment plant if it chose to leave or disregard the JCPOA during the next few years.
 - "The JCPOA's limit of 300 kilograms of low-enriched uranium (LEU) [was calculated](#) to put Iran's breakout time at one year. However, as Russia has acknowledged, there is excess LEU in Iran above the 300 kilograms allowed by the nuclear deal. Breakout time diminishes if Tehran is allowed to continue to grow its LEU stock further, such as by keeping part of its stockpile overseas (as it did recently with heavy water in Oman). Unless sold or transferred in ownership, the LEU remains part of Iran's nuclear material inventory. At current production rates of around 100 kilograms of additional LEU per month, even without installing any additional centrifuges, Tehran's breakout time will be reduced to half a year within just a few months – far below the U.S. administration's promised one-year breakout time."
 - The Exemptions & Loopholes: ISIS has reported that the West [agreed](#) "in secret" to allow Iran to evade some restrictions on low-enriched uranium (LEU) in the nuclear deal to meet the nuclear deadline. If these exemptions were not allowed, Iran would not have been in compliance by the Jan. 16 deadline.
 - ISIS noted that the LEU could be processed into weapons-grade material, so the secret side deal makes it effectively impossible to know how much bomb material Iran could produce, on fairly short notice.
 - The exemptions & loopholes:
 - Iran has an exemption for reactor-grade enriched UF₆ (uranium hexafluoride, the feed material for enrichment centrifuges) in the form of low-level and sludge waste. This may have been a minor violation although the report said the amount of this material is unknown.

- Ignoring “lab contaminant” UF6 enriched to 20% uranium-235 judged as “unrecoverable.” Although this may also be a minor violation, the report says the amount of this material and how it was judged unrecoverable is not known.
- Iran was allowed to maintain 22 large - more than six cubic meters - radiation containment chambers, or hot cells. They were not supposed to go above six cubic meters. These hot cells are supposed to be used for producing medical isotopes but can be “misused for secret, mostly small-scale plutonium separation efforts.” Plutonium-separation experiments have only one purpose: developing the capability to produce plutonium nuclear-weapons fuel.
- There is a loophole on a 130-ton cap for Iran’s heavy-water stockpile by allowing Tehran to store large amounts of heavy water in Oman that remain under Iran’s control.
- The Commission established a technical working group to evaluate a small amount of enriched uranium remaining in the equipment of a nuclear plant. The ISIS said it is unknown whether the working group will give Iran an exemption for this enriched uranium.
- Albright, who was a co-author on the report, [said](#) the exemptions have been kept secret from the public, and were not disclosed to Congress until after they were granted to Iran. “Since the JCPOA is public, any rationale for keeping these exemptions secret appears unjustified. Moreover, the Joint Commission’s secretive decision making process risks advantaging Iran by allowing it to try to systematically weaken the JCPOA. It appears to be succeeding in several key areas,” wrote Albright and his co-author, Andrea Stricker.
- These exemptions are not temporary. Instead the ISIS confirmed the U.S. and its partners are right now considering whether to lock in the past exemptions and create new ones.
- Iran is violating the 5 year arms embargo (UNSCR 1747 or 2231). 2231 requires prior approval by the Security Council for any arms transfer to or from Iran, and thus, [allows](#) the U.S. to block sales.²
 - Iran [has bought](#) \$8 billion in weapons from Russia, including the [S-300 missile defense system](#), [fighter jets](#) and [military helicopters](#).
 - Iran has [exported weapons to Syria](#) and [Yemen](#) and [Kuwait](#). Also to [Bahrain](#), where Iran has [additionally](#) trained terrorists.
 - A July 2016 report by the UN [says](#) that Iranian firms participated in a defense trade show in Iraq in March, 2015, in potential violation of UNSC 2231. No prior approval from the Security Council was sought by Iran. One of the firms participating in the trade show, the [Defense Industries Organization \(DIO\)](#), remains on the UN’s blacklist. The report concludes that Iraqi authorities “should have frozen all of the entity’s funds, other financial assets and economic resources.”

Other Iranian Bad Behavior

- On October 9 and 12, 2016, Iran supported Yemen’s Shia Houthi rebels fired anti-ship missiles at the destroyer USS *Mason*, off the coast of Yemen. The missiles failed to hit their target, either falling short or being intercepted by the USS *Mason's* air defense missile system. On October 13, U.S. cruise missile strikes destroyed three Houthi coastal radar installations. The missiles fired by the Houthis were [likely](#) supplied by Iran, and the technical expertise necessary to operate and fire them would almost certainly have required Iranian assistance if not control. And in a sign of the importance Tehran places on their support of the Houthis, Iran [deployed](#) two warships to the Gulf of Aden in response to the U.S. strikes.
- Iran is [aggressive](#) in the Gulf. U.S. naval forces operating in and around the Strait of Hormuz [are](#) “routinely approached by Iranian warships and aircraft” on a “nearly daily basis,” according to a Pentagon official. This [has happened](#) 31 times in 2016, almost double the amount from the same period during 2015.
 - The IRGC [threatened](#) to “drown” any U.S. warships approaching Iran. “We have informed Americans that their presence in the Persian Gulf is an absolute evil,” Rear Admiral Fadavi stated. “Americans are aware that Iran would destroy their warships if they take a wrong measure in the region.”

