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## **Iraq: Post-Saddam Governance and Security**

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# Iraq: Post-Saddam Governance and Security

## Summary

Operation Iraqi Freedom succeeded in overthrowing Saddam Hussein, but Iraq remains unstable because of Sunni Arab resentment and a related insurgency, compounded by burgeoning sectarian violence. According to its November 30, 2005, “Strategy for Victory,” the Bush Administration indicates that U.S. forces will remain in Iraq until the country is able to provide for its own security and does not serve as a host for radical Islamic terrorists. President Bush has said he believes that, over the longer term, Iraq will become a model for reform throughout the Middle East and a partner in the global war on terrorism. However, mounting U.S. casualties and financial costs — without clear signs of security progress — have intensified a debate within the United States over the wisdom of the invasion and whether to wind down U.S. involvement without completely accomplishing U.S. goals.

The Bush Administration asserts that U.S. policy in Iraq is showing important successes, demonstrated by two elections (January and December 2005) that chose an interim and then a full-term parliament and government, a referendum that adopted a permanent constitution (October 15, 2005), progress in building Iraq’s security forces, and economic growth. While continuing to build, equip, and train Iraqi security units, the Administration has been working to include more Sunni Arabs in the power structure, particularly the security institutions; Sunnis were dominant during the regime of Saddam Hussein but now feel marginalized by the newly dominant Shiite Arabs and Kurds. The Administration believes that it has largely healed a rift with some European countries over the decision to invade Iraq, and it points to NATO and other nations’ contributions of training for Iraqi security forces and government personnel.

Administration critics, including some in Congress, believe the U.S. mission in Iraq is failing and that major new policy initiatives are required. Some believe that U.S. counter-insurgent operations are hampered by an insufficient U.S. troop levels and that sectarian violence threatens to place U.S. forces in the middle of an all out civil war in Iraq. Others believe that a U.S. move to withdraw might undercut popular support for the insurgency and force compromise among Iraq’s factions. Still others maintain that the U.S. approach should focus not on counter-insurgent combat but on reconstruction and policing of towns and cities cleared of insurgents, a plan the Administration says it is now moving toward under an approach termed “clear, hold, and build.”

This report will be updated as warranted by major developments. See also CRS Report RS21968, *Iraq: Elections, Government, and Constitution*, by Kenneth Katzman; CRS Report RL31833, *Iraq: Recent Developments in Reconstruction Assistance*, by Curt Tarnoff; CRS Report RL31701, *Iraq: U.S. Military Operations*, by Steve Bowman; and CRS Report RL32105, *Post-War Iraq: Foreign Contributions to Training, Peacekeeping, and Reconstruction*, by Jeremy Sharp and 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).<sup>1</sup> Iraq had been a province of the Ottoman empire until British forces defeated the Ottomans in World War I and took control of what is now Iraq in 1918. Britain had tried to take Iraq from the Ottomans in Iraq 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 son, Faysal II, who was only four years old.

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 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 Baathist 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, who ruled until the Baath Party coup of July 1968. Following the Baath seizure, Bakr returned to government as President of Iraq and Saddam Hussein, a civilian, became the second most powerful leader as 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

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<sup>1</sup> See Eisenstadt, Michael, and Eric Mathewson, eds, *U.S. Policy in Post-Saddam Iraq: Lessons from the British Experience*. Washington Institute for Near East Policy, 2003. Members of the Hashemite family rule neighboring Jordan.

Saddam's urging, and Saddam became President of Iraq. Under Saddam Hussein, secular Shiites held high party positions, but Sunnis, mostly from Saddam's home town of Tikrit, dominated the highest party and security 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.

## 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 militarily overthrow Saddam Hussein in the 1991 war because the United Nations had approved only the liberation of Kuwait, because the Arab states in the coalition opposed an advance to Baghdad, and because the Administration feared becoming bogged down in a high-casualty occupation.<sup>2</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. support, rebelled. The Shiite revolt nearly reached Baghdad, but the mostly Sunni Muslim Republican Guard forces had survived the war largely intact and they suppressed the rebels. Many Iraqi Shiites blamed the United States for standing aside during Saddam's suppression of the uprisings. 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.

About two months after the failure of these uprisings, President George H.W. Bush reportedly sent Congress an intelligence finding that the United States would try to promote a military coup against Saddam Hussein. The Administration apparently believed that a coup by elements within the regime could produce a favorable government without fragmenting Iraq. After a reported July 1992 coup failed, there was a U.S. decision to shift to supporting the Kurdish, Shiite, and other oppositionists that were coalescing into a broad movement.<sup>3</sup>

Support for Iraq's opposition was one facet of broader U.S. policy to pressure Saddam Hussein. The main elements of U.S. containment policy during the 1990s consisted of U.N. Security Council-authorized weapons inspections, an international economic embargo, and U.S.-led enforcement of "no fly zones" over northern and southern Iraq. The implementation of these policies is discussed in greater detail in CRS Report RL32379, *Iraq: Former Regime Weapons Programs, Human Rights Violations, and U.S. Policy*, by Kenneth Katzman.

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<sup>2</sup> Bush, George H.W., and Brent Scowcroft. *A World Transformed*. Alfred A. Knopf, Inc. 1998.

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

## Major Anti-Saddam Factions

Although U.S. policy after the 1991 war emphasized containment, the United States built ties to and progressively increased support for several of the secular and religious opposition factions discussed below. Some of these groups now field militias that are allegedly conducting acts of sectarian reprisals in post-Saddam 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 have authoritarian leaderships. The INC’s Executive Committee selected Ahmad Chalabi, a secular Shiite Muslim from a prominent banking family, to run the INC on a daily basis. Chalabi, who is about 63 years old, was educated in the United States (Massachusetts Institute of Technology) as a mathematician. His 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.<sup>4</sup> (A table on U.S. appropriations for the Iraqi opposition, including the INC, is an appendix).

As an Iraqi governance structure was established, Chalabi was one of the rotating presidents of the Iraq Governing Council (IGC, president during September 2003). In a fallout with his former U.S. backers, 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.<sup>5</sup> The case was later dropped. Since 2004, Chalabi has tried to ally with Shiite Islamist factions; he ran on the main Shiite Islamist slate for the January 30, 2005, elections and subsequently became one of three deputy prime ministers, with a focus on economic issues. Chalabi temporarily served as Oil Minister in December 2005, and he continues to play a large role in oil decisions.

Another secular group, the Iraq National Accord (INA), was 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, a Baathist who purportedly helped Saddam Hussein silence Iraqi dissidents

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<sup>4</sup> In Apr. 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>5</sup> Risen, James, and David Johnston. “Chalabi Reportedly Told Iran That U.S. Had Code,” *New York Times*, June 2, 2004.

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

in Europe in the mid-1970s.<sup>7</sup> Allawi, who is about 60 years old (born 1946 in Baghdad), fell out with Saddam in the mid-1970s, became a neurologist and presided over the Iraqi Student Union in Europe. He survived an alleged Saddam regime assassination attempt in London in 1978. He is a secular Shiite Muslim, but many INA members are Sunnis.

In 1996, the Clinton Administration shifted support to the INA after squabbling among other opposition groups reduced their viability.<sup>8</sup> However, the INA proved penetrated by Iraq's intelligence services, which 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 KDP, to help it capture Irbil from the PUK. The incursion enabled Baghdad to also rout remaining INC and INA operatives throughout the north.

**The Kurds.**<sup>9</sup> The Kurds, who are mostly Sunni Muslims but are not Arabs, are probably the most pro-U.S. of all major groups. They have a historic fear of persecution by the Arab majority and want to, at the very least, preserve the autonomy of the post-1991 Gulf war period. Many younger Kurds want to go beyond autonomy to outright independence. The Kurds appear to be positioning themselves to secure the city of Kirkuk, which the Kurds covet as a source of oil, and possibly part of the city of Mosul. The Kurds achieved language in the new constitution requiring a vote by December 2007 on whether Kirkuk might formally join the Kurdish administered region.

For now, both major Kurdish factions are participating in Iraqi politics, the PUK more so than the KDP. PUK leader Talabani was IGC president in November 2003, and the KDP's Barzani led it in April 2004. Talabani is Iraq's president. On June 12, 2005, the 111-seat Kurdish regional assembly (also elected on January 30, 2005) named Barzani "president of Kurdistan." Yet, Barzani participated extensively in negotiations on the new Iraqi constitution.

**Shiite Islamists: Ayatollah Sistani, SCIRI, Da'wa Party, and Sadr.** Shiite Islamist organizations have emerged as the strongest factions in post-Saddam politics; Shiites constitute about 60% of the population but were under-represented in all pre-2003 governments. Several Shiite factions cooperated with the U.S. regime change efforts of the 1990s, but others had no contact with the United States. The undisputed Shiite religious leader, Grand Ayatollah Ali al-Sistani, maintained a low profile during Saddam Hussein's regime and was not involved in U.S.-backed regime change efforts during the 1990s. As the "*marja-e-taqlid*" (source of emulation) and, since 1992, as the most senior of the four Shiite clerics that lead the Najaf-based "*Hawza al-Ilmiyah*" (a grouping of seminaries), he is a major political

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<sup>7</sup> Hersh, Seymour. "Annals of National Security: Plan B," *The New Yorker*, June 28, 2004.

<sup>8</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.

<sup>9</sup> For an extended discussion, see CRS Report RS22079, *The Kurds in Post-Saddam Iraq*, by Kenneth Katzman and Alfred B. Prados.



force in post-Saddam politics.<sup>10</sup> He has a network of agents (*wakils*) throughout Iraq and in countries where there are large Shiite communities. He was instrumental in putting together the united slate of Shiite Islamist movements in the 2005 elections (“United Iraqi Alliance,” UIA).

Sistani, about 79 years old, was born in Iran and studied in Qom, Iran, before relocating to Najaf at the age of 21. His mentor, the former head of the *Hawza*, was Ayatollah Abol Qasem Musavi-Khoi. Like Khoi, Sistani generally opposes a direct role for clerics in government, but he believes in clerical supervision of political leaders. He wants Iraq to maintain its Islamic culture and not become Westernized, favoring modest dress for women and curbs on sales of alcohol and Western music and entertainment.<sup>11</sup> He suffers from heart problems that required treatment in the United Kingdom in August 2004.

