

# CRS Report for Congress

## Iraq: Post-Saddam Governance and Security

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Kenneth Katzman  
Specialist in Middle Eastern Affairs  
Foreign Affairs, Defense, and Trade Division



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## Summary

Operation Iraqi Freedom overthrew Saddam Hussein's regime, but during 2004-2007 much of Iraq was highly violent because of Sunni Arab resentment and a related insurgency, resulting in Sunni-Shiite sectarian violence, competition among Shiite groups, and the failure of Iraq's government to equitably administer justice or deliver services. U.S. casualties and financial costs — without clear movement toward national political reconciliation among Iraq's major communities — stimulated debate within the United States over whether the initial goals of the intervention — a stable, democratic Iraq that is a partner in the global war on terrorism — could be achieved, and at what cost.

The Administration is now claiming success in reversing the deterioration in security that became acute by the end of 2006, attributing the gains to a “troop surge” strategy announced by President Bush on January 10, 2007 (“New Way Forward”). The centerpiece of the strategy was the deployment of an additional 28,500 U.S. forces to help stabilize Baghdad and to take advantage of growing tribal support for U.S. policy in Anbar Province. Some commanders say that violence has been reduced to levels not seen since 2004. Critics say that the strategy has not, to date, accomplished its primary intent — to promote Iraqi government action on a series of key reconciliation initiatives that are viewed as “benchmarks” of political progress — and that any security gains are therefore tenuous. The Administration argues that legislative action in Iraq since the beginning of 2008 represents a substantial measure of the progress that was envisioned by the surge strategy.

The Administration believes that the current U.S. strategy, if continued with only modest reduction in U.S. forces and continued building of Iraq's security forces — is likely to produce sustainable stability — a central government able to defend itself with progressively reduced U.S. help. However, some in Congress believe that any progress is likely to unravel without unsustainably high levels of U.S. forces, and that the United States should begin winding down U.S. combat involvement in Iraq, whether or not a unified central government is fully stabilized. Partly because there is a perception that the troop surge is succeeding, there has not been the needed level of support in Congress to mandate a troop withdrawal, a timetable for withdrawal, or a significant change in U.S. strategy. Some see the September 2007 passage of a Senate amendment to the FY2008 defense authorization act (P.L. 110-181) supporting a more decentralized, “federal” Iraq as a product of efforts to build a bipartisan consensus for an alternative Iraq strategy.

This report is updated regularly. See also CRS Report RS21968, *Iraq: Government Formation and Benchmarks*, by Kenneth Katzman; CRS Report RL31833, *Iraq: Reconstruction Assistance*, by Curt Tarnoff; CRS Report RL31701, *Iraq: U.S. Military Operations*, by Steve Bowman; and CRS Report RL33793, *Iraq: Regional Perspectives and U.S. Policy*, coordinated by Christopher Blanchard.

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# Iraq: Post-Saddam Governance and Security

Iraq has not previously had experience with a democratic form of government, although parliamentary elections were held during the period of British rule under a League of Nations mandate (from 1920 until Iraq's independence in 1932), and the monarchy of the Sunni Muslim Hashemite dynasty (1921-1958). The territory that is now Iraq was formed from three provinces of the Ottoman empire after British forces defeated the Ottomans in World War I and took control of the territory in 1918. Britain had tried to take Iraq from the Ottomans earlier in World War I but were defeated at Al Kut in 1916. Britain's presence in Iraq, which relied on Sunni Muslim Iraqis (as did the Ottoman administration), ran into repeated resistance, facing a major Shiite-led revolt in 1920 and a major anti-British uprising in 1941, during World War II. Iraq's first Hashemite king was Faysal bin Hussein, son of Sharif Hussein of Mecca who, advised by British officer T.E Lawrence ("Lawrence of Arabia"), led the Arab revolt against the Ottoman Empire during World War I. Faysal ruled Iraq as King Faysal I and was succeeded by his son, Ghazi, who was killed in a car accident in 1939. Ghazi was succeeded by his young son, Faysal II.

A major figure under the British mandate and the monarchy was Nuri As-Said, a pro-British, pro-Hashemite Sunni Muslim who served as prime minister 14 times during 1930-1958. Faysal II, with the help of his pro-British Prime Minister Nuri al-Sa'id who had also served under his predecessors, ruled until the military coup of Abd al-Karim al-Qasim on July 14, 1958. Qasim was ousted in February 1963 by a Baath Party-military alliance. Since that same year, the Baath Party has ruled in Syria, although there was rivalry between the Syrian and Iraqi Baath regimes during Saddam's rule. The Baath Party was founded in the 1940s by Lebanese Christian philosopher Michel Aflaq as a socialist, pan-Arab movement, the aim of which was to reduce religious and sectarian schisms among Arabs.

One of the Baath Party's allies in the February 1963 coup was Abd al-Salam al-Arif. In November 1963, Arif purged the Baath, including Prime Minister (and military officer) Ahmad Hasan al-Bakr, and instituted direct military rule. Arif was killed in a helicopter crash in 1966 and was replaced by his elder brother, Abd al-Rahim al-Arif. Following the Baath seizure of power in 1968, Bakr returned to government as President of Iraq and Saddam Hussein, a civilian, became the regime's number two — Vice Chairman of the Revolutionary Command Council. In that position, Saddam developed overlapping security services to monitor loyalty among the population and within Iraq's institutions, including the military. On July 17, 1979, the aging al-Bakr resigned at Saddam's urging, and Saddam became President of Iraq. Under Saddam, secular Shiites held high party positions, but Sunnis mostly from Saddam's home town of Tikrit, dominated the highest positions. Saddam's regime repressed Iraq's Shiites after the February 1979 Islamic revolution in neighboring Iran partly because Iraq feared that Iraqi Shiite Islamist movements, emboldened by Iran, would try to establish an Iranian-style Islamic republic of Iraq.

**Table 1. Iraq Basic Facts**

Population	27.5 million
Demographics	Shiite Arab - 60%; Kurd - 19% Sunni Arab - 14%; Christian and others - 6; Sunni Turkomen - 1%. Christians are: 600,000 - 1 million total (incl. Chaldean, Assyrian, Syriac, Armenian, and Protestant). Others are: Yazidis (600,000); Shabak (200,000); Sabean-Mandaeen (6,000).
Comparative Area	Slightly more than twice the size of Idaho
GDP	\$100 billion (purchasing power parity, 2007)
GDP per capita	\$3,600 per year (2007)
GDP Growth Rate	6.3% in 2007
2008 Government Budget	Under debate in Iraqi parliament. \$48 billion expected expenses, including \$13 billion for capital investment, and \$9 billion for Iraqi Security Forces costs
Reserves of Foreign Currency and Gold	\$20 billion+ (most of which held in U.S. banks). Press reports in 2008 say Iraq may use some of the funds to buy 40 new Boeing civilian passenger aircraft.
Unemployment Rate	17% according to Central Statistics Office of Iraq; 18-30% according to CIA World Factbook
Inflation Rate	20% 2007 (compared to 53% in 2006)
U.S. Oil Imports	About 700,000 barrels per day (other Iraqi oil - related capabilities appear in a table later in this paper)
Food Ration System	Rations cut by 50% in December 2007 because \$7.2 billion in Iraqi funds requested not approved by Iraqi government. Ration system utilized by 60% of the population.

**Source:** CIA World Factbook; State Department International Religions Freedom Report, September 2007.

## Policy in the 1990s Emphasized Containment

Prior to the January 16, 1991, launch of Operation Desert Storm to reverse Iraq's August 1990 invasion of Kuwait, President George H.W. Bush called on the Iraqi people to overthrow Saddam. That Administration decided not to try to do so militarily because (1) the United Nations had approved only liberating Kuwait; (2) Arab states in the coalition opposed an advance to Baghdad; and (3) the Administration feared becoming bogged down in a high-casualty occupation.<sup>1</sup> Within days of the war's end (February 28, 1991), Shiite Muslims in southern Iraq and Kurds in northern Iraq, emboldened by the regime's defeat and the hope of U.S.

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<sup>1</sup> Bush, George H.W., and Brent Scowcroft. *A World Transformed*. Alfred A. Knopf, Inc. 1998.

support, rebelled. The Shiite revolt nearly reached Baghdad, but the mostly Sunni Muslim Republican Guard forces were pulled back into Iraq before engaging U.S. forces and were intact to suppress the rebellion. Many Iraqi Shiites blamed the United States for not intervening on their behalf. Iraq's Kurds, benefitting from a U.S.-led "no fly zone" set up in April 1991, drove Iraqi troops out of much of northern Iraq and remained autonomous thereafter.

The thrust of subsequent U.S. policy was containment through U.N. Security Council-authorized weapons inspections, an international economic embargo, and U.S.-led enforcement of no fly zones over both northern and southern Iraq.<sup>2</sup> President George H.W. Bush reportedly supported efforts to promote a military coup as a way of producing a favorable government without fragmenting Iraq. After a reported July 1992 coup failed, he shifted to supporting (with funds) the Kurdish, Shiite, and other oppositionists that were coalescing into a broad movement.<sup>3</sup>

## **The Clinton Administration and Major Anti-Saddam Factions**

During the Clinton Administration, the United States built ties to and progressively increased support for several Shiite and Kurdish factions, all of which have provided leaders in post-Saddam politics but also field militias locked in sectarian violence against Iraq's Sunnis who supported Saddam's regime. (Table 6 on Iraq's various factions is at the end of this paper). During 1997-1998, Iraq's obstructions of U.N. weapons of mass destruction (WMD) inspections led to growing congressional calls to overthrow Saddam, starting with a FY1998 appropriation (P.L. 105-174).

The sentiment was expressed strongly in the "Iraq Liberation Act" (ILA, P.L. 105-338, October 31, 1998). Signed by President Clinton despite doubts about opposition capabilities, it was viewed as an expression of congressional support for the concept of promoting an Iraqi insurgency with U.S. air power. That law, which states that it should be the policy of the United States to "support efforts" to remove the regime headed by Saddam Hussein, is often cited as evidence of a bipartisan consensus that Saddam should be toppled. It gave the President authority to provide up to \$97 million worth of defense articles and services, as well as \$2 million in broadcasting funds, to opposition groups designated by the Administration. In mid-November 1998, President Clinton publicly articulated that regime change was a component of U.S. policy toward Iraq. Section 8 of the ILA stated that the act should not be construed as authorizing the use of U.S. military force to achieve regime change. The ILA did not specifically terminate after Saddam Hussein was removed from power; Section 7 provided for post-Saddam "transition assistance" to Iraqi groups with "democratic goals."

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<sup>2</sup> Discussed further in CRS Report RL32379, *Iraq: Former Regime Weapons Programs, Human Rights Violations, and U.S. Policy*, by Kenneth Katzman.

<sup>3</sup> Congress more than doubled the budget for covert support to the opposition groups to about \$40 million for FY1993, from previous levels of \$15 million - \$20 million. Sciolino, Elaine. "Greater U.S. Effort Backed To Oust Iraqi." *New York Times*, June 2, 1992.

The signing of the ILA coincided with new crises over Iraq's obstructions of U.N. weapons inspections. On December 15, 1998, U.N. inspectors were withdrawn, and a three-day U.S. and British bombing campaign against suspected Iraqi WMD facilities followed (Operation Desert Fox, December 16-19, 1998). On February 5, 1999, President Clinton designated seven groups eligible to receive U.S. military assistance under the ILA (P.D. 99-13): INC; INA; SICI; KDP; PUK; the Islamic Movement of Iraqi Kurdistan (IMIK);<sup>4</sup> and the Movement for Constitutional Monarchy (MCM). In May 1999, the Clinton Administration provided \$5 million worth of training and "non-lethal" defense articles under the ILA to about 150 oppositionists in Defense Department-run training (Hurlburt Air Base) on administering post-Saddam Iraq. The Administration judged the opposition insufficiently capable to merit combat training or weapons; the trainees did not deploy in Operation Iraqi Freedom or into the Free Iraqi Forces that deployed to Iraq.

- **Secular Groups: Iraqi National Congress (INC) and Iraq National Accord (INA).** In 1992, the two main Kurdish parties and several Shiite Islamist groups coalesced into the "Iraqi National Congress (INC)" on a platform of human rights, democracy, pluralism, and "federalism" (Kurdish autonomy). However, many observers doubted its commitment to democracy, because most of its groups had authoritarian leaderships. The INC's Executive Committee selected Ahmad Chalabi, a secular Shiite Muslim, to run the INC on a daily basis. (A table on U.S. appropriations for the Iraqi opposition, including the INC, is an appendix).<sup>5</sup>
- The **Iraq National Accord (INA)**, founded after Iraq's 1990 invasion of Kuwait, was supported initially by Saudi Arabia but reportedly later earned the patronage of the Central Intelligence Agency (CIA).<sup>6</sup> It is led by Dr. Iyad al-Allawi. The INA enjoyed Clinton Administration support in 1996 after squabbling among INC groups reduced the INC's perceived viability,<sup>7</sup> but Iraq's intelligence services arrested or executed over 100 INA activists in June 1996. In August 1996, Baghdad launched a military incursion into northern Iraq, at the invitation of the Kurdistan Democratic Party, to help it capture Irbil from the rival Patriotic Union of

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<sup>4</sup> Because of its role in the eventual formation of the radical Ansar al-Islam group, the IMIK did not receive U.S. funds after 2001, although it was not formally de-listed.

<sup>5</sup> Chalabi's father was president of the Senate in the monarchy that was overthrown in the 1958 military coup, and the family fled to Jordan. He taught math at the American University of Beirut in 1977 and, in 1978, he founded the Petra Bank in Jordan. He later ran afoul of Jordanian authorities on charges of embezzlement and he left Jordan, possibly with some help from members of Jordan's royal family, in 1989. In April 1992, he was convicted in absentia of embezzling \$70 million from the bank and sentenced to 22 years in prison. The Jordanian government subsequently repaid depositors a total of \$400 million.

<sup>6</sup> Brinkley, Joel. "Ex-CIA Aides Say Iraq Leader Helped Agency in 90's Attacks," *New York Times*, June 9, 2004.

<sup>7</sup> An account of this shift in U.S. strategy is essayed in Hoagland, Jim. "How CIA's Secret War On Saddam Collapsed," *Washington Post*, June 26, 1997.



Kurdistan. In the process, Baghdad routed both INC and INA agents from the north.

- The **Kurds**,<sup>8</sup> who are mostly Sunni Muslims but are not Arabs, are probably the most pro-U.S. of all major groups. Historically fearful of persecution by the Arab majority, the Kurds, to the chagrin of Turkey, are focused on expanding the high degree of autonomy they enjoy in their three-province “region,” which is run by a Kurdistan Regional Government (KRG). Both major Kurdish factions — the **Patriotic Union of Kurdistan (PUK)** led by Jalal Talabani, and the **Kurdistan Democratic Party (KDP)** led by Masud Barzani — are participating in Iraqi politics, but the PUK more so.
- **Shiite Islamists: Ayatollah Sistani, ISCI, Da’wa, and Sadr Factions.** Shiite Islamist organizations have become dominant in post-Saddam politics; Shiites constitute about 60% of the population but were under-represented in all pre-2003 governments and suffered significant repression under Saddam’s regime. Several of these factions cooperated with the Saddam-era U.S. regime change efforts, but others did not. The undisputed Shiite religious leader, Grand Ayatollah Ali al-Sistani is the “*marja-e-taqlid*” (source of emulation) and the most senior of the four Shiite clerics that lead the Najaf-based “*Hawza al-Ilmiyah*” (a grouping of Shiite seminaries).<sup>9</sup> Remained in Iraq during Saddam’s rule but adopted a low profile and had no known contact with the United States. His mentor, was Ayatollah Abol Qasem Musavi-Khoi, was head of the *Hawza* until his death in 1992. Like Khoi, Sistani is a “quietist” — generally opposing a direct political role for clerics, but he believes in clerical supervision of political leaders.<sup>10</sup>
- **Islamic Supreme Council of Iraq (ISCI) and the Da’wa Party.** These two groups are constrained mainstream Shiite Islamist groups and pro-Iranian. During the exile of the late founder of the Iranian Islamic revolution Ayatollah Ruhollah Khomeini’s in Najaf, Iraq (1964-1978), he was hosted by Grand Ayatollah Muhsin al-Hakim, then head of the *Hawza*, and the father of the Hakim brothers (including current leader Abd al-Aziz al-Hakim). The Hakim brothers were members of the **Da’wa (Islamic Call) Party** when they were driven into exile by Saddam’s crackdown in 1980, who accused Shiite Islamists of trying to overthrow him, a crackdown that coincided with the start of the war with Iran in September 1980.

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<sup>8</sup> For an extended discussion, see CRS Report RS22079, *The Kurds in Post-Saddam Iraq*, by Kenneth Katzman and Alfred B. Prados.

<sup>9</sup> The three other senior Hawza clerics are Ayatollah Mohammad Sa’id al-Hakim (uncle of the leader of the Supreme Council of the Islamic Revolution in Iraq, Abd al-Aziz al-Hakim); Ayatollah Mohammad Isaac Fayadh, who is of Afghan origin; and Ayatollah Bashir al-Najafi, of Pakistani origin.

<sup>10</sup> For information on Sistani’s views, see his website at [<http://www.sistani.org>].

Under Iranian patronage, the Hakims broke with Da'wa and founded ISCI in 1982. Although it was a member of the INC in the early 1990s, ISCI refused to accept U.S. funds, although it had contacts with U.S. officials. **ISCI** (in May 2007 it changed its name from the Supreme Council of the Islamic Revolution of Iraq, SCIRI), is considered the most well organized party within the “United Iraqi Alliance” (UIA) of Shiite political groupings and the most pro-Iranian. ISCI says it does not seek to establish an Iranian-style Islamic republic, but ISCI reportedly receives substantial amounts of financial and other aid from Iran.

- The Da'wa Party, which did not directly join the U.S.-led effort to overthrow Saddam Hussein during the 1990s, is both an ally and sometime rival of ISCI. The leader of its main faction in Iraq was Ibrahim al-Jafari, a Da'wa activist since 1966 who fled to Iran in 1980 to escape Saddam's crackdown, later going to London. He was transitional Prime Minister during April 2005-April 2006. His successor as Prime Minister, Nuri al-Maliki, was named Da'wa leader in early July 2007.
- The faction of an “insurgent” (non-mainstream) Shiite Islamist leader, **Moqtada Al Sadr**, is emerging as a major factor in Iraqi politics. This faction was underground in Iraq during Saddam's rule, led by Moqtada's father, Ayatollah Mohammad Sadiq Al Sadr, who was killed by the regime in 1999. Moqtada, who took over leadership of the faction after his father's death, was initially viewed as a young firebrand who lacked religious and political weight, but the mainstream Shiite factions now deal with him because of his large following among poor Shiites who identify with other “oppressed Muslims” and who oppose virtually any U.S. presence in the Middle East. He is increasingly perceived as clever and capable — simultaneously participating in the political process to avoid confrontation with the United States while denouncing the “U.S. occupation.”

## **Post-September 11, 2001: Regime Change and War**

Several senior Bush Administration officials had long been advocates of a regime change policy toward Iraq, but the difficulty of that strategy led the Bush Administration initially to continue its predecessor's containment policy.<sup>11</sup> Some believe the September 11 attacks provided Administration officials justification to act on longstanding plans to confront Iraq militarily. During its first year, the Administration tried to prevent an asserted erosion of containment of Iraq by

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<sup>11</sup> One account of Bush Administration internal debates on the strategy is found in Hersh, Seymour. “The Debate Within,” *The New Yorker*, March 11, 2002.

achieving U.N. Security Council adoption (Resolution 1409, May 14, 2002) of a “smart sanctions” plan. The plan relaxed U.N.-imposed restrictions on exports to Iraq of purely civilian equipment<sup>12</sup> in exchange for renewed international commitment to enforce the U.N. ban on exports to Iraq of militarily useful goods.

Bush Administration policy on Iraq clearly became an active regime change effort after the September 11, 2001, terrorist attacks. In President Bush’s State of the Union message on January 29, 2002, given as major combat in the U.S.-led war on the Taliban and Al Qaeda in Afghanistan was winding down, he characterized Iraq as part of an “axis of evil” (with Iran and North Korea). Some U.S. officials, particularly then-deputy Defense Secretary Wolfowitz, asserted that the United States needed to respond to the September 11, 2001 attacks by “ending states,” such as Iraq, that support terrorist groups. Vice President Cheney visited the Middle East in March 2002 reportedly to consult regional countries about the possibility of confronting Iraq militarily, although the Arab leaders opposed war with Iraq and urged greater U.S. attention to the Arab-Israeli dispute.

Some accounts, including the books *Plan of Attack* and *State of Denial* by Bob Woodward (published in April 2004 and September 2006, respectively), say that then Secretary of State Powell and others were concerned about the potential consequences of an invasion of Iraq, particularly the difficulties of building a democracy after major hostilities ended. Press reports in May 2007 indicated that warnings of such difficulties were issued by the CIA before the invasion. Other accounts include reported memoranda (the “Downing Street Memo”) by British intelligence officials (based on conversations with U.S. officials) saying that by mid-2002 the Administration was seeking information to justify a decision, already made, to go to war against Iraq. President Bush and then-British Prime Minister Tony Blair deny this. (On December 20, 2001, the House passed H.J.Res. 75, by a vote of 392-12, calling Iraq’s refusal to readmit U.N. weapons inspectors a “mounting threat” to the United States.)

The primary theme in the Bush Administration’s public case for the need to confront Iraq was that Iraq posted a “grave and gathering” threat that should be blunted before the threat became urgent. The basis of that assertion in U.S. intelligence remains under debate.