² In addition to there being no real deal, Iran has [announced](#) that it considers the UNSCR 2231 as separate from the JCPOA, and that it has “no intention” of abiding by the UN prohibitions on developing ballistic missiles or purchasing arms.

- The navy of Iran’s Islamic Revolutionary Guards Corps (IRGC) [fired](#) several rockets near the U.S. aircraft carrier Harry S. Truman and a destroyer. The rockets came within 1,500 yards of the aircraft carrier, and according to *The Times*, the Navy described Iran’s move as “highly provocative.”
- Iran [violated](#) international law by [grabbing](#) two U.S. Navy ships and ten sailors until releasing them the next day. The sailors [surrendered](#) to protect the Iran nuclear deal. Iran’s army chief [said](#) the seizure should be considered a lesson to Congress trying to impose new sanctions. While in custody the sailors were, [intimidated](#), [humiliated](#) and made to “apologize.” Iran has [bragged](#) that it ([illegally](#)) extracted a lot of [information](#) from the confiscated phones and laptops and that it has humiliating films. It has [released](#) some embarrassing pictures.
- The Navy’s top officer [has warned](#) that the consequences of Iranian harassment could be grave.
- Iran [has claimed](#) that it has seized American Naval personnel and others recently.
- Iran has violated UN Resolution 1929 and the “[spirit of UNSCR 2231](#)” by conducting ballistic missile tests.³ This includes testing intermediate and long-range ballistic missiles, which “only [make economic, political, and military sense](#) in the broader context of an ambition to become a nuclear weapons power.”
 - Iran twice [violated](#) the UN ballistic missile testing restrictions on it **prior** to Implementation day.
 - Iran has [vowed](#) to expand and [enhance](#) its missiles, and is [doing so](#).
 - Iran has already [revealed](#) a new underground missile depot.
 - Iran [possesses](#) cruise missiles capable of delivering a nuclear warhead, and is likely to buy or build more.
 - On March 8 and 9, 2016, Iran [conducted multiple](#) missile tests, and called the U.S. as the “main enemy”. The missiles [had printed](#) on them the slogan “Israel must be wiped out.”
 - On July 12, 2016, Iran [conducted](#) a new missile test right before the anniversary of the JCPOA.
 - In April, Iran [conducted](#) the first launch of a new rocket that the Pentagon views as a key element of Tehran’s effort to build long-range missiles.
 - Iran [claims](#) it test-fired a missile with a range of 2,000 kilometers, able to hit Israel.
 - Iran will [conduct](#) a ballistic missile test in Feb. 2017, following the inauguration of the new President.
 - Iran [has claimed](#) that the U.S. is quietly encouraging it to keep its illicit ballistic missile tests a secret.
 - The Pentagon has [acknowledged](#) that Iran is developing more advanced ballistic missiles.
- Iran in 2015 [continues](#) to be the leading state sponsor of terrorism worldwide.
- Iran’s 2017 \$19 billion defense budget [has increased](#) by 90% from 2016, and it [has built](#) its own missile defense system and a turbo jet.
- Iran [gave](#) the \$1.7 billion sent to them by the U.S. to the [Iranian military](#). The IRGC [benefitted](#) from it.
 - This money was given to Iran on January 16, 2016. It was [supposedly](#) to settle a lawsuit with Iran. However, it was released the same time the sanctions on Iran were waived and the frozen oil funds were released to Iran, and the exact same time that four American citizen hostages were released by Iran.
 - The entire \$1.7 billion amount [was paid](#) in cash - Swiss francs.
 - In 2000, the Clinton administration [agreed](#) to pay the \$400 million to Americans who had won judgments against Iran for terror attacks. American officials assured the victims that the Treasury would be reimbursed from the seized Iranian funds. “We all believed that Iran would pay our damages, not U.S. taxpayers,” says Stephen Flatow, a NJ lawyer who received \$24 million for the death of his daughter. “And now, 15 years later, we find out that they never deducted the money from the account. It makes me nauseous. The Iranians aren’t paying a cent.”
 - After initially denying it, the Obama Administration [admitted](#) this was a ransom for American hostages. Then [they backtracked](#).
- Iran has [launched cyber-attacks](#) against the U.S. State Department and [other U.S. targets](#).
- The head of Iran’s elite military Quds Force, Qassem Soleimani, who is subject to a UNSCR 1803 travel ban, has [defied](#) this ban [twice](#) by meeting senior Russian officials in Moscow.
- “Iran nuclear deal [spurs](#) increased human rights abuses.”