**Supreme Council for the Islamic Revolution in Iraq (SCIRI).** Within the UIA, SCIRI shares power with the Da’wa (Islamic Call) Party and the faction of Moqtada Al Sadr. SCIRI founders were in exile in Iran after a major crackdown in 1980 by Saddam, who accused pro-Khomeini Iraqi Shiite Islamists of trying to overthrow him. During Khomeini’s exile in Najaf (1964-1978), he was hosted by Grand Ayatollah Muhsin al-Hakim, father of the Hakim brothers that founded SCIRI. The Ayatollah was then head of the *Hawza*. Although it was a member of the INC in the early 1990s, SCIRI refused to accept U.S. funds, although it did have contacts with the United States.

Abd al-Aziz al-Hakim, a lower ranking Shiite cleric, is now SCIRI’s leader; he served on the IGC and has been elected to parliament at the top of the UIA slate in each of the 2005 elections, but he has taken no government position. One of his top aides, Bayan Jabr, is Interior Minister, who runs the police and has been accused of packing Iraq’s police forces with members of SCIRI’s “Badr Brigades” militia, (discussed under “Militias,” below). Because of the criticism, it he will not likely be reappointed Interior Minister in the full-term government being assembled. SCIRI leaders say they do not seek to establish an Iranian-style Islamic republic, but SCIRI reportedly receives substantial amounts of financial and other aid from Iran. SCIRI also runs several media outlets.

**Da’wa Party/Ibrahim al-Jafari and Nuri al-Maliki.** Another major Shiite Islamist party is the Da’wa (Islamic Call) Party. It did not directly join the U.S.-led effort to overthrow Saddam Hussein during the 1990s. Its leader is Ibrahim al-Jafari, who is about 56 years old (born in 1950 in Karbala) and was Prime Minister (April 2005-April 2006). A Da’wa activist since 1966, he attended medical school in Mosul and fled to Iran in 1980 to escape Saddam’s crackdown on the Da’wa. He later went to live in London, possibly because he did not want to be seen as too closely linked

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<sup>10</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>11</sup> For information on Sistani’s views, see his website at [<http://www.sistani.org>].

to Iran. Jafari served on the IGC;<sup>12</sup> he was the first of the nine rotating IGC presidents (August 2003), and he was deputy president in Allawi's interim government. He was the UIA's first choice to remain as prime minister in the full-term government being assembled, but opposition from Sunnis and Kurds caused him to withdraw and be replaced as Prime Minister designate by the number two Da'wa leader, Nuri Kamal al-Maliki, who is now attempting to assemble a cabinet. Maliki spent most of his exile period in Syria.

Although there is no public evidence that Jafari or Maliki were involved in any terrorist activity, 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. Lebanese Hizballah was founded by Lebanese clerics loyal to Ayatollah Baqr Al Sadr and Khomeini, and there continue to be personal and ideological linkages between Hizballah and Da'wa (as well as with SCIRI). The Hizballah activists who held U.S. hostages in Lebanon during the 1980s attempted to link release of the Americans to the release of 17 Da'wa prisoners held by Kuwait for those attacks in the 1980s. Some Da'wa members follow Lebanese Shiite cleric Mohammed Hossein Fadlallah, a student of Baqr Al Sadr.

***Moqtada al-Sadr Faction (“Sadrists”).*** Moqtada Al Sadr is emerging as a major figure in Iraq. He is the lone surviving son of the revered Ayatollah Mohammed Sadiq al-Sadr (the Ayatollah was killed, along with his other two sons, by regime security forces in 1999 after he began agitating against Saddam's government). He is viewed by the mainstream Shiite groups as a young firebrand who lacks religious and political weight. This view first took hold on April 10, 2003, when his supporters allegedly stabbed to death Abd al-Majid Khoi, the son of the late Grand Ayatollah Khoi, shortly after Khoi's U.S.-backed arrival in Iraq.<sup>13</sup> However, the established Shiite factions, as well as Iranian diplomats, are building ties to him because of his large following.

By participating fully in the December 15, 2005 elections, Sadr appeared to distance himself from his uprisings in 2003 and 2004, although tensions between Sadr's militia forces and U.S.-led (particularly British) forces in Iraq are flaring again in 2006. During 2003-2004, he used Friday prayer sermons in Kufa (near Najaf) and newspaper publications to agitate for a U.S. withdrawal, and he did not join any interim Iraqi governments. In the January 30, 2005, elections, Sadr started moving into the political process by permitting some of his supporters to join the UIA slate, but he publicly denounced those elections as a product of U.S. occupation. Pro-Sadr candidates also won pluralities in several southern Iraqi provincial council elections and hold 6 seats on Basra's 41-seat provincial council. Three ministers in the 2005-2006 government, including minister of transportation Salam al-Maliki, were Sadr supporters; Maliki reputedly has tried to gain greater control of Baghdad International Airport for Sadr militiamen. Sadr's backing led to the selection of Da'wa Party leader Jafari, later replaced by Jawad al-Maliki, as Prime Minister designate. Sadr is pushing for his supporters to hold several key ministries in the government now

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<sup>12</sup> Salim was killed May 17, 2004, in a suicide bombing while serving as IGC president.

<sup>13</sup> Khoi had headed the Khoi Foundation, based in London.

being assembled, including health, agriculture, and transportation, from which Sadr's faction can control distribution of social welfare benefits.

**Smaller Shiite Factions.** One other Shiite grouping, called *Fadilah* (Virtue), holds about 15 seats in the 2006-2010 parliament as part of the UIA coalition. Loyal to Ayatollah Mohammad Yacoubi, it is a splinter group of Moqtada al-Sadr's faction and is perceived as somewhat more hardline (anti-U.S. presence) than SCIRI or Da'wa. It also holds seats on several provincial councils in the Shiite provinces.

Other Shiite parties operating in southern Iraq include fighters who challenged Saddam Hussein's forces in the southern marsh areas, around the town of Amara, north of Basra. One goes by the name Hizbollah-Iraq and is headed by guerrilla leader Abdul Karim Muhammadawi, who was on the IGC. Hizbollah-Iraq apparently plays a major role in policing Amara and environs. Another pro-Iranian grouping, which wields a militia, is called Thar Allah (Vengeance of God). A smaller Shiite Islamist organization, the Islamic Amal (Action) Organization, is headed by Ayatollah Mohammed Taqi Modarassi, a moderate cleric. Its power base is in Karbala, and, operating under the SCIRI umbrella, it conducted attacks there against regime organs 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. Islamic Amal won two seats in the January 30 election.

**Table 1. Major Anti-Saddam Factions/Leaders**

Iraqi National Congress (INC)/ Ahmad Chalabi	Main recipient of U.S. aid to anti-Saddam opposition during 1990s. Chalabi, touted by some in Bush Administration prior to 2003 war, fell afoul of U.S. officials in 2003-2004. No seats in current parliament.
Iraq National Accord (INA)/Iyad al-Allawi	Consisted of ex-Baathists and ex-military in efforts to topple Saddam in 1990s. Allawi was interim Prime Minister (June 2004-April 2005). Won 40 seats in January 2005 election but only 25 in December 2005.
Kurds/KDP and PUK	Two main Kurdish factions. Talabani became president of Iraq after January 2005 and remains so. Barzani has tried to secure his clan's base in the Kurdish north. Together, field up to 100,000 <i>peshmerga</i> militia. Their joint slate won 75 seats in January election but only 53 in December.
Grand Ayatollah Ali al-Sistani	Undisputed leading Shiite theologian in Iraq. No formal position in government but has used his broad Shiite popularity to become instrumental in major questions facing it and in U.S. decisions on Iraq. Helped forge UIA and brokered compromise over the selection of a Prime Minister nominee in April 2006.
Supreme Council for the Islamic Revolution in Iraq (SCIRI)	Best-organized and most pro-Iranian Shiite Islamist party. 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. Controls 5,000 fighter "Badr Brigades" militia. As part of United Iraqi Alliance (UIA-128 total seats in December election), it has about 30 of its members in parliament. Supports formation of large Shiite "region" composed of nine southern provinces.
Da'wa (Islamic Call) Party	Oldest organized Shiite Islamist party (founded 1957), active against Saddam Hussein in early 1980s. Founder, Mohammad Baqr al-Sadr, was ally of Iran's Ayatollah Khomeini and was hung by Saddam regime in 1980. Does not have an organized militia. Has a lower proportion of clerics than does SCIRI. Part of UIA, controls about 28 seats in parliament.
Moqtada Al-Sadr	Young (about 31) relative of Mohammad Baqr Al Sadr, was in Iraq during Saddam's reign. Inherited father's political base in "Sadr City," a large (2 million population) Shiite district of Baghdad. Mercurial, has both challenged and worked with U.S. personnel in Iraq. Formed "Mahdi Army" militia in 2003 with as many as 20,000 fighters. Now part of UIA, controls 32 seats in new parliament. Supported by hardline <i>Fadila</i> (Virtue) party. Opposes formation of Shiite "region."

## Clinton Administration Policy/Iraq Liberation Act

From the time of Iraq's defeat of the INC and INA in northern Iraq in August 1996 until 1998, the Clinton Administration had little contact with opposition groups, believing them too weak to topple Saddam. During 1997-1998, Iraq's obstructions of U.N. weapons of mass destruction (WMD) inspections led to growing congressional calls to overthrow Saddam. A congressional push for regime change began with an FY1998 supplemental appropriations (P.L. 105-174) and continued subsequently. The sentiment was encapsulated in the "Iraq Liberation Act" (ILA, P.L. 105-338, October 31, 1998). This law, signed by President Clinton despite doubts about opposition capabilities, was viewed as an expression of congressional support for the concept advocated by Chalabi and some U.S. experts to promote an Iraqi insurgency with U.S. air-power. In the debate over the decision to go to war, Bush Administration officials have cited the ILA as evidence of a bi-partisan consensus that Saddam Hussein needed to be removed. The ILA:

- stated that it should be the policy of the United States to "support efforts" to remove the regime headed by Saddam Hussein. In mid-November 1998, President Clinton publicly articulated that regime change was a component of U.S. policy toward Iraq. Section 8 states that the act should not be construed as authorizing the use of U.S. military force to achieve regime change.
- 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.
- did not specifically provide for its termination after Saddam Hussein is removed from power. Section 7 of the ILA provides for continuing post-Saddam "transition assistance" to Iraqi parties and movements with "democratic goals."

