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DOI : 10.14746/ps.2022.1.17

## **THE POLICY OF MAXIMUM PRESSURE ON IRAN. US POLICY OBJECTIVES AND EFFECTS**

### **INTRODUCTION TO THE US DEBATE ON IRAN POLICY**

The US policy towards Iran after 1979 has attracted numerous studies and differing perspectives have been outlined. Indeed, 1979 marked a pivotal moment in US policy toward Iran. Researchers and experts are taking the trouble to explain the complexity of the relationship between Washington and Tehran and when the opportunity to maintain dialogue was missed (Fawcett, Payne, 2022).

Before the revolution, Tehran was a strategic Washington ally and the two nations had numerous ties ranging from arms deals to oil purchases and US investments in Iranian industry. Shah was one of America's best allies. President Richard Nixon used the twin pillar strategy where he relied on alliances with Iran and Saudi Arabia as a shield against the Soviets and as a guarantee for the secure flow of oil (Gonzalez, 2007: 775–776).

Following the Iranian Revolution – also referred to as the Islamic Revolution – relations broke down and many scholars have tackled the question of what should be done to bring about at least a partial improvement in relations (Alblosi, 2019: 244–261; Goode, 1990).

The most important issue for both the Carter and Reagan administrations was the Cold War rivalry with the Soviet Union. Therefore, Iran continued to play a strategic part in this regard. Although the Islamic Republic of Iran remained openly anti-American, a much worse possible risk for Washington would be if Tehran moved towards a rapprochement with Moscow. Taking this into account, sanctions were imposed on Iran, but there remained opportunities for limited and pragmatic cooperation. The Iran-Contra affair was an example of trying to maintain limited cooperation with Iran even at the expense of a crunch arising from the Reagan administration's violation of the arms embargo on Iran (Brody, Shapiro, 1989: 353–369).

Finally, the end of the Cold War rivalry resulted in Iran losing its strategic role in Washington's agenda. Once again, the perception of Iran as a troublemaker also labelled a rouge state that needs to be isolated, and more sanctions also imposed to hinder third countries from doing business with Tehran predominated in decision-making circles in Washington. Therefore, Iran was isolated in President Bush's "New World Order" as US relations with Israel grew closer. The cautious attempts of Rafsanjani and Khatami to improve relations, whether over the end of the Gulf War and the release of US hostages in Lebanon, in the former case, or through the 'dialogue of

civilizations' and talk of "democratic peace," in the latter, failed to persuade the US to change course (Ramazani, 1998: 177–187).

After the first Gulf War, the Clinton administration imposed a strategy called dual containment pioneered by Martin Indyk, the NSC director for the Middle East, in which both Iraq and Iran, regimes are seen as hostile to the US and Israel, were to be contained. In the assessment of Walt and Mearsheimer Israeli lobby advocated for the "dual containment" approach, a policy that was designed to do more than just contain Iran, it was aimed to change Iran's behaviour (Mearsheimer, Walt, 2007).

The sanctions had become a hallmark of US policy towards Iran. The Clinton administration was hoping that the deepening isolation of Iran would either cause Tehran to change its conduct and accept the Middle East peace process and be a constructive partner rather than a troublemaker, or there would be a regime collapse in Iran and a new opening. At that time, the US, as hegemon, appeared to have all instruments to achieve a change in Tehran's policy or a shift in the Iranian authorities alone. The best exemplification of sanctioning pressure policy was the Iran Libya Sanctions Act (ILSA), which followed two executive orders issued by the Clinton administration in 1995 as part of Washington's response to Teheran's malign policy. The Act introduced sanctions on both US and non-US businesses investing more than \$20 million in the Iranian oil sector unless exempted by the President. In 2006, ILSA was renamed Iran Sanctions Act (ISA), while in 2010 the Obama administration passed the Comprehensive Iran Sanctions, Accountability, and Divestment Act (CISADA), further expanding sanctions on the Iranian petroleum sector. Thus, ILSA launched decades of US sanctions on the Iranian regime (Scita, 2022: 87–105).

Ray Takeyh and Suzanne Malone suggest that US policy mainly relies on sanctions and that shifting between degrees of coercion and negotiations has been ineffective. Although it created hardship for Iran and its regime, it did not necessarily push the regime to change its behaviour (Takeyh, Malone, 2011: 1297–1312).

