

Assessing the UN-Iraq Accord: Impact on Iraq, UNSCOM, and U.S. Policy

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Brief Analysis

The Memorandum of Understanding (MOU) signed by United Nations (UN) Secretary General Kofi Annan and Iraqi Deputy Prime Minister Tariq Aziz marks a turning point in the approach of the international community toward the regime of Saddam Hussein, and the activities of the UN Special Commission (UNSCOM) and International Atomic Energy Agency (IAEA) in Iraq. According to the MOU, Iraq "reconfirm(ed) its acceptance of all relevant resolutions of the Security Council" and "reiterate(d) its undertaking to cooperate fully with" UN weapons inspectors. For its part, UNSCOM undertook "to respect the legitimate concerns of Iraq relating to national security, sovereignty and dignity." The MOU also established a "Special Group" comprised of senior diplomats appointed by the Secretary General and experts drawn from UNSCOM and the IAEA to be headed by a Commissioner appointed by the Secretary General for the purposes of operating in eight Presidential Sites defined in an annex to the MOU.

What are the practical implications of the diplomatic denouement to this crisis and the signing of the MOU?

The Rehabilitation of Saddam: The first effect of the MOU is to mark the start of the rehabilitation of Saddam Hussein. Through this crisis Saddam has transformed himself from being a pariah who was the subject of UN Security Council resolutions to a negotiating partner of UN Secretary General Kofi Annan. The sight of a smiling Annan shaking Saddam's hand is likely to lend force to calls for Saddam's rehabilitation that have already been heard in Paris, Moscow, Cairo and elsewhere.

Obstruction Pays: The one clear lesson that the Iraqis will bring away from this crisis is that Iraq has nothing to lose and much to gain by continuing to block UN weapons inspectors. As a result, the legacy of the current agreement is likely to be further obstruction by Iraq and, sooner rather than later, a return to confrontation and crisis.

An Erosion of UNSCOM: By stipulating that UNSCOM "respect the legitimate concerns of Iraq relating to national security, sovereignty, and dignity," the MOU provides Iraq with an excuse for obstructing future weapons inspections. Such language closely mirrors the unfortunate language contained in a June 1996 agreement between UNSCOM Executive Chairman Rolf Ekeus and Tariq Aziz, which laid the groundwork for the most recent crisis. The MOU thus enshrines and reinforces an undesirable precedent.

Undermining U.S. Deterrence: The manifest reluctance of U.S. policymakers to use force-despite a massive Gulf

build-up-has probably undermined America's deterrent capability in the eyes of Saddam and his inner circle. In this light, Saddam is likely to challenge the U.S. again-soon-in the belief that he has significant "wiggle room" that he can exploit. If so, the next crisis with Iraq will not be long in coming.

Complicating Coalition Formation in the Future: The U.S. expended much political capital to convince various friendly and allied states to join it in a military coalition to confront Iraqi obstruction-only to accept in the end a highly problematic diplomatic solution that Tariq Aziz termed a "victory" for Iraq. This loss of nerve is likely to convince wavering Gulf states and others that the United States lacks the stomach for a showdown with Saddam and will make it more difficult to convince reluctant allies to join Washington in confronting Iraqi obstructionism in the next crisis.

Undermining the Effectiveness of UNSCOM and the IAEA: While the MOU provided a mechanism for permitting inspections of eight so-called "Presidential Sites," this breakthrough was achieved at a high price. UN weapons inspectors will be accompanied by "senior diplomats," presumably drawn mainly from the ranks of the "Permanent Five." This concession will have two negative consequences. First, it will compromise the integrity of the inspection process. Will the presence of the diplomat in one place in a "Presidential Site" preclude inspectors from working elsewhere in that site? Will every inspector need to have a diplomat with him before he enters a suspected room or closet? Second, this arrangement increases the chances that the fractious politics of the Security Council will hamstring the inspection process and will result in even greater friction between UNSCOM, the U.S. and the UK on the one hand, and Russia, China, and France on the other. Can Russian and Chinese diplomats be trusted not to divulge (inadvertently or intentionally) the goals of inspections to the Iraqis? And if UNSCOM takes steps to keep their diplomatic minders in the dark about the goals of their inspections, this will only increase hard feelings and distrust between UNSCOM and the countries from which these diplomats are drawn, deepening the wedge between UNSCOM and various UN member states.

Kofi Annan as Judge and Jury: By signing the MOU with Tariq Aziz, Kofi Annan has established himself as the de facto arbiter of whether Iraq is in compliance or violation of the agreement. By putting his prestige and reputation on the line in such a way, Annan has acquired a vested interest in insuring the success of the arrangements created by the MOU (admitting a violation by Baghdad would be tantamount to admitting he had been played for a fool by the Iraqis). As a result, barring the most blatant of violations, he is unlikely to declare Iraq to be in violation of the MOU. And without his affirmation that the Iraqis have violated the agreement, it will be very difficult for the U.S. to respond to future Iraqi obstructionism by threatening or using force-which is a necessary condition for success in any future confrontation with Iraq.

Conclusions: The Annan-Aziz MOU has set a dangerous precedent. The terms of the agreement and the arrangements it has established have set the stage for a future standoff with Iraq, in which it will be even more difficult for the U.S. to rally international support for a coalition to confront Baghdad. Though the U.S. had hoped for a negotiated end to this crisis with Iraq, the terms and conditions of this settlement are such that the U.S. might some day conclude that this is one wish that would have better gone unfulfilled.

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