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WHAT DOES SUCCESS IN THE MIDDLE EAST LOOK LIKE FOR THE NEXT PRESIDENT?

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P R O C E E D I N G S

MS. LAKSHMANAN: Hi, everyone. I loved to see the early morning crowd and the early morning faces. Welcome to Brookings and thanks for joining us for what I promise is going to be a provocative conversation. I'm Indira Lakshmanan, a Washington columnist for the Boston Globe, and I am happy to have been invited to moderate this very special series.

Today's event is the first of four weekly conversations throughout the month of October featuring big ideas from Brookings' scholars on how the next President can tackle the thorniest challenges they'll face on day one. The series is part of an institution-wide project, Election 2016 and America's Future, to help both voters and policy makers filter out the noise in this very unusual campaign and consider the most important challenges for the four years ahead. If you visit Brookings.edu/election2016 you'll find a number of policy briefs by Brookings experts that outline key problems facing the U.S. and the world and clear recommendations for the next administration.

This event is being live webcast and also recorded as a podcast to be released on the Brookings podcast network in the coming day. That network includes the award winning podcast, Cafeteria, Brookings Cafeteria, and the Intersection podcast, and I encourage you to check them out. To subscribe search for "Brookings" in iTunes or on your podcast app, or visit Brookings.edu/podcast. And we encourage you to tweet about this event using #Elections2016.

Today's first conversation in this series will tackle a challenge that has daunted and tripped up American presidents for decades, and I am talking of course about the Middle East. We don't need to look any further than news headlines every day to be alarmed and motivated by the bombardment in Aleppo and the staggering human cost of civil war across Syria, the threat of ISIS and other extremists to the region and to

our homeland, the unfinished business of Arab-Israeli peace, and the critical stakes for the world in the Iran nuclear deal. Some of the big picture questions that we want to raise today and start the conversation about are what are the coming and current crises in the Middle East and how should we be anticipating them, what can the U.S. do or stop doing to make the Middle East safer and more secure, how do those policy align with Hillary Clinton and Donald Trump have said about their intentions in the Middle East, and what would success in the region really look like for the U.S. in two years or four years.

I'm thrilled that two of Brookings top experts on the Middle East will be guiding us through these questions. Mike O'Hanlon is a Senior Fellow and expert on national security and military affairs. His recent policy brief in the Election 2016 series asserts that the U.S. approach to Syria since 2011 has failed. Mike says a new president much take a new approach, and he's going to outline his thoughts for us today. Robert Einhorn is a Brookings Senior Fellow and former U.S. negotiator whom I had the pleasure of traveling with to many rounds of Iranian nuclear talks. His policy brief argues that the Iranian nuclear deal is working and that it has to be carefully implemented and integrated into a broader regional strategy by the next administration.

I've been asked to explain that because we are recording this series as a podcast it's going to be faster paced than the typical think tank event. And, unfortunately, we won't be able to open the floor to the audience, but we do invite you to tweet any comments or questions to @Brookingsinst using the #Elections2016.

So before we jump into the recommendations for the Middle East, Mike, is there anything you want to add about this Brookings Election 2016 project? I know that you're spearheading the whole effort?

MR. O'HANLON: Just very briefly. Good morning, everyone, and thank you, Indira, for an excellent introduction. Thank you all for being her so early.

I'll just add a brief word, which is that what we're trying to do with this project is to create, in addition to the events that Indira will be chairing and moderating throughout, create a sort of intellectual foundation of policy briefs, which are easy to find, well organized, we hope, somewhat comparable and similar format from one to the other, and that take a basic approach to the problem that they're addressing, frame a big question, big issue that's in front of the country, that should be in front of the candidate for president, for congress, and then propose a big idea, a big solution to that problem. And so it's simple in that sense. We'll try to also provide some background material in the course of making the argument on the assumption that there are a lot of people who are very curious and smart but may not be specialists on each and every issue. Obviously none of us are specialists on all the issues.

So we've got 30-35 briefs, some of which are done and up on the website, others of which will come in in the course of the next couple of weeks.

And I'll just say one more word, which is I'm very excited about the number that are about America's economic challenge, and what you might describe as that sort of hornet's nest of the declining middle class dream, the problems with race relations facing this country, the problems with internationalism and trade. Many of these have been highlighted, they overlap with each other. We've got a lot of great scholars writing on these sorts of issues, everybody from Richard Reeves to Dana Matthews, to Bill Galston, Bel Sawhill, Mireya Solis. These broader questions of economic insecurity facing the country.

So Bob and I will be talking about foreign policy crises today with Indira, but I guess if I was going to telegraph one big set of issues to you it would be how much I think we're going to be able to deliver on economic ideas and debates facing the country.

And I'll leave it at that for now.

MS. LAKSHMANAN: Okay, thanks. So, Mike, I want to get to your recommendations for the next president on Syria, but first I want you to outline for us what is the problem, what should the next president's objective be in Syria. Is it still ousting Assad, is it ending the war, are the two mutually exclusive?

MR. O'HANLON: Well, here's the deal with Assad I think, and Bob may or may not fully agree. The way I see it however is that President Assad may or may not be as much of a threat to the United States innately as ISIS, but he can no longer be part of the solution, at least in his current job, to the Syrian civil war because he's too hated by virtually all of the Sunni Muslims in the country, or at least 90+ percent. He's barrel bombed too many of their neighborhoods, he's used chemical weapons against too many of them. The estimates are that 400,000 Syrians have died in this war and half the population, 12,000,000 has been displaced. And Assad's probably responsible three-fourths of that in terms of statistical estimates of who's done the killing. So whether we would like to roll back the movie and say should we have lived with Assad or not, and that's clearly Vladimir Putin's view, he can no longer be a unifying force in the country, even if he uses brute force to do it.