In the US strategy, the sanctions imposed are often overused, and the example of Iran shows that they have done practically nothing to change either the policy or the government in Iran. Jonathan Leslie, Reza Marashi, and Trita Parsi enumerated the losses suffered by the US economy due to the US imposed sanctions on Iran between 1979 and 2014: "The negative impact of sanctions on the US economy has been staggering, between \$134.7 and \$175.3 billion, and continues to rise. The human cost has been even greater, with lost job opportunities reaching above 200,000 in some years. These are surprisingly high but conservative estimates since neither secondary economic effects, such as higher oil prices, are captured by the model nor the reduction of Iranian imports as a consequence of sanctions hampering Iran's GDP" (Leslie, Marashi, Parsi, 2014).

However, although the effectiveness of the sanctions is being questioned in the expert debate, they still have many supporters who claim that the Iranian regime would eventually collapse due to economic pressure. The so-called hawks are in the position that Iran should not be allowed to acquire nuclear weapons. If sanctions do not stop Tehran from producing a nuclear arsenal, military power must be used and key sites in Iran for the nuclear program bombed.

Matthew Kroenig wrote an article in *Foreign Affairs* in which he calls for action against Iran. He criticizes those who oppose war assuming that "the cure would be

worse than the disease.” According to him, the opponents fail to estimate the true danger that a nuclear-armed Iran would pose to US interests in the Middle East. Hence, he believes that a well-planned military strike against Iran’s nuclear programme could spare the region and the world a very real threat, “With atomic power behind it, Iran could threaten any U.S. political or military initiative in the Middle East with nuclear war.” So, he emphasizes that the risks of any military action can be minimized (Kroenig, 2012: 76–96).

In his latest book *The Room Where It Happened*, John Bolton referred to his record as a head of the National Security Council and what he considered to be an uneasy working relationship with President Trump. For years, Bolton has been a known proponent of military action against the Islamic Republic of Iran, and any negotiations with Tehran are not only a waste of time, but the partial suspension of sanctions only strengthens a hostile regime in Tehran. Critical in the pages of his book, he addressed Trump’s last-minute decision to refrain from bombing Iranian targets in response to the 20 June 2019 downing of an uninhabited US reconnaissance drone, on the grounds that it might result in 150 Iranian casualties. This act of forbearance, says Bolton, was ‘the most irrational thing I ever witnessed from any President (Bolton, 2022: 409).

### **THE JOINT COMPREHENSIVE PLAN OF ACTION (JCPOA) WITHOUT TURNING THE PAGE**

Actually, US interventions in the Middle East strengthened Iran geopolitically, as Saddam Hussein in Iraq was overthrown and the Taliban in Afghanistan weakened, allowing it to expand its influence through its proxies (such as Hezbollah or Hamas, among others); second, sanctions without direct diplomacy failed to curb Iran’s nuclear program, which increased the sense of urgency and threat for both Washington and its allies (Chollet, 2016: 3045).

Iran’s nuclear ambitions were perceived as a major regional security threat. Iran was approaching the very threshold beyond which it could become a nuclear power. In autumn 2013, Iran appeared to be on the brink of becoming a nuclear-armed state. It had nearly 20,000 uranium-enrichment centrifuges in place and was installing them at a rate of more than 700 per month. Around 1,000 second-generation centrifuge models that were three times more effective appeared to be ready for operation, and more were being prepared for installation. Iran’s stockpile of low-enriched uranium (LEU) was growing at an average rate of 150 kilograms per month, and it had almost enough 20%-enriched uranium hexafluoride for a weapon if further enriched (Fiedler, 2018).

The Obama administration was effective in building an international coalition of pressure on Iran. The UN Security Council adopted further sanctions packages with the approval of China and Russia. The European Union has agreed to additional sanctions and embargoes on Iranian oil and gas. The pressure was effective enough to lead to more productive negotiations with Iran.