³ The U.S. [originally](#) insisted the deal contained “the exact same language” as UN resolution 1929 prohibiting ballistic-missile development. Iran has since revealed a loophole— which it’s been exploiting. The U.S. now says it isn’t a violation.

- In 2015, Iran [carried](#) out 1,084 executions, marking the highest rate of executions Iran in 25 years. In 2014, 753 Iranians were executed, a 12-year high. Child executions [have also](#) increased. A [majority](#) of those executed are drug sellers or users.
- Iran [has escalated](#) its [involvement](#) in Syria. Iran [has sent](#) more than 60,000 Shia troops: 16,000 Iranians, a majority of which are IRGC; up to 10,000 fighters from Hezbollah; about 20,000 Iraqi militiamen; 15,000-20,000 Afghans; and 5000-7000 Pakistanis to assist the Assad regime, which continues to [use chemical weapons](#) and [bomb its own people](#) indiscriminately.
 - The Syrian war [has taken](#) a heavy toll on the Syrian army, which is now at 50,000.
 - Iran has helped [create](#) an Alawite militia named the National Defense Forces, of up to 100,000 men, to also fight on Assad's behalf.
 - Iran [has spent](#) possibly as much as \$100 billion on hardware and support for Assad since 2011.
 - More than 280 Iranians have been killed in Syria since September 2015, according to a May 2 [report](#) by the Levantine Group. According to some [reports](#), as many as 700 Iranians have been killed since 2012.
 - The U.S. has determined that Iranians are [waging](#) "ethnic cleansing" campaigns in the [25% of Syria controlled by Assad](#) to eradicate or [send into exile](#) Sunni Muslims and replace them with Shia Muslims. The Shia Muslims are coming from Iraq. Those Christians and Druze, and other minorities, who tend to be more pro-Assad, are not being pushed out so far.
- Post-deal, Gen. Austin [told](#) Congress, "Iran today is a significant destabilizing force in the region."
- Iran is [destabilizing Iraq](#). It has also [promised](#) to invade if ISIS threatens an offensive.
 - "...Iran wants to be a major force in Iraq. And they're willing to spend a lot of money to destabilize it and keep the whole thing going, and keep the region unstable," Rep. Tim Ryan (D-Ohio) said.
 - The Iranians [control](#), train and support the [100,000 man](#) paramilitary Shia force in Iraq. The IRGC maintains a permanent staff of officers overseeing the process of cooperation with these militias. The force is called the Popular Mobilization Force, known in Arabic as the "[Hashid Shaabi](#)", made up of two major groups - the Badr organization and the Ktaeb Hezbollah - and other smaller groups.
 - In Kurdish-controlled northern Iraq, according to the previously-noted report in the *Sharq al Amsat* newspaper, Iran [maintains](#) a presence of around 1500 men from the Qods force of the IRGC.
- Iran [has arrested](#) five U.S. persons, Siamak Namazi, Baquer Namazi, Nizar Zakka (a resident), and [Reza "Robin" Shahini, a nameless dual citizen](#), and is believed to still be holding a sixth, Robert Levinson.
 - Shahini [was given](#) an 18 year sentence for "collaboration with a hostile government," i.e., the U.S.
 - Zakka was given a 10-year sentence for "[spying](#)" on behalf of Washington.
 - Iran [sentenced](#) the Namazis, an Iranian-American businessman and his elderly father, to 10 years in prison on charges of cooperating with the United States.
 - In August of 2016, the State Department [issued](#) a warning urging U.S. citizens to avoid traveling to Iran because of the danger of being kidnapped or of having their plane shot down.
 - *Washington Post* reporter Jason Rezaian [filed](#) a lawsuit against Iran, claiming he was taken hostage and psychologically tortured during his 18 months in prison to influence nuclear negotiations.
- Iran [announced](#) a blockade of all U.S. goods following an order by Leader Khamenei.
- Iran is supporting terror groups:
 - It [has established](#) the al Sabirin terror group in Gaza & the West Bank, with a \$10 million annual budget.
 - Iran [continues](#) to give to Hezbollah. After sanctions ended, Iran [boosted](#) support.
 - Iran supports [Hamas](#) and [Palestinian Islamic Jihad](#).
- Iran has [supported](#) the Islamic State (IS) in the Sinai, by its funding of Hamas, which has been training the ISIS terrorists and providing it with tens of thousands of dollars per month in weapons.
- Since the nuclear deal, "Tehran ... [is seeking](#) Moscow's help to build another 10 nuclear reactors—useful reminders of how the mullahs are spending their sanctions-relief windfall."
- On Nov. 4, Iran [continues](#) to celebrate "Death to America" day for their 1979 seizure of the U.S. Embassy.
- Iran [continues](#) to celebrate "al-Quds Day" with chants of "Death to Israel" and "Death to America."
- Iran [has announced](#) a new Holocaust cartoon contest. The prize is \$50,000.
- Iran [threatened personal harm](#) to the IAEA Director if he revealed the 2 side deals to the U.S. Congress.