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 issued a determination (P.D. 99-13) making seven opposition groups eligible to receive U.S. military assistance under the ILA: INC; INA; SCIRI; KDP; PUK; the Islamic Movement of Iraqi Kurdistan (IMIK);<sup>14</sup> and the Movement for Constitutional Monarchy (MCM),<sup>15</sup> a relatively small party advocating the return

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<sup>14</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 taken off the ILA eligibility list.

<sup>15</sup> In concert with a May 1999 INC visit to Washington D.C, the Clinton Administration announced a draw down of \$5 million worth of training and "non-lethal" defense articles under the ILA. During 1999-2000, about 150 oppositionists underwent civil administration training at Hurlburt air base in Florida, including Defense Department-run civil affairs (continued...)

of Iraq's monarchy. However, the Clinton Administration decided that the opposition was not sufficiently capable to merit weapons or combat training.

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

Several senior Bush Administration officials had long been strong advocates of a regime change policy toward Iraq, but the difficulty of that strategy remained,<sup>16</sup> and the Bush Administration initially continued its predecessor's emphasis on containment. Some accounts say that the Administration was planning, prior to September 11, to confront Iraq militarily, but President Bush has denied this. During its first year, Administration policy focused on strengthening containment of Iraq, which the Administration said was rapidly eroding. The cornerstone of the effort was achieving U.N. Security Council adoption (Resolution 1409, May 14, 2002) of a "smart sanctions" plan — relaxing U.N.-imposed restrictions on exports to Iraq of purely civilian equipment<sup>17</sup> in exchange for improved international enforcement of the U.N. ban on exports to Iraq of militarily-useful goods.

### Policy Shift During 2001-2002

Bush Administration policy on Iraq changed to 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 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 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 leaders visited reportedly urged greater U.S. attention to the Arab-Israeli dispute and opposed war with Iraq. Some accounts, including the book *Plan of Attack* by Bob Woodward (published in April 2004), 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. Other accounts include reported memoranda (the "Downing Street Memo") by British intelligence officials, based on conversations with U.S. officials. That memo reportedly said that by mid-2002 the Administration had already decided to go to war against Iraq and that it sought to develop information about Iraq to support that judgment. President Bush and British Prime Minister Tony Blair deny this. (On

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<sup>15</sup> (...continued)

training to administer a post-Saddam government. The Hurlburt trainees were not brought into Operation Iraqi Freedom or into the Free Iraqi Forces that deployed to Iraq toward the end of the major combat phase of the war.

<sup>16</sup> One account of Bush Administration internal debates on the strategy is found in Hersh, Seymour. "The Debate Within," *The New Yorker*, Mar. 11, 2002.

<sup>17</sup> For more information on this program, see CRS Report RL30472, *Iraq: Oil For Food Program, Illicit Trade, and Investigations*, by Kenneth Katzman and Christopher Blanchard.

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 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. The U.S.-led Iraq Survey Group, whose work formally terminated in December 2004, determined that Iraq did not possess active WMD programs, although it retained the intention and capabilities to reconstitute them. (See [[http://www.cia.gov/cia/reports/iraq\\_wmd\\_2004/](http://www.cia.gov/cia/reports/iraq_wmd_2004/)].)
- *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 had a direct connection to 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>18</sup>

## Operation Iraqi Freedom

Although it is not certain when the Administration decided on an invasion, in mid-2002 the Administration began ordering a force to the region that, by early 2003, gave the President that option. 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 to destabilize Saddam Hussein. In August 2002, the State and Defense Departments jointly invited six major opposition groups to Washington, D.C. At the same time,

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<sup>18</sup> 9/11 Commission Report, p. 66.

the Administration expanded its ties to several groups, particularly those composed of ex-military officers. The Administration also began training about 5,000 oppositionists to assist U.S. forces,<sup>19</sup> although only about 70 completed training at an air base (Taszar) in Hungary.<sup>20</sup> They served mostly as translators during the war.

In an effort to obtain U.N. backing for confronting Iraq — support that then Secretary of State Powell reportedly argued was needed — President Bush urged the United Nations General Assembly (September 12, 2002) that the U.N. Security Council should enforce its 16 existing WMD-related resolutions on Iraq. The Administration subsequently agreed to give 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. UNMOVIC Director Hans Blix and International Atomic Energy Agency (IAEA) Director Mohammad al-Baradei subsequently briefed the Security Council on WMD inspections that resumed November 27, 2002. They criticized Iraq for failing to actively cooperate but also noted progress and said that Iraq might not have retained any WMD. The Bush Administration asserted that Iraq was not cooperating with Resolution 1441 because it was not pro-actively revealing information. (A “comprehensive” September 2004 report of the Iraq Survey Group, known as the “Duelfer report,”<sup>21</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 U.S.-led WMD search ended December 2004.<sup>22</sup> The UNMOVIC search remains technically active.<sup>23</sup>)

During this period, Congress debated the costs and risks of an invasion. It adopted H.J.Res. 114, authorizing the President to use military force against Iraq if he determines that doing so is in the national interest and would enforce U.N. Security Council resolutions. 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).

In Security Council debate, opponents of war, including France, Russia, China, and Germany, said the pre-war WMD inspections showed that Iraq could be disarmed peacefully or contained indefinitely. The United States, along with Britain, Spain, and Bulgaria, maintained that Iraq had not fundamentally decided to disarm. At a March 16, 2003, summit meeting with the leaders of Britain, Spain, and Bulgaria at the Azores, President Bush asserted that diplomatic options to disarm

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

<sup>20</sup> Williams, Daniel. “U.S. Army to Train 1,000 Iraqi Exiles,” *Washington Post*, Dec. 18, 2002.

<sup>21</sup> The full text of the Duelfer report is available at [<http://news.findlaw.com/hdocs/docs/iraq/cia93004wmdrpt.html>].

<sup>22</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>23</sup> For information on UNMOVIC’s ongoing activities, see [<http://www.unmovic.org/>].



Iraq had failed. The following evening, 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>24</sup> "coalition of the willing" force assembled, a substantial proportion of which remained afloat or 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 post-major combat evaluation ("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 prohibited ranges (greater than 150 km). The regime vacated Baghdad on April 9, 2003, although Saddam Hussein appeared with supporters that day in Baghdad's largely Sunni Adhamiya district.

## Post-Saddam Governance and Transition

Initial U.S. goals for post-Saddam Iraq were to create a model democracy that is at peace with its neighbors, free of WMD, and an ally of the United States. However, according to its November 30, 2005, "Strategy for Victory," the U.S. goal now is to enable Iraq to provide for its own security and not serve as a host for radical Islamic terrorists. The Administration believes that, over the longer term, Iraq will still become a model for reform throughout the Middle East. The political transition in post-Saddam Iraq has advanced, but insurgent violence is still widespread, and sectarian violence has increased to the point that senior U.S. officials say that such violence is now the pre-eminent security threat in Iraq, with "potential" for all-out civil war.

**Occupation Period, Coalition Provisional Authority (CPA), and Ambassador Paul Bremer.** After the fall of the regime, the United States set up an occupation structure, reportedly grounded in Administration concerns that immediate sovereignty would favor major factions and not produce democracy. The Administration had earlier opposed a move by the major factions to declare a provisional government before the invasion. 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), within the Department of Defense, created by a January 20, 2003 executive order. The Administration's immediate post-war policy did not make use of an extensive State Department initiative, called the "Future of Iraq Project," that spent at least a year

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<sup>24</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. The 49 country list can be found in the *Washington Post*, March 27, 2003, p.A19.

before the war drawing up plans for administering Iraq after the fall of Saddam. Some Iraqis who participated are now in Iraqi government positions. The State Department project, which cost \$5 million, had 15 working groups on major issues.<sup>25</sup>

Garner tried to quickly establish a representative successor Iraqi regime. He and then White House envoy Zalmay Khalilzad (now Ambassador to Iraq) organized a meeting in Nassiriyah (April 15, 2003) of about 100 Iraqis of varying views and ethnicities. A subsequent meeting of over 250 notables was held in Baghdad (April 26, 2003), ending in agreement to hold a broader meeting one month later to name an interim administration. However, senior U.S. officials reportedly disliked Garner's lax approach, including tolerating Iraqis naming themselves as local leaders. In May 2003, the Administration named ambassador L. Paul Bremer to replace Garner by heading a "Coalition Provisional Authority" (CPA), which subsumed ORHA. The CPA was an occupying authority recognized by U.N. Security Council Resolution 1483 (May 22, 2003).

Bremer suspended Garner's political transition process and decided instead to appoint an Iraqi advisory body that would not have sovereignty. On July 13, 2003, he named the 25-member "Iraq Governing Council" (IGC). Its major figures included the leaders of the major anti-Saddam factions, but it was perceived in Iraq as an arm of U.S. decision-making. In the process of forming this council, some Sunni figures emerged, some of whom were in exile during Saddam's rule. These included Ghazi al-Yawar, a Sunni elder (Shammar tribe) and president of a Saudi-based technology firm. However, many Sunnis resented the U.S. invasion and opposed the U.S. presence and the U.S.-backed Iraqi governing bodies. In September 2003, the IGC selected a 25-member "cabinet" to run individual ministries, with roughly the same factional and ethnic balance of the IGC itself (a slight majority of Shiite Muslims). The IGC began a process of "de-Baathification" — a purge from government of about 30,000 persons who held any of the four top ranks of the Baath Party — and it authorized a war crimes tribunal for Saddam and his associates. That function is now performed by a 323-member "Supreme Commission on De-Baathification."

## **Handover of Sovereignty and Transition Roadmap**

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 and direct elections. 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.

**Transitional Administrative Law (TAL).** The CPA decisions were incorporated into an interim constitution, the Transitional Administrative Law

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<sup>25</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/>].