Finally, after almost 20 months of intense negotiations, six world powers-Germany, France, the United Kingdom, Russia, China and the United States-agreed on a Joint

Comprehensive Plan of Action (JCPOA) to resolve the nuclear impasse concerning Iran in July 2015. The deal provided verifiable assurances that fissile material in Iran could not be diverted toward weaponization purposes; the highest standards on nuclear transparency and inspections ever negotiated; and the lifting of US and United Nations nuclear-related sanctions on Iran. The agreement was welcomed by the international community and endorsed by a UN Security Council resolution. The JCPOA is a 159-page manuscript, consisting of 37 articles and an attachment of 5 chapters. October 18, 2015, marked the Adoption Day of the JCPOA, the date on which the JCPOA came into effect and participants began taking the steps necessary to implement their JCPOA commitments. The agreement was mainly technical and dealt with concrete measures to limit the scope of Iran's nuclear program (Valerio, 2021: 257–264).

The key provisions of JCPOA that Iran accepted:

- 1) To decrease its number of centrifuges from 22,000 to 5060 IR-1s at Natanz for about 10 years;
- 2) Reduce its uranium stockpile from about 12,000 kg to about 300 kg;
- 3) Limit the level of its enrichment to 3.67 percent;
- 4) That Natanz would be the only Iranian facility conducting uranium enrichment activities, including research and development, for eight years;
- 5) That Iran's underground nuclear facility at Fordo would be turned into a nuclear physics and technology centre and would not conduct uranium enrichment for 15 years;
- 6) That Iran would keep 1044 centrifuges at Fordo to produce radioisotopes for peaceful uses such as medicine and agriculture;
- 7) That Iran would redesign its heavy water reactor in Arak to reduce plutonium production from 10 kg to about 1 kg per year, thus eliminating its potential to produce weapons-grade uranium;
- 8) That Iran would implement the Additional Protocol and Subsidiary Arrangement Code 3.1 to its IAEA safeguards agreement, allows the IAEA inspectors to monitor, at all times, declared nuclear sites in Iran and to verify that no fissile material has been illegally diverted for potential use in making bombs (Mousavian, 2018: 169–192).

The Obama administration asserted that the JCPOA had sufficient safeguards to effectively stop Iran from obtaining fissile material for a plutonium or uranium bomb. Options to prevent Iran from developing a nuclear weapon remain available even after the key nuclear restrictions of the JCPOA expire. The Administration further asserted that the JCPOA contains provisions for U.N. sanctions to be reimposed if Iran is found not in compliance with its requirements.

Briefly, the following sanctions were designated by the JCPOA to be lifted:

- sanctions on the import of oil, gas and petrochemical products from Iran;
- sanctions on banking activities with Iran;
- sanctions on investment in the Iranian energy and petrochemical sectors;
- sanctions on insurance activities with Iran;
- sanctions on shipping and shipbuilding;
- sanctions on gold, diamonds, and other precious metals;
- sanctions related to the transpiration sector (Moarefi, 2016).

The JCPOA's critics can be divided into two groups – criticism related to the shortcomings of the agreement, which was not a treaty but merely an intergovernmental agreement, and a second group believing that any negotiations with Iran would only strengthen a regime hostile to US interests in the region and, if an agreement were to be reached, would mean Iran's complete subordination to Washington's policy objectives in the region.

The first group of critics emphasized that the JCPOA intergovernmental agreement, especially as an intergovernmental agreement, was not adequately safeguarded from developments resulting from the US elections. The Republican-dominated Congress in the Senate in particular was highly critical of the JCPOA. While Obama could protect the deal by repeatedly suspending congressional sanctions through presidential waivers, there was no guarantee that his successor would continue to do so, leaving his signature accomplishment vulnerable to future electoral shifts. As it later turned out, Trump in July 2018 had no intention of defending the JCPOA. Another accusation is made by moderate critics of the JCPOA if Iran is found not to comply with its requirements. They acknowledge that it is difficult to predict the degree to which international governments might reimpose their sanctions. In their opinion, JCPOA was only a temporary delay in Iran's path to nuclear weapons and did not contain Teheran's nuclear threat (Einhorn, 2015).

The second group of critics considered the JCPOA as a disastrous agreement; therefore, pressure should be exerted on Tehran to achieve a new agreement containing the following issues:

- 1) Not including the Iranian missile program in the agreement, the JCPOA contained no such clause;
- 2) The new agreement should include a demand for a profound redefinition of Tehran's regional policy objectives, that is, an end to support for Hezbollah, the Yemeni Houthis, the Assad regime in Syria, Hamas, Islamic Jihad, and Shiite militias in Iraq;
- 3) Iran must completely abandon uranium enrichment and should dismantle the centrifuges. Tehran should be permanently banned from producing a nuclear bomb.