So I favor a confederal model, where Assad would remain perhaps in charge of a western slice of the country, an autonomous region -- sort of a Bosnia model -- but probably more than three regions in this case. And I don't think we have the firepower or the commitment to push Assad completely out. I don't the Russians have any interest in negotiating him out. I don't think he has any interest in leaving his fellow Alawites behind. So right now we're hoping for his departure without the means to accomplish it. But we also can't let him stay. So it's a catch-22. And the only way out that I can see is a confederation where there is a new weak central government, but Assad is still in power for his own people and part of the western sector of the country,

but that's it. It's sort of compromise between displacing him and allowing him to stay at least in some part of the country.

MS. LAKSHMANAN: I've heard a few other people advocate this confederation, including the former top White House advisor on the Middle East, Phil Gordon. And critics have attacked this idea saying that basically it's giving up on President Obama's 2011 declaration that Assad must go, that it's just sort of trying to pretend that that never happened, it's trying to ignore his responsibility for, as you said, the vast majority of the deaths that I've heard the UN estimated as high as 470,000. I mean is it even feasible after everything that Syrians have gone through that the people in the other part of Syria would accept that Assad would stay in one part, or is this just a practical solution because Russia, Iran, will not accept Assad being pushed out?

MR. O'HANLON: Well, you're right to challenge it on those terms and I don't guarantee that it will work. And I'm sure Phil Gordon doesn't either. Other people support this. Jim Dobbins, the great nation builder and RAND scholar and former SRAP for Afghanistan, who was here Monday talking about that country. So there are a lot of us who support it. No one can guarantee it. And I think the Sunni Muslims fundamentally will not be willing to live under Assad. And this concept will allow them not to live under Assad.

Also, one more thing, just to highlight the concept that I'm promoting, this would require an international peacekeeping force because there's too much hatred and mistrust. So even if you could persuade people to accept this negotiated outcome there are going to be a lot of individuals trying to upset it, a lot of spoilers. And the only way to have any chance of creating this sort of a plan that sticks is to have international peacekeepers with some degree of American participation. I hope we don't have to be the ones patrolling the streets, but I think we're going to need an American strike force,

command and control, logistics, air power. And even with all of that in the offing, and a big reconstruction economic assistance package, I'm not sure we can give enough incentives for the parties to accept the deal. So I concede that this is not a guarantee, but look at what's happening with the plan we've got now. It's been unbelievably bad. If anything we've understated the severity of our failing on every front, moral, strategic, and so I think we have to try something different.

MS. LAKSHMANAN: All right. Well, I want to get to that part about what would the role be for the U.S. in something like peacekeepers, but let's break it down step by step.

First, to even get to the part where we have some sort of a cease fire, or at least a cessation of hostilities -- as we know, this last cessation of hostilities negotiated between the U.S. and Russia didn't last very long and John Kerry even just this past Monday actually called off cooperation through bilateral channels with Russia because of frustration over apparent non cooperation there. So let's take it back to the very beginning. What would we have to do first to get the situation calm enough that we could even start talking about a confederation model? Does it mean that it would be a peace that would be forced militarily, is it something that would be negotiated at tables in Geneva or elsewhere? How do you see us getting to that point?

MR. O'HANLON: Well, the moderate opposition such as it is needs to be strengthened as part of this. But I don't think you wait to declare your goal of a confederation until later on. I think you have to state that up front, because then you're clarifying what your purpose is. And one of the things we have to do is if not reconcile the U.S. and Russian approaches, at least minimize the friction and the chance of direct conflict. And so I think we're going to have to make it clear we're not trying to build an opposition army to march on Damascus. And we're going to have to make it clear to the

opposition as well that that's not our goal. And I think we've got a number of tools at our disposal in terms of the longer-term incentives we offer them, the economic reconstruction packages and so forth. If they want our help, if they want help rebuilding the country, they're going to need to be willing to accept that this army that we're trying to help them build is not going to march on Damascus in the end. But we need to use air power much more assertively. A lot of the ideas are out there, some of them were even touched on in the Vice Presidential debate, much to my surprise. I actually thought both candidates were saying more or less the right thing. We need to expand the notion of safe havens. That means more than the 300 American special operators on the ground. We have to go in an accelerate the process of recruiting opposition fighters, training them, being a little bit less puritanical about who we're willing to give arms to. Even if they had a tactical temporary alliance with the Nusra front in one battle or another for their own survival, we may have to overlook that in some cases. So the tools that are needed to sort of balance the military equation I think are already reasonably well known.

One last point on the no fly zone concept, you don't go up there and try to prevent any and all aircraft on the other side from flying, because if you do that you're going to have to shoot down Russian planes. So what you do is you watch, you see who bombs, and when Assad's airplanes that have barrel bombed the neighborhood land you destroy them on the ground after the fact. And you don't kill everyone or destroy everyone, you just have to begin to change the balance.

MS. LAKSHMANAN: Well, to challenge you a bit on this, on the military strategy that would supposedly get us to a place where a peace could be negotiated, the criticism about no fly zones is that first of all the majority of the killing is happening from artillery, mortar fire, gun fire, not from the air. So that's one problem. So if you have a no fly zone does that mean the next step is you have to have a no drive zone? And how do

you actually enforce that? That's one question.

The second is the question about how do you actually enforce a no fly zone and a safe zone in a realistic way? And I'm thinking back to Bosnia experience and what happened in Srebrenica. It's all well and good to call something a safe zone, but it doesn't necessarily mean that it is actually safe for those people. And then the amount of manpower that you have to put in to make that reality, I'm not sure that the American people are willing and ready to do that. And even Hillary Clinton herself, who has been a proponent of safe zones and at one time or another has talked about no fly zones, has said absolutely no U.S. boots on the ground. Donald Trump has gone back and forth on this. I'm not entirely sure where he is right now. But let's talk about that. I mean what kind of a commitment would we be talking about for a nation that is frankly weary of war?

