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# Trump Needs a Tutorial on How International Agreements Work

*The administration is arguing that it is still a party to the Iran deal that it left with great fanfare in 2018.*

By The Editorial Board



Two years ago, the Trump administration withdrew from an international agreement that had lifted most sanctions on Iran in exchange for strict limits on Iran's nuclear program. President Trump called the accord, which had been painstakingly negotiated by the Obama administration and America's closest European allies, the "worst deal ever." He has been trying to kill it ever since. **He reimposed economic sanctions and threatened secondary sanctions on European allies that do any business with Iran.** The repudiation was so head-spinning that other countries now wonder if American international commitments can be trusted to last beyond the next election.

**In a stunning display of gall, the Trump administration is now arguing that the United States is still part of the Iran deal after all. That's because it wants to use a provision in the deal to "snap back" global sanctions on Iran to prevent the expiration of an arms embargo. Only a party to the agreement can trigger a resumption of global sanctions. A State Department legal opinion argues that, even though the United States withdrew from the accord and has been acting in opposition to the substance of the agreement since 2018, it nonetheless remains a participant because a descriptive section of the U.N. Security Council Resolution that followed the accord lists the names of the countries that struck the deal, including the United States. That argument does not hold water.**

"It's a matter of simple logic that if you are a participating state, you have to be participating," said Larry Johnson, former assistant secretary general for legal affairs at the United Nations.

Even Iran hawks, like John Bolton, [find this argument so disingenuous](#) as to be counterproductive. “It’s too cute by half to say we’re in the nuclear deal for purposes we want but not for those we don’t,” Mr. Bolton wrote in *The Wall Street Journal*.

Preventing the sale of sophisticated weaponry to Iran is a laudable goal, given the military support that Iran provides to various violent nonstate actors in its region. But for nearly two decades, world powers have agreed to focus on the bigger prize: preventing Iran from obtaining a nuclear weapon. Snapback sanctions could put the final nail in the coffin of an agreement that does just that, at least until 2030.

**Moreover, the United States left the agreement in 2018. No amount of legalistic contortions can change that simple fact.** The United States has no standing to invoke a cherry-picked provision that serves its own agenda while it makes a mockery of the rest of the agreement. That’s not how international agreements work. The Trump administration’s behavior erodes the integrity of every international accord going forward.

That’s why there is so little support on the 15-member Security Council for the U.S. position. In [a related vote](#) in August, only the Dominican Republic stood with the United States. Nonetheless, U.S. diplomats are pushing ahead. They contend that global sanctions snapped back after a 30-day notification period, which ended Saturday night. President Trump is expected to address the General Assembly virtually on Tuesday and declare his intention to enforce Security Council sanctions on Iran.

U.N. officials now find themselves in a diplomatic twilight zone, stuck between the Trump administration’s view of reality and that of the world where nearly everyone else resides. “In essence, we will be living in two alternative universes,” said Richard Gowan, the U.N. director at the [International Crisis Group](#), an organization that seeks to prevent deadly conflicts.

It is not clear what will happen next. Global sanctions normally require a committee to monitor them. But a committee won’t be set up unless the Security Council makes an official decision to do so. The United States will almost certainly pursue its own low-key measures, like sanctioning Russian or Chinese companies that sell arms to Iran. A bigger worry is that the United States could begin to interdict ships carrying goods to or from Iran, which could potentially lead to a military confrontation in the run-up to the American election in November.

The tragedy of the Trump administration’s approach is that it has alienated European allies who share the common goal of curbing Iran’s most worrisome behavior. The United States once stood shoulder to shoulder with not only France, Germany and Britain, but also with Russia and China — to isolate Iran. Now, it is the United States that is isolated.

The bigger question is whether the American efforts to invoke snapback will kill the nuclear deal, which the other parties have been trying desperately to keep alive. Iran had been widely seen as keeping its commitments under the deal until the U.S. exit. Afterward, it increased its production of fissile material, as a calibrated response to the American withdrawal.

Now, the agreement is in tatters. If Mr. Trump is re-elected, the chances of reviving the accord are slim to none. Iran could walk away from the nuclear deal altogether and resume its previous levels of production of fissile material, which it claims will be used as fuel for a peaceful nuclear reactor. This will set Iran back on a collision course with the United States and Israel.

The deal could still get back on track. Iran's actions are not irreversible. The fissile material it has produced could still be secured and sent out of the country. There's also a chance that behind-the-scenes diplomatic efforts might lead to informal agreements to refrain from significant arms sales to Iran that would inflame the situation. The arms embargo does not actually expire until October, so there is still time for diplomacy to work.

But the Trump administration has squandered the unity that the international community once had on Iran. It has also squandered the chance to fix the flaws in the Obama-era agreement by failing to pair its dramatic exit with meaningful diplomatic overtures that might have made renegotiation possible. At the time, American diplomats bragged to their European counterparts that the Iranians would soon be brought to their knees, and come begging to reopen talks. That [hasn't happened](#).

The Iranian people are undoubtedly suffering from the U.S. sanctions, all the more so during the pandemic, which has left them short of medicines. But the regime has not come begging for a deal with Mr. Trump. In fact, the Trump administration's policies have made fools of the moderates in Iran, who argued that the United States could be trusted to keep its end of the bargain. The Iranian supreme leader, Ayatollah Ali Khamenei, has publicly called the deal a "mistake." Nevertheless, Mr. Trump has portrayed himself repeatedly as capable of quickly achieving a deal with Iran. "Don't wait until after U.S. Election to make the Big deal," [he tweeted](#) at Iranian leaders in June. "I'm going to win. You'll make a better deal now!"

Like so much of Mr. Trump's gamesmanship, there's no Plan B behind the bluster. Today, Iran is closer to having enough fissile material to build a nuclear bomb than it was when he took office.