- Iran's forces [allowed](#) Iranians to sack the Saudi Embassy to protest the execution of a Shia Saudi cleric.
- Iranian state-run media outlets [have added](#) \$600,000 to a bounty for the killing of British author Salman Rushdie imposed in 1989 over the publishing of his book "The Satanic Verses."
- Iran [has pledged](#) that every family of a Palestinian terrorist will receive \$7,000, and an additional \$30,000 if the family's home was demolished by the IDF.
- Iran [executed](#) the entire adult male population of a village for drug offences.
- In the 2016 elections, the Iranian leadership barred most of the true reformers, and the hardliners, sometimes running on "moderate lists", [won](#) most of the elections.
- The FBI has [arrested](#) the American head of a metallurgy company on charges of illegally exporting to Iran a half-ton of special powder that could, in theory, be used in the production of nuclear-tipped rockets.
- In March 2016, the U.S. [confiscated](#) weapons that were being transported from Iran to Houthi rebels in Yemen, marking at least the third time in two months that such a shipment was stopped.
- Iran [intends](#) to produce the powerful explosive Octogen for use in the warheads of its missiles to improve their "destructive and penetration power." Octogen is also used as part of the detonator in an atomic bomb.
- Iran has [launched](#) an undercover police unit to monitor citizens' morality in Tehran.
- Iran's Parliament is [demanding](#) compensation from the U.S. for its involvement in "spiritual and material damage". They cited examples such as the [U.S involvement in the coup of PM Mossadegh](#) in 1953, America's support of Iraq in its war with Iran, and the destruction of oil platforms in the late '80s.
- Iran [has laid out](#) a plan to attack the U.S. electrical grid in an Iranian military document.
- Iran is [solidifying its foothold](#) in Latin America, sparking concerns among U.S. officials that the Iran will enlist these allies to launch terror attacks on U.S. soil, according to conversations with congressional sources.
- Tehran [has deployed](#) the S-300 long-range missile defense system to protect its Fordo nuclear facility.

Hostile Iranian Statements

- Leader Khamenei [said](#) "America is the major Taghut (idolatry or the worship of anything except Allah) and the Great Satan." Later he [added](#): "Resistance against America is the main point of Iran's prowess."
- Leader Khamenei [said](#) "anti-Islam, anti-Iran and anti-Shiism are the definitive policies of America..." He criticized the U.S. as being full of "ignorance and (the) idolatrous."
- On State TV, Leader Khamenei [said](#) "America has continued its enmity toward Iran since (the 1979 Iran) revolution ... It is a huge mistake to trust evil Britain and the Great Satan (the U.S.). We will not cooperate with America over the regional crisis. Their aims in the region are 180 degrees opposed to Iran's."
- Leader Khamenei [warned](#) the U.S. against keeping a military presence in the Persian Gulf and vowed that the Iran will continue to carry out a range of war drills in the area.
- Leader Khamenei [has said](#) the U.S. is seeking dominance over the region by waging wars and conflicts.
- Leader Khamenei [banned](#) any further negotiations between [Iran](#) and the U.S.
- Leader Khamenei has [claimed](#) the U.S. created the IS, and [that](#) "Those who say the future is in negotiations, not in missiles, are either ignorant or traitors."
- Twice leaders of the IRGC [have threatened](#) to close the Gulf of Hormuz to the U.S. and other enemies.
- An Iranian Navy commander [announced](#) that Iran is planning to establish a naval presence in the Atlantic Ocean, possibly with Cuban or Venezuelan help.
- Iranian Foreign Minister Zarif [boasted](#) that Iran got its way in the nuclear deal and that the "US cannot do a damn thing" to intervene in its affairs.
- The commander of an Iran-backed Shiite militia in Iraq [has hinted](#) that his fighters could blend in with Iraqi forces to kill Americans on the battlefield in Mosul.
- In August of 2016, a propaganda film [produced](#) under the supervision of Leader Khamenei shows the Iranian response to a U.S. attack in the Persian Gulf, with young men brandishing the Iranian flag and vanquishing American aircraft carriers with their battle cries.
- Iran [threatened](#) to shoot down two U.S. surveillance aircraft flying close to Iranian territory.

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