MR. O'HANLON: Well, these are excellent questions. I'm not proposing that the United States enforce the safe zone. What I think we need to do is view these as things that emerge. And one has already emerged in the north. In fact, two have emerged, the two pieces of the Kurdish zone. And Turkey of course has inserted itself in between those two pieces. Turkey is going to have a lot of issues with this confederation construct, but one of the things I would say to our Turkish friends is yes, let's have two separate Kurdish zones so they're not as tempted to form a unitary breakaway state of their own. But the Kurds are the best example of how you do this. It's essentially Americans getting on the ground as special forces here and there to help the recruiting and the army. The only role I would see for sort of main American forces on the ground eventually would be to protect our own aid convoys as we go in and try to help civilians once the safe zones become truly safe. I think in the north it's happening. I think in the north we're getting to the point where I could imagine several hundred Americans being in the northern parts of Syria safely on the ground, accelerating the training, accelerating

the arming, and providing relief to people who otherwise might be refugees.

So I think you're right to ask how do we avoid the Srebrenica problem. One of the things you do is you let the safe zones emerge, you don't just make a big declaration on day one and then try to enforce it after the fact.

MS. LAKSHMANAN: All right. Well, you're talking about stepping up the U.S. role in training and equipping so called moderate rebels in Syria. The problem of course that the Obama administration has had from day one on this, they've been very slow to support an armed opposition because they have been concerned that the rebels are not so moderate, that either the ones who are moderate are too few and far between, the ones who actually have a chance of winning may have links to ISIS, Nusra, Al Qaeda. Was the administration right to go slow considering what Vladimir Putin has pointed to, saying see, these guys who are against Assad really are bad guys, do we need to have higher standards for the rebels that we work with?

MR. O'HANLON: No. I'll be blunt and provocative; we need lower standards. What I mean by that is we have spent too much time trying to be purer than lily white, to say if anybody has had a conversation with somebody who is a little too extremist we're not going to give them arms. This has been a wonderful way to get our friends killed, because everybody else's supporter has been a lot more committed to helping them than we have been to helping our own moderate friends. Which means a lot of them are now dead and a lot of them have made tactical alliances, for the sake of survival, with Al-Nusra. So what we have to do is not give them anti aircraft missiles that could shoot down a jet liner if they get in the wrong hands, I concede that point, but we have to recognize that in war people have to survive. We fought with Joseph Stalin in World War II for heaven sakes. I mean we've been willing historically to make some pretty ugly associations for the sake of survival in war. So who you fought with in a given

battle cannot be a disqualifying standard for who you help on the battlefield in my opinion.

MS. LAKSHMANAN: I can't help thinking though back to Afghanistan in the 1980s when the U.S. was arming and supporting the Mujahideen against the Soviet invasion. And many of those people later became what we now know as Al Qaeda, and of course Osama bin Laden was one of those Mujahideen.

MR. O'HANLON: Well, we stopped that strategy halfway through. We defeated the Soviets and then we threw up our arms and left. And I'm not proposing that here, I'm not proposing we just beat ISIS and Assad and then go home. No, I mean, in Afghanistan in 1989-1990 we were irresponsible in my opinion. Immoral and irresponsible. And I would invoke Bob Gates and others who have made a similar argument. So I take your point, if you just create chaos and then leave you're not making it better. We've got to have a strategy to see to the finish line, which is part of why in my writing I've emphasized the peacekeeping force. The peacekeeping is going to be needed and we're going to have stay in Syria with an international force for 10 years after we get a peace deal, if the strategy works.

MS. LAKSHMANAN: Okay. Well, you're giving us a lot think about 10 years. And in the three-way discussion we'll talk more about that. But I want to ask you, given the news from this week and the collapse of U.S.-Russian cooperation, how realistic is it for us to even get to a point of some sort of a cease fire where we can talk about this confederation? I know you said we need to declare it first, but we need to get there somehow.

I was with Hillary Clinton at Geneva I where she -- I mean that was 2011 now I think -- where they talked about what was going to be this peace plan. And of course, here we are five years later and it never happened. So what do you see as the next step given what's happened with Lavrov and Kerry?

MR. O'HANLON: If my plan works, or the plan that I'm one of the supporters of, it would take a year I think even to have a realistic chance of negotiating a peace, because you're going to have to change the battlefield dynamics and the military balances over a period of time before you're in a position to persuade Putin and Assad that confederation is their best outcome.

But I would simply submit this in closing on this back and forth that Putin can't really want this to go on forever the way it is now either. And obviously he and Assad are trying to defeat the opposition in Aleppo and they hope that if they do that they have a western sector that's essentially intact and they've basically won the war in their mind. And it's possible they will achieve that in the next few months under President Obama's tenure, but if they don't achieve that does Putin really want to be the main enemy of the Sunni Muslim world forever. It can't be good for his own domestic stability. They've suffered problems in Chechnya, they've suffered bombings in Moscow. At some point Putin will basically say I've achieved my goals, I protected my military base, I kept Assad in some kind of power, I protected the Alawites, I helped defeat ISIS, and we got a negotiated settlement where I'm one of the grand peace makers. My guess is there's a pretty serious argument that he would take that outcome if we can get to the point where Assad's not clearly winning the war any longer. And unfortunately Assad still is winning, more than anybody else.

MS. LAKSHMANAN: Okay. Last question for you in this opening section. What do you foresee as the U.S. and international role if they're finally is a deal in terms of what are we going to need to do to help enforce, keep that peace? Is it going to mean 10,000 Americans contributed to international peacekeepers, is it going to mean $5 billion? I mean how do you see this mapping out beyond a policy recommendation, an actual plan?