Furthermore, critics argued that JCPOA only enabled the lifting of many sanctions and, in effect, provided funds to Tehran to carry out even more instability in the region and strengthen Iran's malign behaviour. Ardent critics also cited the fact that Saudi Arabia and Israel, traditional allies of the US, did not accept the JCPOA (Bahi, 2017: 89–101; Rajiv, 2016: 47–62).

Moreover, as observed by Matthew Kroenig the deal allowed uranium enrichment and it opened for Teheran the “patient path to the bomb.” Moreover, the most important restrictions on Iran's program begin to expire after 10 and 15 years-respectively, in 2025 and 2030 (Kroenig, 2018: 94–104).

The JCPOA's main proponent and an expression of moderate optimism was President Barack Obama himself. As he has repeatedly stressed: “The JCPOA was never intended to solve all of our problems with Iran.” It was a comment by Obama highly critical of Trump's unilateral withdrawal of the US from the JCPOA (Liebergen, 2018).

JCPOA supporters stressed the nuclear deal would eventually contribute to regional stability and tranquillity and carried the potential to set into motion similar agree-

ments in the future, often referred to as “JCPOA II,” thus building on the momentum for peace generated by the landmark nuclear agreement—widely praised as a singular achievement of multilateral diplomacy (Slavin, 2021: 397–411).

Supporters of the JCPOA have also stressed that opening Iran up to economic relations with the world will enhance Iran’s human rights record and soften the authoritarian regime. Iranian dissident Akbar Ganji commented that crippling sanctions are impeding the development of pro-democracy groups in Iran: “When a nation such as Iran is threatened [...] and suffering from the most crippling sanctions in history, democracy becomes an impossible dream for its people” (Ganji, 2015).

Despite the many arguments in support of the JCPOA, public opinion in the US still perceived Iran as a menace to international security and a major sponsor of terrorism. According to the Pew Research Center in July 2015, 44% of Americans opposed the JCPOA, while 33% were in favour. Obama tried to convince and educate the public about the goodness of the deal, but these figures show limits. pew research center (Pew Research Center, 2015). Nevertheless, the Democratic Party averted the debacle and prevented a Senate vote on the possible disapproval of the deal in September 2015 (Steinhauer, 2015). In the US Congress, the staunch opponents of the JCPOA have been mainly Republicans, who have listened eagerly to the arguments, analyses, readings, and opinions expressed by conservative think tanks and pro-Israel lobby groups. At one point, the Republican-dominated US Senate also invited Israeli Prime Minister Benjamin Netanyahu, renowned as the biggest and most vocal opponent of the JCPOA with Iran, to deliver a speech. It can be concluded in one sentence the JCPOA leads to the nuclearization of Iran (Miller, 2015).

### THE MAXIMUM PRESSURE AND MAXIMAL RESISTANCE

Donald Trump was a staunch opponent of the policies and actions of the Obama administration. From the beginning of his administration, he intended to dismantle the legacy of his predecessor. He considered it as detrimental to US interests as the Paris Agreement, the Trans-Pacific Partnership, and finally the JCPOA. In his view, all multilateral agreements fettered US freedom. It is important to emphasize the concept of a better deal was part of Trump’s business approach to politics. To him, the solution to complicated issues could be simple; the right leverages had to be created to negotiate a better deal. Moreover, he had no trust in multilateral agreements, in his view, they fettered US freedom far too much (Kogan, 2019: 65–83).

Especially in Trump’s view, Iran was the embodiment of a rogue state and a regime that can only succumb to pressure but preferably led to collapse from inside due to increased external sanction pressure. In their insightful book, *Donald Trump: The Making of a World View*, Charlie Laderman, and Brendan Simms pointed out the factors that led to Trump’s enormous antipathy towards the Iranian regime. As the authors highlighted, the American hostages held by the Iranians and their allies had an impact on the perception of Iran as a rouge state (Laderman, Simms, 2017: 19).