(TAL), which was drafted mostly by the major anti-Saddam factions (signed on March 8, 2004).<sup>26</sup> It provided a roadmap for political transition, as follows:

- Elections by January 31, 2005, for a 275-seat transitional National Assembly. A permanent constitution would be drafted by August 15, 2005, and put to a national referendum by October 15, 2005. National elections for a permanent government, under the new constitution (if it passed), would be held by December 15, 2005. The new government would take office by December 31, 2005.
- Any three provinces could veto the constitution by a two-thirds majority. If that happened, a new draft was to be developed and voted on by October 15, 2006. In that case, the December 15, 2005, elections would have been for another interim National Assembly.
- The Kurds maintained their autonomous “Kurdistan Regional Government.” They were given powers to contradict or alter the application of Iraqi law in their provinces, and their *peshmerga* militia were allowed to operate.
- Islam was designated “a source,” but not the primary source, of law, and no law could be passed that contradicts such rights as peaceful assembly; free expression; and the right to strike and demonstrate.

**Interim (Allawi) Government/Sovereignty Handover.** The TAL did not directly address the formation of the interim government that would assume sovereignty. Sistani’s opposition torpedoed an initial U.S. plan to select a national assembly through nationwide “caucuses.” After considering other options, such as the holding of a traditional assembly, the United States tapped U.N. envoy Lakhdar Brahimi to select that government.<sup>27</sup> The interim government, dominated by senior faction leaders, was named on June 1, 2004 and began work immediately. The formal handover ceremony occurred on June 28, 2004, two days before the advertised June 30 date, partly to confuse insurgents. It had a largely ceremonial president (Ghazi al-Yawar) and two deputy presidents (Jafari and the KDP’s Dr. Rowsch Shaways). Allawi was Prime Minister, with executive power, and there was a deputy prime minister and 26 ministers. Six ministers were women, and the ethnicity mix was roughly the same as in the IGC. The key defense and interior ministries were headed by Sunni Arabs.

**U.N. Backing of New Government/Coalition Military Mandate.** The Administration asserts that it has consistently sought U.N. and partner country involvement in Iraq efforts. Resolution 1483 (May 6, 2003) recognized the CPA as an occupying authority, provided for a U.N. special representative to Iraq, and “called on” governments to contribute forces for stabilization. Resolution 1500 (August 14,

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<sup>26</sup> The text of the TAL can be obtained from the CPA website [<http://cpa-iraq.org/government/TAL.html>].

<sup>27</sup> Chandrasekaran, Rajiv. “Envoy Urges U.N.-Chosen Iraqi Government,” *Washington Post*. Apr. 15, 2004.

2003) established U.N. Assistance Mission for Iraq (UNAMI).<sup>28</sup> The size of UNAMI in Iraq has increased to a few hundred, headed by former Pakistani diplomat Ashraf Jahangir Qazi. In a further attempt to satisfy the requirements of several major nations for greater U.N. backing of the coalition military presence, the United States obtained agreement on Resolution 1511 (October 16, 2003), formally authorizing a “multinational force under *unified* [meaning U.S.] command.”

Resolution 1546 (June 8, 2004) took U.N. involvement a step further by endorsing the handover of sovereignty, reaffirming the responsibilities of the interim government, and spelling out the duration and legal status of U.S.-led forces in Iraq. It also gave the United Nations a major role in helping the interim government prepare for the two elections in 2005, and it authorized a coalition component force to protect U.N. personnel and facilities. Primarily because of Sistani’s opposition to the TAL’s provision that would allow the Kurds a veto over a permanent constitution, the Resolution did not explicitly endorse the TAL. The Resolution

- “authorizes” the U.S.-led coalition to secure Iraq, a provision interpreted as giving the coalition responsibility for securing Iraq. 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 U.S.-led coalition retains the ability to take prisoners.
- stipulates that the coalition’s mandate would be reviewed “at the request of the 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.” The Security Council reviewed the mandate in advance of the June 8, 2005, deadline, and no alterations to it were made. However, on November 11, 2005, in advance of the termination of the mandate, the Security Council adopted Resolution 1637 extending the coalition military mandate to December 31, 2006, unless earlier requested by the Iraqi government. The mandate is also to be reviewed on June 15, 2006.
- defers the issue of the status of foreign forces (Status of Forces Agreement, SOFA) to an elected Iraqi government. No SOFA has been signed to date, and U.S. forces operate in Iraq and use its facilities (such as Balad, Tallil, and Al Asad air bases) under temporary memoranda of understanding. However, Secretary of Defense Rumsfeld told journalists on July 27, 2005, that U.S. military lawyers are working with the Iraqis on a SOFA or other arrangements that would cover U.S. operations in Iraq after a permanent government takes over.

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<sup>28</sup> On August 12, 2004, its mandate was renewed for one year and on Aug. 11, 2005 (Resolution 1619), for another year.

- establishes a 100-seat “Interim National Council” to serve as an interim parliament. The body, selected during August 13-18, 2004,<sup>29</sup> did not have legislative power but was able to veto government decisions with a two-thirds majority. The council held some televised “hearings,” including questioning ministers. Its work ended after the National Assembly was elected in January 2005.

**Post-Handover U.S. Structure in Iraq.** The following were additional consequences of the sovereignty handover, designed in part to lower the profile of U.S. influence over post-handover Iraq.

- As of the June 28, 2004, handover, the state of occupation ceased. Subsequently, 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>30</sup> Negroponte was succeeded in July 2005 by Ambassador Zalmay Khalilzad, who was previously Ambassador to Afghanistan and who takes a more activist approach. In August 2005, Secretary of State Rice named a new State Department-based chief coordinator for Iraq: former deputy chief of mission in post-Saddam Baghdad James Jeffrey. An FY2005 supplemental appropriations, P.L. 109-13, provided \$592 million of \$658 million requested to construct a new embassy in Baghdad and to fund embassy operations. The large new embassy complex, with 21 buildings on 104 acres, is under construction. A request for FY2006 supplemental funds asks for \$1.097 billion for embassy operations for FY2006 and the first half of FY2007. The House version of H.R. 4939 provides \$1.116 billion for these purposes, with slight modifications; the Senate version provides the amount requested.
- Iraq gained control over its oil revenues and the Development Fund for Iraq (DFI), subject to monitoring for at least one year (until June 2005) by the U.N.-mandated International Advisory and Monitoring Board (IAMB). Iraq also was given responsibility for close-out of the “oil-for-food program.”<sup>31</sup> Resolution 1483 (May 22, 2004) ended that program as of November 21, 2003.
- Reconstruction management and advising of the new Iraqi government were taken over by the State Department through the U.S. Embassy and a unit called the “Iraq Reconstruction and Management Office (IRMO).” IRMO, headed since June 2005 by

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<sup>29</sup> Tavernise, Sabrina. “In Climax To a Tumultuous 4-Day Debate, Iraq Chooses An Assembly,” *New York Times*, Aug. 19, 2004.

<sup>30</sup> See CRS Report RS21867, *U.S. Embassy in Iraq*, by Susan B. Epstein.

<sup>31</sup> For information on that program, see CRS Report RL30472, *Iraq: Oil-for-Food Program, Illicit Trade, and Investigations*, by Kenneth Katzman and Christopher Blanchard.

Daniel Speckhard, has about 150 U.S. civilian personnel working out of four major centers around Iraq (satellites of the U.S. Embassy) — Hilla, Basra, Kirkuk, and Mosul, and 15-20 of them report to IRMO. (These centers, except for Basra, have now been converted to Provincial Reconstruction Teams, or PRTs, discussed further below.) A separate “Project Contracting Office (PCO),” headed by Brig. Gen. William McCoy (now under the Persian Gulf division of the Army Corps of Engineers), funds infrastructure projects such as roads, power plants, and school renovations.

## Governmental and Constitution Votes in 2005

After the handover of sovereignty, the United States and Iraq began focusing on the three national votes that would be held in 2005. These votes and resulting governments are discussed in detail in CRS Report RS21968, *Iraq: Elections, Government, and Constitution*, by Kenneth Katzman.

**January 30, 2005, Elections/New Government.** On January 30, 2005, elections were held for a transitional National Assembly, 18 provincial councils, and the Kurdish regional assembly. Sunnis, still resentful of the U.S. invasion, did not participate in the vote, and no major Sunni slates were offered. This enabled the UIA to win a slim majority (140 of the 275 seats) and to ally with the Kurds (75 seats) to dominate the government formed subsequently. PUK leader Jalal Talabani was named president; Jafari became Prime Minister; and SCIRI’s Adel Abd al-Mahdi was second deputy president. U.S. officials said publicly this government was not sufficiently inclusive of the Sunni minority, even though it had a Sunni (Hajim al-Hassani) as Assembly speaker; a Sunni deputy president (Ghazi al-Yawar); a Sunni deputy prime minister (Abd al-Mutlak al-Jabbari); a Sunni Defense Minister (Sadoun Dulaymi); and five other Sunni ministers.

The elected Iraqi government received some diplomatic support, even though most of its neighbors, except Iran, resent the Shiite and Kurdish domination of the regime. As of early 2006, there are 46 foreign missions in Iraq, including most European and Arab countries. Jordan has appointed an ambassador and Kuwait has pledged to do so, but these and other diplomatic upgrades have been largely on hold since attacks on diplomats from Bahrain, Egypt, Algeria, and Morocco in 2005. Iran upgraded its representation to Ambassador in May 2006. At an Arab League meeting in late March 2006. Arab states pledged to increase their diplomatic representation in Iraq, and to consider other help (aid, debt relief) to bolster the Iraqi government.

**Permanent Constitution.** Despite Sunni opposition, the constitution was approved on October 15, 2005; Sunni opponents achieved a two-thirds “no” vote in two provinces but not the three needed to defeat the constitution. The crux of Sunni opposition to it is its 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. The Sunnis oppose this concept because their region, unlike those dominated by the Kurds and the Shiites, lacks oil and they depend on the central government for revenues.

As part of their efforts to forge a unified political structure, U.S. officials hope that the constitution will be modified in 2006 to accommodate these Sunni concerns. Under a last-minute agreement before the October 15 referendum, the new permanent government is to name another constitutional commission to propose amendments to the constitution (within four months of its inauguration). The amendments require approval by an Assembly majority, and then would be put to a national referendum to be held two months later.