- *WMD Threat Perception.* Senior U.S. officials, including President Bush, particularly in an October 2002 speech in Cincinnati, asserted the following about Iraq’s WMD: (1) that Iraq had worked to rebuild its WMD programs in the nearly four years since U.N. weapons inspectors left Iraq and had failed to comply with 16 U.N. previous resolutions that demanded complete elimination of all of Iraq’s WMD programs; (2) that Iraq had used chemical weapons against its own people (the Kurds) and against Iraq’s neighbors (Iran), implying that Iraq would not necessarily be deterred from using WMD against the United States; and (3) that Iraq could transfer its WMD to

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<sup>12</sup> For more information on this program, see CRS Report RL30472, *Iraq: Oil For Food Program, Illicit Trade, and Investigations*, by Christopher Blanchard and Kenneth Katzman.

terrorists, particularly Al Qaeda, for use in potentially catastrophic attacks in the United States. Critics noted that, under the U.S. threat of retaliation, Iraq did not use WMD against U.S. troops in the 1991 Gulf war. A “comprehensive” September 2004 report of the Iraq Survey Group, known as the “Duelfer report,”<sup>13</sup> found no WMD stockpiles or production but said that there was evidence that the regime retained the intention to reconstitute WMD programs in the future. The formal U.S.-led WMD search ended December 2004,<sup>14</sup> although U.S. forces have found some chemical weapons left from the Iran-Iraq war.<sup>15</sup> UNMOVIC’s work was formally terminated by U.N. Security Council Resolution 1762 (June 29, 2007).

- *Links to Al Qaeda.* Iraq was designated a state sponsor of terrorism during 1979-1982 and was again so designated after its 1990 invasion of Kuwait. Although they did not assert that Saddam Hussein’s regime was directly involved in the September 11 attacks, senior U.S. officials asserted that Saddam’s regime was linked to Al Qaeda, in part because of the presence of pro-Al Qaeda militant leader Abu Musab al-Zarqawi in northern Iraq. Although this issue is still debated, the report of the 9/11 Commission found no evidence of a “collaborative operational linkage” between Iraq and Al Qaeda.<sup>16</sup> For more information, see CRS Report RL32217, *Iraq and Al Qaeda*, by Kenneth Katzman.

## Operation Iraqi Freedom (OIF)

As major combat in Afghanistan wound down in mid-2002, the Administration began ordering a force to Kuwait (the only Gulf country that agreed to host the major invasion force) that, by early 2003, gave the President an option to invade Iraq. In concert, the Administration tried to build up and broaden the Iraqi opposition and, according to the *Washington Post* (June 16, 2002), authorizing stepped up covert activities by the CIA and special operations forces against Saddam Hussein. In August 2002, the State and Defense Departments jointly invited six major opposition groups to Washington, D.C., and the Administration expanded its ties to several groups composed primarily of ex-military officers. The Administration also began training about 5,000 oppositionists to assist U.S. forces,<sup>17</sup> although reportedly only about 70 completed training at Taszar air base in Hungary, eventually serving as translators during the war. The Administration blocked a move by the major factions

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<sup>13</sup> Duelfer report text is at [<http://news.findlaw.com/hdocs/docs/iraq/cia93004wmdrpt.html>].

<sup>14</sup> For analysis of the former regime’s WMD and other abuses, see CRS Report RL32379, *Iraq: Former Regime Weapons Programs, Human Rights Violations, and U.S. Policy*, by Kenneth Katzman.

<sup>15</sup> Pincus, Walter. “Munitions Found in Iraq Renew Debate.” *Washington Post*, July 1, 2006.

<sup>16</sup> *9/11 Commission Report*, p. 66.

<sup>17</sup> Deyoung, Karen, and Daniel Williams, “Training of Iraqi Exiles Authorized,” *Washington Post*, October 19, 2002.

to declare a provisional government before entering Iraq, believing that doing so would prevent the emergence of secular, pro-democracy groups.

In an effort to obtain U.N. backing for confronting Iraq — support that then Secretary of State Powell reportedly argued was needed — President Bush addressed the United Nations General Assembly (September 12, 2002), saying that the U.N. Security Council should enforce its 16 existing WMD-related resolutions on Iraq. The Administration then gave Iraq a “final opportunity” to comply with all applicable Council resolutions by supporting Security Council Resolution 1441 (November 8, 2002), which gave the U.N. inspection body UNMOVIC (U.N. Monitoring, Verification, and Inspection Commission) new powers of inspection. Iraq reluctantly accepted it and WMD inspections resumed November 27, 2002. In January and February 2003, UNMOVIC Director Hans Blix and International Atomic Energy Agency (IAEA) Director Mohammad al-Baradei briefed the Security Council on the inspections, saying that Iraq failed to actively cooperate to clear up outstanding questions, but that it had not denied access to sites and that Iraq might not have retained any WMD.

During this period, the 107<sup>th</sup> Congress debated the costs and risks of an invasion. It adopted H.J.Res. 114, authorizing the President to use military force to “defend the national security of the United States against the continuing threat posed by Iraq” and “to enforce all relevant U.N. Security Council resolutions against Iraq.” It passed the House October 11, 2002 (296-133), and the Senate the following day (77-23). It was signed October 16, 2002 (P.L. 107-243).

No U.N. Security Council resolution authorizing force was adopted. Countries opposed to war, including France, Russia, China, and Germany, said the latest WMD inspections showed that Iraq could be disarmed peacefully or contained indefinitely. On March 16, 2003, a summit meeting of Britain, Spain, Bulgaria, and the United States, held in the Azores, rejected that view and said all diplomatic options had failed. The following day, President Bush gave Saddam Hussein and his sons, Uday and Qusay, an ultimatum to leave Iraq within 48 hours to avoid war. They refused and OIF began on March 19, 2003.

In the war, Iraq’s conventional military forces were overwhelmed by the approximately 380,000-person U.S. and British-led 30-country<sup>18</sup> “coalition of the willing” force, a substantial proportion of which were in supporting roles. Of the invasion force, Britain contributed 45,000, and U.S. troops constituted the bulk of the remaining 335,000 forces. Some Iraqi units and irregulars (“Saddam’s Fedayeen”) put up stiff resistance and used unconventional tactics. Some evaluations (for example, “Cobra Two,” by Michael Gordon and Bernard Trainor, published in 2006) suggest the U.S. military should have focused more on combating the irregulars rather than bypassing them to take on armored forces. No WMD was used by Iraq, although it did fire some ballistic missiles into Kuwait; it is not clear whether those missiles were of U.N.-prohibited ranges (greater than 150 km). The regime vacated

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<sup>18</sup> Many of the thirty countries listed in the coalition did not contribute forces to the combat. A subsequent State Department list released on March 27, 2003 listed 49 countries in the coalition of the willing. See *Washington Post*, March 27, 2003, p. A19.

Baghdad on April 9, 2003, although Saddam Hussein appeared with supporters that day in Baghdad's mostly Sunni Adhamiya district, near the major Sunni Umm al-Qura mosque. (Saddam was captured in December 2003, and on November 5, 2006, was convicted for "willful killing" of Shiite civilians in Dujail in 1982. He was hanged on December 30, 2006.)

## Post-Saddam Transition and Governance

According to statements by President Bush, U.S. goals are for an Iraq that can sustain, govern, and defend itself and is a partner in the global war on terrorism. Administration officials have, for the most part, dropped an earlier stated goal that Iraq serve as a model of democratic reform in the Middle East.

### Early Transition Process

The formal political transition has advanced since the fall of Saddam Hussein, but has not achieved political reconciliation among the newly dominant Shiite Arabs, Sunni Arabs that have been displaced from their former perch at the apex of Iraqi politics, and the Kurds who have felt perennially oppressed by Iraq's Arabs.

**Occupation Period/Coalition Provisional Authority (CPA).** After the fall of the regime, the United States set up an occupation structure, reportedly based on concerns that immediate sovereignty would favor major factions and not produce democracy. The Administration initially tasked Lt. Gen. Jay Garner (ret.) to direct reconstruction with a staff of U.S. government personnel to administer Iraq's ministries; they deployed in April 2003. He headed the Office of Reconstruction and Humanitarian Assistance (ORHA), under the Department of Defense, created by a January 20, 2003, Executive Order. The Administration largely discarded the State Department's "Future of Iraq Project," that spent the year before the war planning for the administration of Iraq after the fall of Saddam.<sup>19</sup> Garner and aides tried to establish a representative successor regime by organizing a meeting in Nassiriyah (April 15, 2003) of about 100 Iraqis of varying views and ethnicities. A subsequent meeting of over 250 notables, held in Baghdad April 26, 2003, ended in agreement to hold a broader meeting one month later to name an interim administration.

In May 2003, the Administration, reportedly preferring what they perceived as stronger leadership in Iraq, named Ambassador L. Paul Bremer to replace Garner by heading a "Coalition Provisional Authority" (CPA). Bremer discontinued Garner's transition process and instead appointed (July 13, 2003) a non-sovereign Iraqi advisory body: the 25-member "Iraq Governing Council" (IGC). In September 2003, the IGC selected a 25-member "cabinet" to run the ministries, with roughly the same factional and ethnic balance of the IGC (a slight majority of Shiite Muslims). Although there were some Sunni figures in the CPA-led administration, many Sunnis resented the new power structure as overturning their prior dominance. Adding to

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<sup>19</sup> Information on the project, including summaries of the findings of its 17 working groups, can be found at [<http://usinfo.state.gov/products/pubs/archive/dutyiraq/>]. The project cost \$5 million and had 15 working groups on major issues.

that resentment were some of the CPA's controversial decisions, including "de-Baathification" — a purge from government of about 30,000 Iraqis at four top ranks of the Baath Party (CPA Order 1) and not to recall members of the armed forces to service (CPA Order 2). Bremer and others maintain that recalling the former regime armed forces would have caused mistrust among Shiites and Kurds about the prospects for democracy in post-Saddam Iraq.

**Transitional Administrative Law (TAL).** The Bush Administration initially made the end of U.S. occupation contingent on the completion of a new constitution and the holding of national elections for a new government, tasks expected to be completed by late 2005. However, Ayatollah Sistani and others agitated for early Iraqi sovereignty. In November 2003, the United States announced it would return sovereignty to Iraq by June 30, 2004, and that national elections would be held by the end of 2005. That decision was incorporated into an interim constitution — the Transitional Administrative Law (TAL), drafted by the major factions and signed on March 8, 2004.<sup>20</sup> The TAL provided a roadmap for political transition, including (1) elections by January 31, 2005, for a 275-seat transitional National Assembly; (2) drafting of a permanent constitution by August 15, 2005, and put to a national referendum by October 15, 2005; and (3) national elections for a permanent government, under the new constitution (if it passed), by December 15, 2005. Any three provinces could veto the constitution by a two-thirds majority. In that case, a new draft would be written and voted on by October 15, 2006. The Kurds maintained their autonomous KRG and their *peshmerga* militia.

**Sovereignty Handover/Interim (Allawi) Government.** The TAL did not directly address how a sovereign government would be formed. Sistani's opposition scuttled a U.S. plan to select a national assembly through nationwide "caucuses." After considering other options, the United States tapped U.N. envoy Lakhdar Brahimi to select a government,<sup>21</sup> which he did and which began work on June 1, 2004. The formal handover ceremony occurred on June 28, 2004. Dominated by the major factions, this government had a president (Sunni tribal leader Ghazi al-Yawar), and Prime Minister (Iyad al-Allawi, see above) with executive power, heading a cabinet of 26 ministers. Six ministers were women, and the ethnicity mix was roughly the same as in the IGC. The defense and interior ministers were Sunnis.

As of handover, the state of occupation ceased, and a U.S. Ambassador (John Negroponte) established U.S.-Iraq diplomatic relations for the first time since January 1991. A U.S. embassy formally opened on June 30, 2004; it is staffed with about 1,100 U.S. personnel.<sup>22</sup> The Ambassador is Ryan Crocker, who took over from Zalmay Khalilzad (July 2005 - April 2007). The large new embassy complex, with

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<sup>20</sup> The text of the TAL can be obtained from the CPA website at [<http://cpa-iraq.org/government/TAL.html>].

<sup>21</sup> Chandrasekaran, Rajiv. "Envoy Urges U.N.-Chosen Iraqi Government," *Washington Post*, April 15, 2004.

<sup>22</sup> See CRS Report RS21867, *U.S. Embassy in Iraq*, by Susan B. Epstein.

21 buildings on 104 acres, is under construction,<sup>23</sup> although its completion has been delayed due to construction difficulties. In conjunction with the handover:

- Reconstruction management and advising of Iraq's ministries were taken over by a State Department component called the "Iraq Reconstruction and Management Office" (IRMO). With the expiration of that unit's authority in April 2007, it was renamed the "Iraq Transition Assistance Office," ITAO, headed since June 2007 by Mark Tokola. ITAO is intended to promote the efficiency of Iraq's ministries and Iraq's takeover of management of the projects built with U.S. reconstruction funds, although Iraq reportedly has been unable or unwilling to take control of a large percentage of completed projects. The authority has also expired for a separate DoD "Project Contracting Office (PCO)," under the Persian Gulf division of the Army Corps of Engineers. It funded large infrastructure projects such as roads, power plants, and school renovations.

**U.N. Involvement/Coalition Military Mandate/Status of U.S. Forces/Permanent Basing.** Even though the invasion of Iraq was not authorized by the United Nations, the Administration asserts that it has consistently sought and obtained U.N. and partner country involvement in Iraq efforts. U.N. Security Council Resolution 1483 (May 22, 2003) recognized the CPA as a legal occupation authority. To satisfy the requirements of several nations for U.N. backing of a coalition force presence, the United States achieved adoption of Resolution 1511 (October 16, 2003), authorizing a "multinational force under *unified* [meaning U.S.] command."

Resolution 1546 (June 8, 2004) took U.N. involvement further by endorsing the U.S. handover of sovereignty, reaffirming the responsibilities of the interim government, spelling out the duration and legal status of U.S.-led forces in Iraq, and authorizing a coalition component force to protect U.N. personnel and facilities. Resolution 1546:

- "Authorize[d]" the U.S.-led coalition to contribute to maintaining security in Iraq, a provision widely interpreted as giving the coalition responsibility for security. Iraqi forces are "a principal partner" in the U.S.-led coalition, and the relationship between U.S. and Iraqi forces is spelled out in an annexed exchange of letters between the United States and Iraq. The coalition retained the ability to take and hold prisoners.
- *Coalition/U.S. Mandate.* Resolution 1546 stipulated that the coalition's mandate would be reviewed "at the request of the

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<sup>23</sup> An FY2005 supplemental appropriations, P.L. 109-13, provided \$592 million (of \$658 million requested) to construct a new embassy in Baghdad; an FY2006 supplemental appropriation (P.L. 109-234) provided \$1.327 billion for U.S. embassy operations and security.



government of Iraq or twelve months from the date of this resolution” (or June 8, 2005); that the mandate would expire when a permanent government is sworn in at the end of 2005; and that the mandate would be terminated “if the Iraqi government so requests.” Resolution 1637 (November 11, 2005) and Resolution 1723 (November 28, 2006) each extended the coalition military mandate for an additional year, “unless earlier “requested by the Iraqi government.” The renewal resolutions also required review of the mandate on June 15, 2006 and June 15, 2007, respectively. In June 2007, Iraq’s parliament passed with 144 votes (in the 275 seat parliament) a “non-binding” motion, led by the Sadr faction, to require the Iraqi government to seek parliamentary approval before asking that the coalition military mandate be extended. Maliki argued that there was no such requirement because the mandate represents a Security Council decision, not a treaty or agreement (which requires two-thirds parliamentary approval). The mandate was renewed by Resolution 1790 (December 18, 2007), with the same provisions as previous mandate extensions.

- On November 26, 2007, President Bush and Prime Minister Maliki signed an “Declaration of Principles” by videoconference under which the U.N. mandate would be renewed for only one more year (until December 31, 2008) and that, by July 2008, Iraq and the U.S. would complete a bilateral agreement that would replace the Security Council mandate. The “strategic framework agreement” is expected to determine the freedom of action for U.S. (and partner) military forces in Iraq, including rules of engagement and status of prisoners taken. The Iraqi government says this agreement will be submitted for parliamentary approval. Several Members of Congress have expressed concern that the November 26, 2007 “Declaration of Principles” indicates that a final agreement might commit the United States to defend the Iraqi government from both internal and external threats, and might therefore constitute a treaty requiring Senate ratification, but top Administration officials have said since January 2007 that a final agreement would not include such extensive commitments. (Section 1314 of P.L. 110-28, the FY2007 supplemental, says that the President shall redeploy U.S. forces if asked to officially by Iraq’s government.)<sup>24</sup>
- *Status of Forces Agreement.* Because of the U.N. mandate in effect, there currently is no Status of Forces Agreement (SOFA) with Iraq. Such an agreement stipulates which courts and authorities deal with infractions by employees of the sending country. A SOFA is expected to be part of the strategic framework agreement discussed above. P.L. 109-289 (FY2007 DoD appropriations) contains a provision that the Defense Department not agree to allow U.S. forces

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<sup>24</sup> For further information, see CRS Report RL34362. Congressional Oversight and Related Issues Concerning the Prospective Security Agreement Between the United States and Iraq.

in Iraq to be subject to Iraqi law. A similar provision involving prohibition on use of U.S. funds to enter into such an agreement is in the FY2008 Consolidated Appropriation (P.L. 110-161).

- *Permanent Basing.* The facilities used by U.S. forces in Iraq do not formally constitute “permanent bases,” although these facilities conceivably could be made permanent U.S. bases if there were a U.S.-Iraqi agreement to do so, and the basing issue is expected to be discussed as part of the strategic framework agreement. Major facilities that could be affected include Balad, Tallil, and Al Asad air bases, as well as the arms depot at Taji; all are being built up with U.S. military construction funds in various appropriations. The Defense Appropriation for FY2007 (P.L. 109-289); the FY2007 supplemental (P.L. 110-28); the FY2008 Defense Appropriation (P.L. 110-116); and the FY2008 Consolidated Appropriation (P.L. 110-161) contain provisions prohibiting the establishment or the use of U.S. funds to establish permanent military installations or bases in Iraq. These provisions comport with Recommendation 22 of the December 2006 Iraq Study Group report, to that effect. The P.L. 110-28 law – as well as P.L. 110-116 FY2008 Defense Appropriation – also say that the United States shall not control Iraq’s oil resources, a statement urged by Recommendation 23 of the Iraq Study Group report. Another bill, H.R. 2929 (passed by the House on July 25, 2007), as well as the FY2008 defense authorization bill (P.L. 110-181) forbids the use of appropriated funds to establish permanent bases in Iraq or control Iraq’s oil.
- *Oil Revenues.* Resolution 1546 gave Iraq gained control over its oil revenues (the CPA had handled the DFI during the occupation period<sup>25</sup>) and the Development Fund for Iraq (DFI), subject to monitoring (until at least June 2005) by the U.N.-mandated International Advisory and Monitoring Board (IAMB). Iraq’s oil revenues continue to be deposited in the DFI. Resolution 1790 (December 18, 2007) extends IAMB monitoring until December 31, 2008, subject to review by June 15, 2008. Resolution 1546 gave the Iraqi government responsibility for closing out the U.N.-run “oil-for-food program” under which all oil revenues were handled by a U.N. escrow account; Security Council Resolution 1483 had ended the “oil for food program” as of November 21, 2003.

**U.N. Involvement in Governance Issues.** Several U.N. resolutions assign a role for the United Nations in post-Saddam reconstruction and governance. Resolution 1483 (cited above) provided for a U.N. special representative to Iraq, and “called on” governments to contribute forces for stabilization. Resolution 1500

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<sup>25</sup> For information on that program, see CRS Report RL30472, *Iraq: Oil-for-Food Program, Illicit Trade, and Investigations*, by Christopher Blanchard and Kenneth Katzman.

(August 14, 2003) established U.N. Assistance Mission for Iraq (UNAMI)<sup>26</sup>. The size of UNAMI in Iraq, headed by Swedish diplomat Staffan de Mistura, exceeds 120 in Iraq (80 in Baghdad, 40 in a newly opened office in Irbil, and others for a yet-to-be-opened office in Basra), with at least an equal number “offshore” in Jordan. It focuses on promoting political reconciliation, election assistance, and monitoring human rights practices and humanitarian affairs, and is extensively involved in assisting with the constitution review process discussed further below. U.N. Security Council Resolution, 1770, adopted August 10, 2007, renewed UNAMI’s mandate for another year, and enhanced its responsibility to be lead promoter of political reconciliation in Iraq and plan a national census. UNAMI is expected to play a major role in helping organize provincial elections to take place by October 1, 2008, as discussed further below. (*In Recommendations 7 and 26 and several others the Iraq Study Group calls for increased U.N. participation in promoting reconciliation in Iraq.*)

## **Elections in 2005<sup>27</sup>**

After the handover of sovereignty, the focus was on three votes held in 2005:

- On January 30, 2005, elections were held for a transitional National Assembly, 18 provincial councils, and the Kurdish regional assembly. The Sunni Arabs, still resentful of the U.S. invasion, mostly boycotted, and no major “Sunni slates” were offered, enabling the UIA to win a slim majority (140 of the 275 seats) and to ally with the Kurds (75 seats) to dominate the national government formed subsequently as well as the provincial councils.
- Subsequently, a constitution drafted by a committee appointed by the elected government was approved on October 15, 2005. Sunni opponents achieved a two-thirds “no” vote in two provinces, but not in the three needed to defeat the constitution. The crux of Sunni opposition was the provision for a weak central government (“federalism”): it allows groups of provinces to band together to form autonomous “regions” with their own regional governments, internal security forces, and a large role in controlling revenues from any new energy discoveries. Sunnis opposed this concept because their region has thus far lacked significant proven oil reserves and they depend on the central government for revenues, although some new substantial oil and gas fields have recently been reported to lie in Anbar Province. The constitution also contained an article (137) that promised a (yet-to-be-completed) special constitutional

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<sup>26</sup> Its mandate has been renewed each year since, most recently by Resolution 1700 (August 10, 2006).