Therefore, it was not surprising that he appointed among his closest advisors in his administration people who were known not only for their anti-Iranian stance but also for

their anti-Muslim stance. Incredibly controversial and very short-lived in his role as a national security adviser, Michael Flynn, was equally hostile and depicted Islam as a “vicious cancer inside the body of 1.7 billion people.” As depicts Iran as, the center of global terrorism and the source of instability and enmity against the US (Flynn, Ledeen, 2016).

Within the Trump administration, there were also supporters of maintaining the JCPOA. The second national security adviser H. McMaster and Tillerson, the secretary of state, both tried unsuccessfully to convince Trump and argued that despite its various constraints, the JCPOA had more advantages than disadvantages.

Finally, Trump did not want a continuation of the JCPOA, replaced McMaster and Tillerson, and appointed Pompeo and Bolton, who unequivocally believed that the US should be withdrawn from this agreement, which only strengthens a hostile regime in Iran. Trump’s dangerous new foreign policy team. (Strategic Comments, 2018). Referring to JCPOA as Obama’s “diplomatic Waterloo,” Bolton had openly advocated that the administration’s declared policy on Iran should be “ending Iran’s 1979 Islamic Revolution before its 40th anniversary” (Bolton, 2015). Both Pompeo and Bolton were the main authors of the maximum pressure strategy toward Iran. They had the idea that Iran would succumb to enormous pressure and accept additional conditions and that even if it failed, it would be a matter of months and the devastating sanctions would lead to the downfall of the Islamic Republic.

On 8 May 2018, rejecting pleas from European partners, Trump announced the United States’ withdrawal from the JCPOA and ordered the imposition of stringent new sanctions as expeditiously as possible within 180 days (Korenig, 2018: 94–104).

Secretary Pompeo, in his 21 May 2018, speech at Heritage foundation identified many behaviours that Iran should change in order to normalize its relations with the US. Pompeo did put many demands on Iran among which ending support for Hezbollah and withdrawing completely from Syria, ending its threatening behaviour against its neighbours, disarming, demobilization and reintegration of Shia militias in Iraq, ending its proliferation of ballistic missiles ... etc. (Pompeo, 2018).

In place of the Iran nuclear deal, President Trump has initiated a multi-pronged pressure campaign (Osiwicz, 2021: 180–181). Its first component is economic sanctions. The president recognizes the power of sanctions to squeeze the regime while incurring a low opportunity cost for the United States. Under the Trump administration, the United States has imposed 17 rounds of Iranian-related sanctions, targeting 147 Iranian-related individuals and entities (Simon, 2018).

Israel lobbied intensively for an anti-Iranian policy, to which Trump was considered receptive. Moreover, Saudi Arabia was also very much against the JCPOA and threatened that if Iran produced nuclear weapons, they would also start their nuclear weapons program. (Gheorghe, 2019: 125). Trump strongly favoured Israel in several areas that had been avoided by previous presidents, such as the recognition of Jerusalem as the Israeli capital, the respective transition of the US embassy to Jerusalem, the recognition of Israeli sovereignty over the Golan Heights, and support for settlement policy, which had been deemed illegal by Washington. On other issues, the tradition maintained by US policy, although with a sense of deepening: the maintenance of unconditional aid and the formulation of a pro-Jerusalem approach to the Arab-Israeli conflict (Lipner, 2020).

The greatest achievement of the Trump administration was the Abraham Accords. It started with the United Arab Emirates, followed by Bahrain and Morocco, and then with Sudan. The Trump administration has succeeded in normalizing the four Arab states with Israel in a disengagement from the Palestinian issue. The Trump administration succeeded in normalizing the four Arab states with Israel in disengaging from the Palestinian issue. Moreover, in the case of Bahrain and the UAE – intelligence and military cooperation with Israel and the US could have targeted Iran. Trump was hoping that the joint threat from Iran would prompt Saudi Arabia to join the Abraham Accords. It should be added that covert cooperation between Israel and Saudi Arabia has been developing for many years to, *inter alia*, sabotage Iran's nuclear program through covert operations (Singer, 2021: 448–463).