MR. O'HANLON: Yeah, those are probably not bad numbers on an annual basis for the next 10 years. And what I would hope is a peacekeeping force -- first of all, if you're going to do this in a robust way, sort of according to the U.S. doctrine, Petraeus, Amos, Mattis, counter insurgency manual, or stabilization manual, you would need several hundred thousand peacekeepers. Everyone knows that's not going to happen and shouldn't happen. So this has to be more in the spirit of a strong UN style force, which is not big enough to impose peace everywhere. It's more of a monitoring force that can back itself up when its peacekeepers get into trouble. So I see us as having more of the rapid reaction strike force role, as well as air power, command and control logistics. And then I see more of a classic UN mission doing the patrolling in the divided areas along the cease fire lines in some of the cities.

And then economic resources have to be one of the things we use as an international community to continue to incentivize the parties to comply, because if they stop complying they stop getting all this aid that you just alluded to, which may entail several billion dollars a year in international assistance. And certainly the American's share might be $1-2 billion a year or more.

MS. LAKSHMANAN: Okay. All right. We will come back and dig deeper on that. But I want to turn to Bob now.

Bob, you know, you better than most really understand the Iran deal and I want to ask you to sort of lay it out for us. There has been so much controversy about this deal, particularly I would say -- I was going to say before or after it was signed, but there's been just as much controversy when it was implemented. So why don't you give us the overview first, is it working, and then we can start dealing with some of the criticisms about it. But first, tell us, since January you've been watching, is it working?

MR. EINHORN: In my view, Indira, the deal in fact is working, working

pretty well. All parties seem to be complying with all of their commitments under the deal called the Joint Comprehensive Plan of Action, the JCPOA. But as you indicated, opposition to the deal remains quite strong, both in Washington and in Tehran. American critics of the deal are concerned that some key restrictions on Iran's nuclear capability will expire after 10 and 15 years. But most of the criticism by the American critics is directed not at the deal itself, the criticism is directed at Iranian behavior that's not covered by the deal, including Iran's support for proxies, like Hezbollah, like the Houthis in Yemen, its heavy involvement in the Syrian civil war, its continued ballistic missile activities. The critics in Congress also have been active in proposing new legislation clearly designed to derail the deal. So far they've been unsuccessful, but they will persist in these efforts. And the U.S. presidential election, including in particular the views of the republican nominee, have created additional uncertainty about the future of the deal. So its longevity is not guaranteed.

But in Iran, too, there's strong opposition. Iranians are frustrated at the slow rate of economic recovery. They've been led to expect rapid recovery as the result of the sanctions relief under the deal. And they blame the United States. They say the United States is not fulfilling all of its obligations in the area of sanctions relief. Actually, as I see it, the United States is fulfilling everything it's required to do by the JCPOA in terms of sanctions relief, but international banks and firms are reluctant to reengage in Iran for their own reasons, having nothing to do with U.S. compliance with the deal. They see bureaucratic and regulatory obstacles to doing business in Iran and just too difficult. They've made business calculations not to get involved. So it's not the fault of the U.S., but still Iranian leaders have chosen to scapegoat the JCPOA and the United States. And they've threatened to withhold their own compliance on the nuclear elements of the deal unless the United States plays a more active role in actually encouraging

international banks and business to reengage with Iran.

Now clearly Iran is going to be very High on the next administration's foreign policy agenda. In my view the case for preserving the deal is compelling. And we can go into that in our discussion. I think the next administration should insist on strict Iranian compliance, but it should take reasonable steps to assist Iran in reaping the benefits of the deal to which it's entitled. If Iran doesn't believe it's getting anything out of the deal they're going to stop complying. So we have an incentive for them to receive the benefits they deserve. But also the administration needs to adopt a posture to deter Iran for opting to break out of the deal and produce nuclear weapons when key restrictions expire after 10 and 15 years. And as I argue in the paper that you can read, not just the next administration but succeeding administrations need to say it is U.S. policy to prevent Iran from having nuclear weapons and we will act, including with the use of military force, to intervene and stop them.

But it's not enough for the deal to be implemented well. In order to bolster support both at home and abroad for the nuclear deal over the long-term it's important that future U.S. administrations address provocative Iranian behavior not covered by the deal. And that means countering Iran's destabilizing regional activities as well as countering and defending against its ballistic missile programs. At the same time, it means keeping open channels of communication that have been opened by this deal. And it also means leaving the door open to cooperating with Iran in resolving regional conflicts if Iran is prepared to play a more constructive regional role than it's playing today.

MS. LAKSHMANAN: So let me start by asking you what about the critics here in Washington who say that once certain provisions of the deal expire that the JCPOA really is only deferring and it's not going to prevent Iran from acquiring nuclear

weapons? What about those who say this is basically a green light to Iran to have in the long run an industrial scale nuclear program?

MR. EINHORN: It is true that these key restrictions expire after 10, after 15 years. And after 15 years Iran will be legally free to go ahead and build up their nuclear capacity and reduce the time it would take to produce enough nuclear material for a bomb from over a year to maybe a few weeks. That's true, they would have the physical capacity to do that. But they would still be legally bound not to break out and acquire nuclear weapons, not just by the JCPOA, which would prevent them from doing that, but by the Non-Proliferation Treaty. So legally they cannot do that.

Also the intrusive monitoring arrangements under the deal remain in force well beyond 15 years, some to 20 years, 25 years, others indefinitely. And those intrusive monitoring measures would give us warning if Iran is seeking to break out of the agreement and it would give us time to intervene if necessary with the use of military force to stop them. This was discussed last night in the Vice Presidential Debate. And it's interesting, Glenn Kessler, who is the *Washington Post* fact checker, got it wrong. He said that after 15 years the JCPOA ends, the agreement ends after 15 years and therefore Iran would be able to do this. It doesn't end, it's indefinite. And the monitoring measures extend well beyond 15 years and would give us a basis to intervene and stop Iran.