<sup>27</sup> For results of the elections and the formation of the government, see CRS Report RS21968, *Iraq: Government Formation and Benchmarks*, by Kenneth Katzman. This report also contains a table with the Administration and GAO assessments of the Iraqi government’s performance on 18 stipulated “benchmarks” contained in P.L. 110-28.

amendment process, within a set six-month post-adoption deadline, intended to mollify Sunnis on key contentious points.

- In the December 15, 2005 election for a full four year term government, some Sunnis, seeking to strengthen their position to amend the constitution, fielded electoral slates — the “Consensus Front” and the National Dialogue Front. With the UIA alone well short of the two-thirds majority needed to unilaterally form a government, Sunnis, the Sadr faction, secular groupings, and the Kurds demanded Jafari be replaced; they subsequently accepted Nuri al-Maliki as Prime Minister (April 22, 2006). Maliki won approval of a cabinet on May 20, 2006 (see table at the end of this paper on the cabinet composition).

#### **Prime Minister Nuri Kamal al-Maliki**

Born in 1950 in Karbala, has belonged to Da’wa Party since 1968. Fled Iraq in 1980 after Saddam banned the party, initially to Iran, but then to Syria when he refused Iran’s orders that he join Shiite militia groups fighting Iraq during the Iran-Iraq war. Headed Da’wa offices in Syria and Lebanon and edited Da’wa Party newspaper. Advocated aggressive purge of ex-Baathists as member of the Higher National De-Baathification Commission after Saddam’s fall and continues to seek rapid execution of convicted Saddam-era figures, earning him criticism among Sunnis for sectarian bias. Elected to National Assembly (UIA list) in January 2005 and chaired its “security committee.” Publicly supported Hezbollah (which shares a background with Da’wa Party) during July-August 2006 Israel-Hezbollah conflict, prompting congressional criticism during July 2006 visit to Washington DC. Has tense relations with ISCI, whose activists accuse him of surrounding himself with Da’wa members. Prior to 2007, repeatedly shielded Sadr’s Mahdi Army militia from U.S. military sweeps, but has now fallen out with Sadr. President Bush maintains regular direct contact with him by video-conference.

### **Maliki Government, Political Reconciliation, and “Benchmarks”**

Many observers are measuring the effectiveness of U.S. policy by whether or not it facilitates political reconciliation<sup>28</sup> – considered key to the U.S. ability to leave behind a stable Iraq when it does draw down large numbers of U.S. forces from Iraq. Amid increasing Administration and congressional criticism of Maliki’s failure to achieve significant reconciliation, splits within the power structure, both between the Shiite and other blocs, and even within the Shiite bloc, widened during 2007. Several major political blocs pulled their members out of the cabinet in 2007, leaving Maliki, at one point, with 16 out of the 37 total positions vacant held by acting

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<sup>28</sup> On January 10, President Bush stated that the surge would give the Iraqi government “the breathing space it needs to make progress in other critical areas, adding that “most of Iraq’s Sunni and Shia want to live together in peace — and reducing the violence in Baghdad will help make reconciliation possible.” Available at [<http://www.whitehouse.gov/news/releases/2007/01/20070110-7.html>]

ministers, or their ministers boycotting the cabinet. Moreover, the pullout of the UIA bloc in the COR by the Fadilah Party and the Sadr faction in April and September 2007, respectively, left Maliki with a bare majority support in the COR — about 142 seats in the 275 seat body.

Following these developments, Maliki's opponents saw that he was not toppled by the political turmoil. Some say that the various major factions are now willing to work across sectarian lines on different issues, although sectarianism is still prevalent on most issues. Administration officials credit the progress to the U.S. "troop surge" and other efforts to engage disgruntled Sunnis and anti-extremist Shiites.

The first recent positive sign was an August 26, 2007 "Unity Accord" signed by the figures on the presidency council (Talibani and his two Sunni and Shiite deputies, Adel Abd al-Mahdi of ISCI and Tariq Al Hashimi of the Concord Front), the Prime Minister, and KRG president Masoud Barzani. They pledged to try to resolve differences on releasing (mostly Sunni) detainees, to achieve agreement on the powers of the provincial governments, to rehire former Baathists, to share oil revenue, and to provide additional political support for the Iraqi security forces. In December 2007, U.S. diplomats were pleased that Hashimi, Barzani, and Talabani signed a "Letter of Common Understanding" committing to political reconciliation and a joint vision of a unified, democratic Iraq. The January 12, 2008 adoption of a De-Baathification reform law, after many months of deadlock, was considered a key milestone. This was followed on February 13, 2008 by the passage by the COR of two significant laws (an amnesty law and a law stipulating the power of provincial councils, with an agreement to hold provincial elections by October 1, 2008), as well as the 2008 national budget. The budget had been help up over Iraqi Arab assertions that the 17% revenue allocation to the Kurdish region was too generous — a figure already agreed to in previous budgets. The Kurds accepted a national census to determine long term percentage allocations for the Kurds, and the budget apparently does not fund the Kurds' *peshmerga* militia, who are now funded from the Kurds' own regional funds.

To rebuild his cabinet, in late October 2007, Maliki replaced two resigned Sadrist ministers (Health and Agriculture), winning parliamentary confirmation for independent Shiite replacements. However, in late November 2007, the COR refused to confirm two other replacement nominees, for the Ministry of Justice and of Communications, even though the nominees were considered independent (Shiite and Sunni, respectively). The Planning Minister, Ali Baban, a Sunni, broke with his Consensus Front bloc and returned to the cabinet, and other Sunnis are reportedly considering rejoining the cabinet. The vacancies (or acting positions) are now about 11. Currently, Maliki's main partner is ISCI, although ISCI views Maliki as a Da'wa partisan and harbors ambitions of replacing Maliki with one of its own, particularly Adel Abd al-Mahdi, who is now a deputy President.

At the same time, there are growing rifts within the Sunni Arab political structure. The established Sunni parties that participated in the December 2005 elections are now facing challenges from tribally-based Sunnis who are part of the "Awakening Movement" in Anbar and elsewhere. The Awakening Movement, discussed below in the sections on security and which is credited with helping

stabilize Anbar, formed after the 2005 elections to counter Al Qaeda in Iraq, and is considered cooperative with U.S. forces. The members of this movement now seek some political power, and are expected to contest the upcoming provincial elections that are discussed below.

The Kurds are fully engaged in the political structure in Baghdad; no Kurds are boycotting either the cabinet or the parliament. However, the Kurds are increasingly at odds with the Arab Iraqi leaders over the KRG's decision to move forward on oil and gas development deals with the Kurdish region, in advance of a national oil law. Iraq's Oil Minister has called the deals – and a separate KRG oil law – illegal. An even greater potential concern is the constitutionally mandated (Article 140) referendum on whether Tamim (Kirkuk) Province will affiliate formally with the Kurdistan Regional Government, a vote that was to take place by December 31, 2007. The Kurds had insisted — to the point of threatening to pull out of the central government entirely — that the referendum proceed but UNAMI, backed by the United States, succeeded in December 2007 in persuading the Kurds to accept a delay (until June 30, 2008) in the referendum. In December 2007, UNAMI also succeeded in persuading Sunni Arabs to return to the fractured Kirkuk provincial council.

The legislation passed in 2008 adds to the 112 laws passed by the COR since it was established in early 2006, of which 34 have been vetoed. Among the recent minor laws enacted was a measure regulating Iraq's oil refineries (July 2007) and a law on pensions for Saddam-era government employees (November 2007). The cabinet approved a draft law on October 30, 2007 ending a provision that protects private security contractors — part of the fallout from the September 2007 incident involving Blackwater security company's killing of 17 Iraqi civilians at Nisoor Square in Baghdad. (*This type of high level contact is suggested by Recommendation 19 of the Iraq Study Group report.*)

**Iraqi Pledges and Status of Accomplishment.** The Bush Administration is anticipating that enacting and implementing the outstanding major laws designated as “benchmarks” of progress will support the reconciliation steps discussed above. The FY2007 Supplemental Appropriation Act (P.L. 110-28) conditioned the release of some funds for Iraq operations upon achievement of 18 stated benchmarks, and required the Administration to report on progress by July 15 and September 15, 2007. A presidential waiver to permit the flow of funds is provided for and has been exercised. The July and September reports were relatively negative on progress on the political benchmarks, although, as discussed above, there has been movement since then on several of the benchmarks. A mandated (P.L. 110-28) GAO report released September 4, 2007,<sup>29</sup> which assessed Iraq's completion of the benchmarks, was highly critical of Iraqi performance. P.L. 110-28 also mandated a separate assessment of the Iraqi security forces (ISF) by an outside commission (headed by ret. Gen James Jones) discussed later.

The information below is intended to analyze Iraqi performance on the benchmarks, as compared to what Iraqi leaders pledged *in August 2006*. The information below does not strictly correspond to the 18 benchmarks of P.L. 110-28.

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<sup>29</sup> Securing, Stabilizing, and Rebuilding Iraq. GAO-07-1220T

*A chart on the those 18 benchmarks and the Administration and GAO assessments, along with developments subsequent to these reports, is contained in CRS Report RS21968.*

(1) *By September 2006, formation of a committee to review the constitution under the special amendment process (Article 137); approval of a law to implement formation of regions; approval of an investment law; and approval of a law establishing the Independent High Electoral Commission (IHEC).* The investment law was adopted in October 2006. The regions law was adopted October 12, 2006, although, to mollify Sunni opposition who fear formation of a large Shiite region in as many as nine provinces of southern Iraq, major factions agreed to delay the formation of new regions until at least April 2008, although Iraqi leaders are increasingly fearful of a push on forming a large Shiite region when that deadline expires. The IHEC law – key to implementing the October 2008 planned provincial elections – was passed on January 23, 2007, and the nine election commissioners have been appointed, although they are considered mostly representatives of the major blocs and not necessarily neutral or fully representative. In addition, the process of choosing IHEC representatives in each province has been halting – no election commissioners are in place in eight provinces – and reports say UNAMI might begin appointing commissioners to meet the deadlines for the provincial elections.

The constitution review committee (CRC), chaired by Humam al-Hammoudi, a senior ISCI leader, delivered “semi-final” recommendations for constitutional amendments in late May 2007, but left many sensitive issues, including the powers of regions versus central government, the status of Kirkuk, and presidential powers, to be decided by senior faction leaders. With deadlock remaining on these fundamental questions, the CRC has repeatedly extended the deadline (now extended to May 2008) for submitting its final recommendations. Sunni representatives reportedly seek to alter the constitution so as to require or facilitate the appointment of a Sunni Arab as president.

(2) *By October 2006, approval of a provincial powers law and approval of a new oil law.* The provincial authorities law was passed on February 13, 2008. It had been held up over disputes over whether the Baghdad government could dismiss provincial governors, but a compromise was ultimately reached. This paves the way for the planned October 1, 2008 provincial council elections.

The oil laws have not been passed, to date. Beginning in mid-2006, a three member Oil and Energy Committee working under the auspices of the Iraqi cabinet prepared draft hydrocarbon framework legislation to regulate Iraq’s oil and gas sector. Following approval by the negotiating committee, Iraq’s cabinet approved a draft version of the framework law in February 2007. However, the Kurds opposed a revised version agreed by the cabinet and forwarded to the COR in July 2007, and the draft has stalled in the COR. The issue is increasingly acrimonious as th Kurds have signed separate energy development deals and passed their own oil law. A related draft revenue law (not forwarded to the COR to date) would empower the federal government to collect oil and gas revenue, and reserve 17% of oil revenues for distribution to the Kurdish regional government. Two other implementing laws dealing with the structure of the oil industry and how foreign

firms' investments will be treated have not yet been approved by the cabinet. (*The Administration reports rated Iraq as unsatisfactory on the oil law benchmarks.*)

(3) *By November 2006, approval of a new de-Baathification law and approval of a flag and national anthem law.* The January 12, 2008 COR adoption of the De-Baathification law, called the Accountability and Justice Law, was considered a major development because of the emotions and sensitivity among the dominant factions to allowing Baathists back into government. The effect of the law on reconciliation, adopted unanimously by 143 in the COR who were present (opponents walked out before the vote), depends on implementation. It allows about 30,000 lower ranking ex-Baathists to regain their jobs; 3,500 Baathists (top three party ranks) would not, but would receive pensions instead. But, the law could allow for judicial prosecution of all ex-Baathists and to firing of about 7,000 ex-Baathists in post-Saddam security services, and bars ex-Saddam security personnel from regaining jobs.

On January 22, 2008, the COR voted 110 (out of 165 present) to pass a law adopting a new national flag that drops the previous Saddam-era symbols on the flag. However, some facilities dominated by Sunnis, who oppose the new design, have not flown the new flag to date and accuse the COR of adopting it because of pressure from the Kurds, who wanted a new flag in advance of a regional Arab parliamentarians meeting in the Kurdish area in March 2008. There has been no further progress on the national anthem issue.

(4) *By December 2006, approval of laws to curb militias and to offer amnesty to insurgent supporters.* The July 12 and September 14, 2007 progress reports said that the pre-requisites for these laws are not in place, given the security environment – but there has been some movement nonetheless. On November 11, 2007, Maliki outlined an amnesty plan that would cover persons who had cooperated with insurgent groups but had not committed “major crimes, but those found guilty of murder or terrorism would not be released. A law to amnesty 5,000 “non-terrorist” detainees held by Iraq was passed on February 13, 2008. It would not affect 25,000 detainees held by U.S.

On militias, observers say that because much of Iraq remains insecure, militias are unwilling to disarm. Others say the Shiite-led government fears that Sunnis are plotting to return to power and that offering amnesty to Sunni insurgent supporters would only accelerate that process. A previous (June 2007) “Measuring Stability” report said Maliki had verbally committed to a militia demobilization program, and an executive director of the program was named on May 12, 2007, but committee members have not yet been appointed and the demobilization work plan has not been drafted.

(5) *By January 2007, completion of the constitutional review process.* As noted above, the constitution review committee has not completed drafting proposed amendments to date.

(6) *By February 2007, the formation of independent commissions to oversee governance.* No progress has been reported to date. (This is not one of the formal benchmarks stipulated by P.L. 110-28.)



(7) *By March 2007, holding of a referendum on the constitutional amendments.* See no. 5.

(8) *By April 2007, Iraqi assumption of control of its military.* Six of the ten Iraqi Army divisions are now under Iraqi control. This is not one of the P.L. 110-28 benchmarks.

(9) *By June 2007, the holding of provincial elections.* Related to number 2, above. Although not necessarily contingent on the completion of a provincial powers law, the relevant laws for provincial elections have not been drafted and no date is set for new provincial elections. The current term of the provincial councils expire in early 2009. The Shiites, who control most provincial councils, are not supporting early new elections because those would presumably diminish their current advantage.

(10) *By September 2007, Iraqi security control of all 18 provinces.* Iraq Security Forces now have security control for nine provinces: Muthanna, Dhi Qar, Najaf, Maysan, Karbala, Irbil, Sulaymaniyah, Dohuk (the latter three are Kurdish provinces turned over May 30, 2007), and, most recently, Basra (turned over on December 16, 2007 by Britain). (Not one of the P.L. 110-28 benchmarks.)

(11) *By December 2007, Iraqi security self-reliance.* No firm estimates are available on when Iraqi security forces would be able to secure Iraq by themselves. President Talabani puts that time frame at the end of 2008, but few U.S. commanders say the ISF would be ready to secure Iraq alone before 2009, at the earliest. (Not one of the P.L. 110-28 benchmarks.)

Other of the eighteen benchmarks mentioned in P.L. 110-28 — such as applying law even-handedly among all sects, reducing sectarian violence, and increasing the number of Iraqi security forces able to operate independently — are security-related and are discussed in the sections below.

**Regional and International Diplomatic Efforts to Promote Iraq Stability.** The Iraqi government has received some diplomatic support, even though most of its neighbors, except Iran, resent the Shiite and Kurdish domination of the regime. There are about 50 foreign missions in Iraq, including most European and Arab countries. Jordan has appointed an ambassador and Kuwait has pledged to do so. Iran upgraded its representation to Ambassador in May 2006. Saudi Arabia, which considers the Shiite dominated government in Baghdad an affront to what it sees as rightful Sunni pre-eminence, told visiting Secretary of State Rice in August 2007 that the Kingdom will consider opening an embassy in Iraq, and it has begun steps to implement that pledge. On the other hand, some countries, such as Portugal in March 2007, have closed or reduced their embassies because of security concerns; there were attacks on diplomats from Bahrain, Egypt, Algeria, Morocco, and Russia in 2005 and 2006; Poland's ambassador was seriously wounded in an attack in central Baghdad on October 3, 2007.

The United States has tried to build regional support for Iraq through an ongoing "Expanded Ministerial Conference of Iraq's Neighbors" process, consisting of Iraq's neighbors, the United States, all the Gulf monarchy states, Egypt, and the

permanent members of the United Nations Security Council). The first meeting was in Baghdad on March 10, 2007. Iran and Syria attended, as did the United States. A follow-on meeting in Egypt was held May 3 and 4, 2007, in concert with additional pledges of aid for Iraq under an “International Compact for Iraq”, and agreement to establish regional working groups on Iraq’s security, fuel supplies, and Iraqi refugees. Those groups have each had several meetings. The latest ministerial meeting was held in Istanbul on November 2, 2007, but that meeting was reportedly dominated by the crisis between Turkey and Iraq over safe haven for the Turkish Kurdish opposition PKK (Kurdistan Workers Party), discussed further below. The November 2007 meeting did agree to create an institutional support mechanism for the process, possibly run by UNAMI. The next regional meeting will be held in Kuwait. Bilateral U.S.-Iran meetings on Iraq are discussed below.

**Human Rights and Rule of Law.** The State Department’s report on human rights for 2006, released March 6, 2007, appears to blame much of the human suffering in Iraq on the overall security environment and not on the Maliki government. It says that “widespread violence seriously compromised the government’s ability to protect human rights.” U.S. officials say Iraqis are freer than at any time in the past 30 years, with a free press and the ability to organize politically. A State Department report to Congress details how the FY2004 supplemental appropriation (P.L. 108-106) “Iraq Relief and Reconstruction Fund” (IRRF) has been spent for programs on this issue (“2207 Report”). These programs are run by the State Department Bureau of International Narcotics and Law Enforcement Affairs (State/INL), USAID, and State Department Bureau of Democracy, Human Rights, and Labor (DRL):

- About \$1.014 billion from the IRRF was for “Democracy Building,” including programs to empower women and promote their involvement in Iraqi politics, as well as programs to promote independent media. In addition, the FY2006 regular foreign aid appropriations (P.L. 109-102) provided \$28 million each to the International Republican Institute and the National Democratic Institute for Iraq democracy promotion. A FY2006 supplemental appropriation (P.L. 109-234) provided another \$50 million in ESF for Iraq democracy promotion, allocated to various organizations performing democracy work there (U.S. Institute of Peace, National Democratic Institute, International Republican Institute, National Endowment for Democracy, and others). An FY2007 supplemental appropriation (P.L. 110-28) provided \$250 million in additional “democracy funding;”
- About \$71 million for related “Rule of Law” programs. About \$15 million is to promote human rights and human rights education.
- About \$159 million to build and secure courts and train legal personnel, including several projects that attempt to increase the transparency of the justice system, computerize Iraqi legal documents, train judges and lawyers, develop various aspects of law, such as commercial laws, promote legal reform. There are currently

1,200 judges working, up 100 since September 2007. They report to the Higher Juridical Council.

- About \$128 million is for “Investigations of Crimes Against Humanity,” primarily former regime abuses;
- \$10 million is for U.S. Institute of Peace democracy/civil society/conflict resolution activities;
- \$10 million is for the Commission for the Resolution of Real Property Disputes (formerly the Iraqi Property Claims Commission) which is evaluating Kurdish claims to property taken from Kurds, mainly in Kirkuk, during Saddam’s regime; and

Some additional ESF funds, beyond the IRRF, have been used for activities to empower local governments, including (1) the “Community Action Program” (CAP) through which local reconstruction projects are voted on by village and town representatives. About 1,800 community associations have been established; (2) Provincial Reconstruction Development Committees (PRDCs) to empower local governments to decide on reconstruction priorities; and (3) Provincial Reconstruction Teams (PRTs), local enclaves to provide secure conditions for reconstruction, as discussed in the section on security, below. A FY2006 supplemental appropriation (P.L. 109-234) designated \$50 million in ESF for Iraq to be used for the CAP operating. That level continued in FY2007 (P.L. 109-383).

## **Economic Reconstruction and U.S. Assistance**

The Administration asserts that economic reconstruction will contribute to stability. As discussed in quarterly reports by the Special Inspector General for Iraq Reconstruction (SIGIR), the difficult security environment has slowed reconstruction.<sup>30</sup> *(In Recommendation 64, the Iraq Study Group says that U.S. economic assistance to Iraq should be increased to \$5 billion per year rather than be “permitted to decline.” Recommendation 67 calls on the President to appoint a Senior Advisor for Economic Reconstruction in Iraq, a recommendation that was largely fulfilled with the February 2007 appointment of Timothy Carney as Coordinator for Economic Transition in Iraq. That position is now held by Amb. Charles Ries.)* For more detailed breakdowns of U.S. aid to Iraq, see CRS Report RL31833, *Iraq: Recent Developments in Reconstruction Assistance*, by Curt Tarnoff.