Proponents of maximum pressure had the expectation that maximum pressure would have caused the collapse of the Iranian political regime resulting from the economic catastrophe and widespread public discontent with the increasingly severe sanctions imposed. Instead, in Iran's domestic politics, the hardliners gained complete control over the structures of the state, and the economy, despite a recession in the first year, began to experience moderate growth in the following years. The IMF forecasts its GDP growth for 2022 at 2%. Combined with an average of 3% growth over the previous two years, this would put Tehran at 95% of where it was before the Trump administration's "maximum pressure". It should be emphasised that the increase in energy commodity prices after 24 February 2022 will likely contribute to an even stronger recovery in growth and possibly above 4% of GDP (Bauer, Clawson, 2022).

Two years after withdrawing from the Iran nuclear deal, US President Donald Trump has failed to change Iran's behaviour in the region, get it to return to the negotiating table, curb its nuclear and missile programme, and counter Iran's proxy influence in the region. Instead, Iran has adopted a strategy of "maximum resistance" to confront Washington's pressure. Iran has adopted a defiance or better maximum resistance strategy to deal with US pressure (Azizi, Golmohammadi, and Vazirian, 2020: 150–1666).

The room for JCOPA restoration and diplomatic engagement has reduced dramatically. Since mid-2019, Iran and Iran-linked forces have attacked and seized commercial ships, destroyed some critical infrastructure in the Arab states of the Persian Gulf, conducted rocket and missile attacks on facilities used by U.S. military personnel in Iraq, downed a U.S. unmanned aerial vehicle, and harassed U.S. warships in the Gulf. As part of an effort that it calls 'maximum resistance', Iran has also reduced its compliance with the provisions of the JCPOA. U.S.-Iran tensions have heightened significantly and evolved into conflict after U.S. military forces killed Qasem Soleimani, the commander of Iran's Islamic Revolutionary Guard Corps-Quds Force (IRGC-QF) and one of Iran's most important military commanders, in a U.S. airstrike in Baghdad on January 3, 2020 (Katzman, 2022).

Richard Nephew, an expert on sanctions, criticized the effects of the maximum pressure policy. Trump and Pompeo are simply trying to reach a better deal after enacting more sanctions and making unprecedented pressure. Many experts are sceptical that Iran would surrender. One of the current US administration's expectations is to bring to the collapse of the Iranian regime – it is a rather unrealistic scenario. More probable is a direct military clash between the US and Iran. The concept of maximum



pressure provoked maximum resistance in Iran. Imposing sanctions after sanctions which in many aspects are abusive is delinked from the political realistic goals. One of the effects of the maximum pressure has now been the strengthening of hardliners in Iranian internal politics and much more Iranian defiance for future JCPOA renegotiations with the new US administration. Iran is under pressure trying to adapt, but with the COVID-19 pandemic, it is hard. Formally, due to the COVID-19 pandemic, the humanitarian corridor to Iran could be opened regardless of sanctions. In reality, due to sanctions, the costs of business are increasing, and Iran is almost excluded from international business and trade. For Iranians with almost non-existent commercial and financial ties with the outside world, it is difficult to import spare parts for medical equipment, ventilators, and protective gear (Fiedler, 2020).

The loneliness of US diplomacy was evidenced by its prestigious defeat at the UN Security Council and with JCPOA signatories. Throughout mid-2020, the Trump administration sought multilateral support for renewed UN sanctions against Iran, but the Security Council rejected those efforts. In response, the administration moved to initiate snapback sanctions under the terms of the JCPOA and Resolution 2231 of the UN Security Council. However, JCPOA participants and the Security Council largely rebuffed the administration's contention that it could activate the snapback mechanism, instead taking the position that US withdrawal from the JCPOA means that it is no longer a 'participant state' as required to invoke snapback sanctions (*Use of Force*, 2021).

### **THE BIDEN ADMINISTRATION'S FAILED ATTEMPT TO RESTORE JCPOA**

Before the presidential elections, Biden laid out his plan for JCPOA renewal. In a 13 September 2020 written commentary via CNN. Traditionally, like his predecessor since 1979, Biden has pledged to prevent Iran from acquiring a nuclear weapon. According to Biden, maximum pressure failed, only the diplomatic path can effectively resolve the issue of Iran's nuclear program. He promised that his administration would work to strengthen and extend the JCPOA's provisions. Prospects for the Iran nuclear deal (Strategic Comments, 2020).