MS. LAKSHMANAN: So this is a term that John Kerry ahs always thrown around, he says there's no sunset on the JCPOA. But as you're saying, even the *Washington Post* fact checker differed with that. So is your point that there is no sunset, but they are allowed to do a lot of things that were they to break the law, meaning the law of the JCPOA or the Non-Proliferation Treaty, to which they are signatories, that they could get the bomb, but they'll be monitored so they shouldn't get the bomb. How do we

rate -- do we give Pinocchios to John Kerry when he says there's no sunset on this deal?

MR. EINHORN: I don't give any Pinocchios to Secretary Kerry. It doesn't sunset. Key restrictions on Iran's enrichment capacity sunset over time, but the deal itself doesn't sunset. It's indefinite. I give a few Pinocchios to Glenn Kessler.

MS. LAKSHMANAN: (Laughing) Okay, all right.

MR. EINHORN: He deserves one once in a while. It's only fair.

MS. LAKSHMANAN: All right. What about the report though, that the United States and the P5+1, its negotiating partners in this deal, agreed to secret exemptions that allow Iran to exceed the ceiling on low enriched uranium there by weakening the deal?

MR. EINHORN: It's an interesting example and it's an example of critics of the deal pouncing on any ambiguity or perceived infraction without really understanding what happened. What happened was that last January the parties, Iran and the U.S. and it's P5+1 partners, figured out how it was going to implement the deal. It discovered that a small amount of enriched uranium was embedded in some nuclear waste, they call it sludge waste. So should this small amount of material be counted? Well, it turns out it would take a long, long time and may not even be possible at all to extract the enriched uranium from this waste. It would make no sense for Iran to try to use this enriched uranium in breaking out of the agreement. And so they decided not to count this small quantity of material against a very important treaty restriction, a 300-kilogram ceiling on enriched uranium in Iran. And so it wasn't a question of exempting material that ought to have been counted, it was a question of defining this material as not worth counting against the ceiling. But yet critics pounced on this, this secret exemption. It wasn't secret, it was agreed among the parties, it was briefed to the U.S. Congress back in January, so it wasn't secret. I think the U.S. and its partners made a

mistake in not making that agreement public. And I understand that now based on that experience they're going to do a much better job of telling the public when they've reached agreement on critical elements of how the deal will be implemented.

It's a warning that every real or imagined infraction, ambiguity, difference of interpretation is going to be pounced on by the critics in an effort to discredit the deal.

MS. LAKSHMANAN: Or pounced on by the press. And what about the recent Wall Street Journal reporting that the U.S. supposedly agreed to press the UN Security Council to lift the ban on Iran acquiring ballistic missiles as part of the deal to release four American prisoners who were released back in January? The Obama administration has of course promised to fully enforce non nuclear sanctions against Iran and the International Ballistic Missile Ban was intended to last for eight years under the deal.

MR. EINHORN: Yes, this is getting two issues conflated. The immediate issue is Bank Sepah, which was engaged in support for Iran's missile program, was previously under sanctions. The P5+1 and the U.S. agreed to take Bank Sepah out of sanctions. Why? Because when they evaluated this back in January they couldn't find sufficient derogatory information about what it was up to warrant keeping it under sanction. So it was taken out of sanction on the U.S. list and then in the UN list as well. This was done back in January, not under secrecy; it was publicized at the time that Bank Sepah was taken out.

A separate matter is what about the ballistic missile restrictions. Here the UN Security Council resolution that was agreed to in the P5+1 negotiations calls upon Iran to cease these activities. Why calls up? Because there wasn't support from the Iranians, the Russians, and Chinese for any kind of mandatory security council resolution requiring them to stop. So it was a very weak appeal.

MS. LAKSHMANAN: You mean even back in July of last year when the deal was done as part of the JCPOA?

MR. EINHORN: Yes. That was part of the deal. The ballistic missiles were not dealt with in the JCPOA. So Iran is right when it says our launches of ballistic missiles are not covered by the JCPOA, they are not violations. And technically they're not violations of the UN Security Council Resolution. I think that's very unfortunate. I think Iran's ballistic missile programs are a threat to the region and could eventually be a threat to the United States. And I think outside the deal the U.S. needs to take a more active approach in countering that ballistic missile program, including by strengthening regional missile defenses against the Iranian missile threat, including by more actively interdicting shipments of equipment and material destined to support Iran's ballistic missile program. We need to be more active at that outside the deal, but the deal doesn't give us much of a leg to stand on.

MS. LAKSHMANAN: So you don't see any threat to the five and eight year embargos on arms and missiles that were part of the UN Security Council Resolution embedded in the deal?

MR. EINHORN: Look, I think it would have been better if it were eight years rather than five then eight, or even ten years. It would have been better if these were mandatory restriction in the Security Council resolution. It would have been better still if mandatory restrictions were contained in the Iran nuclear deal itself, the JCPOA. But apparently that was not achievable. So we have to act against those programs, but we have to act against them outside the confines of the deal.

MS. LAKSHMANAN: Well, I want to open it up to our joint discussion where we tie it more closely to this last month of the campaign and, Bob, let me start with you by asking how does our election -- and also if you want to address the May 2017

Iranian presidential election, how do they affect the future of the Iran nuclear deal?