**December 15, 2005, Election.** In this election, some anti-U.S. Sunnis moved further into the political arena; Sunni slates were offered, including a broad slate (“The Concord Front”). Another Sunni slate was the Iraqi Front for National Dialogue, headed by constitution negotiator Saleh al-Mutlak. The vote was mostly peaceful. Final results were released in January 2006, and the results were court-certified on February 10, formally setting in motion the process of forming a government.

The convening of the “Council of Representatives” was delayed until March 16 by wrangling over governmental positions, most notably the post of Prime Minister. The UIA, by a narrow internal vote on February 12, named Jafari to continue as Prime Minister. With the UIA alone well short of the two-thirds majority needed to unilaterally form a government, Jafari came under stiff opposition from Sunnis, the secular groupings, and the Kurds. In mid-April, Jafari stepped aside, and his top Da’wa aide, Nuri al-Maliki, was named Prime Minister designate by the Council on April 22. Talabani was selected to continue as president, with two deputies Adel Abd al-Mahdi of SCIRI and Tariq al-Hashimi of the Concord Front). A Council leadership team was selected as well. Maliki has until May 21 to name a cabinet and achieve its confirmation. U.S. officials are calling for a unified cabinet with security ministries headed by figures not associated with militias. Maliki has made pledges of non-sectarianism and unity, but Sunni and Kurdish suspicions linger that he is a Shiite hardliner who will try to monopolize power for the Shiites. However, formation of the cabinet has floundered not only on differences between the Sunni and Shiite Arabs and the Kurds, but on intra-Shiite differences. Sadr and his ally, the Fadila party, each are demanding control of significant ministries, including Oil, putting them at odds with SCIRI and Da’wa within the UIA. In addition, as of May 15, 2006, there is no agreement on the key posts of Defense and Interior ministers. In one possible sign of progress toward factional comity, all factions agreed in March 2006 to form an over-arching council on security and economic matters, in which all factions would be represented, although the President and Prime Minister would still have the authority to override the council’s decisions. The council is not provided for in the new constitution.

**Table 2. Major Sunni Factions in Post-Saddam Iraq**

Ghazi al-Yawar (Iraqis Party)	Yawar has cooperated with the U.S. since the invasion, serving as President in the Allawi government and deputy president in the post-January 2005 government.
Iraqi Concord Front (Tariq al-Hashimi and Adnan al-Dulaymi)	The Front is led by Iraqi Islamic Party (IIP), headed by Tariq al-Hashimi. IIP withdrew from the in January 2005 election but led this Sunni coalition to compete in December 2005 elections. Critical of but accepts U.S. presence. Includes Iraqi General People’s Council of Adnan al-Dulaymi and the Sunni Endowment. The Front holds 44 seats in new parliament. Hashimi named a deputy president on April 22.
Dialogue National Iraqi Front (Saleh al-Mutlak)	Mutlak, an ex-Baathist, was chief negotiator for Sunnis on the new constitution, but was dissatisfied with the outcome and now advocates major revisions to the new constitution. Holds 11 seats in the new parliament.
Muslim Scholars Association (MSA, Harith al-Dhari and Abd al-Salam al-Qubaysi)	Hardline Sunni Islamist, has boycotted all post-Saddam elections. Believed to have ties to and influence over insurgent factions. Wants timetable for U.S. withdrawal from Iraq.
Iraqi Insurgents	Numerous factions and no unified leadership, although a multi-group “Mujahedin Shura” was formed in early 2006, led by an Iraqi (Abdullah Rashid al-Baghdadi). Some groups led by ex-Saddam regime leaders, others by Islamic extremists. Major factions outside mujahedin shura include Islamic Army of Iraq, Muhammad’s Army, and the 1920 Revolution Brigades.
Foreign Fighters/ Abu Musab al-Zarqawi	Estimated 3,000 in Iraq, most led by Zarqawi, a Jordanian national. His faction is part of new Mujahedin Shura. Advocates attacks on Iraqi Shiite civilians to spark civil war. Related foreign fighter faction, which includes some Iraqis, is Ansar al-Sunna, but this group is not in the Mujahedin Shura.



***Democracy-Building and Local Governance/FY2006 Supplemental.***

The United States and its coalition partners have tried to build civil society and democracy at the local level. 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 in April 2006 detailed how the FY2004 supplemental appropriation (P.L. 108-106) “Iraq Relief and Reconstruction Fund” (IRRF) is being spent (“2207 Report”).

- About \$1.014 billion is allocated for “Democracy Building.”
- About \$71 million is allocated for related “Rule of Law” programs.
- About \$159 million is allocated to build and secure courts and train legal personnel.
- About \$128 million is allocated 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 Iraqi Property Claims Commission (which is evaluating Kurdish claims to property taken from Kurds, mainly in Kirkuk, during Saddam’s regime).
- \$15 million is to promote human rights and human rights education centers.

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), some of the democracy and rule of law building activities conducted with these funds, aside from assistance for the various elections in Iraq in 2005, include the following:

- 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, and support the drafting of the permanent constitution.
- Activities to empower local governments, policies that are receiving increasing U.S. attention and additional funding allocations from the IRRF. These programs include (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 thus far; (2) Provincial Reconstruction Development Committees (PRDCs) to empower local governments to decide on reconstruction priorities; and (3) Provincial Reconstruction Teams (PRTs), which are local enclaves to provide secure conditions for reconstruction, as discussed further later in this paper. (The House-passed FY2006 supplemental legislation, H.R. 4939, designates \$10 million in ESF for Iraq to be used to keep the CAP operating. The Senate-passed version contains \$75 million for the CAP.)

- Programs to empower women and promote their involvement in Iraqi politics, as well as programs to promote independent media.
- Some funds have been used for easing tensions in cities that have seen substantial U.S.-led anti-insurgency combat, including Fallujah, Ramadi, Sadr City district of Baghdad, and Mosul.

In addition to what is already allocated, the FY2006 regular foreign aid appropriations (conference report H.Rept. 109-265 on P.L. 109-102) provides \$56 million in FY2006 funds for democracy promotion. It incorporated a Senate amendment (S.Amdt. 1299, Kennedy) to that legislation providing \$28 million each to the International Republican Institute and the National Democratic Institute for democracy promotion in Iraq. The Senate version of the FY2006 supplemental appropriations bill (H.R. 4939) provides \$104.5 million in ESF for Iraq democracy promotion, of which \$8.5 million would be used by the U.S. Institute of Peace.

### **Economic Reconstruction and U.S. Assistance<sup>32</sup>**

The Administration asserts that economic reconstruction will contribute to stability, although some aspects of that effort appear to be faltering. As discussed in recent reports by the Special Inspector General for Iraq Reconstruction (SIGIR), the difficult security environment has slowed reconstruction, particularly in the restive areas of Iraq. Since September 2004, the U.S. reconstruction process has shifted resources to smaller scale projects that could be completed quickly and employ Iraqis, such as sewer lines and city roads.

The primary vehicle for reconstruction funding is the IRRF. Total funds of \$20.912 billion for the IRRF came from two supplemental appropriations (FY2003 supplemental, P.L. 108-11, which appropriated about \$2.5 billion; and the FY2004 supplemental appropriations, P.L. 108-106, which provided about \$18.44 billion). Of those funds, \$19.082 billion has been obligated, and, of that, \$14.448 billion has been disbursed as of May 10, 2006. Other reconstruction funds have been appropriated (\$1.3 billion total for the Commanders Emergency Response Fund, \$5.7 billion in FY2005 for Iraqi security forces, and other much smaller appropriations) but are not included in the IRRF. According to State Department reports, the sector allocations for the IRRF are as follows:

- \$5.036 billion for Security and Law Enforcement;
- \$1.315 billion for Justice, Public Safety, Infrastructure, and Civil Society;
- \$1.033 billion for Democracy;
- \$4.22 billion for Electricity Sector;
- \$1.735 billion for Oil Infrastructure;
- \$2.131 billion for Water Resources and Sanitation;
- \$465.5 million for Transportation and Communications;
- \$333.7 million for Roads, Bridges, and Construction;

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<sup>32</sup> For more detailed information on U.S. spending and economic reconstruction, see CRS Report RL31833, *Iraq, Recent Developments in Reconstruction Assistance*, by Curt Tarnoff.

- \$739 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.

**FY2006 Supplemental.** Even though economic reconstruction is incomplete, the Administration requested \$479 million in Economic Support Funds (ESF) for Iraq for FY2007, mainly to help sustain infrastructure already built with U.S. funds. The FY2006 supplemental request asks \$1.6 billion for reconstruction activities. The House version of H.R. 4939 cuts \$25 million from the request; the Senate version matches the request.

**The Oil Industry.** The oil industry is the driver of Iraq's economy, and rebuilding this industry has received substantial U.S. attention. 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 has become a target of insurgents. They 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 attacks, coupled with corruption and other deterioration, has kept production and exports below expected levels, although high world oil prices have been, at least until now, more than compensating for the output shortfall. The United States imports about 660,000 barrels per day of crude oil from Iraq. The Iraqi government needs to import refined gasoline because it lacks sufficient refining capacity. Lines for gasoline often last many hours.

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. Russia, China, and others are said to fear that the United States will seek to develop Iraq's oil industry with minimal participation of firms from other countries. Iraq's interim government has contracted for a study of the extent of Iraq's oil reserves, and it has contracted with Royal Dutch/Shell to formulate a blueprint to develop the gas sector. Poland reportedly is negotiating with Iraq for possible investments in Iraq's energy sector. In December 2005, it was reported that a Norwegian company, DNO, has contracted with the Kurdish administrative region to explore for oil near the northern city of Zakho, raising the concerns of Iraq's Arabs who view this as a move by the Kurds to control some Iraqi oil revenues.

**Table 3. Selected Key Indicators**

Oil						
Oil Production	Oil Production (pre-war)	Oil Exports	Oil Exports (pre-war)	Oil Revenue (2004)	Oil Revenue (2005)	Oil Revenue (2006 (to date))
2.16 million barrels per day (mbd)	2.5 mbd	1.29 mbd	2.2 mbd	\$17 billion	\$23.5 billion	\$9.7 billion
Electricity						
Pre-War (MWh)	Current	Baghdad (hrs. per day)	National Average (hrs. per day)			
102,000	90,000	2.9	9.7			
Other Economic Indicators						
GDP Growth Rate (2006 anticipated by IMF)			10.6%			
GDP	\$18.9 billion (2002)		\$33.1 billion (2005)			
New Businesses Begun Since 2003			30,000			

**Note:** Figures in the table are provided by the State Department "Iraq Weekly Status Report" dated May 10, 2006. 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.

