

MEMMO

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Sanction Iran Now for Illegal Ballistic Missile Tests

The Obama administration's last-minute postponement of sanctions for Iranian ballistic missile tests is both perplexing and dangerous. Continued delays risk signaling—to both Tehran and our allies—that Iran may violate with impunity international law and its obligations under the Joint Comprehensive Plan of Action (JCPOA). Washington has imposed no new sanctions on Iran for any of its malign activities since last spring. In Congress, both supporters and opponents of the JCPOA have called for the administration to immediately impose sanctions for Iran's illegal missile tests. The administration should heed their calls and impose tough penalties without further delay.

The White House's initial announcement of new sanctions marked a positive—if belated—first step.

- On Dec. 30, 2015, the administration notified Congress that it intended to impose sanctions that day on nearly a dozen companies and individuals for providing support to Iran's ballistic missile program. The administration, however, quickly walked back the announcement.
 - Regarding the sanctions delay, Deputy National Security Advisor Ben Rhodes said on Jan. 2, "We just have additional work that we need to do as the U.S. government before we would announce additional designations."
 - According to a Jan. 5 Bloomberg [report](#), "Hill staffers briefed on the issue said that the State Department had intervened at the last minute, following objections by the Iranian government."
- Iranian President Hassan Rouhani defiantly responded to press reports of the sanctions by calling for the acceleration and enhancement of Iran's ballistic missile program. "The program for the production of the Armed Forces' needed missiles is required to continue more speedily and seriously," said Rouhani.

The sanctions delay casts doubt on the president's commitment to hold Iran accountable for its missile activities.

- During the congressional review of the JCPOA, the president promised he would respond forcefully to Iranian malfeasance and would swiftly impose sanctions for non-nuclear issues outside of the JCPOA—including ballistic missile activity.
 - In a letter to Rep. Jerrold Nadler (D-NY) on Aug. 19, 2015, President Obama said, "I made sure that the United States reserved its right to maintain and enforce existing sanctions and even to deploy new sanctions to address those continuing concerns, which we fully intend to do when circumstances warrant."
 - A White House fact sheet dated Aug. 25, 2015, states that, "Under both U.S. law and U.N. authorization, the U.S. can and will continue to sanction any person or entity that

materially contributes to Iran's ability to manufacture, acquire, develop or transfer missiles."

- No U.S. sanctions have been issued in more than seven months despite Iran's increased involvement in Syria, attempts to smuggle arms into Bahrain and Kuwait, arrests and ongoing imprisonment of Americans, expanded domestic human rights abuses, and continued support for terrorism.
- The administration should immediately issue the delayed sanctions and take actions to target other illicit Iranian actions. Foreign entities that assist Iran's ballistic missile program that are not yet under U.S. sanctions must face the same punishment as those previously sanctioned.

Iran's missile tests were deliberate acts of defiance and clear violations of U.N. Security Council Resolutions.

- On Nov. 21, 2015, Iran reportedly test-fired the Ghadr-110, a nuclear-capable ballistic missile with a range of 1200 miles. This missile launch was preceded by Iran's Oct. 10 test of the intermediate-range Emad missile.
- A U.N. panel of experts determined that the October missile launch constituted a violation of U.N. Security Council Resolution 1929, which "decides that Iran shall not undertake any activity related to ballistic missiles capable of delivering nuclear weapons, including launches using ballistic missile technology." The U.N. is still reviewing Iran's November missile launch.
- The missile tests were a deliberate, premeditated effort to test the world's resolve. On Aug. 21, 2015, IRGC Brig. Gen. Amirali Hajizadeh brazenly announced, "We will have a new ballistic missile test in the near future that will be a thorn in the eyes of our enemies."

Members of Congress from both parties praised the initial sanctions announcement and expressed deep concern about the delay.

- "The president initially indicated that he would levy new punitive sanctions against Iran—a prudent step in response to the regime's blatant, repeated violations of international law. However, after empty and inaccurate rhetoric from Tehran that such U.S. action was 'arbitrary and illegal,' the administration quickly shelved the sanctions."
 - *Speaker of the House Paul Ryan (R-WI)*
- "I am disappointed that the Administration has delayed punitive action in response to Iran's recent ballistic missile tests. ... Iran must know with certainty that violating U.N. Security Council resolutions, both inside and outside the scope of the Joint Comprehensive Plan of Action (JCPOA), will be met with serious consequences."
 - *House Democratic Whip Steny Hoyer (D-MD)*
- "I worry that the issues we raised about the Iran nuclear deal during hearings last year are coming true. I fear that pressure from our 'partners'—or threats from the Iranian government that it will walk away from the deal or threaten the U.S. in other ways—have caused the administration to rethink imposing sanctions for Iran's violations of the testing ban."
 - *Senate Foreign Relations Chairman Bob Corker (R-TN)*
- "I believe in the power of vigorous enforcement that pushes back on Iran's bad behavior. If we don't do that, we invite Iran to cheat."
 - *Senate Foreign Relations Committee Member Chris Coons (D-DE)*