MR. EINHORN: Well, clearly international banks and businesses tell us that they have a question mark over this deal, not just because a compliance dispute could result in its termination at some point, but primarily because in the near-term you have this U.S. presidential election. And they have to calculate what's the likelihood that the next U.S. president is going to preserve the deal. I think with Secretary Clinton you can count on her seeking to preserve the deal. I think she'd tend to take a tough approach on enforcing compliance on Iran and she'd take a tough approach in terms of Iran's regional activities outside the deal, but she'd preserve it. With Donald Trump you really can't tell what his approach would be. He has said that he would try to renegotiate a much better deal or he might scrap it altogether. But you can't tell what would actually happen if he became President because what he'd try to do, he'd try to round up strong international support for ratcheting up international sanctions strong enough to compel Iran to make sharp concessions that they've been unwilling to make. I think Donald Trump would find out that he's not going to get that international support. All of our partners, including our European partners on the deal, strongly support the deal, they believe it's working, and they will not be with us if we try to ratchet up sanctions further. We'd be doing this alone and we'd have the worst of all worlds. You know, as soon as we stopped implementing our sanctions relief commitments the Iranians would stop fulfilling their nuclear commitments. The deal would unravel and we wouldn't have the sanctions strong enough to get the deal back on track. So, you know, I think a President Trump would meet these harsh realities.

Now in terms of the Iranian presidential election, they have an election in May 2017. It's already become -- the JCPOA, the nuclear deal -- has already become a political football. And critics of the relative moderate, the pragmatist Rouhani, had used

the JCPOA and criticism of it to try to get at Rouhani to take him down. So we'll see what happens with the election. But if Rouhani is not reelected, his successor will almost surely be less committed to the future of the nuclear deal than Rouhani. And at that point it becomes a real question mark.

MS. LAKSHMANAN: I saw on the news yesterday that Salehi, Ali Akbar Salehi, the atomic energy person in Iran who was the counterpart to Ernie Moniz, our Energy Secretary, denied that he's going to be seeking the presidency next year. But he's an interesting character given that he's been the foreign minister, so that will be worth watching.

Okay, Michael, let me ask you, from what you have heard from the two candidates, Hillary Clinton and Donald Trump, who do you feel more comfortable with in terms of what they would do in Syria? We certainly know that Hillary Clinton has not expressed a complete departure from President Obama's policy, which you have been a harsh critic of President Obama's policy in Syria. So would it be better to just sort of clean the slate and go with the President Trump, or who do you see as best for U.S. policy to Syria?

MR. O'HANLON: Well, thanks for the question. And let me, by the way, as I get into it mention that Ken Pollack has written a very good policy brief for this broader project and on the Middle East which focuses primarily on Iraq. Ken has also written on Syria in the past, but I just want to do that little bit of advertisement. And we've got other papers coming too, including by Tamara Wittes on the crisis in Arab political reform and governance and the failed Arab Spring.

MS. LAKSHMANAN: And do you have something on Arab-Israel peace, looking forward to that?

MR. O'HANLON: Not at the moment, but I'm seeing Martin Indyk later

today, so maybe I'll recruit him.

MS. LAKSHMANAN: Martin Indyk should write one.

MR. O'HANLON: But in any event, what we're trying to do with the project is that's obviously a hugely important question, it's one that we've been after as a nation for decades. It's not clear that it's ripe for a big new American idea or initiative at this juncture. And so we'll see. What we try to do is give our scholars the opportunity to decide if they think the moment is ripe on their issue to put forth that big idea at this juncture. And so we've had a little bit of an interactive process. On some issues we just needed to cover the issue and have done so often with multiple papers and sometimes competing perspectives. But on other issues we've been a little bit more, you know, sort of opportunistic if you will.

MS. LAKSHMANAN: And will one of these papers that we can look for on the Brookings site address ISIS specifically or counterterrorism?

MR. O'HANLON: We're hoping that John Allen, General Allen, will write on ISIS. And so, you know, he's as you know a man in demand and a busy guy, but I'm thinking that there's a good chance we'll get that.

And so finally back to the question you posed to me, you know, I think that -- and I should say I think it's only appropriate for full disclosure, I'm a minor advisor to Hillary, even on these subjects, although I haven't talked to her face to face about them in years. So these campaigns, the way they're set up, there are many different advisory panels and teams of varying influence and relevance. And in my case, as you point out, I haven't really been on message with supporting the Obama approach. But I think the broader point is this, that nobody's got it figured out. And I really appreciated your tough questions to me, which are exactly what we need to sort of do to each other on this subject because it's easy to just say oh, I want safe havens, or I'll use a little bit

more of a no fly zone, or I'll relax the political criteria for vetting the moderate insurgents. And I've said all these things today myself, and that's correct. There is no way that anybody has got this figured out, there's no way anybody could have it figured out, because what you start to do is going to influence the opportunities that you then have six or twelve months later. So what you need is a general concept. And also, again, consistent with your point, you need to avoid putting American boots on the ground in a major way before it's safe to do so. We already have Americans on the ground in Syria, but they're in modest numbers, they can move about quickly, they're supple, and they're not enormously exposed. We do have to be careful when you listen to anybody like me trying to propose a more muscular approach that we don't commit ourselves to an exposed position too soon. And I don't claim that either candidate, even the one I favor, has developed this kind of a detailed plan. I certainly don't think that Donald Trump has articulated a reasonable concept for how to deal with the war on terror. I'll give Governor Pence credit. I thought what he said last night was generally reasonable as far as it went. And I actually thought on this issue at least he and Senator Kaine weren't that far apart. But of course neither of them laid out a real strategy, just some concepts that need to be flushed out.

MS. LAKSHMANAN: All right. Bob, are you also one of the -- as Michael calls himself, minor advisor to Hillary Clinton? And can you tell us who you think would be better on Iran policy? You referenced that tearing up the Iran deal might be destabilizing or trying to renegotiate it and get sanctions might not work if our European allies and Russia and China wouldn't be with us on those international sanctions. How do you sort of frame out a possible Clinton presidency versus a possible Trump presidency for the future of U.S.-Iran relations, and specifically the nuclear issue?

MR. EINHORN: I worked for Secretary Clinton when she was Secretary

of State and she had a very realistic clear eyed view of the Iranians. I don't think she had any illusion that the Iran nuclear deal was going to moderate Iranian behavior, either externally or internally. And those who were optimistic thought the deal would have this moderating effect.

