



## Iranian Aggression & Bad Actions Since the JCPOA

Despite predictions that the JCPOA would moderate Iran, since 07/14/15, Tehran has increased its violations of international law, acts of military & terroristic aggression, and insults to the U.S. & Israel (and others), and destabilized the Middle East. It plans to boost its weaponry. Iran is not even in compliance with the deal.

### Known or Possible Iranian Violations of the JCPOA<sup>1</sup>

- 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 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.

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<sup>1</sup> 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.

- 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 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 UF<sub>6</sub> (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” UF<sub>6</sub> 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.<sup>2</sup>
  - Iran [has bought](#) \$8 billion in weapons from Russia, including the [S-300 missile defense system](#), [fighter jets](#) and [military helicopters](#). They [may buy](#) \$10 billion more.
  - Iran has [exported weapons and aid to Syria, to Yemen \(including missiles\)](#), to [Kuwait](#), and to [Bahrain](#).
  - 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 UN has “expressed concern” that Iran may have violated an arms embargo by supplying weapons and missiles to Hezbollah.
- Iran [ordered](#) its scientists to start developing systems for nuclear-powered vessels in response to what it calls a U.S. violation of the JCPOA (the reauthorization of the ISA). Iran’s move, if carried out, would probably require Iran to enrich uranium to a fissile purity above the maximum level set in the nuclear deal.
- It is alleged that Iran is [doing](#) engineering and weaponization testing at a walled military complex near Parchin, a location which Iran has declared off-limits to inspectors, said the National Council of Resistance of Iran (NCRI) and its main operational arm, the People’s Mujaheddin of Iran (MEK).

### **Other Iranian Bad Behavior**

- Iran, through its proxy forces in Yemen, is [turning](#) the Bab el-Mandeb waterway into a militarized chokepoint that threatens freedom of navigation. 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. 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. Iran [deployed](#) two warships to the Gulf of Aden in response to the U.S. strikes. In January of 2017, the Houthis [attacked](#) a Saudi frigate off the coast of Yemen, and U.S. defense officials believe it may have been meant for an American warship.
- 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 [35 times in 2016](#), double the amount from the same period in 2015. And [now](#) in 2017.
  - A U.S. Navy destroyer [fired](#) warning shots and [had seven interactions](#) with Iranian vessels in 2017.
  - 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.”

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<sup>2</sup> 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 and a destroyer. 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.
- Iranian ships [threatened](#) a U.S. [helicopter](#) and [ships](#) in “unsafe and unprofessional” incidents.
- The Navy’s top officer [has warned](#) that the consequences of Iranian harassment could be grave.
- Iran [has claimed](#) that it has seized more American Naval personnel recently.
- Iran has violated UN Resolution 1929 and the “[spirit of UNSCR 2231](#)” by testing [as many as 14](#) ballistic missiles.<sup>3</sup> 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 of 2016, Iran [conducted](#) the first launch of a new rocket.
  - Iran [claims](#) it test-fired a missile with a range of 2,000 kilometers, able to hit Israel.
  - In 2017, Iran launched a [medium-range ballistic missile](#) in January, and a [short-range missile](#) in February, and a [medium-range missile](#) in March.
  - 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. It is [likely Iran spent](#) a portion of the more than \$10 billion in hard assets the U.S. gave it to fund its terror operations and military.
- 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. The military budget [was boosted](#) from 2% to 5%.
- 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](#).
- The IRGC [is sending](#) assets to infiltrate the U.S. and Europe at the direction of Leader Khamenei.
- Iran has [launched cyber-attacks](#) against [U.S. targets](#) and [other 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 [multiple times](#).

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<sup>3</sup> 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, 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. Over 2,500 people [have been sent to the gallows](#) since Rouhani came to power.
- Iran [has escalated its involvement](#) in Syria. It has [spent](#) \$100 billion to protect Assad. 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.
  - Iran [has spent](#) possibly as much as \$100 billion on hardware and support for Assad since 2011.
  - Officially, [1000 Shia troops](#) have died. The Washington Institute for Near East Policy center has found that 2,603 Shia [have been killed](#): 511 actual Iranians, 1,045 Hezbollah fighters and 1,047 Afghan, Pakistani and other Shi'ite militia fighters – all under Iranian command.
  - 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 or Lebanon or elsewhere. Those Christians and Druze, and other minorities, who tend to be more pro-Assad, are not being pushed out so far. Iranian-led troops [have been responsible for](#) mass executions, attacks on civilians, including on women and children, and for blocking civilian evacuation from the bombarded city.
- 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](#) six U.S. persons, Siamak Namazi, Baquer Namazi, Nizar Zakka (a resident), [Reza “Robin” Shahini, a nameless dual citizen, an unnamed antique dealer](#), and (probably) a seventh, [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, and they have [imposed](#) sanctions on 15 U.S. companies, alleging they support terrorism, repression and Israel's occupation of Palestinian land, likely in retaliation for sanctions announced by the U.S.
- 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, “Teheran ... [is seeking](#) Moscow’s help to build another 10 nuclear reactors...”
- 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.
- Iran [has boosted](#) by 60% the stockpiled uranium than it has since the JCPOA.
- 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.
- 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..."
- 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.)."
- 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."
- Hundreds of thousands of Iranians [rallied](#) to chant "Death to America" in February of 2017.
- Iran [continues](#) to celebrate "al-Quds Day" with chants of "Death to Israel" and "Death to America."
- 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.
- Iran [produced](#) "Battle of the Persian Gulf II," an animated film that imagines war with the U.S.
- Iran has [opened](#) a kids' war-based theme park where kids fire at U.S. flags.
- Iran [threatened](#) to shoot down two U.S. surveillance aircraft flying close to Iranian territory.

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