**International Donors.** A World Bank estimate, released in October 2003, said Iraq reconstruction would require about \$56 billion during 2004-2007, including \$21 billion in U.S. pledges. At an October 2003 donors' conference in Madrid, donors pledged about \$13.5 billion, including \$8 billion from foreign governments and \$5.5 billion in loans from the World Bank and IMF. Of the funds pledged by other foreign governments, about \$3.5 billion has been disbursed as of December 2005, according to the April 2006 "2207 Report." Included in that figure is about \$436 million in International Monetary Fund (IMF) loans, which were disbursed in 2004 after Iraq cleared up \$81 million in Saddam-era arrears to the IMF.

**The U.S. Military and Reconstruction/CERP Funds.** The U.S. military has attempted to promote reconstruction to deprive the insurgency of popular support. A key tool in this effort is the funding of small projects to garner Iraqi public support. Called the Commanders Emergency Response Program (CERP), the DOD funds are controlled and disbursed by U.S. commanders at the tactical level. The total amount of CERP funds for Iraq made available thus far are \$1.3 billion, according to the State Department, including FY2004, 2005, and 2006 funds. A similar program began in October 2004, called the Commander's Humanitarian Relief and Reconstruction Projects (CHHRP). About \$86 million in has been allocated for this program, mostly for water and sewage in Sunni areas.

**Lifting U.S. Sanctions.** The Bush Administration has lifted most U.S. sanctions on Iraq, beginning with Presidential Determinations issued under authorities provided by P.L. 108-7 (appropriations for FY2003) 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>33</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.** The Administration is attempting to persuade other countries to forgive Iraq's debt, built up during Saddam's regime, and estimated of Saddam Hussein. The debt is estimated to total about \$116 billion, not including reparations dating to the first Persian Gulf war. In 2004, the "Paris Club" of 19 industrialized nations agreed to cancel about 80% of the \$39 billion Iraq owes them. However, with the exception of Kuwait, the Persian Gulf states that supported Iraq during the Iran-Iraq war have not to date firmly agreed to write-off Iraq's approximately \$50 billion in debt to those countries (Saudi Arabia, Kuwait, United Arab Emirates, and Qatar). 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>34</sup> On December 13, 2004, the World Trade Organization (WTO) agreed to begin accession talks with Iraq.

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<sup>33</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>34</sup> For more information, see CRS Report RL33376, *Iraq's Debt Relief: Procedure and Potential Implications for International Debt Relief*, by Martin A. Weiss.

## Security Challenges, Responses, and Options

In several speeches on Iraq since late 2005, President Bush cited successful elections and the growth of the Iraqi security forces to assert that U.S. policy will produce a stable Iraq, while acknowledging many of the unexpected security and political difficulties encountered. Congress has mandated two major periodic Administration reports on progress in stabilizing Iraq. A Defense Department quarterly report, which DOD has titled “Measuring Stability and Security in Iraq,” was required by an FY2005 supplemental appropriation (P.L. 109-13). Another report, the first of which was issued April 6, 2006 (“1227 Report”), was required by Section 1227 of the Defense Authorization Act for FY2006 (P.L. 109-163).

### The Insurgent Challenge

The Sunni Arab-led insurgency against U.S. and Iraqi forces has defied most U.S. expectations in intensity and duration. Although hesitant to assess the size of the insurgency, U.S. commanders say that insurgents probably number approximately 12,000-20,000. Some Iraqi (intelligence) officials have publicly advanced higher estimates of about 40,000 active insurgents, helped by another 150,000 persons in supporting roles. Insurgent attacks numbered about 100 per day during most of 2005, but U.S. commanders now put that number at about 75-85 attacks per day.

As discussed in the Administration’s “National Strategy for Victory in Iraq” (November 30, 2005), many of the insurgents are motivated by opposition to perceived U.S. rule in Iraq, to democracy, and to Shiite political dominance. Others want to bring the Baath Party back into power, although, according to many experts, some would settle for a larger Sunni role in governance without the Baath. Still others are pro-Al Qaeda fighters, either foreign or Iraqi, that want to defeat the United States and spread radical Islam throughout the region. The insurgent groups are believed to be loosely coordinated within cities and wider provinces. However, in early 2006, a group of five insurgent factions announced the formation of a national “Mujahedin Shura (Council)” led by an Iraqi, Abdullah Rashid al-Baghdadi. This grouping purportedly consists mostly of Iraqi factions but includes foreign fighters led by Abu Musab al-Zarqawi.

Despite their growing coordination, the insurgents have failed to derail the political transition,<sup>35</sup> although they have succeeded, to some extent, in painting the Iraqi government as ineffective. Since March 2006, insurgent groups have conducted several large-scale (50 insurgents fighters or more) attacks on police stations and other fixed positions, in at least one case overrunning a station and freeing prisoners from it. Other targets include not only U.S. forces and Iraqi officials and security forces but also Iraqi civilians working for U.S. authorities, foreign contractors and

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<sup>35</sup> For further information, see Baram, Amatzia. “*Who Are the Insurgents?*” U.S. Institute of Peace, Special Report 134, Apr. 2005; and Eisenstadt, Michael and Jeffrey White. “*Assessing Iraq’s Sunni Arab Insurgency.*” Washington Institute for Near East Policy, Policy Focus No. 50, Dec. 2005.

aid workers, oil export and gasoline distribution facilities, and water, power, and other infrastructure facilities. The U.N. Security Council has adopted the U.S. interpretation of the insurgency — on August 4, 2005, it adopted Resolution 1618, condemning the “terrorist attacks that have taken place in Iraq,” including attacks on Iraqi election workers, constitution drafters, and foreign diplomats in Iraq. The FY2006 supplemental request asks for \$1.3 million in Treasury Department funds to disrupt insurgent financing.

**Foreign Insurgents/Zarqawi.**<sup>36</sup> A numerically small but politically significant component of the insurgency is non-Iraqi. A study by the Center for Strategic and International Studies released in September 2005 said that about 3,500 foreign fighters are in Iraq. According to the study, the foreign fighters come mostly from Algeria, Syria, Yemen, Sudan, Saudi Arabia, and Egypt, with Saudis constituting only about 350 of the 3,000 estimated foreign fighters. The Department of Defense said on October 20, 2005, that 312 foreign fighters had been captured in Iraq since April 2005.

A major portion of the foreign fighters is commanded by Abu Musab al-Zarqawi, a 40-year-old Jordanian Arab who reportedly fought in Afghanistan during the 1980s alongside other Arab volunteers against the Soviet Union. He reportedly is a member, or perhaps even de-facto leader, of the new “Mujahedin Shura” announced in January 2006. Zarqawi came to Iraq in late 2001, along with several hundred associates, after escaping the U.S. war effort in Afghanistan. He made his way to northern Iraq, after transiting Iran and Saddam-controlled Iraq, eventually taking refuge with a Kurdish Islamist faction called Ansar al-Islam<sup>37</sup> near the town of Khurmal.<sup>38</sup> After the Ansar enclave was destroyed in OIF, Zarqawi went to the Sunni Arab areas of Iraq, naming his faction the Association of Unity and Jihad. Since then, he has formally affiliated with Al Qaeda (through a reputed exchange of letters) and changed his faction’s name to “Al Qaeda Jihad in Mesopotamia.” It is named as an Foreign Terrorist Organization (FTO), assuming that designation from the earlier Unity and Jihad title,<sup>39</sup> which was designated as an FTO in October 2004. Press reports said that U.S. forces have nearly caught him (near Ramadi in February 2005) or injured him at times. U.S. forces have captured several of his reputed aides over the past two years. He appeared in a video released on April 25, 2006, claiming that the insurgents were winning against the United States.

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<sup>36</sup> See CRS Report RL32217, *Iraq and Al Qaeda: Allies or Not?*, by Kenneth Katzman.

<sup>37</sup> Ansar al-Islam originated in 1998 as a radical splinter faction of a Kurdish Islamic group called the Islamic Movement of Iraqi Kurdistan (IMIK). Based in Halabja, the IMIK publicized the effects of Baghdad’s Mar. 1988 chemical attack on that city. Ansar is named by the State Department as a Foreign Terrorist Organization (FTO).

<sup>38</sup> Chivers, C.J. “Repulsing Attack By Islamic Militants, Iraqi Kurds Tell of Atrocities,” *New York Times*, Dec. 6, 2002.

<sup>39</sup> In early 2004, U.S. forces captured a letter purportedly written by Zarqawi asking bin Laden’s support for Zarqawi’s insurgent activities in Iraq and an Islamist website broadcast a message in October 2004, reportedly deemed authentic by U.S. agencies, that Zarqawi has formally allied with Al Qaeda. There have also been recent press reports that bin Laden has asked Zarqawi to plan operations outside Iraq. For text, see [<http://www.state.gov/p/nea/rls/31694.htm>].