MS. LAKSHMANAN: Do you count John Kerry among those?

MR. EINHORN: I do. I think they were wrong, at least so far. Who knows over the longer-term. But I think Secretary Clinton had a healthy skepticism of Iran's intentions. She believed, and still believes, that it was very important to take the nuclear element out of the equation because if you're worried about Iran's regional behavior today. It would be a lot more threatening if Iran had nuclear weapons. So I think the administration was right to focus on the nuclear, but at the same time you need to take on behavior outside the deal. And I think Secretary Clinton as president would take that approach.

With Mr. Trump, you just don't know what approach he'd take. It's just a big question mark. All you have are these general statement that the Iran nuclear deal was the worst deal negotiated in history and he's going to negotiate a better one. But I don't think he has a realistic view on how difficult it would be to gain the international support necessary to compel the Iranians to make concessions that they've been strongly opposed to for the last five-ten years. So I don't think Mr. Trump has a realistic perspective on how to deal with Iran.

MS. LAKSHMANAN: And you mention a really interesting point, which is this question of whether the Iranian nuclear deal, which the Obama administration defined as very narrowly about the nuclear peace, not about human rights, not about missiles, not about regional destabilization, about whether that nuclear deal has the possibility to moderate Iranian behavior as you say. It sounded like you were saying that

John Kerry maybe was in the camp thinking that this would allow us to have cooperation with Iran on other issues like Syria. I want to know -- it sounds like you don't think it's worked out that way. And so going down the pike with the new president, if it is Hillary Clinton or Donald Trump, what can we expect if there's another, for example, sailors incident where the U.S. sailors sailed into apparently Iranian waters? And that situation, although it was very unpleasant, there were these pictures that were quite humiliating of the Americans on their knees with their arms up on the deck, but the whole thing was also resolved within 24 hours after apparently a couple phone calls between Kerry and his opposite number, Javad Zarif.

MR. EINHORN: I think there were a number in the administration at very senior levels who hoped that the nuclear deal would have this moderating effect on Iran, they hoped it but they weren't counting on it. I think they believe the essential element to the nuclear deal was to constrain the nuclear program. And I think they did that very well. They made be disappointed that Iranian behavior has not moderated, that they supreme leader keeps on railing against the United States and its nefarious influences in Iran and so forth. But the reality is that the nuclear deal and the view of Obama and Kerry needs to be viewed in its own terms, in terms of constraining the nuclear threat. And it succeeded in that regard.

Now it's also succeeded in at least opening up channels of communication, which should be maintained and expanded, even if the U.S. and Iran maintain an adversarial relationship for years to come. And it will be adversarial. But the lines of communication are very important, and those lines of communication allowed this incident with the sailors to be resolved very quickly. And sure the Iranians may have tried to humiliate our sailors, and that's unfortunate, and we should be pushing back against that kind of behavior, but I think it was because we had these channels of communication

that this incident didn't escalate at all. And hopefully similar incidents won't escalate because of the channels opened up the Iran nuclear deal.

MS. LAKSHMANAN: All right. I'm going to ask our Twitter specialists if we have any questions that they might want to pass up to us. And in the meantime while we're waiting to hear back on that, let me ask you, Michael, what do you see in terms of a -- you know, it's great to be prepared for best cases, but we also need to be prepared for worst cases. So what do you see as a worst case scenario going forward with Syria? I know that sounds crazy because if we're already talking about 470,000 dead that's a pretty worst case scenario already, but do you see a situation where we take one step trying to resolve it and we actually make it worse? There are some very respected scholars of the Middle East in this town, like Aaron David Miller over at Wilson who argued that maybe we can't make the situation any better, that maybe there are outcomes we need to deal with as opposed to problems that we can solve in the Middle East.

MR. O'HANLON: Right, it can definitely get worse. One fear that the administration had had, which explains why they didn't want to beef up the opposition too much, is they worried about the opposition actually winning. And when I say winning I mean overthrowing Assad and marching on Damascus and taking vengeance against anybody who had been remotely affiliated with Assad, meaning potential for genocide against many Alawites and many Christians. And so I don't think that's really in the offing anymore, because Assad's been stabilized in his position by the Russian intervention. But nonetheless, that was a potential worst case concern that's at least worth noting.

The more realistic bad case, maybe not worst case, is the fall of Aleppo to Assad. And that could be bad in a number of ways. One, of course, is the potential for reprisal on a massive scale against opposition groups. Assad's approach tends to be to

kill a few hundred here, a few hundred there, drive people out. It's a brutal form of ethnic cleansing. Once he captures a city he carries out certain reprisals against individuals but doesn't commit Srebrenica style genocide. But he could change that approach and we could see --

MS. LAKSHMANAN: And of course chemical weapons are apparently still being used, according to the United Nations panel that looked into this.

MR. O'HANLON: Yeah, well, as bad as that is, I'm not going to put that quite in your category of worst case because chemical weapons have been horrible, they've killed maybe one percent of all the victims of this war. I'm more worried about the way the conventional fight has gone. You alluded to the artillery, I mentioned the barrel bombs. Those are the things that are killing the overwhelming fraction of people. And even if no one wins in Aleppo you could have massive humanitarian crisis as relief convoys fail to enter. And then finally, Assad could in effect in many ways almost win the war in the next few months. Some people would say that's not such a worse case outcome because at least maybe there's an end in sight to the fighting. The problem is with all the blood on Assad's hands I don't believe that any such ending of the war would really be an end. It would be a lull and there wouldn't be a battlefield situation that you could negotiate into a peace agreement that would be stable because the Sunni Muslims would have essentially lost and they would just be biding their time waiting to re-launch the war.