After President Biden indicated his willingness to rejoin the JCPOA early, negotiators held six rounds of talks in Vienna aimed at restoring the agreement. Practically in the State Department, the same negotiating team that previously was involved in reaching the JCPOA agreement was appointed. The American Vienna team was headed by Robert Malley, a special envoy for Iran, and until January 2022 Richard Nephew, a deputy special envoy for Iran.

Iran emphasized that the US had unilaterally withdrawn from the JCPOA and therefore laid the conditions for agreeing to comply under a renewed JCPOA with US participation. Their line was clearly defined:

- removal of all sanctions against Iran, including those related to human rights, and a mechanism to verify the lifting of sanctions;
- a guarantee from the US that any future administration could not abandon the deal;

- removal of the US designation of the Islamic Revolutionary Guard Corps (IRGC) as a foreign terrorist organization.

A breakthrough could be achieved in the first half of 2021, because of the administration of Hassan Rouhani known as a vocal representative of the moderate branch within political interplay, which could be in favour of JCPOA revival.

However, no deal was reached before Rouhani left office in August 2021. The best possible time to reach an agreement was not utilized at all with, on the one hand, people still in power on the Iranian side who were keen to restore the JCPOA and, on the other hand, there was still time to convince American society about the benefits of an agreement, especially it would have been an easier task after 24 February 2022 – opening the world market to Iranian oil and gas exports would have mitigated the effects of the energy crisis.

New president, Ebrahim Raisi representative of Iranian hardline politics, decided not to return to the negotiating table until late November 2021. On the contrary, negative circumstances could lead to a new crisis over Iran's nuclear program. Iran has resumed nuclear activities, including the installation of additional centrifuges at its enrichment facilities at Natanz and Fordow.

Finally, the IAEA Director published a report at the end of May 2022 on Iran. In his interview, Rafael Grossi told Spain's *El Pais* that Iran's nuclear programme is "galloping ahead" and the IAEA has very limited visibility on what is happening (Reuters, 2022). Iran is impeding IAEA access to uranium enrichment facilities and has disabled surveillance cameras that were installed under the JCPOA (Reuters, 2022).

The June 2022 Doha talks failed to break the deadlock. Virtually no minimal progress has even been made. Moreover, the passing of time is working against it, the JCPOA has found itself in agony, and Tehran is accelerating its nuclear program. In addition, there has been a rapprochement between Russia and Iran, sealed by Vladimir Putin's visit in July 2022. According to official information, Russia has purchased Iranian drones and Gazprom is planning to invest in infrastructure related to the energy industry (Kaleji, 2022).

In addition, the Biden administration has also hardened the US position on the JCPOA, with a presidential visit to Israel and Saudi Arabia without the JCPOA on his agenda.

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The JCPOA was a multilateral and intergovernmental nuclear deal, whose signatories included the US, China, Russia, the UK, France, Germany, and the European Union with Iran. The deal had been in place for just over 18 months at the time of Trump's unilateral decision to withdraw the US from it. It was far from enough time to properly assess the preventive mechanisms and the monitoring system of Iran's nuclear facilities.

Admittedly, the part of the JCPOA is still in place, but it is significantly reduced, especially as the US has imposed sanctions also secondary sanctions given the choice of continuing to do business with Iran, risking very high costs and penalties from US

institutions, so particularly Europeans decided to suspend investment and trade with Tehran.

In contrast, a Trumpian policy of maximum pressure has lasted long enough, more than four years, and the following conclusions can be identified here from the above analysis:

1. Above all, contrary to the intentions of the initiators of maximum pressure, Iran has not collapsed, there has been no revolution, no demise of the political and economic system of the Islamic Republic of Iran.
2. As a result of maximum pressure in Iran, the so-called hardliners and the IRGC have consolidated power and influence over various sectors of economic activity. The moderate faction represented by Hassan Rouhani lost influence and was accused of being naïve that the US would not impose sanctions and would remain in the JCPOA because Washington would still see more benefits from this agreement.
3. Maximum pressure has not prevented Iran from developing its nuclear program, the centrifuge numbers have increased, and stockpiles of medium-enriched uranium are expanding. The premise of the JCPOA was to postpone reaching the threshold by at least 12 months at which Iran would acquire a nuclear weapon. Currently probably is a matter of 2–3 weeks. Moreover, the monitoring and verification system imposed by the JCPOA is being dismantled by Iran. A signal of the reduction in Tehran's cooperation is the June 2022 report of the IAEA director.
4. The maximum pressure demonstrates that even the most oppressive sanctions have no effect on Iran's behaviour. The country has learned to function and bypass sanctions; this allows it to maintain modest economic growth, and the inflation problem is mainly related to inappropriate central bank policy rather than sanctions.
5. As a result of maximum pressure, Iran has become increasingly aligned with China and Russia and these states are benefiting from the situation. China is purchasing Iranian oil at a discounted price, and Gazprom will emerge as the largest external investor in Iran's energy infrastructure.
6. The US's European allies are losing a lot to secondary sanctions, with China and Russia replacing them in the Iranian market.
7. The maximum pressure is marked by the abuse of the instrument of sanctions, which were detached from the achievement of the goal. It merely proves the weakness of such an approach. Moreover, maximum pressure has led to maximum Iranian resistance to unprecedented pressure.
8. The listing of the IRGC as a terrorist organization by the State Department, an official institution of the Iranian authorities, is another example of the expansion of maximum pressure against Tehran.
9. The Biden administration has had just less than six months to achieve the JCPOA's restoration by conducting negotiations with moderates Hassan Rouhani and Javad Zarif. It failed to achieve a breakthrough during the subsequent rounds in Vienna.
10. It is very difficult to break the deadlock at present. The US should make a goodwill gesture by, for example, delisting the IRGC from the terrorist organisation placed by the State Department. Moreover, Iran's expectation that Biden will pro-

vide guarantees to the JCPOA that the next president will not withdraw the US from the agreement – is a virtually impossible demand to fulfil. At present, there is very little chance of the JCPOA being reinstated also because of the maximum pressure effects, which are difficult to remove.

Finally, there is also the cost to Iran of not restoring the JCPOA. As observed by Esfandiyar Batmanghelidj and Ellie Geranmayeh: The economic benefits of a revived deal for Iran would be immediate. If US secondary sanctions were lifted, Iran's oil exports would be around 1 million barrels per day higher. Even if we assume the oil price falls to \$80 in the face of supply increases and weakening demand, Iran would be earning an additional \$80 million in oil revenue each day. Iran could export more petrochemical products, steel and manufactured goods (Esfandiyar, Geranmayeh, 2022).

Thus, the potential benefits of restoring the JCPOA are greater than the lack of agreement. The policy of maximum pressure has created a great deal of tension between the US and Iran, and it will be very difficult to rebuild the confidence measures needed to achieve the JCPOA.

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## ABSTRACT

The main goal of this paper is to examine the Trump administration's maximum-pressure policy toward the Islamic Republic of Iran. The main causes and rationale for withdrawing from the nuclear JCPOA are identified. In addition, the consequences of maximum pressure are addressed, which harm the so far failed JCPOA restoration negotiations. An additional thread in the article is a critical appraisal of the sanctions policy, which for decades has failed to deliver the results expected by the USA, which is an inhibiting factor in a dynamically changing international environment. Moreover, the costs to the US of sanctions pressure on Iran have been identified.

**Keywords:** Iran, Trump, JCPOA, sanctions, maximum pressure, policy, nuclear program

## POLITYKA MAKSYMALNEJ PRESJI WOBEC IRANU. CELE I SKUTKI POLITYKI USA WOBEC TEHERANU

### STRESZCZENIE

Głównym celem artykułu jest analiza i ocena polityki maksymalnej presji administracji Trumpa wobec Islamskiej Republiki Iranu. Wskazano na główne przyczyny oraz uzasadnienie zwolenników maksymalnej presji przez administrację Trumpa po jednostronnym wycofaniu

USA z nuklearnego porozumienia (JCPOA). Ponadto, omówiono skutki maksymalnej presji, które negatywnie wpływają na próby powrotu do JCPOA. Dodatkowym wątkiem w artykule jest krytyczna ocena polityki sankcji, która od dekad nie przynosi oczekiwanych przez USA skutków, co jest także czynnikiem hamującym w dynamicznie zmieniającym się środowisku międzynarodowym. Zidentyfikowano koszty, jakie ponoszą USA związane z presją sankcyjną wobec Iranu.

**Słowa kluczowe:** Iran, Trump, JCPOA, sankcje, maksymalna presja, polityka, nuklearny program