Zarqawi's faction has been a U.S. focus because of its alleged perpetration of "terrorist" attacks — suicide and other attacks against both combatant and civilian targets. Some of the attacks attributed to this faction include the bombings in Baghdad of U.N. headquarters at the Canal Hotel (August 19, 2003)<sup>40</sup> and the August 2003 bombing that killed SCIRI leader Mohammad Baqr Al Hakim. The group, and related factions, have also kidnaped a total of over 250 foreigner workers, and killed about 40 of those. Suggesting Zarqawi sees his goals as establishing Islamist governance throughout the region, Zarqawi's faction reputedly committed the August 19, 2005, failed rocket attack in the Jordanian port of Aqaba against two U.S. warships docked there, as well as the November 10, 2005, bombing of Western-owned hotels in Amman, Jordan. In his effort to stoke Sunni - Shiite civil war in Iraq, his group apparently was responsible for the February 22 attack on the Askariya Shiite mosque in Samarra that sparked significant sectarian violence. However, Zarqawi's position on Shiite civilian attacks has caused tensions and occasional armed clashes with Iraqi insurgent factions that oppose attacks on purely civilian targets. U.S. forces have sought to exploit these differences by attempting to engage Iraqi insurgent factions and persuade them to cooperate with U.S. efforts against the foreign fighters, reportedly with some success.<sup>41</sup>

**Outside Support.** Numerous accounts have said that insurgent leaders are using Syria as a base to funnel money and weapons to their fighters in Iraq.<sup>42</sup> In September 2005, U.S. ambassador Khalilzad publicly accused Syria of allowing training camps in Syria for Iraqi insurgents to gather and train before going into Iraq. These reports led to U.S. warnings to and imposition of additional U.S. sanctions against Syria and to the U.S. Treasury Department's blocking of assets of some suspected financiers of the insurgency. Syria tried to deflect the criticism by moves such as the February 2005 turnover of Saddam Hussein's half-brother Sabawi to Iraqi authorities. Since January 2006, senior U.S. commanders in Iraq have said they have been receiving increased cooperation from Syria to prevent insurgent flows across those borders. Other assessments say the insurgents, both Iraqi and non-Iraqi, receive funding from wealthy donors in neighboring countries such as Saudi Arabia,<sup>43</sup> where a number of clerics have publicly called on Saudis to support the Iraqi insurgency.

Defense Secretary Rumsfeld and Joint Chiefs of Staff Chairman Peter Pace asserted on March 7, 2006 that Iran's Revolutionary Guard is assisting armed factions in Iraq with explosives and weapons. However, the most likely recipient is the Shiite faction of Moqtada al-Sadr, rather than Sunni insurgents that are at odds with Iran's allies in Iraq. Because of Iran's support for Shiite militias, the United

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<sup>40</sup> Among the dead in the latter bombing was the U.N. representative in Iraq, Sergio Vieira de Mello, and it prompted an evacuation of U.N. personnel from Iraq.

<sup>41</sup> Filkins, Dexter and Sabrina Tavernise. U.S. Said to Meet With Insurgents, Exploiting Rifts. *New York Times*, Jan. 7, 2006.

<sup>42</sup> Blanford, Nicholas. "Sealing Syria's Desolate Border," *Christian Science Monitor*, Dec. 21, 2004.

<sup>43</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*, Oct. 22, 2004.



States and Iran confirmed in March 2006 that they would conduct direct talks on the issue of stabilizing Iraq, and U.S. officials say such talks would not expand to include bilateral U.S.-Iran issues such as Iran's nuclear program. No talks have been held, to date. For more information, see CRS Report RS22323, *Iran's Influence in Iraq*, by Kenneth Katzman.

Others believe that outside support for the insurgency is not decisive. According to this view, the insurgents have ample supplies of arms and explosives obtained from the nearly 250,000 tons of munitions remaining around Iraq in arms depots not immediately secured after the regime fell.

## **Sectarian Violence/Militias/Civil War?**

The security environment in Iraq has become multi-dimensional over the past year as an increasing amount of violence in Iraq has been sectarian. Sunni Arabs are increasingly fighting Shiite Arabs and vice versa, in addition to fighting U.S. and Iraqi government forces. Baghdad morgue officials said in May 2006 that about 40 victims of sectarian violence arrive at the central morgue usually bound and gagged, but often dumped in rivers, facilities, vehicles, or fields. Top officials, including Secretary of State Rice, have said recently that sectarian-motivated violence has now displaced the insurgency as the primary security challenge in Iraq. U.S. officials, both military and civilian, have said the sectarian violence risks becoming all-out civil war, but that they do not consider Iraq in a civil war now.

The sectarian violence is difficult to curb because the Sunnis are blaming the Shiites and Kurds for using their control over the emerging security forces — as well as their party-based militias — to retaliate and repress Sunnis. Sunnis report that Shiite militiamen who have joined the security forces are raiding Sunni homes or using their arrest powers to abduct Sunnis, some of whom later show up killed. Sunnis hold U.S. forces partly responsible for the violence because U.S. forces built the Iraqi security forces and have allowed the Shiite and Kurdish militias to continue to operate.

The violence worsened after the February 22, 2006, bombing of the Askariya Shiite mosque in Samarra. The destruction of its dome set off a wave of purported Shiite militia attacks on about 60 Sunni mosques and the killing of about 400 persons in the first days after the sectarian attacks. Some accounts say that well over 3,000 Iraqis have been killed in sectarian violence since then. Iraqi officials said in May 2006 that there are now over 100,000 internally displaced persons in Iraq (Iraqis who are fleeing their homes in mixed Baghdad neighborhoods (Shula, for example) or provinces because of threats from one sect or the other.<sup>44</sup> To counter the Shiite-led violence, in February 2006, Sunni Arabs openly announced formation of a militia, the *Anbar Revolutionaries*, to guard against Shiite and Kurdish sectarian attacks. Other Iraqis are setting up neighborhood watch squads and impromptu checkpoints to prevent purported security forces or strangers from entering their neighborhoods.

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<sup>44</sup> Knickermeier, Ellen. "Thousands of Iraqis Flee to Avoid Spread of Violence." *Washington Post*, March 29, 2006.

Press reports in April 2006 discussed the potential for Shiite-Kurdish clashes in Kirkuk, the city the Kurds believe is theirs historically. On April 25, the *Washington Post* reported that several Shiite militias are moving into Kirkuk vowing to fight any Kurdish attempt to annex the city (and province) to the Kurdish administered region.

The sectarian violence has caused U.S. officials to assert that the new government must not only better vet their new security forces but also control or dismantle the eleven independent militias identified by Iraqi officials. Although U.S. commanders have, to date, mostly tolerated the presence of militias, there are indications that U.S. forces are moving to curb them, with or without direct Iraqi government assistance. In one example, U.S. and Iraqi forces killed about 16 purported Mahdi fighters at a site in Baghdad on March 26, 2006, although Iraq's Shiite politicians say the site was a mosque and those present there were unarmed. U.S. forces are also moving to prevent security forces personnel from engaging in sectarian violence, as discussed later. The three major militias are discussed below.

- *Kurdish Peshmerga.* Together, the KDP and PUK may have as many as 100,000 *peshmergas* (fighters), most of whom are operating as unofficial security organs in northern Iraqi cities. Some are integrated into the Iraqi Security Forces (ISF) and deploy in such cities as Mosul and Baghdad. Kurdish ISF units reportedly were a major component of the ISF forces that fought alongside U.S. forces in offensives at Tal Affar in September 2005. Peshmerga units 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.
- *Badr Brigades.* The militia of SCIRI numbers about 5,000 - 10,000 and is led by Hadi al-Amiri (a member of parliament). The Badr Brigades were formed, trained, and equipped by Iran's Revolutionary Guard, politically aligned with Iran's hardliners, during the Iran-Iraq war, during which Badr guerrillas conducted forays from Iran into southern Iraq to attack Baath Party officials. Most Badr fighters were recruited from the ranks of Iraqi prisoners of war held in Iran. However, many Iraqi Shiites viewed SCIRI 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" registered as a separate political entity, in addition to its SCIRI parent, for the elections in 2005.
- Badr militiamen play unofficial policing roles in Basra, Najaf, and elsewhere in southern Iraq, and many Badr members also reputedly are in the ISF, particularly the police, which is led by the SCIRI-dominated Interior Ministry. A related militia, called the "Wolf Brigade" (now renamed the Freedom Brigade) is a Badr offshoot that is formally part of the police. It is also led by a SCIRI activist. Sunni charges of Badr "death squads" activities first gained strength on November 16, 2005, with the discovery by U.S. forces of a secret Ministry of Interior detention facility. The facility, allegedly run by

Badr militiamen, housed 170 Sunni Arab detainees who allegedly were tortured. At least two other such facilities, run by the Wolf Brigade, were uncovered in December 2005. In another example of militia strength, on August 9, 2005, Badr fighters reportedly helped SCIRI member Hussein al-Tahaan forcibly replace Ali al-Tamimi as mayor of Baghdad.

- *Mahdi Army.* U.S. officials say Sadr's Mahdi Army militia has now grown to about 20,000 fighters, representing a regaining of its strength since U.S. military operations put down Mahdi uprisings in April and August of 2004 in Sadr City. In those cases, fighting was ended with compromises under which Mahdi forces stopped fighting (and in some cases traded in some of their weapons for money) in exchange for lenient treatment or releases of prisoners, amnesty for Sadr himself, and reconstruction aid. The Mahdi Army has since ended active anti-U.S. combat and Sadr City has been relatively peaceful, but Mahdi fighters, reportedly with the tacit approval of U.S. forces, continued to patrol that district and parts of other Shiite cities, particularly Basra. Mahdi assertiveness in Basra has partly accounted for a sharp deterioration of relations since July 2005 between Iraqi officials in Basra and the British forces based there. About 20 British soldiers have died in attacks in that area since then, including a British helicopter shot down in May 2006. In one dispute in 2005, British forces forcibly rescued British special forces soldiers taken into official custody in Basra. Mahdi and Badr forces have occasionally clashed as well.

## U.S. Efforts to Restore Security

At times, such as after the capture of Saddam Hussein in December 2003 and after all three elections in 2005, U.S. officials have expressed optimism that the insurgency would subside, only to see it continue. As outlined in the "National Strategy for Victory in Iraq," the Administration continues to try to refine its stabilization strategy.

### **"Clear, Hold, and Build" Strategy/Provincial Reconstruction Teams.**

The Administration is now pursuing a 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, apparently based partly on an idea advanced by Andrew Krepinevich in the September/October 2005 issue of *Foreign Affairs*,<sup>45</sup> says 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 would attract support and be expanded to other areas and eventually throughout Iraq. In conjunction with the new U.S. strategy, the Administration is forming Provincial Reconstruction Teams (PRTs), adapted from a concept used in Afghanistan. Each PRT will be civilian led, composed of about 100 U.S. State Department officials and

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<sup>45</sup> Krepinevich, Andrew. "How to Win in Iraq," *Foreign Affairs*, Sept./Oct. 2005.

contract personnel, to assist local Iraqi governing institutions, such as the provincial councils (elected in the January 2005 elections), representatives of the Iraqi provincial governors, and local ministry representatives. As reported in the *Washington Post* on January 15, 2006, the concept ran into some reported difficulty over U.S. military objections to taking on expanded missions at a time when it is trying to draw down its force. The internal debate has apparently been resolved with an agreement by DOD to provide security to the U.S.-run PRTs.