So I think the fall of Aleppo to Assad would be very bad because it would make it hard to implement the kind of confederation concept that I'm proposing, and which I think is sort of the minimum needed to get a stable outcome.

MS. LAKSHMANAN: All right. Bob, last thoughts on putting in perspective for us these last -- I don't know, what is it, 33, 34 days not until election day,

what are the real stakes here? I mean there's so much noise, we hear so many outlandish claims in every direction every day. Cut through it for us and tell us on Iran, one of the most important issues we're facing, what do we need to be thinking about as election day approaches? What are the real stakes?

MR. EINHORN: Well, the Iran deal is imperfect, it's incomplete in the sense that it deals only with one aspect of Iran's provocative behavior, the nuclear deal, but it wasn't realistic to have a comprehensive deal. It wouldn't have been --

MS. LAKSHMANAN: Although it does have "comprehensive" in the name.

MR. EINHORN: Yes, it's a comprehensive plan of nuclear action, but it doesn't cover the range of Iranian behaviors. Why not? Because we wouldn't have support, we wouldn't have had all the support we had on the nuclear deal for a comprehensive deal. We couldn't have agreed with the Iranians on issues like human rights and their missile activities and support for Hezbollah. We couldn't have even agreed with the Russians and Chinese on that. So the only feasible deal was the nuclear deal. It's working well, but depending on the selection it could unravel. And I think that would be a tragedy. You know, this Iran deal removes the threat of an Iranian nuclear weapon, in my view, for at least 15 years and perhaps indefinitely. If you didn't have this deal Iran's neighbors would be worried, they could begin nuclear weapons programs of their own. I think that the incentives of the neighbors to pursue their own nuclear capability is much lower because of this nuclear deal.

So I think the stakes are huge. Without this deal I think a Middle East which is already in incredible turmoil would be even worse, because not only do you have all the issues that you and Mike have talked about, you also have a nuclear dimension which makes it much more dangerous. So I think the stakes are very high in what

happens in this election and this is one of many issues on which the positions of the two candidates are diametrically opposed. So real stakes in this election.

MS. LAKSHMANAN: To pull out one thing you said, you said that in your view this removes the Iranian nuclear threat for 15 years and possibly permanently. Does that "possibly permanently" part depend on whether the Iranian regime moderates in 15 years, because that's one criticism that has come from those who oppose the deal? They think that it is dependent on wishful thinking from the Obama administration that whoever is in power in 15 years will not be interested in a nuclear weapon.

MR. EINHORN: Whether or not they opt for nuclear weapons after 15 years depends on lots of things, including whether you have a regime in Tehran that's more moderate. It also depends on whether the United States has adopted a credible deterrence posture, deterring Iran from making that move to have nuclear weapons. Even if the regime has not changed any nuclear ambition and wants to have nuclear weapons, if it believes the costs would be incredibly high because the U.S. would intervene and stop them, they could well be deterred.

Also, it would depend on how Iran views its own interests. Perhaps it feels that it's achieving its main national objectives without nuclear weapons. And so having the perception that it could acquire nuclear weapons if it so wished would be sufficient for their needs.

So there are many factors that will go into whether Iran after 15 years gets nuclear weapons, but I think the U.S. and its partners in the Iran deal should begin thinking now how do we discourage them, how do we deter them, even when the restrictions begin to lapse, from going the extra step, breaking out of a deal and getting nuclear weapons. We will play an important role in Iran's calculations.

MS. LAKSHMANAN: All right. Final question for you, Michael, since

we're wrapping up here. If you can answer this, so the polls seem to be showing an arrow lead for Hillary Clinton at this point. If we try to imagine what Hillary Clinton's Syria policy would be, one question in my own mind is she has such a vast array of foreign policy experts and national security specialists who are advising her really along a pretty wide ideological spectrum, given that there are so many people who are coming up with policy papers for Hillary Clinton who don't necessarily agree with one another on Syria, or some people in her camp who don't at all agree with your view, where do think she'll actually come down if she's hearing from voice all along the ideological spectrum?

MR. O'HANLON: Like you said it's hard to answer that directly, but I'll answer it this way. I think Syria is the most complicated challenge that she will inherit in foreign policy. So on Iran, for example, you can like the deal or not, there are a lot of things to do in terms of next steps, in terms of longer-term strategy, but she is committed to the Joint Comprehensive Plan of Action. She's not going to have to rethink that from first principles. On Afghanistan policy we just had a big Brookings project, we suggested that yes there should be some flex in the troop numbers and so forth and, you know, maybe she could allow that. But she wouldn't have to rethink the basic strategy or create some new 12-month deadline.

So there are a number of issues where even though they're going to be hard she can take her time, she can build on what's happening now, or she has already essentially decided what to do. Syria is not like that. Syria is the one that she is, in my judgment, going to have to spend a lot of her own time and a lot of her top team's time in the first three to four months just figuring out what to do. And I don't think that anything that -- even what I've written, which is more detailed than what she said publicly, that's just the beginnings of a concept. And you've done a good job fleshing out the uncertainties, the difficulties, the challenges and the dangers. So one of the things is if

you do implement a plan something like this, how do you make sure you don't get ahead of yourself and again, get your forces or your people exposed prematurely. Because if there's one thing that could be worse than Syria today it's Syria today with an American quagmire on top of it with Americans getting killed and still no net progress.

So I think those of us who are proposing more robust alternatives need to answer all the questions that you posed and then some. And she's going to have to spend a lot of time in early 2017 on this problem.

MS. LAKSHMANAN: All right. A lot of food for though. I want to thank both of you so much for your explaining all of this for us this morning. If all of you want to read more, you can go to Brookings.edu/Election2016 and read both Bob's and Michael's full papers.

So thank you to the audience for joining us. Remember to search for Brookings podcasts in the podcast app, and we hope to see at least some of you in next week's event.

Thank you so much. (Applause)

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