A total of about \$43 billion has been appropriated for reconstruction funding (including security forces), of which \$20.917 billion has been appropriated for the IRRF in two supplemental appropriations: FY2003 supplemental, P.L. 108-11, which appropriated about \$2.5 billion; and the FY2004 supplemental appropriations,

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<sup>30</sup> The defense authorization bill for FY2007 (P.L. 109-364) set October 1, 2007, for termination of oversight by the SIGIR. However, P.L. 109-440 extends that term until 10 months after 80% of the IRRF have been expended but includes FY2006 reconstruction funds for Iraq in the definition of the IRRF. The SIGIR’s mandate is therefore expected to extend until some time in 2008.

P.L. 108-106, which provided about \$18.42 billion. Of the IRRF funds, \$20.06 billion has been obligated, and, of that, \$19 billion has been disbursed. According to State Department reports, the IRRF sector allocations are as follows:

- \$5.03 billion for Security and Law Enforcement;
- \$1.315 billion for Justice, Public Safety, Infrastructure, and Civil Society (some funds from this category discussed above);
- \$1.014 billion for Democracy (as discussed above);
- \$4.22 billion for Electricity Sector;
- \$1.724 billion for Oil Infrastructure;
- \$2.131 billion for Water Resources and Sanitation;
- \$469 million for Transportation and Communications;
- \$333.7 million for Roads, Bridges, and Construction;
- \$746 million for Health Care;
- \$805 million for Private Sector Development (includes \$352 million for debt relief for Iraq);
- \$410 million for Education, Refugees, Human Rights, Democracy, and Governance (includes \$99 million for education); and
- \$213 million for USAID administrative expenses.

**Additional Funding Beyond the IRRF.** In civilian reconstruction funding beyond the IRRF (Defense Department funding for the Iraqi security forces is contained separately in a table in the section of this paper on those forces):

— The FY2006 supplemental appropriation (P.L. 109-234) provided \$1.485 billion for Iraq civilian reconstruction.

— The regular FY2007 appropriation (P.L. 109-383, as amended) provided: \$123 million in ESF for Iraq reconstruction, and \$20 million for counter-narcotics. The FY2007 supplemental, P.L. 110-28 provided: \$1.574 billion in ESF; \$50 million in a DoD “Iraq Freedom Fund”; \$250 million in a “democracy fund;” \$150 million for counter-narcotics; and \$456.4 million in CERP funds (includes for Afghanistan as well). These are close to requested amounts.

— For FY2008 (regular and supplemental), the Administration has requested about \$1.3 billion for reconstruction; and about \$1 billion in CERP funds (DOD funds for humanitarian issues). The FY2008 consolidated appropriation (P.L. 110-161) says that no funds appropriated by that act are for Iraq. As noted, Iraq has a capital investment budget to contribute additional funds for reconstruction, but a GAO report in late January 2008 said that only about 4.5% of the \$10.5 billion in Iraqi funds committed to reconstruction in January 2007 had been spent (through distribution to the provinces), as of August 2007.

**Oil Revenues.** The oil industry is the driver of Iraq’s economy, and rebuilding this industry has received substantial U.S. and Iraqi attention, as encapsulated in the U.S. push for the Iraqi political structure to pass the draft oil laws. Before the war, it was widely asserted by Administration officials that Iraq’s vast oil reserves, believed second only to those of Saudi Arabia, would fund much, if not all, reconstruction costs. The oil industry infrastructure suffered little damage during the U.S.-led invasion (only about nine oil wells were set on fire), but it is a

target of insurgents and smugglers. Insurgents have focused their attacks on pipelines in northern Iraq that feed the Iraq-Turkey oil pipeline that is loaded at Turkey's Mediterranean port of Ceyhan. (Iraq's total pipeline system is over 4,300 miles long.) The U.S. military reported in a June 2007 "Measuring Stability" report that elements of the protection forces for the oil sector (Strategic Infrastructure Battalions and Facilities Protection Service for the Oil Ministry) are suspected of complicity for smuggling as much as 70% of the output of the Baiji refinery, cost Iraq as much as \$2 billion in revenue per year. The northern export route is operating, although somewhat below its 600,000 bpd pre-war capacity. On the other hand, high world oil prices have largely compensated for the output shortfall. The Iraqi government needs to import refined gasoline because it lacks sufficient refining capacity. A GAO report released August 2, 2007 said that inadequate metering, re-injection, corruption, theft, and sabotage, likely renders Iraq's oil production 100,000 - 300,000 barrels per day lower than the figures shown below, taken from State Department report. (*Steps to correct some of these deficiencies in the oil sector are suggested in Recommendations 62 of the Iraq Study Group report.*)

A related issue is long-term development of Iraq's oil industry and which foreign energy firms, if any, might receive preference for contracts to explore Iraq's vast reserves. Some are concerned that the draft oil law, if implemented, will favor U.S. firms because the draft does not give preference to development contracts signed during the Saddam era, such as those signed with Russian and Chinese firms. A Russian development deal with Saddam's government (the very large West Qurna field, with an estimated 11 billion barrels of oil) was voided by the current government in December 2007. South Korea and Iraq signed a preliminary agreement on April 12, 2007, to invest in Iraq's industrial reconstruction and, potentially, its energy sector as well, although Baghdad threatened in December 2007 to cut off sales of oil to South Korea because its firms also signed an energy development deal with the Kurdish regional government. Poland reportedly is negotiating with Iraq for possible investments in Iraq's energy sector. Other investors in the Kurdish region include Norway's DNO, Turkey's Genel; Canada's Western Zagros; Turkish-American PetPrime; Turkey/U.S.'s A and T Energy; Hunt Oil, and Dana Gas (UAE). However, the Kurds are constrained in their export routes, dependent on the Iraqi national pipeline network and on cooperation from Turkey, which is declining because of the heightened tensions between Turkey and Iraq's Kurds over the safehaven for the PKK. The produced oil from some of these projects will, at least initially, be trucked out. (*In Recommendation 63, the Iraq Study Group says the United States should encourage investment in Iraq's oil sector and assist in eliminating contracting corruption in that sector.*)

**Table 2. Selected Key Indicators**

Oil						
Oil Production (weekly avg.)	Oil Production (pre-war)	Oil Exports	Oil Exports (pre-war)	Oil Revenue (2006)	Oil Revenue (2007)	Oil Revenue (2008 to date)
2.5 million barrels per day (mbd)	2.5 mbd	1.97 mbd	2.2 mbd	\$31.3 billion	\$41 billion	
Electricity						
Pre-War Load Served (MWh)	Current Load Served	Baghdad (hrs. per day)	National Average (hrs. per day)			
102,000	100,000	8.0	10.7 (8.7 one year ago)			
Notes: Power shortages caused lack of water in several Baghdad districts in August 2007 due to lack of pumping and purification capability.						

**Note:** Figures in the table are provided by the State Department "Iraq Weekly Status Report" dated February 13, 2008. Oil export revenue is net of a 5% deduction for reparations to the victims of the 1990 Iraqi invasion and occupation of Kuwait, as provided for in U.N. Security Council Resolution 1483 (May 22, 2003). That 5% deduction is paid into a U.N. escrow account controlled by the U.N. Compensation Commission to pay judgments awarded.

**Lifting U.S. Sanctions.** In an effort to encourage private U.S. investment in Iraq, the Bush Administration has lifted nearly all U.S. sanctions on Iraq, beginning with Presidential Determinations issued under authorities provided by P.L. 108-7 (FY2003 appropriations) and P.L. 108-11 (FY2003 supplemental).

- On July 30, 2004, President Bush issued an Executive Order ending a trade and investment ban imposed on Iraq by Executive Order 12722 (August 2, 1990) and 12724 (August 9, 1990), and reinforced by the Iraq Sanctions Act of 1990 (Section 586 of P.L. 101-513, November 5, 1990 (following the August 2, 1990 invasion of Kuwait.) The order did not unblock Iraqi assets frozen at that time.
- On September 8, 2004, the President designated Iraq a beneficiary of the Generalized System of Preferences (GSP), enabling Iraqi products to be imported to the United States duty-free.
- On September 24, 2004, Iraq was removed from the U.S. list of state sponsors of terrorism under Section 6(j) of the Export Administration Act (P.L. 96-72). Iraq is thus no longer barred from receiving U.S. foreign assistance, U.S. votes in favor of international loans, and sales of arms and related equipment and services. Exports

of dual use items (items that can have military applications) are no longer subject to strict licensing procedures.<sup>31</sup>

- The FY2005 supplemental (P.L. 109-13) removed Iraq from a named list of countries for which the United States is required to withhold a proportionate share of its voluntary contributions to international organizations for programs in those countries.

**Debt Relief/WTO Membership/IMF.** The Administration is attempting to persuade other countries to forgive Iraq's debt, built up during Saddam's regime, with mixed success. The debt is estimated to total about \$116 billion (not including the U.N.-administered reparations process from the 1991 Persian Gulf war). In 2004, the "Paris Club" of 19 industrialized nations agreed to cancel about 80% of the \$39 billion Iraq owes them. The Persian Gulf states that supported Iraq during the Iran-Iraq war have resisted writing off Iraq's approximately \$35 billion in debt to those countries (mainly Saudi Arabia - \$15 billion debt owed by Iraq; Kuwait - \$15 billion; United Arab Emirates - \$4 billion), and Qatar). These states are also far behind on remitting aid pledges to Iraq, according to the GAO.<sup>32</sup> On December 17, 2004, the United States signed an agreement with Iraq writing off 100% of Iraq's \$4.1 billion debt to the United States; that debt consisted of principal and interest from about \$2 billion in defaults on Iraqi agricultural credits from the 1980s.<sup>33</sup> On December 15, 2007, Iraq cleared its debts to the International Monetary Fund (IMF) by repaying \$470 million earlier than required and has a Stand-By Arrangement with the Fund. On December 13, 2004, the World Trade Organization (WTO) began accession talks with Iraq.

## Security Challenges and Responses

Since the fall of Saddam Hussein, the United States has employed a multi-faceted approach to stabilizing Iraq, but in late 2006 the effort was determined by the Administration to be faltering. President Bush, in his January 10, 2007, speech on Iraq, said, "The situation in Iraq is unacceptable to the American people and it is unacceptable to me." The deterioration was, at least partly, the result of continuing sectarian violence superimposed on a tenacious Sunni-led insurgency, and prompted the strategy revision announced in January 2007.

U.S. military headquarters in Baghdad (Combined Joint Task Force-7, CJTF-7) is a multi-national headquarters "Multinational Force-Iraq, MNF-I," headed by Gen. David Petraeus, who previously led U.S. troops in the Mosul area and the training

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<sup>31</sup> A May 7, 2003, Executive Order left in place the provisions of the Iran-Iraq Arms Non-Proliferation Act (P.L. 102-484); that act imposes sanctions on persons or governments that export technology that would contribute to any Iraqi advanced conventional arms capability or weapons of mass destruction programs.

<sup>32</sup> [<http://www.gao.gov/new.items/d08365r.pdf>]

<sup>33</sup> For more information, see CRS Report RL33376, *Iraq's Debt Relief: Procedure and Potential Implications for International Debt Relief*, by Martin A. Weiss.

and equipping program for the Iraqi Security Forces (ISF). The head of Multinational Corps-Iraq is Lt. Gen. Ray Odierno, who is soon to rotate out.

## Sunni Arab-Led Insurgency

The duration and intensity of a Sunni Arab-led insurgency defied many expectations, probably because, in the view of many experts, it was supported by much of the Iraqi Sunni population that feels humiliated at being ruled by the Shiites and their Kurdish partners. Some Sunni insurgents seek to return the Baath Party to power, while others want to restore Sunni control more generally. The insurgent groups are believed to be loosely coordinated within cities and provinces. The most senior Baathist still at large is longtime Saddam confidant Izzat Ibrahim al-Duri.

The Sunni insurgency did not derail the political transition,<sup>34</sup> but it has caused rates of U.S. casualties and sectarian violence sufficient to stimulate debate in the United States over the U.S. commitment in Iraq. Sunni insurgent groups have conducted numerous complex and coordinated attacks on police stations and other fixed positions, suicide attacks on markets frequented by Shiites, and occasional mass kidnappings. Targets of Sunni insurgent grenades, IEDs (improvised explosive devices), mortars, and direct weapons fire are U.S. forces and Iraqi officials and security forces, as well as Iraqi civilians of rival sects, Iraqis working for U.S. authorities, foreign contractors and aid workers, oil export and gasoline distribution facilities, and water, power, and other facilities. In 2007, insurgent groups, on about ten occasions, exploded chlorine trucks to cause widespread civilian injury or panic; another chlorine attack occurred in late January 2008. A trend in early 2007 was attacks on bridges, particularly those connecting regions of differing sectarian domination. Some Sunni insurgents have been able to choke off power supplies to starve rival communities of power, for example in northern Diyala Province. An April 12, 2007, bombing of the Iraqi parliament, coming amid increasing mortar attacks on the heavily fortified International Zone, demonstrate the ability of the insurgency to operate in Baghdad. Prior to 2007, whole Sunni-dominated neighborhoods of Baghdad, including Amiriya, Adhamiya, Fadhil, Jihad, Amal, and Dora (once a mostly Christian neighborhood) were serving as Sunni insurgent bases. Sunni insurgents also made substantial inroads into the mixed province of Diyala, pushing out Shiite inhabitants, and in Nineveh province as well.

The U.N. Security Council has adopted the U.S. interpretation of the insurgency in Resolution 1618 (August 4, 2005), condemning the “terrorist attacks that have taken place in Iraq,” including attacks on Iraqi election workers and foreign diplomats in Iraq. A FY2006 supplemental (P.L. 109-234) provided \$1.3 million in Treasury Department funds to disrupt insurgent financing.

**Sunni “Awakening” in 2007.** U.S. officials say that a major positive trend emerged in late 2006, even before the U.S. “troop surge” began in early 2007.

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<sup>34</sup> For further information, see Baram, Amatzia. “*Who Are the Insurgents?*” U.S. Institute of Peace, Special Report 134, April 2005; and Eisenstadt, Michael and Jeffrey White. “*Assessing Iraq’s Sunni Arab Insurgency.*” Washington Institute for Near East Policy, Policy Focus No. 50, December 2005.



Some Iraqi Sunnis began turning against the mostly foreign-composed Al Qaeda Iraq (AQ-I) – which has been a key component of the insurgency – because of its commission of some atrocities and abuses — such as killings of those who want to cooperate with the Iraqi government, forced marriages, and attempts to impose strict Islamic law. AQ-I, founded by Abu Musab al-Zarqawi (killed in a June 7, 2006, U.S. airstrike) has been a U.S. focus from very early on in the war because, according to U.S. commanders, it is responsible for an estimated 90% of the suicide bombings against both combatant and civilian targets. AQ-I has always been considered by Iraqis as an “alien” component of the insurgency because it is led by non-Iraqis with different traditions and whose goals are more worldwide *jihadi* than Iraq-specific.<sup>35</sup> The Sunni Iraqi turn against AQ-I was begun in Anbar Province by Sunni tribes belonging to the “Awakening” (As Sahwa) or “Salvation Council” movement who sought to limit AQ-I’s influence – and perhaps bolster their own strength against Iraq’s dominant Shiites – by cooperating with U.S. counter-insurgency efforts. The Anbar Salvation Council has survived the September 13, 2007, assassination of its key founder, Shaykh Abd al-Sattar al-Rishawi; the movement, which is now seeking political influence as a rival to the more established, urban-based Sunni Arab parties, is now headed by his brother, Ahmad, in partnership with Anbar province Governor Mamoun Rashid al-Alwani.

**“Concerned Local Citizen” (CLC) Fighters.** In the course of the “troop surge,” U.S. commanders have taken advantage of this trend by turning over informal security responsibility to 90,000 former militants called “Concerned Local Citizens” (CLC’s) or “Sons of Iraq” in exchange for their cooperation and an end to their anti-U.S. operations. They are also sometimes referred to as Provincial Security Forces, or “Awakening fighters.” These fighters were recruited by the various tribal Awakening and Salvation Councils, or represent former insurgents from such groups as the 1920 Revolution Brigades who have decided by themselves to cooperate with the United States. Of the 90,000, about 80% are Sunni and 20% are anti-extremist Shiites, according to the U.S. military. At the same time, these CLC fighters and leaders of the Awakening movement – “Awakening Councils” have now formed in several districts of Baghdad – are increasingly targeted by AQ-I and some Iraqi Sunni insurgents. There were about 100 attacks on these fighters in January, up from 50 in December and 25 in November.

U.S. commanders are giving funds to and sharing information with the CLC fighters — a strategy that is controversial because of the potential of the Sunni Iraqis to later resume fighting U.S. forces and Iraqi Shiites. U.S. officials say no new weapons have been given to these groups, although some reports say U.S. officers allow these fighters to keep captured weaponry.

The CLC program has led to increased tensions between Maliki and the lead U.S. commander in Iraq, Gen. David Petraeus, and the entire UIC bloc publicly demanded an end to this U.S. strategy on October 2, 2007, claiming the United States is “embracing ... terrorist elements.” However, ISCI leader Hakim said in early January 2008 that the CLC fighters have improved security in Iraq. Still, Shiite

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<sup>35</sup> AQ-I is discussed in detail in CRS Report RL32217, *Iraq and Al Qaeda*, by Kenneth Katzman.

political resistance has stalled U.S. plans to integrate all the CLC fighters into the Iraqi Security Forces (ISF); in some cases ISF commanders have confined the Sunni fighters to their homes or headquarters. The government, fearing empowering Sunnis particularly in the security services, has thus far only allowed about 10,000 such volunteers, mostly from the almost exclusively Sunni province of Anbar to join the ISF, causing some CLC members to threaten to rejoin insurgent activity. In February 2008, several hundred CLC fighters in Diyala Province abandoned their posts to protest alleged sectarianism by the Shiite police chief in the province.

Despite the new cooperation of Sunni tribes and former insurgents, Gen. Petraeus has declined to “declare victory” against AQ-I and say it remains highly dangerous and capable of a come-back. There are continuing U.S. anti-AQ-I operations in Diyala, and in Nineveh province (Mosul city) where AQ-I apparently has fled to, and these provinces continue to experience relatively high levels of violence. A major suicide bombing in August 2007 killed over 500 members of the Yazidi (Kurdish speaking, pre-Islamic) sect in northern Iraq — the most lethal attack of the war to date.

***Outside Support for Sunni Insurgents.*** Numerous accounts have said that Sunni insurgents are receiving help from neighboring states (money and weapons),<sup>36</sup> although others believe that outside support for the insurgency is not decisive. The December 2007 “Measuring Stability” report says that Syria is estimated to be the entry point for 90% of all foreign terrorists known in Iraq. The report also notes that Syria hosted the inaugural meeting (August 2007) of the Border Security working group formed by the “Expanded Neighbors” process discussed above, and a follow up in November 2007, and that Syria has made recent efforts to stem the flow of extremists into Iraq. *Largely because of this outside support, the first 17 recommendations of the Iraq Study Group report call for intensified regional diplomacy, including multi-lateral diplomacy with Syria and Iran.*

Other assessments say the Sunni insurgents, both Iraqi and non-Iraqi, receive funding from wealthy donors in neighboring countries such as Saudi Arabia,<sup>37</sup> where a number of clerics have publicly called on Saudis to support the Iraqi insurgency. As noted above, the Saudi leadership has been notably cool to the Maliki government publicly — even to the point of refusing visits by him — which likely means that the Saudi leadership is at least tolerating aid to Sunni insurgents privately.

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<sup>36</sup> Blanford, Nicholas. “Sealing Syria’s Desolate Border,” *Christian Science Monitor*, December 21, 2004.

<sup>37</sup> Krane, Jim. “U.S. Officials: Iraq Insurgency Bigger.” Associated Press report published in the *Philadelphia Inquirer*. July 9, 2004; Schmitt, Eric, and Thom Shanker. “Estimates By U.S. See More Rebels With More Funds,” *New York Times*, October 22, 2004.

**Table 3. Key Security/Violence Indicators**

Indicator	Current Level
Number of U.S. forces in Iraq	About 155,000 lower than 165,000 at “surge” peak. Will decline to about 138,000 (15 combat brigades) by July 2008; growing U.S. senior level support for Gen. Petraeus position not to commit to reduce beyond that.
U.S./Other Casualties	3,963 U.S. forces; 3,228 by hostile action. 3,816 since end to “major combat operations” declared May 1, 2003. About 260 coalition (including 170 British). 1,000+ civilian contractors. About 35 U.S. killed in both October and November 2007; 23 in December 2007; and 38 in January 2008. 100+ per month killed early-mid 2007.
Partner forces in Iraq	10,604 from 25 other countries. Down from 28,000 in 2005
Number of Insurgents	25,000 U.S. estimates; Iraqi estimates run to 40,000
AQ-I fighters	1,300 - 3,500 commonly estimated, precise figures not known
Number of Iranian Qods Forces in Iraq	150+. Shiite militias have killed about 200 U.S. soldiers with Qods-supplied Explosively Formed Projectiles (EFP's).
Iraq Civilian Deaths	About 13/day at end of 2007, down from down from 100/day in December 2006, including 2 - 5 sectarian murders in Baghdad per day (down from 33 pre-surge). Current levels lower than those of 2006, but subject to large fluctuations, and exclude figures kept by Iraqi authorities. Sectarian murders not limited to Baghdad; now occur regularly in Kirkuk, Baquba, Mosul, Kut, and other cities.
Number of all Attacks/day	About 85/day “enemy-initiated” at end of 2007, down 60% from 200/day in June 2007. Major car and other large suicide bombings down 75% from pre-surge. Debate exists over what incidents are counted in DoD figures; DoD does not count Shiite-Shiite violence in its enemy-initiated figures, for example.
Shiite militiamen	80,000 (60,000 Mahdi, 15,000 Badr, 5,000 other)
CLC Fighters	90,000, of which about 10,000 now in ISF. Suffering 100 attacks per day on them in Jan. 08. Each paid \$350/month by DoD (CERP funds). \$100 paid per IED revealed. DoD has spent \$148 million on them as of Feb. 08
Iraqis Leaving Iraq or Displaced since 2003	2 million left, incl. 700,000 to Jordan, 1 million to Syria; another 2 million internally displaced or relocated. Some families returning due to reduced violence levels and pressure from host countries, but number of returnees, and reasons, widely debated.
Iraqis in Detention	About 25,000 by U.S.; an equal number in Iraqi custody
Iraqi Army and Police Battalions in operations/In the Lead	144 in operations; up from 104 in November 2006. 118 in the lead; up from 57 in May 2006, of which as many as 12 can operate independently.
Total ISF	531,616 “assigned” (on payrolls, not necessarily present on duty) Authorized total: 572,844
Number of Provinces Under ISF Control	9: Muthanna, Dhi Qar, Najaf, Maysan, Irbil, Dahuk, and Sulaymaniyah (latter three in May 2007), Karbala (October 29), and Basra (December 16). Anbar to be turned over in March 2008.

