

U.S. wants to have it both ways on Iranian Non-Intervention Pact

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President Bush and leading Democratic presidential candidates have said a military attack on Iran is a viable option. According to the president, Iran's pursuit of nuclear technology puts the Middle East "under the shadow of a nuclear holocaust."

Yet the 1981 Algiers Accords, backed by Presidents Jimmy Carter, Ronald Reagan and Bill Clinton, prohibit such an attack.

The Bush administration has defended the validity of the Algiers Accords in court, and the courts agreed, so there can be no doubt of the documents' legality.

Issued Jan. 19, 1981, and brokered at the end of the Carter administration, the accords declared, "It is now and will be the policy of the United States not to intervene, directly or indirectly, politically or militarily, in Iran's internal affairs."

The accords mostly dealt with potential legal disputes arising out of the 1979 hostage crisis. They prohibited individual lawsuits against Iran and established a procedure for the resolution of future disputes between the two countries.

A group of former hostages challenged that agreement in 2000 and sued Iran for subjecting them to 444 days of captivity. Iran never responded to the lawsuit, and the former hostages won a default judgment. They wanted \$33 billion in damages. But the State Department invoked the Algiers Accords, arguing that individuals suing sovereign governments would interfere with U.S. foreign policy. A federal appeals court agreed in 2004 and upheld the Algiers Accords.

The hypocrisy is obvious. The administration supported the dispute resolution portions of the accord while ignoring the nonintervention provisions. Barry Rosen, a former press officer at the U.S. Embassy in Iran who was part of the 2000 lawsuit, put it bluntly: "This administration has not been shy about breaking international agreements," he told *The Washington Post* last year. "The administration appears to be in contradiction of itself."

The situation has only gotten worse. Two years ago, the Bush administration initiated a covert program of military attacks against Iran by disaffected ethnic minority groups, as Seymour M. Hersh documented in *The New Yorker*.

Last year, I interviewed leaders of PJAK, a branch of the Kurdistan Workers Party (PKK), which is on the State Department's list of terrorist organizations. As I reported in *Mother Jones* this year, PJAK receives money and arms from the United States in a program

designed to destabilize northern Iran. The PJAK guerrillas claimed they killed more than 100 Iranian Revolutionary Guards last year. Iran retaliated by shelling Kurdish villages in northern Iraq.

Turkey says it captured PKK guerrillas possessing U.S. arms. In recent weeks, because of PKK attacks, Turkey has sent helicopters to attack the PKK in northern Iraq. U.S. policy is destabilizing the entire region.

According to the ABC Evening News, similar covert actions are under way in Baluchistan, a province near the Pakistan border. ABC reported that the U.S. is funding Jondollah, the insurgent group behind the February 2007 bombing in Baluchistan that killed 11 Revolutionary Guards and wounded several civilians. Jondollah is headed by a former Taliban member turned freedom fighter against Iran.

These proxy troops are similar to the Afghanistan mujahedeen that the U.S. armed and funded to fight the Soviets in the 1980s. Some of those fighters, including Osama bin Laden, later attacked the U.S. Will history repeat itself?

By engaging in this covert war and selectively ignoring the Algiers Accords, the U.S. undermines efforts to make Iran follow United Nations resolutions and international law. To support the Algiers Accords and reject them at the same time is consistent with the general illogic of the Bush administration. But to allow this backdoor war to continue is to court disaster.

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