THE WALL STREET JOURNAL.

Opinion | Commentary

Obama Ignores the Tehran-Terror Connection

A nuclear deal will mean billions for Iran, but no means for curtailing its support for terrorism.



Iranian President Hasan Rouhani, flanked by a poster of Supreme Leader Ali Khamenei, June 3 in Tehran. *PHOTO: ABEDIN TAHERKENAREH/EUROPEAN PRESSPHOTO AGENCY*

By Robert M. Morgenthau June 24, 2015 7:14 p.m. ET

As the deadline for a nuclear agreement with Iran approaches, it is vital to recognize what the agreement doesn't address: the Islamic Republic's continuing support of terrorism.

By no means do I minimize the importance of nuclear weapons. An agreement to curtail the Islamic Republic's nuclear ambitions would serve U.S. interests, if we have assured verification and the ability to punish noncompliance. Still, any deal that fails to hold Iran

accountable for its criminal and terrorist conduct, past and present, will fail to curtail such conduct in the future.

The sanctions on Iran have been in place for decades. They were designed not only to curtail Iran's efforts to develop nuclear weapons, but also to curtail its support of terrorist organizations, human-rights abuses and the development of ballistic missiles. There is no doubt that the regime is a state sponsor of terrorism: Its actions have been documented in executive orders and policies spanning four successive U.S. presidential administrations. Iran also has been held responsible and liable for terrorist acts by U.S. courts.

For example, Iran is the primary source of funding for Hezbollah, Hamas and other terrorist organizations. During the war in Iraq, Tehran provided IEDs (Improvised Explosive Devices) to insurgents to kill American troops. Today the Islamic Republic supports the Taliban as the U.S. attempts to withdraw from Afghanistan. In February 2014, the Treasury Department reported that Iran was helping smuggle al Qaeda fighters into Syria. In March of this year, a federal judge found that Iran was complicit in the 2000 bombing of the USS Cole by al Qaeda.

Tehran also has growing influence in several South American countries, including Venezuela, Argentina, Ecuador and Bolivia.

The apparent murder of Argentine special prosecutor Alberto Nisman in January focused the world's attention on a deal that Nisman said he uncovered between Argentina's government and Iran to cover up Iran's role in the 1994 terrorist bombing of 85 people in the Jewish Center in Buenos Aries. In March, a report in the Brazilian magazine *Veja*—based on testimony of defectors who were close to Hugo Chávez—accused Venezuela of brokering the cash transfer in that deal, which included sharing Argentine nuclear technology with Iran.

Iran and Venezuela have signed mutual-assistance agreements on commercial, financial, technological and military matters. Iran has even constructed a military base in Venezuela to house Iranian unmanned aerial drones. According to Iranian officials cited in the Jerusalem Post, these drones, called *Mohajers*, are capable of aerial surveillance and can be retrofitted to deliver advanced weaponry.

In light of these facts, the fundamental question to be asked is whether the deal the U.S. is negotiating with Iran will curtail its role as a state sponsor of terrorism. The answer appears to be a resounding no.

To be sure, Treasury Secretary Jack Lew recently affirmed that the U.S. will "aggressively target the finances of Iranian-backed terrorist groups and the Iranian entities that support them." This may prove more difficult in practice than his plain words suggest.

Some parts of the Iranian-government support global terrorism. Others are involved in developing missiles and a nuclear-weapons capability. Still others abuse the rights of

their citizens. Iran's Revolutionary Guard is deeply involved both in the nuclear program and in supporting Iran's terrorist proxies.

The president seems to contemplate issuing executive orders suspending economic sanctions against Iran for its nuclear program—and releasing up to \$140 billion in Iranian assets that it is holding. It is hard to imagine how any administration is supposed to target the finances of terrorist groups once the sanctions regimes are suspended and enormous sums are released. Sanctions have worked for the precise reason that they are comprehensive.

Meanwhile, the Obama administration already has been returning substantial cash assets frozen by sanctions. By the end of June Iran will have received almost \$12 billion since January 2014. These funds were released as part of a Joint Plan of Action toward a final agreement. Nothing in the reported emerging deal will prevent Iran from using the return of blocked funds to provide more missiles to Hezbollah, more rockets to Hamas, and more material support to Iran's terrorist proxies.

Based on everything that is publicly known, Iran is not being held accountable for its past conduct. Iran has supported terrorist attacks against U.S. civilians around the world, and against U.S. servicemen and women, dating back to the 1983 Hezbollah attacks on the Marine barracks in Beirut. American citizens and soldiers have obtained court judgments against the Islamic Republic. Yet not a penny of the billions released so far will be used to redress the harm the regime has inflicted on U.S. citizens and soldiers. Iran stands to receive 10 times more without any apparent compensation for the victims of its actions. This sends precisely the wrong message about accountability.

Ending Iran's military nuclear program is the ultimate goal of economic sanctions. These sanctions, particularly over the past decade, have given the U.S. powerful leverage. It appears that this leverage is being frittered away as U.S. negotiators bend over backward to strike a deal. But meaningful deals are negotiated from strength; not from desperation. Any deal that fails to address or curtail Iran's role as a state sponsor of terrorism—and that actually undercuts our ability to confront that threat—is a deal that we must not make.

Mr. Morgenthau, Manhattan district attorney from 1975 to 2009, is of counsel with the law firm of Wachtell, Lipton, Rosen & Katz.