**Sources:** Information provided by a variety of sources, including U.S. government reports on Iraq, Iraqi statements, the Iraq Study Group report, DoD Measuring Stability report, Petraeus September 2007 testimony, and press reports, including Reuters Alertnet. See **Tables 5** and **6** for additional figures on total numbers of Iraqi security forces, by force component.

## Sectarian Violence and Shiite Militias/Civil War?

Contributing to the deteriorating security environment in 2006 and early 2007 was the increase in Sunni-Shiite sectarian violence. Top U.S. officials said in late 2006 that sectarian-motivated violence — manifestations of an all-out struggle for political and economic power in Iraq — had displaced the Sunni-led insurgency as the primary security challenge. There is also growing internecine fighting among Shiite groups in southern Iraq as they compete for power, influence, and financial resources. *In assessing benchmark # 13, the July 12, 2007 and September 14 progress reports say that there has been satisfactory progress reducing sectarian violence but unsatisfactory progress towards eliminating militia control of local security, and the report generally gave the Iraqis poor reviews for reducing sectarianism. The September 4, 2007 GAO report was pessimistic, calling benchmark #13 “unmet.”* Subsequently, however, U.S. and Iraqi officials have said there has been a dramatic drop in sectarian violence because of the U.S. troop surge and because of a “ceasefire” of the Mahdi Army, called by Sadr, discussed later.

U.S. officials date the escalation of Sunni-Shiite sectarian violence to the February 22, 2006, AQ-I bombing of the Askariya Shiite mosque in Samarra. The attack set off a wave of purported Shiite militia attacks on Sunni mosques and civilians in the first days after the mosque bombing. The Shiite militias — in some cases supported by sympathetic Shiite members of the ISF — continued retaliating by driving Sunnis out of mixed neighborhoods. Some observers say that Sunnis largely “lost” the “battle for Baghdad,” with some accounts saying that Baghdad was about 35% Sunni Arab during Saddam’s rule but was reduced by the violence to about 20%. Many victims of sectarian violence turn up bound and gagged, dumped in about nine reported sites around Baghdad, including in strainer devices in the Tigris River. The Samarra mosque was bombed again on June 13, 2007 and their were reprisal attacks on Sunni mosques in Basra and elsewhere, although the attack did not spark the large wave of reprisals that the original attack did, possibly because the political elite appealed for calm after this second attack.

Iraqi Christians (mostly Chaldean Catholics and Assyrian Christians) and their churches and church leaders have become major targets of Shiite and Sunni armed factions, viewing them as allies of the United States. Since the fall of Saddam Hussein, as many as 100,000 Christians might have left Iraq. Christian priests have been kidnapped and killed. However, some Christians in Baghdad felt safe enough to celebrate Christmas (2007) at churches in Baghdad. The attack on the Yazidis in August 2007, noted above, also appeared to reflect the precarious situation for Iraqi minorities. U.S. military forces do not specifically protect Christian sites.

Discussed below are the three major organized militias in Iraq: the Kurdish Peshmerga, the Badr Brigades, and the Mahdi Army. Some believe that the Sunni groups being allowed to operate by the United States constitute additional militias, but they are relatively segregated by region and neighborhood and their ultimate form and disposition are not determined. As noted, the United States is seeking to have these Sunni groups integrated into the ISF.

- *Kurdish Peshmerga.* Together, the KDP and PUK may have as many as 75,000 *peshmerga* (fighters), most of which are providing

security in the Kurdish-controlled provinces of Dahuk, Sulaymaniyah, and Irbil Provinces. Kurdish parties pay the *peshmerga* with party funds, but Kurdish leaders have sought, unsuccessfully to date, to have them paid from the national budget. Some are in the Iraqi Security Forces (ISF) and are deployed mostly in such northern cities as Mosul and Tal Affar. Peshmerga have sometimes fought each other; in May 1994, the KDP and the PUK clashed with each other over territory, customs revenues, and control over the Kurdish regional government in Irbil. *Peshmerga* do not appear to be involved in the Sunni Arab-Shiite Arab sectarian violence, although some human rights groups have alleged peshmerga abuses against Christians and other minorities in the Nineveh Plain, close to the KRG-controlled region. Kurdish leaders deny the allegations. The FY2008 Consolidated Appropriation earmarks \$8 million in ESF from previous appropriations to assist the Nineveh plain Christians.

- *Badr Brigades*. This militia is led by Hadi al-Amiri (a member of parliament from the Badr grouping of the UIA). Many Badr militiamen have now folded into the ISF, particularly the National Police and other police commando units. The Badr Brigades were originally recruited, trained, and equipped by Iran's hardline force, the Revolutionary Guard, during the 1980-88 Iran-Iraq war, in which Badr guerrillas conducted forays from Iran into southern Iraq to attack Saddam regime targets. Badr fighters were recruited from the ranks of Iraqi prisoners of war held in Iran. However, many Iraqi Shiites viewed ISCI as an Iranian puppet and Badr operations in southern Iraq during the 1980s and 1990s did not shake Saddam's grip on power. The Badr "Organization" is under the UIA as a separate political entity, in addition to its ISCI parent.
- *Mahdi Army (Jaysh al-Mahdi, JAM)*. The March 2007 "Measuring Stability" reports say this militia "has replaced Al Qaeda in Iraq as the most dangerous accelerant of potentially self-sustaining sectarian violence in Iraq." U.S. assessments of the JAM have softened somewhat since that report. The JAM largely ceased active patrolling after the U.S. "troop surge" began in February 2007 and Sadr called a "ceasefire" of JAM activities in September 2007. The ceasefire expires on February 23, 2008 and Sadr is indicating he might not renew it because of perceived ISCI/Badr aggression against his faction. During the "ceasefire," Sadr reportedly has weeded from JAM ranks alleged rogue commanders who were responsible for most of the atrocities against Sunnis. JAM activities are integral to any discussion of the security situation in southern Iraq and in Baghdad.

**Shiite-on-Shiite Violence.** Shiite-against-Shiite violence increased in 2007, perhaps because the Sadr faction sought influence commensurate with what it believes is its popularity. Pro-Sadr candidates did not compete vigorously in the January 2005 provincial elections, leaving the faction underrepresented in most

southern provinces, including Basra. As international forces, particularly those of Britain, reduced their presence in southern Iraq, the JAM is becoming more assertive against other Shiite factions in the south, as noted in the December 2007 Measuring Stability report. As noted, continued fighting pits the JAM against U.S., partner, and Badr-dominated ISF personnel in Karbala, Diwaniyah, Nassiriyah, Basra, and Amarah as the JAM struggles to control more resources and power to compensate for its weak position on the provincial councils. The fighting highlights the fragility of a pact Sadr signed with ISCI in early October 2007, calling for an end to hostilities between their two factions. The lack of implementation of the pact was again in evidence on December 15, 2007 when several car bombs went off in Amarah in a possible effort by ISCI to challenge Sadr's strength there.

As an outgrowth of this infighting, within one week in late August 2007, the governors of Qadisiyah and of Muthanna provinces — both ISCI loyalists — were killed in roadside bombings. An even more violent incident took place on August 28, when fighting between the JAM and the ISF (purportedly mostly Badr fighters within the ISF) in the holy city of Karbala caused the death of more than 50 persons, mostly ISF and JAM fighters. The fighting interrupted a Shiite celebration (the birth of the 12<sup>th</sup> Imam) and many of the Shiite celebrants were ordered out of the city. In late September 2007, two aides to Ayatollah Sistani were assassinated on successive days, although those responsible remain unidentified.

Stability in the Shiite south is also threatened by a messianic faction called "Soldiers of Heaven." Over the past two years, it has staged attacks on Shiite civilians during Shiite processions as part of a purported plan to create the chaos that, in the faction's view, would pave the way for the return of the Hidden Imam, whose reappearance would lead to a pure age. It conducted major violence in Karbala and in Baghdad during January 2008 Ashura processions.

The city of Basra has complications even beyond those of other Shiite-inhabited cities, and some predict major instability there now that Britain has handed over the province to ISF control (December 16). In Basra, the *Fadilah* (Islamic Virtue) Party is part of the power struggle, using its strength among oil workers and the Facilities Protection Force for the oil infrastructure. At the national level, Fadilah and the Sadr trend are usually aligned against the "incumbent" Shiite parties because both Sadr and Fadilah represent lower class constituents. Both have pulled out of the UIA. In Basra, they are competitors because of the vast assets up for grabs there (Basra is Iraq's main oil producing region and the point of export for about 90% of Iraq's total oil exports). Fadilah has 12 of the 41 Basra province seats; ISCI controls 21 seats, leaving Sadr with very little representation on that council. In April 2007, the Sadrists conducted protests in Basra to try to persuade the provincial governor, Mohammad Waili, who is a Fadilah member, to resign, a campaign that is continuing. Fadilah also has thus far successfully resisted Maliki's efforts to replace Waili. Britain and the U.S. military (December 2007 Measuring Stability report) say that security in the city has not deteriorated significantly since the British redeployment from the city to Basra airport in September 2007, and optimism for the province was expressed at the December 16, 2007 handover ceremony. There are no concentrations of U.S. troops there, leaving the security of the city entirely in the hands of the ISF.

**Iranian Support.** U.S. officials, most specifically in a February 11, 2007, U.S. defense briefing in Baghdad, have repeatedly accused the Qods (Jerusalem) Force of Iran's Revolutionary Guard of aiding Shiite militias (mostly Sadr's Mahdi forces) with explosives and weapons, including the highly lethal "explosively forced projectiles" (EFPs). A new development came on April 11, 2007, when U.S. military officials said they had found evidence that Iran might also be supplying Sunni insurgent factions, presumably in an attempt to cause U.S. casualties and promote the view that U.S. policy in Iraq is failing. In his September 2007 testimony before Congress, U.S. commander Gen. David Petraeus asserted that Iran was using its protegee, Lebanese Hezbollah, to train and arm Iraqi Shiite militias and form them into a Hezbollah-like Iranian proxy force in southern Iraq. Comments from some U.S. commanders, including Gen. Odierno and Gen. Petraeus in late 2007 said that Iranian shipments into Iraq had declined somewhat in line with an August 2007 Iranian pledge to Maliki to reduce its involvement in the civil conflict in Iraq, although some saw a slight increase in shipments temporarily in early January 2008. However, there are disagreements over whether the overall decline is an Iranian policy decision (State Dept. view) or the result of U.S. counter-Iranian operations.

Iran's support for Shiite militias contributed to a U.S. decision to conduct direct talks with Iran on the issue of stabilizing Iraq, a key recommendation of the December 2006 Iraq Study Group (*Recommendations 9, 10, and 11*). The Administration initially rejected that recommendation — the President's January 10, 2007, Baghdad security initiative included announcement of an additional aircraft carrier group and additional Patriot anti-missile systems to the Gulf, moves clearly directed against Iran. From December 2006 to September 2007, U.S. forces arrested twenty alleged Iranian Revolutionary Guard Qods Forces and other agents. It released nine of them in November 2007, and another in December, but still holds those of highest "value."

In an apparent shift, the Administration supported and participated in the March 10, 2007, regional conference in Baghdad and the follow-up regional conference held in Egypt on May 3 and 4, 2007. Subsequently, the two sides announced and then held high profile direct talks, at the Ambassador level, on May 28, 2007. Another meeting was held on July 24, 2007, with little agreement apparent at the meeting but with a decision to form a U.S.-Iran working group to develop proposals for both sides to help ease Iraq's security difficulties. The working group met for the first time on August 6. In his September 10 and 11, 2007 testimony, Ambassador Crocker said the talks with Iran were worth continuing because Iran might, at some point, alter its stance. Following U.S. assessments of reduced Iranian weapons shipments into Iraq, the United States agreed to another meeting with Iran in Baghdad, but the planned December 18, 2007 meeting was postponed over continuing U.S.-Iran disagreements over the agenda for another round of talks, as well as over Iran's insistence that the talks be between Ambassador Crocker and Iranian Ambassador Hassan Kazemi-Qomi. Ambassador Crocker said on February 1, 2008 that the talks might happen in the next week or so, but Iranian has repeatedly delayed the meeting, perhaps because Iranian President Mahmoud Ahmadinejad is slated to visit Iraq on March 2 - it would mark the first such visit since the Iranian revolution of 1979. (For more information, see CRS Report RS22323, *Iran's Influence in Iraq*, by Kenneth Katzman.)

## **Iraq's Northern Border**

At the same time, security on Iraq's northern border appears to be increasingly fragile, and U.S. officials fear that the most stable region of Iraq could become an arena for heightened conflict if the Turkey - Iraqi Kurdish dispute is not resolved peacefully. Turkey's government, complaining that Iraq's Kurds (primarily the KDP, whose power base abuts the Turkish border) are harboring the anti-Turkey PKK guerrilla group in northern Iraq that has killed about 40 Turkish soldiers since September 2007, obtained parliamentary approval in October 2007 for a move into northern Iraq against the PKK and mobilized a reported 100,000 troops to the border area. The Turkish military has used that authority sparingly to date, possibly because U.S. officials are putting pressure on Kurdish leaders not to harbor the PKK, and because U.S. officials are reportedly sharing information on the PKK with Turkey. Still, Turkey reportedly sent about 300 soldiers about 1.5 miles into northern Iraq on December 18, 2007, following air-strikes on PKK positions in days prior. That same day, KRG President Barzani cancelled a meeting with visiting Secretary of State Rice because of the U.S.-Turkey cooperation against the PKK. The Maliki government and the Iraqi Arabs generally favor cooperating with Turkey — and in September 2007 signed an agreement with Turkey to pledge such cooperation — but have limited influence over the largely autonomous Kurdish region. The issue dominated the expanded neighbors meeting in Istanbul on November 2, 2007, as well as Turkish Prime Minister Recep Tayyip Erdogan's meeting with President Bush on November 5, as well as Turkish President Abdullah Gul's meeting with President Bush on January 7, 2008.

Tensions began escalating in July 2007 when Barzani indicated that the Iraqi Kurds were capable of stirring unrest among Turkish Kurds if Turkey interferes in northern Iraq. Previously, less direct threats by Turkey had prompted the U.S. naming of an envoy to Turkey on this issue in August 2006 (Gen. Joseph Ralston (ret.), former Vice Chairman of the Joint Chiefs of Staff). On February 8, 2007, Turkish Foreign Minister warned against proceeding with the December 31, 2007, referendum on Kirkuk, reflecting broader concerns that the referendum could pave the way for Kurdish independence. That referendum has been postponed at least until June 2008.

Another emerging dispute is Iran's shelling of border towns in northern Iraq that Iran says are the sites where the Party for a Free Life in Kurdistan (PJAK), an Iranian Kurdish separatist group, is staging incursions into Iran. Iran has threatened a ground incursion against PJAK and Iraq said on September 9, 2007, in remarks directed at Iran and Turkey, that its neighbors should stop interfering in Iraq's affairs.

## **U.S. Stabilization Strategy and "Troop Surge"**

Acknowledging the difficulty of the mission, the Administration has tried to refine its stabilization strategy.<sup>38</sup> In prior years, a major focus of U.S. counter-

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<sup>38</sup> Previously, Congress has mandated two major periodic Administration reports on progress in stabilizing Iraq. A Defense Department quarterly report, titled "Measuring (continued...)"



insurgent (“search and destroy”) combat was Anbar Province, which includes the cities of Fallujah and Ramadi (provincial capital), the latter of which was the most restive of all Iraqi cities and in which the provincial governor’s office was shelled or attacked nearly daily until early 2007. In the run-up to the December 15, 2005, elections, U.S. (and Iraqi) forces conducted several major operations (for example Operations Matador, Dagger, Spear, Lightning, Sword, Hunter, Steel Curtain, and Ram) to clear contingents of foreign fighters and other insurgents from Sunni cities in Anbar, along the Euphrates River. None of these operations produced lasting reductions in violence, possibly because of the relative insufficiency of U.S. and Iraqi troops to hold cleared areas.

**“Clear, Hold, and Build” Strategy/Provincial Reconstruction Teams.**

Realizing the weakness of its strategy, in its November 2005 “National Strategy for Victory in Iraq,” the Administration publicly articulated a new strategy called “clear, hold, and build,” intended to create and expand stable enclaves by positioning Iraqi forces and U.S. civilian reconstruction experts in areas cleared of insurgents. The strategy stipulated that the United States should devote substantial resources to preventing insurgent re-infiltration and promoting reconstruction in selected areas, cultivating these areas as a model that could expand throughout Iraq. The strategy formed the basis of Operation Together Forward (I and II) of August - October 2006.

In conjunction with the U.S. strategy, the Administration began forming Provincial Reconstruction Teams (PRTs), a concept used extensively in Afghanistan. Each PRT in Iraq is civilian led, composed of about 100 U.S. State Department and USAID officials and contract personnel, to assist local Iraqi governing institutions, such as the provincial councils, representatives of the Iraqi provincial governors, and local ministry representatives. Initially, ten PRTs were inaugurated, of which seven are run by the United States: Mosul, Kirkuk, Hilla, Baghdad, Anbar Province, two in Salah ad-Din Province, and Baquba. Of the partner-run PRTs, Britain has formed a PRT in Basra, Italy has formed one in Dhi Qar province, and South Korea runs one in Irbil. In conjunction with the President’s new strategy announced January 10, 2007, discussed below, another fifteen PRTs were opened in 2007, bringing the total to 25. Of the additional PRTs, six were formed in Baghdad and three more in Anbar. Of the total number of PRTs, 11 are working at the provincial level and 14 are embedded with U.S. military concentrations (Brigade Combat Teams.) There are another seven smaller Provincial Support Teams. A total of about 400 diplomats and contractors have been added to staff the new PRTs, although about half of these new positions were filled with military personnel at least temporarily. Observers who have visited Iraq say that some of the PRTs are increasingly well staffed and effective in generating employment and establishing priorities. In December 2007,

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<sup>38</sup> (...continued)

Stability and Security in Iraq,” was required by an FY2005 supplemental appropriation (P.L. 109-13), and renewed by the FY2007 Defense Appropriation (P.L. 109-289). Another report (“1227 Report”), is required by Section 1227 of the Defense Authorization Act for FY2006 (P.L. 109-163). As noted above, P.L. 110-28 mandated the July 15, 2007 and September 15, 2007 progress reports on the “troop surge,” as well as a GAO report due September 1, 2007 and an outside commission report (“Jones Commission”) on the Iraqi security forces.

the PRT in Kirkuk helped broker a return of Sunni Arabs to the provincial council there; they had been boycotting because of the Kurdish push to control the city.

**PRT Funding.** An FY2006 supplemental appropriation, P.L. 109-234, provided \$229 million for the PRT operations. Another \$675 million for development grants to be distributed by the PRTs is funded through the ESF appropriation for Iraq in this law. The FY2007 supplemental (P.L. 110-28) provides about \$700 million (ESF) for PRT security, operations, and PRT-funded reconstruction projects.

**“Troop Surge”/Baghdad Security Plan/“Fardh Qanoon”.** Acknowledging that the initiatives did not bring security or stability, the President’s January 10, 2007, “New Way Forward” — Baghdad security initiative (referred to in Iraq as *Fardh Al Qanoon*, or FAQ, Arabic for “Imposing Law”) was articulated as intended to bring security to Baghdad and create conditions under which Iraq’s communities and political leaders can reconcile. The plan, which in many ways reflects recommendations in a January 2007 report by the American Enterprise Institute entitled “Choosing Victory: A Plan for Success in Iraq,”<sup>39</sup> formally began in February 2007, and included the following components:

- The deployment of an additional 28,500 U.S. forces to Iraq — 17,500 combat troops (five brigades) to Baghdad; 4,000 Marines to Anbar Province; and the remainder are support troops and military police. The plan envisioned that these forces, along with additional Iraqi forces, would hold neighborhoods cleared of insurgents and thereby cause the population to reject militias. The forces are based, along with Iraqi soldiers, in 100 fixed locations (both smaller Combat Outposts and the larger “Joint Security Stations”). Only one such outpost is near Sadr City, although U.S. commanders say more will be established there. *The July 12 and September 14, 2007 progress reports said that establishment of the Joint Security Stations has been satisfactory. The GAO report concurred.*
- Cooperation from the Iraqi government, such as progress on the reconciliation steps discussed earlier, the provision of \$10 billion in new capital spending on reconstruction (benchmark 17), and the commitment of the Iraqi forces discussed previously 3 brigades (about 6,000 soldiers), plus about 4,000 police commandos and regular police (benchmark 9). Contributing to previous failures in Baghdad were Iraq’s deployment of only two out of the six Iraqi battalions committed. *The July 12 and September 14, 2007 progress report indicated satisfactory Iraqi performance on these measures. The GAO report gives both benchmarks a “mixed” evaluation.*

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<sup>39</sup> The two principal authors of the report are Frederick W. Kagan and Jack Keane (General, U.S. Army, ret.).

- Provision of at least \$1.2 billion in new U.S. aid, including funds for job creation and CERP projects, in part to revive long-dormant state-owned factories.
- Maliki's cooperation in not standing in the way of U.S. operations against the JAM. Maliki's fulfillment of this pledge was the primary cause of Sadr's subsequent political split with Maliki. U.S. commanders blamed Maliki for the failure of "Operation Together Forward I and II" in 2006 because Maliki insisted they release suspected JAM commanders and dismantle U.S. checkpoints in Sadr City. *Application of the surge to all factions comprised two of the benchmarks under P.L. 110-28 (benchmarks 10 and 12). The July 12, 2007 report indicates satisfactory progress on benchmark 12 (not allowing safehaven for any outlaw of any sect), but unsatisfactory progress on benchmark 10 (refraining from political interference over ISF efforts to pursue militants of all sects.) Benchmark 11, even handed ISF enforcement of the law, was also rated unsatisfactory. The GAO report said benchmark 10 is unmet, and benchmark 12 is "mixed." The September 14, 2007 Administration report upgraded Iraq's performance on benchmark 10 and 11 to "mixed," and kept 12 as satisfactory.*

Judging from legislative action, congressional reaction to the troop surge decision was somewhat negative. In House action, on February 16, 2007, the House passed (246-182) a non-binding resolution (H.Con.Res. 63) expressing opposition to the sending of additional forces to Iraq. However, on February 17, 2007, the Senate did not vote to close off debate on a version of that resolution (S. 574). Earlier, a Senate resolution opposing the troop increase (S.Con.Res. 2) was reported out of the Senate Foreign Relations Committee on January 24 (12-9 vote). A cloture motion failed on February 1, 2007.

**Surge Assessments.** The first major assessment of the surge was testimony of General Petraeus on September 10 and 11, 2007, in which he cited numerous statistics and said "As a bottom line up front, the military objectives of the surge are, in large measure, being met." Subsequent comments and data presentations by Petraeus and his subordinates have pointed to dramatic reductions in violence, some of which are included in the security indicators table above.

On the basis of the security progress, Gen. Petraeus recommended that U.S. forces could return to roughly pre-surge levels of about 135,000 (15 combat brigades) by July 2008, a recommendation accepted by President Bush in a September 13, 2007 speech.<sup>40</sup> The "surged" forces are in the process of leaving, with a Marine unit (2,200) leaving Anbar Province (Fallujah area) in October 2007 and about 3,500 troops leaving the Diyala area in December 2007. The Administration has told journalists that its intent is to gradually transition U.S. forces to an "overwatch" posture, relying more on supporting Iraqi forces rather than leading the combat. In a press conference on September 14, 2007, Secretary of Defense Gates

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<sup>40</sup> Text at [<http://www.whitehouse.gov/news/releases/2007/09/print/20070913-2.html>]

said he would like to see U.S. force levels drop further to about 100,000 by the end of 2008 if security conditions permit. However, statements by President Bush after his meeting with Gen. Petraeus in Kuwait in mid-January 2008 (during Bush's visit to the region) indicated the President supports maintaining the anticipated July 2008 force levels pending reviews of the security situation. During a visit to Iraq in February 2008, Secretary Gates indicated his support for the Gen. Petraeus view, meaning that U.S. forces will likely remain at about 138,000 from July 2008 until at least the end of 2008. According to U.S. military comments, the December 2007 Measuring Stability report, and press reports, the surge has produced the following.

- Reduced weekly attacks, Iraqi civilian deaths, and overall violence trends by at least 60%, to the much lower levels of 2004 or late 2003.
- Reduced violence in Baghdad (attacks down 67%) to the point where 75% of Baghdad's 474 "districts" are now considered at least relatively secure. However, Gen. Odierno said on October 2, 2007 that it would still take Iraqi forces until late 2008 to secure all of Baghdad, with the United States in a "tactical overwatch" role. Other commanders said in January 2008 that the United States would continue to expand the number of neighborhood outposts in the city (by 30%) during 2008, despite a reduction in U.S. forces in country overall.
- Attacks in Anbar are down 91% and the formerly combat intensive cities of Fallujah and Ramadi, among others, are now seeing a return of normal daily life and commerce.
- About 3,600 AQ-I members killed or captured in 2007, including the loss of 233 identified as "key leaders."
- Iraqi and U.S. officials say that many families are returning to Baghdad and that some districts formerly written off as AQ-I strongholds, such as Amiriyah and the former Baathist stronghold of Adhamiyah, are starting to bustle with normal activity. Other accounts, however, say that the Shiite-dominated security forces and ministries are not helpful to Sunnis who want to return to their homes.

Some remain pessimistic about the effects of the surge. As noted, top U.S. commanders say that some AQ-I and other insurgents are still highly active in the northern areas, including in Diyala, Salahuddin, and Nineveh provinces. These activities necessitated U.S. clearing operations in these northern areas. Others believe that insurgent activity will increase as the surge troops are drawn down, because no fundamental political reconciliation has occurred. According to the less optimistic view, insurgents will re-infiltrate quiet neighborhoods once U.S. troops thin out, and the newly empowered cooperating Sunni armed groups will begin battling in earnest with Shiite-dominated ISF forces. The Administration counter-argument is that there has been sufficient local reconciliation that average Iraqis will

cooperate to prevent insurgents from returning to thwarting reconstruction and normal life.

## **Building Iraqi Security Forces (ISF)<sup>41</sup>**

A key to whether or not the progress will continue as U.S. forces thin out is the quality of the Iraqi security forces (ISF). Responsible for building the ISF is the commander of the U.S.-led ISF training mission, the Multinational Transition Security Command-Iraq (MNSTC-I), Lt. Gen. James Dubik. The troop surge in some ways has hindered the development of the ISF because U.S. forces are conducting most of the heavy fighting – a former senior leader of training the ISF, Brig. Gen. Dana Pittard, said in July 2007 that training the ISF had slowed since the “troop surge” began.

Once the “troop surge” winds down, U.S. strategy is intended by Administration officials to return, to some extent, to that articulated by President Bush in a June 28, 2005 speech, when he said: “Our strategy can be summed up this way: As the Iraqis stand up, we will stand down.”<sup>42</sup> However, Gen. Dubik and the Iraqi Defense Minister both separately stated in January 2008 that the ISF would not be ready to secure Iraq from internal threats until 2012, and from external threats until 2018-2020, despite the expanding size of the ISF. Still, on January 10, 2008, a senior U.S. commander said Anbar would be turned over to ISF control in March 2008, which would mark the 10<sup>th</sup> province to be turned over. The Measuring Stability reports discuss and depict the degrees to which the Iraqi government has assumed operational ISF control, and of ISF security control over territory. (*Recommendations 42, 43 and 44 of the Iraq Study Group report advised an increase in training the ISF, and completion of the training by early 2008.*)

The Jones Commission report had some praise for the Iraqi Army, while recommending that the Shiite-dominated National Police commando force be scrapped entirely and reorganized. Some observers go so far as to say that the ISF is part of the security problem in Iraq, not the solution, because of incidents of ISF member involvement in sectarian involvement or possible anti-U.S. activity. Lt. Gen. Dubik said in July 2008 that it is still difficult to find ISF leaders free of sectarian loyalties. In addition, the Jones Commission report and recent DOD “Measuring Stability” reports reiterate previously reported criticisms of the ISF, including

- That the ISF continue to lack an effective command structure or independent initiative, and that there continues to be a culture of corruption throughout the ISF structure.
- As much as one-third of ISF members are absent-without-leave or might have deserted at any given time.

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<sup>41</sup> For additional information, see CRS Report RS22093, *Iraq’s New Security Forces: The Challenge of Sectarian and Ethnic Influences*, by Jeremy Sharp.

<sup>42</sup> Speech by President Bush can be found at [<http://www.whitehouse.gov/news/releases/2005/06/20050628-7.html>].

- The ISF, particularly the police, are unbalanced ethnically and by sect, penetrated by militias or even insurgents, and involved in sectarian violence, particularly among the police forces. Most of the ISF, particularly the police, are Shiites, with Kurdish units mainly deployed in the north, and many Sunnis distrust the ISF as instruments of repression and responsible for sectarian killings. Many ISF members view themselves as loyal to their former militias or party leaders, and not to a national force. In late 2005, U.S. forces uncovered militia-run detention facilities (“Site 4”) and arrested those (Badr Brigade and related Iraqi police) running them.
- According to observers, appointments to senior commands continue to be steered toward Shiite figures, primarily Da’wa Party members, by Maliki’s “Office of the Commander-in-Chief” run by his Da’wa subordinate, Dr. Bassima al-Jaidri. She reportedly has also removed several qualified commanders who are Sunni Arabs, causing Sunni distrust of the Iraqi military, and she reportedly has routinely refused to follow U.S. military recommendations to place more Sunnis in security positions.
- The 144,000 members of the “Facilities Protection Force,” (FPS), which are security guards attached to individual ministries, are involved in sectarian violence. The United States and Iraq began trying to rein in the force in May 2006 by placing it under some Ministry of Interior guidance, including issuing badges and supervising what types of weapons it uses. (*In Recommendation 54, the Iraq Study Group says the Ministry of Interior should identify, register, and otherwise control FPS.*)

On the other hand, while reports continue to point to sectarianism in the Interior Ministry, U.S. officials have praised Interior Minister Jawad Bolani for trying to remove militiamen and death squad participants from the ISF. He has dismissed at least 3,000 Ministry employees for alleged sectarian links, along with several commanders of National Police components. In October 2006, an entire brigade of National Police was taken out of duty status for retraining for alleged toleration of sectarian killings in Baghdad. In September 2007, U.S. forces arrested 59 Iraqi officers and enlisted men linked to sectarian killings and criminal activity. Still, most observers say the Ministry remains infiltrated by Shiite militia supporters of all the various Shiite factions.

*The July 12 and September 14, 2007 progress reports assesses the ISF on: the ability of the ISF to operate independently, which is assessed as unsatisfactory in both reports (benchmark # 15). Enforcing the law even-handedly, which the July report says is generally unsatisfactory (benchmark # 11), but the September 14 report says is “mixed” — satisfactory on the Iraqi military but unsatisfactory on the police. Ensuring that the political authorities are not making false accusations against or undermining the ISF (benchmark 18), is assessed in both reports as unsatisfactory. Pursuing all extremists (Sunni and Shiite) and preventing political interference in ISF operations in conjunction with the troop surge (benchmarks 10), is assessed as unsatisfactory in the July report but mixed in the September report,*

*which said Iraq was still unsatisfactory on preventing political interference. Ensuring the Baghdad security plan does not allow safehaven for outlaws of any sect (benchmark 12), is assessed as satisfactory on both reports. The GAO assessment concurs with the July report except benchmark 12, which GAO assesses as "mixed."*

The Iraq Study Group (Recommendations 50-61) contain several suggestions for reforming and improving the police. Among the recommendations are: assigning the lead role in advising and training the anti-crime portions of the police forces to the U.S. Department of Justice; and transferring those police forces that are involved in anti-insurgency operations to the Ministry of Defense from their current organizational structure under the Ministry of Interior.

**ISF Weaponry.** Most observers say the ISF are severely underequipped, dependent primarily on donations of surplus equipment by coalition members. The Iraqi Army is using mostly East bloc equipment, including 77 T-72 tanks donated by Poland, but is in the process of taking delivery of 4,200 Humvees from the United States. Iraq is moving forward with a request (Foreign Military Sales, FMS) to buy at least \$2.3 billion worth of U.S. munitions, including upgrades to UH-1 helicopters, and various military vehicles. Some of this equipment will be for the Iraqi police. The potential sale was notified to Congress by the Defense Security Assistance Agency (DSCA) on September 25, 2007. Iraq had previously ordered about \$1 billion worth of U.S. arms. U.S. officials have thus far decided not to provide the Iraqi Air Force with combat aircraft, because of the potential for misuse.

In October 2007, it was reported that Iraq also is ordering \$100 million in light equipment from China to equip the ISF police forces. Iraqi President Talabani said part of the rationale for the China buy was the slow delivery of U.S. weapons. (In Recommendation 45, the Iraq Study Group said the United States should encourage the Iraqi government to accelerate its FMS requests and that departing U.S. combat units should leave behind some of their equipment for use by the ISF.)

There are fears that some of these weapons are falling into the hands of insurgents, militias, or even terrorist groups. In August 2007, the GAO reported that the Defense Department cannot fully account for the total of \$19.2 billion worth of equipment provided to the ISF by the United States and partner forces. A New York Times report in August 2007 said some of the ISF weapons might have ended up in the hands of anti-Turkish PKK guerrillas (PKK is a named terrorist group by the United States).

**Table 4. ISF Funding**

FY2003 and FY2004	\$5.036 billion allocated from \$20+ billion "Iraq Relief and Reconstruction Fund," see above.
FY2005	\$5.7 billion in DoD funds from FY2005 supplemental appropriation (P.L. 109-13).
FY2006	\$3 billion appropriated by FY2006 supplemental (P.L. 109-234).
FY2007	Total of \$5.54 billion appropriated from: FY2007 defense appropriation (P.L. 109-289) - \$1.7 billion; and from FY2007 supplemental (P.L. 110-28) -- \$3.84 billion (the requested amount).
FY2008	\$3 billion (revised) request. FY2008 regular appropriations (Consolidated, P.L. 110-161) provide \$1.5 billion.
Total	\$20.776 billion provided or appropriated



### Table 5. Ministry of Defense Forces

(Figures contained in Iraq Weekly Status Report. Numbers are “assigned” personnel which might not correspond to those actually on duty.)

<b>Force</b>	<b>Size/Strength “Assigned”</b>
Iraqi Army	159,938 assigned. Authorized goal is 186,352. Forces in units are in 117 battalions (about 90,000 personnel). Remainder not in formed units. Trained for eight weeks, paid \$60/month. Commanders receive higher salaries.
Special Operations Forces	Technically a separate bureau not under MOD. 3,126 assigned. Authorized size is 4,857. Trained for 12 weeks, mostly in Jordan.
Support Forces	18,794 assigned and trained. Authorized level is 17,369
Air Force	1,305. Authorized level is 2,907. Has 9 helicopters, 3 C-130s; 14 observation aircraft. Trained for six months. UAE and Jordan to provide other aircraft and helos.
Navy	1,115. Authorized level is 1,483. Has a Patrol Boat Squadron and a Coastal Defense Regiment. Fields about 35 patrol boats for anti-smuggling and anti-infiltration. Controls naval base at Umm Qasra, Basra port, and Khor al-Amaya oil terminals. Some training by Australian Navy.
<b>Totals</b>	<b>184,278 assigned and trained. 212,968 authorized.</b>
U.S./Other Trainers	U.S. training, including embedding with Iraqi units (10 per battalion), involves about 4,000 U.S. forces, run by Multinational Security Transition Command - Iraq (MNSTC-I). Training at Taji, north of Baghdad; Kirkush, near Iranian border; and Numaniya, south of Baghdad. All 26 NATO nations at NATO Training Mission - Iraq (NTM-I) at Rustamiyah (300 trainers). Others trained at NATO bases in Norway and Italy. Jordan, Germany, and Egypt also have done training.
Recent U.S. Funding	FY2007: \$3.558 billion as follows: \$780 million infrastructure; \$1.51 billion for equipment and transportation; \$58 million for training; and \$1.21 billion for sustainment.  FY2008 supplemental request: \$1.487 billion as follows: \$298 million infrastructure; \$917 million equipment and transportation; \$116 million for training; \$154 million sustainment

**Table 6. Ministry of Interior Forces**

Force/Entity	Size/Strength Assigned
Iraqi Police Service (IPS)	275,300 assigned. Authorized level is 288,001. Gets eight weeks of training, paid \$60 per month. Not organized as battalions; deployed in police stations nationwide.
National Police	32,389 assigned. Authorized level is 33,670. Comprises "Police Commandos," Public Order Police," and "Mechanized Police." Overwhelmingly Shiite. Gets four weeks of counter-insurgency training. Iraq Study Group (Recommendation 50) proposes transfer to MOD control and Jones Commission recommends disbandment due to sectarian activity.
Border Enforcement Department	39,649 assigned. Authorized level is 38,205. Controls over 250 border positions built or under construction. Has Riverine Police component to secure water crossings. Iraq Study Group (Recommendation 51) proposes transfer to MOD control.
Totals (all forces)	347,338 assigned. 359,876 authorized.
Training	Training by 3,000 U.S. and coalition personnel (DOD-lead) as embeds and partners (247 Police Transition Teams of 10-15 personnel each). Pre-operational training mostly at Jordan International Police Training Center; Baghdad Police College and seven academies around Iraq; and in UAE. Iraq Study Group (Recommendation 57) proposes U.S. training at local police station level. Countries doing training aside from U.S.: Canada, Britain, Australia, Sweden, Poland, UAE, Denmark, Austria, Finland, Czech Republic, Germany (now suspended), Hungary, Slovenia, Slovakia, Singapore, Belgium, and Egypt.
Facilities Protection Service (FPS)	Accounted for separately, they number about 144,000, attached to individual ministries.
Recent U.S. Funding	FY2007 total is \$1.573 billion as follows: \$311 million infrastructure; \$583 million equipment and transportation; \$552 million training; \$127 million sustainment. FY2008 total requested is \$1.206 billion as follows: \$84.7 million infrastructure; \$392 million equipment and transportation; \$623.3 million training; \$106 million sustainment.

## Coalition-Building and Maintenance

Some believe that, partly because of the lack of U.N. approval for the invasion of Iraq, the Bush Administration was unable to enlist large scale international participation in peacekeeping and that the U.S. mission in Iraq is now being complicated by diminishing foreign military contributions. Some remaining force contributions are small and appear to be mostly symbolic – such as Kazakhstan’s contribution of 29 soldiers – or intended to improve relations with the United States. The Administration view is that partner drawdowns reflect a stabilizing security environment in the areas those forces are serving. A list of contributing countries, but not force levels, is in the Department of State’s “Iraq Weekly Status Report.” A listing of force and financial contributions to Iraq is in CRS Report RL32105: *Iraq: Foreign Contributions to Stabilization and Reconstruction*, by Christopher Blanchard and Catherine Dale.

Substantial partner force drawdowns began with Spain’s May 2004 withdrawal of its 1,300 troops. Spain made that decision following the March 11, 2004, Madrid bombings and subsequent defeat of the former Spanish government that had supported the war effort. Honduras, the Dominican Republic, and Nicaragua followed Spain’s withdrawal (900 total personnel), and the Philippines withdrew in July 2004 after one of its citizens was taken hostage. On the other hand, many nations are replacing their contingents with trainers for the ISF or financial contributions or other assistance to Iraq, or with increased force contributions in Afghanistan. Among other recent major drawdowns are:

- Ukraine, which lost eight soldiers in a January 2005 insurgent attack, withdrew most of its 1,500 forces after the December 2005 Iraqi elections. Bulgaria pulled out its 360-member unit at that time, but in March 2006 it sent in a 150-person force to take over guard duties of Camp Ashraf, a base in eastern Iraq where Iranian oppositionists are held by the coalition.
- South Korea began reducing its 3,600 troop contribution to Irbil in northern Iraq in June 2005. By late 2007, the contingent had diminished to about 1,200. The deployment has been extended by the South Korean government until the end of 2008, although at a reduced level of 600.
- Japan completed its withdrawal of its 600-person military reconstruction contingent in Samawah on July 12, 2006, but it continues to provide air transport (and in June 2007 its parliament voted to continue that for another two years).
- Italy completed its withdrawal (3,200 troops at the peak) in December 2006 after handing Dhi Qar Province to ISF control.
- Romanian leaders are debating whether to withdraw or reduce their 890 forces which operate in southern Iraq.

- In line with a February 21, 2007 announcement, Denmark withdrew its 460 troops from the Basra area.
- In August 2007, Lithuania withdrew its 53 troops.
- In 2007, Georgia increased its Iraq force to 2,000 (from 850) to assist the policing the Iran-Iraq border at Al Kut, a move that Georgian officials said was linked to its efforts to obtain NATO membership. However, Georgia said in September 2007 that it might reduce that force to 300 by mid-2008.
- Britain, despite its redeployments discussed above, continues to constitute the largest non-U.S. foreign force in Iraq. In line with plans announced in early 2007, British forces have been reduced from 7,100 to about 3,500 and are shifting to an “overwatch” mission in southern Iraq. The force is expected to be reduced to about 2,500 by July 2008. Press reports say Gen. Petraeus, in September 2007 meetings in London, expressed concerns that the British drawdown is leaving U.S. supply lines (and withdrawal routes) less well guarded.
- Poland has led the multinational force based near Diwaniyah and includes forces from the following foreign countries: Armenia, Slovakia, Denmark, El Salvador, Ukraine, Romania, Lithuania, Latvia, Mongolia, and Kazakhstan. Polish forces number 900, down from a high of 2,600 in 2005. Following its October 2007 election, the government of Prime Minister Donald Tusk, considered less pro-U.S. than his predecessor, has introduced legislation to the parliament (controlled by Tusk’s party) to withdraw by October 2008.
- Australia’s Prime Minister Kevin Rudd, elected in November 2007, has authorized a reduction of 550 troops of Australia’s 1,500 person contingent by mid-2008.
- El Salvador said on December 11, 2007 that it would continue its 290 soldier contribution into 2008.

**NATO/EU/Other Civilian Training.** As noted above, all NATO countries have now agreed to train the ISF through the NTM-I, as well as to contribute funds or equipment. Several NATO countries and others are offering to also train civilian personnel. In addition to the security training offers discussed above, European Union (EU) leaders have offered to help train Iraqi police, administrators, and judges outside Iraq.

## Iraq Study Group Report, Legislative Proposals, and Other Options

In formulating the “troop surge” strategy announced on January 10, 2007, President Bush said he weighed the December 6, 2006, report of the Iraq Study Group, as well as input from several other reviews, including one directed by the Joint Chiefs of Staff and another by the National Security Council. For a comparison of various legislative proposals on Iraq, see CRS Report RL34172 *Operation Iraqi Freedom and Detainee Issues: Major Votes from the 110<sup>th</sup> Congress*, by Kim Klarman, Lisa Mages, and Pat Towell.

### Iraq Study Group Report

The President’s “New Way Forward” plan appeared to deviate from many aspects of the Iraq Study Group report, although differences later narrowed. The Administration has noted that the Iraq Study Group said it might support a temporary surge along the lines proposed by the President.<sup>43</sup> Among the most significant of the 79 recommendations, some of which were discussed previously, are the following:<sup>44</sup>

- Foremost, transition from U.S.-led combat to Iraqi security self-reliance by early 2008 (Recommendations 40-45), with continued U.S. combat against AQ-I and force protection, in addition to training and equipping the ISF. The transition to ISF-led combat was largely reversed by the “troop surge” strategy, see above.
- Heightened regional and international diplomacy, including with Iran and Syria, and including the holding of a major international conference in Baghdad (Recommendations 1-12). After appearing to reject this recommendation, the Administration later backed the regional diplomatic process on Iraq discussed above.
- As part of an international approach, renewed commitment to Arab-Israeli peace (Recommendations 13-17). This was not a major feature of the President’s plan, although he has authorized stepped up U.S. diplomacy by Secretary of State Rice on this issue.
- Additional economic, political, and military support for the stabilization of Afghanistan (Recommendation 18). This was not

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<sup>43</sup> Full text of the report is at [<http://www.usip.org>]. The Iraq Study Group itself was launched in March 2006; chosen by mutual agreement among its congressional organizers to co-chair were former Secretary of State James Baker and former Chairman of the House International Relations Committee Lee Hamilton. The eight other members of the Group are from both parties and have held high positions in government. The group was funded by the conference report on P.L. 109-234, FY2006 supplemental, which provided \$1 million to the U.S. Institute of Peace for operations of the group.

<sup>44</sup> A CRS general distribution memo, available on request, has information on the 79 recommendations and the status of implementation.

specified in the President's January 10 plan, although, separately, there have been increases in U.S. troops and aid for Afghanistan. (See *CRS Report RL30588: Afghanistan: Post-War Governance, Security, and U.S. Policy.*)

- Setting benchmarks for the Iraqi government to achieve political reconciliation, security, and governance, including possibly withholding some U.S. support if the Iraqi government refuses or fails to do so (Recommendations 19-37). The President opposes reducing support for the Iraqi government if it fails to uphold commitments, but he signed P.L. 110-28 which linked U.S. economic aid to progress on the benchmarks.
- Giving greater control over police and police commando units to the Iraqi Ministry of Defense, which is considered less sectarian than the Ministry of Interior that now controls these forces, and reforming the Ministry of Interior (Recommendations 50-58). The Administration has sought reform of the Ministry of Interior, with mixed results, but the police forces are still under MOI control.
- Securing and expanding Iraq's oil sector (Recommendations 62-63). The President's plan expects Iraq to pass the pending oil laws, which would, in part, encourage foreign investment in Iraq's energy sector.
- Increasing economic aid to Iraq and enlisting more international donations of assistance (Recommendations 64-67). The President's plan included increases in aid, as discussed above.

In the 110<sup>th</sup> Congress, an amendment to H.R. 2764, the FY2008 foreign aid bill, would revive the Iraq Study Group (providing \$1 million for its operations) to help assess future policy after the "troop surge." The provision was not incorporated into the Consolidated appropriation (P.L 110-161). In the Senate, some Senators from both parties in June 2007 proposed legislation (S. 1545) to adopt the recommendations of the Group as U.S. policy.

## **Further Options: Altering Troop Levels or Mission**

The sections below discuss options that have been under discussion even before the report of the Iraq Study Group or the troop surge, and some of these options remain under active debate. Others of these options, on the other hand, appear to be receiving less attention as the "troop surge" has produced measurable military results. Some of the ideas discussed below may be similar to some of the recommendations of the Study Group as well as the President's plan.

**Further Troop Increase.** Some argued that the "surge" was too limited — concentrated mainly in Baghdad and Anbar — and that the United States should have increased troops levels in Iraq even further to prevent Sunni insurgents from re-infiltrating cleared areas. However, this option appears to have faded because of security progress resulting from the surge already in place. A more recent version

of this option, advocated by some, was to keep the surged force in place until at least the end of 2008 and not to reduce to pre-surge levels, as has now been authorized.

**Immediate and Complete Withdrawal.** The Administration adamantly opposes this option, arguing that doing so would result in full-scale civil war, safehaven for AQ-I, emboldening of Al Qaeda more generally, and increased involvement of regional powers in the fighting in Iraq. Supporters of the Administration position say that Al Qaeda terrorists might “follow us home” — conduct attacks in the United States — if there were a complete withdrawal.

Some Members have argued for immediate withdrawal, saying that the decision to invade Iraq was a mistake and unjustified, that the large U.S. presence in Iraq is inflaming the insurgency, and that remaining in Iraq will result in additional U.S. casualties without securing U.S. national interests. Other Members argue that U.S. forces are now policing a civil war rather than fighting an insurgency. Those who support a withdrawal include most of the approximately 70 Members of the “Out of Iraq Congressional Caucus,” formed in June 2005. In the 110<sup>th</sup> Congress, some have introduced legislation (H.R. 508 and H.R. 413) that would repeal the original authorization for the Iraq war. A similar measure might be considered in the Senate.

In the 109<sup>th</sup> Congress, Representative John Murtha, ranking member (now chairman) of the Defense Appropriations Subcommittee, introduced a resolution (H.J.Res. 73) calling for a U.S. withdrawal “at the earliest practicable date” and the maintenance of an “over the horizon” U.S. presence, mostly in Kuwait (some say U.S. troops could be based in the Kurdish north) from which U.S. forces could continue to battle AQ-I. A related resolution, H.Res. 571 (written by Representative Duncan Hunter, then chairman of the House Armed Services Committee), expressed the sense “that the deployment of U.S. forces in Iraq be terminated immediately;” it failed 403-3 on November 18, 2005. Representative Murtha introduced a similar bill in the 110<sup>th</sup> Congress (H.J.Res. 18); a Senate bill (S. 121) as well as a few other House bills (H.R. 663, H.R. 455, and H.R. 645) contain similar provisions.

**Withdrawal Timetable.** The Administration has opposed mandating a withdrawal timetable on the grounds that doing so would allow insurgents to “wait out” a U.S. withdrawal. The Iraq Study Group suggests a winding down of the U.S. combat mission by early 2008 but did not recommend a firm timetable. Some forms of this option continue to exhibit some support in Congress.

The House leadership inserted a binding provision of FY2007 supplemental appropriations legislation (H.R. 1591) that would require the president, as a condition of maintaining U.S. forces in Iraq, to certify (by July 1, 2007) that Iraq had made progress toward several political reconciliation benchmarks, and by October 1, 2007 that the benchmarks have been met. Even if the requirements were met, the amendment would require the start of a redeployment from Iraq by March 1, 2008, to be completed by September 1, 2008. The whole bill passed the House on March 23, 2007. In the Senate-passed version of H.R. 1591, a provision would set a non-binding goal for U.S. withdrawal of March 1, 2008, in line with S.J.Res. 9 cited above. The conference report adopted elements of both bills, retaining the benchmark certification requirement and the same dates for the start of a withdrawal but making the completion of any withdrawal (by March 31, 2008, not September 1, 2008) a goal

rather than a firm deadline. President Bush vetoed the conference report on May 1, 2007, and the veto was sustained. The revised provision in the FY2007 supplemental (H.R. 2206, P.L. 110-28) was discussed previously.

A House bill, (H.R. 2956), which mandates a beginning of withdrawal within 120 days and completion by April 1, 2008, was adopted on July 12, 2007 by a vote of 223-201. A proposed amendment (S.Amdt. 2087) to H.R. 1585 contained a similar provision. A Senate bill (S. 433), would set a deadline for withdrawing combat troops by March 31, 2008.

On November 13, 2007, some in Congress revived the idea, in an FY2008 supplemental request for military operations in Iraq and Afghanistan (H.R. 4156), of setting a target date (December 15, 2008) for a U.S. withdrawal, except for force protection and “counter-terrorism” operations. The bill would require the withdrawal to start within 30 days of enactment. The bill passed the House but cloture was not invoked in the Senate.

In the 109<sup>th</sup> Congress, the timetable issue was debated extensively. In November 2005, Senator Levin introduced an amendment to S. 1042 (FY2006 defense authorization bill) to compel the Administration to work on a timetable for withdrawal during 2006. Then-Chairman of the Senate Armed Services Committee John Warner subsequently submitted a related amendment that stopped short of setting a timetable for withdrawal but required an Administration report on a “schedule for meeting conditions” that could permit a U.S. withdrawal. That measure, which also states in its preamble that “2006 should be a period of significant transition to full Iraqi sovereignty,” achieved bi-partisan support, passing 79-19. It was incorporated, with only slight modifications by House conferees, in the conference report on the bill (H.Rept. 109-360, P.L. 109-163). On June 22, 2006, the Senate debated two Iraq-related amendments to an FY2007 defense authorization bill (S. 2766). One, offered by Senator Kerry, setting a July 1, 2007, deadline for U.S. redeployment from Iraq, was defeated 86-13. Another, sponsored by Senator Levin, called on the Administration to begin redeployment out of Iraq by the end of 2006, but with no deadline for full withdrawal. It was defeated 60-39.

**Troop Mission Change.** Insisting that the “troop surge” is producing positive military results, President Bush opposes a major scale-back of the U.S. mission until the ISF is able to secure Iraq on its own. However, as noted above, the Administration is already planning to try to move to an “overwatch” role rather than bearing the burden of the combat.

Some argue that the United States should not “police a civil war” and should instead scale back its mission to: (1) operations against AQ-I; (2) an end to active patrolling of Iraqi streets; (3) force protection; and (4) training the ISF. The rationale for such an option would be to maintain a U.S. presence, possibly long term, to assist the Iraqi government and protect core U.S. interests but without incurring large U.S. casualties. A press report in June 2007 (*Washington Post*, June 10, 2007) said that, if this were the new mission of U.S. forces, fulfilling the mission might require retaining about 50,000 - 60,000 U.S. forces. Of these forces, about 20,000 would be assigned to guaranteeing the security of the Iraqi government or assist the ISF if it is having difficulty in battle. A reduced U.S. mission similar to those described are



stipulated in H.R. 2451. A change of mission — but without a deadline for withdrawal — was proposed by several Senators for consideration of the FY2008 defense authorization (H.R. 1585) but was not in the conference report on the bill.

**Planning for Withdrawal.** Administration officials say they will not publicly discuss whether or not there is planning for a withdrawal because doing so would undermine current policy. However, Secretary Gates toured facilities in Kuwait in August 2007 in what was reported as an effort to become familiar with the capabilities of the U.S. military to carry out a redeployment, if ordered. Some Members want the Administration to plan for a substantial U.S. redeployment from Iraq and to inform Congress accordingly. A bill, introduced in July 2007 by Representative Tanner (H.R. 3087) and reported out by the House Armed Services Committee on July 31, 2007, would require the Administration to give Congress a plan for redeployment from Iraq. That bill was passed by the House on October 2, 2007 by a vote of 377-46. Senator Hillary Clinton reportedly was briefed on August 2, 2007 by Defense Department officials on the status of planning for a withdrawal, if one is decided, and she and several others introduced legislation on August 2, 2007 (S. 1950), to require contingency planning for redeployment from Iraq.

**Requiring More Time Between Deployments.** Some Members who favor at least a partial pullout do so on the grounds that the Iraq effort is placing too much strain on the U.S. military. A Senate amendment to H.R. 1585, requiring more time between deployments to Iraq, was not agreed to on September 19, 2007 because it only received 56 affirmative votes, not the needed 60 for passage. A similar House bill, H.R. 3159, was passed in the House on August 2, 2007 by a vote of 229-194.

## **Stepped Up International and Regional Diplomacy**

As noted above, many of the Iraq Study Group recommendations propose increased regional, multi-lateral, and international diplomacy. One idea, included in the Study Group report, is to form a “contact group” of major countries and Iraqi neighbors to prevail on Iraq’s factions to compromise. The Administration has taken significant steps in this direction, including a bilateral meeting with Syria at the May 3-4, 2007 meeting on Iraq in Egypt, and the bilateral meetings with Iran in Baghdad discussed above. In the 110<sup>th</sup> Congress, a few bills (H.R. 744, H.Con.Res. 43, and H.Con.Res. 45) support the Iraq Study Group recommendation for an international conference on Iraq. In the 109<sup>th</sup> Congress, these ideas were included in several resolutions, including S.J.Res. 36, S.Res. 470, S.J.Res. 33, and S. 1993, although several of these bills also include provisions for timetables for a U.S. withdrawal.

Other ideas involve recruitment of new force donors. In July 2004, then-Secretary of State Powell said the United States would consider a Saudi proposal for a contingent of troops from Muslim countries to perform peacekeeping in Iraq, reportedly under separate command. Some Iraqi leaders believed that such peacekeepers would come from Sunni Muslim states and would inevitably favor Sunni factions within Iraq. On the other hand, several experts believe that the lack of progress in stabilizing Iraq is caused by internal Iraqi disputes and processes and that new regional or international steps would yield minimal results. For more information, see CRS Report RL33793, *Iraq: Regional Perspectives and U.S. Policy*, coordinated by Christopher Blanchard.

Another idea is to identify a high-level international mediator to negotiate with Iraq's major factions. Some Members of Congress wrote to President Bush in November 2006 asking that he name a special envoy to Iraq to follow up on some of the Administration's efforts to promote political reconciliation in Iraq.

## **Political Reconciliation, Reorganization, and “Federalism”**

Many proposals focus on the need for a “political solution,” a requirement acknowledged by Gen. Petraeus and almost all senior U.S. officials, and one consistently discussed by many Members of Congress. These proposals involve differing methods for altering Iraq's power structure – beyond the reconciliation measures already advocated by U.S. officials – so that no major community feels excluded or has incentive to back violence.

**Reorganize the Existing Power Structure.** Some believe that more sweeping political reconciliation efforts are needed beyond those that would be achieved by the passage of the laws identified as “benchmarks,” discussed above. However, there is little agreement on what additional or alternative incentives, if any, would persuade Sunnis leaders and their constituents to support the Shiite-dominated government. Some believe that Sunnis might be satisfied by a wholesale cabinet/governmental reshuffle that gives several leading positions, such as that of President, to a Sunni Arab, although many Kurds might resent such a move because a Kurd now holds that post. Some maintain these Sunni grievances can be addressed in the Constitutional Review process under way, and discussed above. Others oppose major governmental change because doing so might necessitate the voiding of the 2005 elections, a move that would appear un-democratic.

Some argue that Iraq could adopt the “Lebanon model” in which major positions are formally allotted to representatives of major factions. For example, Iraqis might agree that henceforth, the President might be a Sunni, the Prime Minister might be Shiite, and the COR Speaker might be Kurdish, or some combination of these allocations. Some believe such a system has worked relatively well in Lebanon helping it avoid all out civil war since the late 1980s, although others argue that Lebanon is perpetually unstable and that this model is not necessarily successful.

**Support the Dominant Factions.** Another view expressed by some is that the United States should place all its political, military, and economic support behind the Shiite and Kurdish factions that have supported the U.S.-led political transition process and now dominate Iraq's government. According to this view, which some refer to as the “80% solution” (Shiites and Kurds are about 80% of the population),<sup>45</sup> the Sunni Arabs will never accept the new order in Iraq and the United States should cease trying to pressure the Shiites and Arabs to try to satisfy them. Some who take this perspective say the Sunni Arabs might begin supporting the new political order if they perceive that the United States might, at some point, cease trying to make accommodations for them. Others say that the recent U.S. outreach to Sunni insurgent groups has angered the Shiites and Kurds, and further risks all-out civil war if the United States were to draw down its forces.

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<sup>45</sup> Krauthammer, Charles. “The 20 Percent Solution.” Washington Post op-ed, July 20, 2007.

Opponents of this strategy say that Iraq's Sunni neighbors will not accept a complete U.S. tilt toward the Shiites and Kurds, which would likely result in even further repression of the Sunni Arab minority. Still others say that a further U.S. shift in favor of the Shiites and Kurds would contradict the U.S. commitment to the protection of Iraq's minorities.

**“Federalism”/Decentralization/Break-Up Options.** In the absence of substantial reconciliation, some maintain that Iraq cannot be stabilized as one country and should be broken up, or “hard partitioned,” into three separate countries: one Kurdish, one Sunni Arab, and one Shiite Arab.<sup>46</sup> This option is widely opposed by a broad range of Iraqi parties as likely to produce substantial violence as Iraq's major communities separate physically, and that the resulting three countries would be unstable and too small to survive without domination by Iraq's neighbors. Others view this as a U.S. attempt not only to usurp Iraq's sovereignty but to divide the Arab world and thereby enhance U.S. regional domination. Still others view any version of this idea, including the less dramatic derivations discussed below, as unworkable because of the high percentage of mixed Sunni-Shiite Arab families in Iraq that some say would require “dividing bedrooms.” This recommendation was rejected by the Iraq Study Group as potentially too violent.

A derivation of the partition idea, propounded by Senator Biden and Council on Foreign Relations expert Leslie Gelb (May 1, 2006, *New York Times* op-ed), as well as others, is form — or to not prevent Iraqis from forming — three autonomous regions, dominated by each of the major communities. A former U.S. Ambassador and adviser to the Kurds, Peter Galbraith, as well as others,<sup>47</sup> advocates this option, which some refer to as a “soft partition,” but which supporters of the plan say is implementation of the federalism already enshrined in Iraq's constitution. According to this view, decentralizing Iraq into autonomous zones would ensure that Iraq's territorial integrity is preserved while ensuring that these communities do not enter all-out civil war with each other. Others say that decentralization is already de-facto U.S. policy as exhibited by the increasing transfer of authority to Sunni tribes in the Sunni areas and the relative lack of U.S. troops in the Shiite south, and that formalizing the policy would merely confirm the existing direction of U.S. policy and of events on the ground in Iraq. Others say that the Sunni Arabs, who initially opposed federalism in the constitution, now are reconsidering that view and might even want to form their own autonomous Sunni region.

The idea will be tested in April 2008 when the voluntarily moratorium ends on forming new regions, agreed in October 2006 by the major factions when the regions law was adopted. However, some believe that popular Shiite support for ISCI's drive to form a major Shiite region in southern Iraq, spanning as many as nine provinces, has faded since the regions law was passed, in part because of the Iranian influence in the south which is increasingly resented.

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<sup>46</sup> The pros and cons of some of these plans and proposals is discussed in Cordesman, Anthony. Pandora's Box: Iraqi Federalism, Separatism, “Hard” Partitioning, and U.S. Policy. Center for Strategic and International Studies, October 9, 2007.

<sup>47</sup> Joseph, Edward and Michael O'Hanlon. “The Case for Soft Partition.” *USA Today*, October 3, 2007.

Proponents of the idea say that options such as this were successful in other cases, particularly in the Balkans, in alleviating sectarian conflict. Proponents add that the idea is a means of bypassing the logjam and inability to reconcile that characterizes national politics in Iraq. Some believe that, to alleviate Iraqi concerns about equitable distribution of oil revenues, an international organization should be tapped to distribute Iraq's oil revenues.

Opponents of the idea say it is being proposed for expediency — to allow the United States to withdraw from Iraq without establishing a unified and strong central government that can defend itself. Still others say the idea does not take sufficient account of Iraq's sense of Iraqi national identity, which, despite all difficulties, is still expressed to a wide range of observers and visitors. Others maintain that any soft partition of Iraq would inevitably evolve into drives by the major communities for outright independence. Observers in the Balkans say that the international community had initially planned to preserve a central government of what was Yugoslavia, but that this became untenable and Yugoslavia was broken up into several countries.<sup>48</sup> Others say, drawing some support from recent events between Turkey and the Iraqi Kurds, that the autonomous regions of a decentralized Iraq would inevitably fall under the sway of Iraq's neighbors. Still others say that, no matter how the concept is implemented, there will be substantial bloodshed as populations move into areas where their sect or group predominates.

The federalism, or decentralization, plan gained strength with the passage of on September 26, 2007, of an amendment to the Senate version of H.R. 4986 (P.L. 110-181), a FY2008 defense authorization bill. The amendment passed 75-23 (to H.R. 1585, the original version that was vetoed over other issues), showing substantial bipartisan support. It is a "sense of Congress" that states that:

- The United States should actively support a political settlement, based on the "final provisions" of the Iraqi constitution (reflecting the possibility of major amendments, to the constitution, as discussed above), that creates a federal Iraq and allows for federal regions.
- A conference of Iraqis should be convened to reach a comprehensive political settlement based on the federalism law approved by the COR in October 2006.
- The amendment does not specify how many regions should be formed or that regions would correspond to geographic areas controlled by major Iraqi ethnicities or sects.

Subsequently, with the exception of the Kurds and some other Iraqi Arab officials, many of the main blocs in Iraq, jointly and separately, came out in opposition to the amendment on some of the grounds discussed above, although many of the Iraqi statements appeared to refer to the amendment as a "partition" plan, an interpretation that proponents of the amendment say is inaccurate. A U.S.

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<sup>48</sup> CRS conversations in Croatia, October 2007.

Embassy Iraq statement on the amendment also appeared to mischaracterize the legislation, saying “As we have said in the past, attempts to partition or divide Iraq by intimidation, force, or other means into three separate states would produce extraordinary suffering and bloodshed. The United States has made clear our strong opposition to such attempts.”

**“Coup” or “Strongman” Option.** Another option received increasing discussion in 2007 as U.S. criticism of Maliki’s failure to achieve substantial reconciliation increased. Some Iraqis believe the United States might try to use its influence among Iraqis to force Maliki to resign – or to force a vote of no-confidence against him in the COR – and replace him with a military strongman or some other figure who would crack down on militias, or someone who is more inclined to reach compromise with the restive Sunni Arabs. Some say former Prime Minister Allawi still is trying to position himself as such an alternative figure. However, experts in the United States see no concrete signs that such an option might be under consideration by the Administration, and other accounts say that Iraqi leaders are divided over who would replace Maliki, thus ensuring deadlock and his continuation in office. Some accounts say that this option is adamantly opposed by Grand Ayatollah Sistani, who seeks, above all, to preserve Shiite unity. Using U.S. influence to force out Maliki would, in the view of many, conflict with the U.S. goal of promoting democracy and rule of law in Iraq. Some press reports say that President Bush is opposed to this option, but editorials in January 2008 suggested that some Iraqi leaders continue to agitate against Maliki.<sup>49</sup>

## Economic Measures

Some believe that the key to calming Iraq is to accelerate economic reconstruction, and they see the draft oil law as drawing in the foreign investment to Iraq’s key energy sector that is needed to drive economic development. Accelerated reconstruction will drain support for insurgents by creating employment, improving public services, and creating confidence in the government. This idea, propounded by DoD reconstruction official Paul Brinkley (Deputy Undersecretary of Defense for Business Transformation in Iraq), was incorporated into the President’s January 10 initiative, in part by attempting to revive state-owned factories that can employ substantial numbers of Iraqis. Prior to that, the concept of using economic reconstruction to drive political accommodation was reflected in the decision to form PRTs, as discussed above. Others doubt that economic improvement alone will produce major political results because the differences among Iraq’s major communities are fundamental and resistant to economic solutions. Another idea has been to set up an Iraqi fund, or trust, that would ensure that all Iraqis share equitably in Iraq’s oil wealth. In an op-ed in the *Wall Street Journal* (December 18, 2006) Senator Hillary Rodham Clinton and Senator John Ensign supported the idea of an “Iraq Oil Trust” modeled on the Alaska Permanent Fund.

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<sup>49</sup> Ignatius, David. “A Surge Against Maliki.” *Washington Post*, op-ed. January 9, 2008.

**Table 7. Major Factions in Iraq**

<b>Major Shiite and Kurdish Factions</b>	
Iraq National Accord (INA)/Iyad al-Allawi	The INA leads the main secular bloc (Iraqis List) in parliament. Allawi, about 61 years old (born 1946 in Baghdad), a former Baathist who helped Saddam silence Iraqi dissidents in Europe in the mid-1970s. Subsequently fell out with Saddam, became a neurologist, and presided over the Iraqi Student Union in Europe. Survived an alleged regime assassination attempt in London in 1978. He is a secular Shiite, but many INA members are Sunni ex-Baathists and ex-military officers. Allawi was interim Prime Minister (June 2004-April 2005). Won 40 seats in January 2005 election but only 25 in December 2005. Spends most of his time outside Iraq and reportedly trying to organize a non-sectarian parliamentary governing coalition to replace Maliki. Now boycotting the cabinet.
Iraqi National Congress (INC)/Ahmad Chalabi	Chalabi, who is about 67 years old, educated in the United States (Massachusetts Institute of Technology) as a mathematician. One of the rotating presidents of the Iraq Governing Council (IGC). U.S.-backed Iraqi police raided INC headquarters in Baghdad on May 20, 2004, seizing documents as part of an investigation of various allegations, including provision of U.S. intelligence to Iran. Case later dropped. Since 2004, has allied with and fallen out with Shiite Islamist factions; was one of three deputy prime ministers in the 2005 transition government. No INC seats in parliament, but Chalabi remains chair of the Higher National De-Baathification Commission and has resisted de-Baathification reform efforts. Serves as liaison between Baghdad neighborhood committees and the government in 2007 Baghdad security plan, giving him entree to senior U.S. military and diplomatic officials, leading to assessments that he is rebuilding his influence.
Kurds/KDP and PUK	Together, the main factions run Kurdistan Regional Government (KRG) with its own executive headed by “president” Masud Barzani, Prime Minister Nechirvan Barzani, and a 111 seat legislature (elected in January 30, 2005 national elections). PUK leader Talabani remains president, despite March 2007 health problems that required treatment in Jordan and the United States. Barzani has tried to secure his clan’s base in the Kurdish north and has distanced himself from national politics. Many Kurds are more supportive of outright Kurdish independence than are these leaders. Kurds field up to 100,000 <i>peshmerga</i> militia. Their joint slate won 75 seats in January 2005 national election but only 53 in December 2005. Grudgingly supported framework draft oil law sent to parliament, but strongly oppose related draft implementing law that would place 93% of Iraq’s oil fields under control of a revived Iraqi National Oil Company (INOC). Both factions intent on securing control of Kirkuk.
Grand Ayatollah Ali al-Sistani	Undisputed leading Shiite theologian in Iraq. About 87 years old, he was born in Iran and studied in Qom, Iran, before relocating to Najaf at the age of 21. No formal position in government but has used his broad Shiite popularity to become instrumental in major political questions. Helped forge UIA and brokered compromise over the selection of a Prime Minister nominee in April 2006. Criticized Israel’s July 2006 offensive against Lebanese Hezbollah. However, acknowledges that his influence is waning and that calls for Shiite restraint are unheeded as Shiites look to militias, such as Sadr’s, for defense in sectarian warfare. Does not meet with U.S. officials but does meet with U.N. Assistance Mission in Iraq (UNAMI). Has network of agents ( <i>wakils</i> ) throughout Iraq and among Shiites outside Iraq. Treated for heart trouble in Britain in August 2004 and reportedly has reduced his schedule in early 2008. Advocates traditional Islamic practices such as modest dress for women, abstention from alcohol, and curbs on Western music and entertainment.

<b>Major Shiite and Kurdish Factions</b>	
Supreme Islamic Council of (ISCI)	Best-organized and most pro-Iranian Shiite Islamist party and generally allied with Da'wa Party in UIA. It was established in 1982 by Tehran to centralize Shiite Islamist movements in Iraq. First leader, Mohammad Baqr Al Hakim, killed by bomb in Najaf in August 2003. Current leader is his younger brother, Abd al-Aziz al-Hakim, a lower ranking Shiite cleric and a member of parliament (UIA slate), but he holds no government position. Hakim currently undergoing lung cancer treatment, instilling uncertainty in ISCI leadership. One of his top aides, Bayan Jabr, is now Finance Minister, and another, Adel Abd al-Mahdi, is a deputy president. Controls "Badr Brigades" militia. Son, Ammar al-Hakim, is a key ISCI figure as well and is said to be favored to take over ISCI should his father's condition become fatal. As part of UIA, ISCI has 29 members in parliament. Supports formation of Shiite "region" composed of nine southern provinces and dominates provincial councils on seven of those provinces. Supports draft oil law to develop the oil sector.
Da'wa (Islamic Call) Party	Oldest organized Shiite Islamist party (founded 1957), active against Saddam Hussein in early 1980s. Its founder, Mohammad Baqr al-Sadr, uncle of Moqtada Al Sadr, was ally of Iran's Ayatollah Khomeini and was hung by Saddam regime in 1980. Da'wa members tend to follow senior Lebanese Shiite cleric Mohammad Hossein Fadlallah rather than Iranian clerics, and Da'wa is not as close to Tehran as is ISCI. Has no organized militia and a lower proportion of clerics than does ISCI. Within UIA, its two factions (one loyal to Maliki and one loyal to another figure, parliamentarian Abd al-Karim al-Anizi, control 25 seats in parliament. Da'wa generally supports draft oil law. The Kuwaiti branch of the Da'wa allegedly committed a May 1985 attempted assassination of the Amir of Kuwait and the December 1983 attacks on the U.S. and French embassies in Kuwait. (It was reported in February 2007 that a UIA/Da'wa parliamentarian, Jamal al-Ibrahimi, was convicted by Kuwait for the 1983 attacks.) Lebanese Hezbollah, founded by Lebanese Da'wa activists, attempted to link release of the Americans they held hostage in Lebanon in the 1980s to the release of 17 Da'wa prisoners held by Kuwait for those attacks in the 1980s.
Moqtada Al-Sadr Faction	Young (about 32), the lone surviving son of the revered Ayatollah Mohammed Sadiq al-Sadr (killed, along with his other two sons, by regime security forces in 1999 after he began agitating against Saddam). Inherited father's political base in "Sadr City," a large (2 million population) Shiite district of Baghdad, but also strong and challenging ISCI for control of Diwaniyah, Nassiriyah, Basra, Amarah, and other major Shiite cities. Still clouded by allegations of involvement in the April 10, 2003, killing in Iraq of Abd al-Majid Khoi, the son of the late Grand Ayatollah Khoi and head of his London-based Khoi Foundation. Formed "Mahdi Army" militia in 2003. Won 29 seats in parliament under UIA bloc but pulled out of the bloc in September 2007; also has two supporters under the separate "Messengers" list. Sadr faction, prior to its April 2007 pullout from the cabinet, held ministries of health, transportation, and agriculture and two ministry of state posts. Opposes Shiite "region" in the south, and generally opposes draft oil law as a "sellout."

<b>Major Shiite and Kurdish Factions</b>	
Fadilah Party	Loyal to Ayatollah Mohammad Yacoubi, who was a leader of the Sadr movement after the death of Moqtada's father in 1999 but was later removed by Moqtada and subsequently broke with the Sadr faction. <i>Fadilah</i> (Virtue) won 15 seats parliament as part of the UIA but publicly left that bloc on March 6, 2007 to protest lack of a Fadilah cabinet seat. Holds seats on several provincial councils in the Shiite provinces and dominates Basra provincial council, whose governor is a party member. Also controls protection force for oil installations in Basra, and is popular among oil workers and unions in Basra. Opposes draft oil law as too favorable to foreign firms. Considers itself opposed to Iranian influence in Iraq and wants a small (one - three provinces) Shiite region in the south.
Hezbollah Iraq	Headed by ex-guerrilla leader Abdul Karim Muhammadawi, who was on the IGC and now in parliament. Party's power base is southern marsh areas around Amara (Maysan Province), north of Basra. Has some militiamen. Supports a less formal version of Shiite region in the south than does ISCI.
Tharallah	Led by Sayyid Yusuf al-Musawi. Small Shiite faction in southern Iraq formed from former marsh guerrillas against Saddam. Purportedly pro-Iranian.
Islamic Amal	A relatively small faction, Islamic Amal (Action) Organization is headed by Ayatollah Mohammed Taqi Modarassi, a moderate cleric. Power base is in Karbala, and it conducted attacks there against Saddam regime in the 1980s. Modarassi's brother, Abd al-Hadi, headed the Islamic Front for the Liberation of Bahrain, which stirred Shiite unrest against Bahrain's regime in the 1980s and 1990s. One member in the cabinet (Minister of Civil Society Affairs).
Ayatollah Hassani Faction	Another Karbala-based faction, loyal to Ayatollah Mahmoud al-Hassani, who also was a Sadrist leader later removed by Moqtada. His armed followers clashed with local Iraqi security forces in Karbala in mid-August 2006.



<b>Major Shiite and Kurdish Factions</b>	
<b>Major Sunni Factions</b>	
Iraqi Consensus Front (Tariq al-Hashimi and Adnan al-Dulaymi)	Often referred to by Arabic name “Tawafuq,” Front is led by Iraqi Islamic Party (IIP), headed by Tariq al-Hashimi, now a deputy president. (Ousted) COR Speaker Mahmoud Mashadani, a hardliner, is a senior member; in July 2006, he called the U.S. invasion “the work of butchers.” IIP withdrew from the January 2005 election but led the Sunni “Consensus Front” coalition in December 2005 elections, winning 44 seats in COR. Front, critical but accepting of U.S. presence, also includes Iraqi General People’s Council of the hardline Adnan al-Dulaymi, and the National Dialogue Council (Mashhadani’s party). Opposes draft oil law as sellout to foreign companies and distrusts Shiite pledges to equitably share oil revenues. Pulled five cabinet ministers out of government on August 1, but Hashimi still deputy president. Adnan Dulaymi widely accused by Shiite Iraqi leaders of hiding weapons for Sunni insurgents, using properties owned by himself and his son.
Iraqi Front for National Dialogue	Head is Saleh al-Mutlak, an ex-Baathist, was chief negotiator for Sunnis on the new constitution, but was dissatisfied with the outcome and now advocates major revisions. Bloc holds 11 seats, generally aligned with Consensus Front. Opposes draft oil law on same grounds as Consensus Front.
Muslim Scholars Association (MSA)	Hardline Sunni Islamist group led by clerics Harith al-Dhari and Abd al-Salam al-Qubaysi, has boycotted all post-Saddam elections. Believed to have ties to/influence over insurgent factions. Wants timetable for U.S. withdrawal from Iraq. Iraqi government issued a warrant for Dhari’s arrest in November 2006 for suspected ties to the Sunni insurgency, causing Dhari to remain outside Iraq (in Jordan). Headquarters raided at behest of pro-government Sunni Endowment organization in November 2007. Opposes draft oil law.
Sunni Tribes/ “Awakening Movement”/ Concerned Local Citizens	Not an organized faction per se, but begun in Anbar by about 20 tribes, the National Salvation Council formed by Shaykh Abd al-Sattar al-Rishawi (assassinated on September 13) credited by U.S. commanders as a source of anti-Al Qaeda support that is helping calm Anbar Province. Some large tribal confederations include Dulaym (Ramadi-based), Jabbari (mixed Sunni-Shiite tribe), Zobi (near Abu Ghraib), and Shammar (Salahuddin and Diyala regions). Trend has spread to include former Sunni insurgents now serving as local anti-Al Qaeda protection forces (Concerned Local Citizens) in Baghdad, parts of Diyala province, Salahuddin province, and elsewhere.
Iraqi Insurgents	Numerous factions and no unified leadership. Some groups led by ex-Saddam regime leaders, others by Islamic extremists. Major Iraqi factions include Islamic Army of Iraq, New Baath Party, Muhammad’s Army, and the 1920 Revolution Brigades. Perceived as increasingly opposed to AQ-I as discussed in text of paper.
Al Qaeda in Iraq (AQ-I) / Foreign Fighters	AQ-I was led by Abu Musab al-Zarqawi, a Jordanian national, until his death in U.S. airstrike June 7, 2006. Succeeded by Abu Hamza al-Muhajir (Abu Ayyub al-Masri), an Egyptian. Estimated 3,000 in Iraq (about 10-15% of total insurgents) from many nations, including Egypt and Saudi Arabia, but increasingly subordinate to Iraqi Sunni insurgents under the banner of the “Islamic State of Iraq.” See CRS Report RL32217, <i>Iraq and Al Qaeda</i> .

**Table 8. Iraq's Government**

Position	Name	Ethnicity/Bloc/Party/Status
President	Jalal Talabani	Kurd/PUK
Deputy President	Tariq al-Hashimi	Sunni/Consensus Front
Deputy President	Adel Abd-al-Mahdi	Shiite/UIA/ISCI
Prime Minister	Nuri Kamal al-Maliki	Shiite/UIA/Da'wa
Deputy P.M.	Barham Salih	Kurdistan Alliance/PUK
Deputy P.M.	Salam Zubaie	Sunni/Consensus Front/vacant
Min. Agriculture	Ali al-Bahadili	independent Shiite named in October 2007, replaced resigned Sadrist
Min. Communications	Muhammad Tawfiq al-Allawi	Shiite/Allawi bloc/boycotting; Maliki failed to obtain confirmation of replacement in late November 2007.
Min. Culture	vacant	was held by Consensus Front bloc
Min. Defense	Abdul Qadir al-Ubaydi	Sunni independent
Min. Displacement and Migration	Abd al-Samad Sultan	Shiite Kurd/UIA
Min. Electricity	Karim Wahid	Shiite/UIA/independent
Min. Education	Khudayir al-Khuzai	Shiite/UIA/Da'wa (Anizi faction)
Min Environment	Mrs. Narmin Uthman	Kurdistan Alliance/PUK
Min. Finance	Bayan Jabr	Shiite/UIA/ISCI
Min. Foreign Affairs	Hoshyar Zebari	Kurdistan Alliance/KDP
Min. Health	Saleh al-Hasnawi	Independent Shiite named October 2007; was held by UIA/Sadr bloc.
Min. Higher Education	Abd Dhiyab al-Ajili	Sunni/Consensus Front/IIP/boycotting
Min. Human Rights	Mrs. Wijdan Mikhail	Christian/Allawi bloc/boycotting
Min. Industry and Minerals	Fawzi al-Hariri	Christian Kurd/Kurdistan Alliance/KDP
Min. Interior	Jawad al-Bulani	Shiite independent

Position	Name	Ethnicity/Bloc/Party/Status
Min. Justice	Safa al-Safi	UIA/independent/acting. Was held by Hashim al-Shibli (Consensus Front.) Replacement not confirmed.
Min. Housing and Construction	Mrs. Bayan Daza'i	Kurdistan Alliance/KDP
Min. Labor and Social Affairs	Mahmud al-Radi	Shiite/UIA/Independent
Min. Oil	Husayn al-Shahristani	Shiite/UIA/Independent/close to Ayatollah Sistani
Min. Planning	Ali Baban	Sunni/Consensus Front/IIP/ no longer boycotting
Min. Trade	Abd al-Falah al-Sudani	Shiite/UIA/Da'wa (Anizi faction)
Min. Science and Technology	Ra'id Jahid	Sunni/Allawi bloc/Communist/boycotting
Min. Municipalities and Public Works	Riyad Ghurayyib	Shiite/UIA/ISCI (Badr)
Min. Transportation	vacant	was held by UIA/Sadr
Min. Water Resources	Latif Rashid	Kurdistan Alliance/PUK
Min. Youth and Sports	Jasim al-Jafar	Shiite Turkomen/UIA
Min. State for Civil Society	Mrs. Wijdan Mikhail	Christian/Allawi bloc/boycotting
Min. State National Dialogue Affairs	Akram al-Hakim	Shiite/UIA/ISCI (Hakim family)
Min. State National Security	Shirwan al-Waili	Shiite/UIA/Da'wa
Min. State Foreign Affairs	Rafi al-Issawi	Sunni/Consensus Front/boycotting
Min. State Provincial Affairs	vacant	was held by Allawi bloc
Min. State Tourism and Antiquities	vacant	was held by UIA/Sadr
Min. State for Women's Affairs	Mrs. Fatin Mahmoud	Sunni/Consensus Front/boycotting
Min. State for COR Affairs	Safa al-Safi	Shiite/UIA/independent/acting

**Table 9. U.S. Aid (ESF) to Iraq's Saddam-Era Opposition**  
(Amounts in millions of U.S. \$)

	INC	War crimes	Broadcasting	Unspecified opposition activities	Total
FY1998 (P.L. 105-174)	—	2.0	5.0 (RFE/RL for "Radio Free Iraq")	3.0	10.0
FY1999 (P.L. 105-277)	3.0	3.0	—	2.0	8.0
FY2000 (P.L. 106-113)	—	2.0	—	8.0	10.0
FY2001 (P.L. 106-429)	12.0 (aid in Iraq)	2.0	6.0 (INC radio)	5.0	25.0
FY2002 (P.L. 107-115)	—	—	—	25.0	25.0
FY2003 (no earmark)	3.1	—	—	6.9	10.0
Total, FY1998- FY2003	18.1	9.0	11.0	49.9 (about 14.5 million of this went to INC)	88.0
FY2004 (request)	—	—	—	0	0

**Notes:** According to the U.S. Government Accountability Office (April 2004), the INC's Iraqi National Congress Support Foundation (INCSF) received \$32.65 million in U.S. Economic Support Funds (ESF) in five agreements with the State Department during 2000-2003. Most of the funds — separate from drawdowns of U.S. military equipment and training under the "Iraq Liberation Act" — were for the INC to run its offices in Washington, London, Tehran, Damascus, Prague, and Cairo, and to operate its *Al Mutamar* (the "Conference") newspaper and its "Liberty TV," which began in August 2001, from London. The station was funded by FY2001 ESF, with start-up costs of \$1 million and an estimated additional \$2.7 million per year in operating costs. Liberty TV was sporadic due to funding disruptions resulting from the INC's refusal to accept some State Department decisions on how U.S. funds were to be used. In August 2002, the State Department and Defense Department agreed that the Defense Department would take over funding (\$335,000 per month) for the INC's "Information Collection Program" to collect intelligence on Iraq; the State Department wanted to end its funding of that program because of questions about the INC's credibility and the propriety of its use of U.S. funds. The INC continued to receive these funds even after Saddam Hussein was overthrown, but was halted after the June 2004 return of sovereignty to Iraq. The figures above do not include covert aid provided — the amounts are not known from open sources. Much of the "war crimes" funding was used to translate and publicize documents retrieved from northern Iraq on Iraqi human rights; the translations were placed on 176 CD-Rom disks. During FY2001 and FY2002, the Administration donated \$4 million to a "U.N. War Crimes Commission" fund, to be used if a war crimes tribunal is formed. Those funds were drawn from U.S. contributions to U.N. programs. See General Accounting Office Report GAO-04-559, *State Department: Issues Affecting Funding of Iraqi National Congress Support Foundation*, April 2004.

Figure 1. Map of Iraq



Source: Map Resources. Adapted by CRS. (K.Yancey 7/21/04)