Thus far, five PRTs have been inaugurated: in Mosul, Kirkuk, Hilla, Baghdad, and Anbar Province. Plans are for three more U.S. led PRTs and four partner-run PRTs. To date, Britain has agreed to establish a PRT in Basra, and Italy has agreed to form one in Dhi Qar province.

**PRT Funding.** The FY2006 supplemental request asks for \$400 million for operational costs for the PRTs as well as \$675 million for development grants to be distributed by them. Both versions of H.R. 4939 contain some cuts to the operational portion of the Administration request for this function.

**U.S. Counter-Insurgent Combat Operations.** The Administration position is that continued combat operations against the insurgency are required. About 131,000 U.S. troops are in Iraq (down from 160,000 there during the December election period and down from 2005 baseline levels of 138,000), with about another 50,000 troops in Kuwait and the Persian Gulf region supporting OIF. Troop levels might fall slightly further because the rotation into Iraq of 3,500 troops was put on hold in May 2006; further potential reductions are discussed in the section on options below. U.S. military headquarters in Baghdad (Combined Joint Task Force-7, CJTF-7) is now a multi-national headquarters "Multinational Force-Iraq, MNF-I," headed by four-star U.S. Gen. George Casey. Lt. Gen. Peter Chiarelli is operational commander of U.S. forces as head of the "Multinational Corps-Iraq."

A major focus of U.S. counter-insurgent combat remains Anbar Province, which includes the cities of Fallujah and Ramadi, the most restive of all Iraqi cities. About 40,000 U.S. troops are in Anbar alone. Some degree of combat continues consistently in about two dozen other Sunni-inhabited towns, including Baqubah, Balad, Tikrit, Mosul, Samarra, Hit, Haditha, and Tal Affar, as well as several small towns south of Baghdad, such as Yusufiya. In the run-up to the December 15 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 along the Euphrates River. A major focus was to combat foreign fighters that entered Iraq near the Iraq-Syria border towns of Qaim, Husaybah, and Ubaydi.

Secretary of Defense Rumsfeld said in March 2006 that Iraqi forces, not U.S.-led international forces, would take the lead in trying to suppress any all-out civil war. He and others have said they do not believe Iraq is now in a state of civil war.

**Casualties.** As of May 16, 2006, 2,446 U.S. forces and about 210 coalition partner soldiers have died in OIF, as well as over 125 U.S. civilians working on contract to U.S. institutions in Iraq. Of U.S. deaths, 2,300 have occurred since President Bush declared an end to "major combat operations" in Iraq on May 1, 2003,

and about 1,925 of the U.S. deaths were by hostile action. On December 12, 2005, President Bush cited press accounts that about 30,000 Iraqi civilians have been killed to date. (For more information on Iraqi casualties, see CRS Report RS22441, *Iraqi Civilian, Police, and Security Force Casualty Estimates*, by Hannah Fischer.)

## **Building Iraqi Security Forces (ISF)<sup>46</sup>**

A major pillar of U.S. policy is to equip and train Iraqi security forces (ISF) that could secure Iraq by themselves. President Bush stated in his June 28, 2005 speech, “Our strategy can be summed up this way: As the Iraqis stand up, we will stand down.”<sup>47</sup> The most recent DOD “Measuring Stability” report, released February 2006, generally reiterates U.S. official statements of progress in Iraq and contains details of the training of the ISF.

The tables below detail the composition of the ISF and provide Administration assessments of force readiness. As of May 10, there are 253,700 total ISF: 115,000 “operational” military forces under the Ministry of Defense and 138,700 police and police commando forces “trained and equipped” under the Ministry of Interior. The total force goal is 325,000 ISF by August 2007. However, police figures include possibly tens of thousands (according to the GAO on March 15, 2005) who are absent-without-leave or might have deserted. The police generally live with their families, rather than in barracks, and are therefore hard to account for.

By Administration measures, about 45,000 ISF (both military and police) are “in the lead” on operations, but none is currently rated as “fully independent.” U.S. officials and reports praise their performance in each of the three election days in 2005, and General Casey praised the ISF’s performance after the February 22 Samarra mosque bombing, although he did note some police units allowed militia fighters through checkpoints to attack Sunnis. U.S. commanders also cite as evidence of their growing confidence the September 2005 offensive in Tal Afar in which Iraqi units were in the lead, although some outside accounts call that assessment into question.

The U.S.-led Multinational Transition Security Command - Iraq (MNSTC-I), led by Gen. Martin Dempsey, is making progress preparing ISF units to assume greater responsibility. In March 2006, the commander of MNF-I Gen. Peter Chiarelli said that ISF forces might control 75% of Iraqi territory by the end of 2006. As of May 2006, U.S. and partner forces have now turned over to the ISF responsibility for “battle space” in several areas, including

- about 90 square miles of Baghdad, including Sadr City, the International (Green Zone), Haifa Street, and Dora district — National Police and 6<sup>th</sup> Iraqi Army Division (IAD);

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<sup>46</sup> For additional information, see CRS Report RS22093, *Iraq’s New Security Forces: The Challenge of Sectarian and Ethnic Influences*, by Jeremy Sharp.

<sup>47</sup> Speech by President Bush can be found at [<http://www.whitehouse.gov/news/releases/2005/06/print/20050628-7.html>].

- the entire provinces of Wasit, Qadissiyah, Nafaf, and Babil — 8<sup>th</sup> IAD;
- areas south and west of Mosul — 2<sup>nd</sup> and 3<sup>rd</sup> IAD, respectively;
- large parts of restive Salahuddin Province, including Tikrit — 4<sup>th</sup> IAD; and
- areas west of Baghdad, including Abu Ghraib — 1<sup>st</sup> and 6<sup>th</sup> IAD.

However, U.S. commanders and outside observers say that the ISF continue to lack an effective command structure, independent initiative, or commitment to the mission, and that it could fragment if U.S. troops draw down.<sup>48</sup> U.S. commanders have told journalists recently that it is common for half of an entire ISF unit to desert or refuse to undertake a specified mission.<sup>49</sup> A report on the Iraqi police by the offices of the Inspector General of the State and Defense Departments, released July 15, 2005, said that many recruits are only marginally literate, and some recruits are actually insurgents trying to infiltrate the ISF (p.3).<sup>50</sup>

A major issue is ethnic balance; U.S. commanders have acknowledged difficulty recruiting Sunni Arabs into the ISF and have said this is a deficiency they are trying to correct. Some Sunnis have been recruited to rebuild police forces in Mosul and Fallujah, which virtually collapsed in 2004. Most of the ISF, particularly the police, are Shiites, with Kurdish units mainly deployed in the north. There are few units of mixed ethnicity. As discussed above, many Sunnis see the ISF as mostly Shiite and Kurdish instruments of repression. The Sunnis, with some corroboration from the United States, accuse Shiite National Police elements for the sectarian killings of Sunnis. As indicators of difficulty in May 2006, new Sunni recruits deserted a graduation ceremony immediately after learning they would be deployed in Shiite-dominated areas of Iraq. Later in the month, Shiite and Kurdish ISF units clashed with each other. In part to gain greater control particularly over the National Police, the United States and Iraq announced a plan in May 2006 to consolidate all security forces in Baghdad into one unified force. U.S. officials are also trying to ensure that a non-sectarian Interior Minister is appointed in the new government. U.S. forces are also instructing residents not to cooperate with police units unless these forces are accompanied by coalition forces or can otherwise prove their authenticity.

There are growing allegations that some of the 145,000 members of the Facilities Protection Force, which is not formally under any ministry, may be involved in sectarian violence. The U.S. 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.

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<sup>48</sup> Fallows, James. "Why Iraq Has No Army." *Atlantic Monthly*, Dec. 2005.

<sup>49</sup> Castaneda, Antonio. "Iraqi Desertions Complicate U.S. Mission." *Associated Press*, January 31, 2006.

<sup>50</sup> Inspectors General. U.S. Department of State and U.S. Department of Defense. *Interagency Assessment of Iraqi Police Training*. July 15, 2005.

**Table 4. Ministry of Defense Forces**

Force	Size/Strength	IRRF Funds Allocated
Iraqi Army	113,600 total; goal is 131,000. Forces in units are in 102 battalions (about 70,000 personnel), with 62 battalions (about 40,000) able to lead operations. 49 battalions (about 35,000) control their own “battle space.” Trained for eight weeks, paid \$60/month. Has mostly East bloc equipment, including 77 T-72 tanks donated by Poland.	\$1.097 billion for facilities; \$707 million for equipment; \$656 million for training, personnel, and operations
Iraqi Intervention Force	About 3,000 personnel, included in Army total above. Trained for 13 weeks.	
Special Operations Forces	About 1,500 divided between Iraqi Counter-Terrorist Force (ICTF) and a Commando Battalion. Trained for 12 weeks, mostly in Jordan.	
Strategic Infrastructure Battalions	About 3,000 personnel in five battalions to protect oil pipelines, electricity infrastructure.	
Mechanized Police Brigade	About 1,500. Recently transferred from Ministry of Interior control.	
Air Force	About 600, its target size. Has 9 helicopters, 3 C-130s; 14 observation aircraft. Trained for six months. UAE and Jordan to provide other aircraft and helos.	\$28 million allocated for air fields (from funds for Iraqi Army, above)
Navy	About 800, about the target size. 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.	
Totals	115,000	
U.S./Other Trainers	U.S. training, including embedding with Iraqi units, involves about 10,000 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, Germany, and Italy. Jordan and Egypt also have done training.	

**Table 5. Ministry of Interior Forces**

<b>Force</b>	<b>Size/Strength</b>	<b>IRRF Funds Allocated</b>
Iraqi Police Service (IPS)	97,300, including 1,300 person Highway Patrol. Target size is 135,000 by 2007. Gets eight weeks of training, paid \$60 per month. Not organized as battalions.	\$ 1.806 billion allocated for training and technical assistance.
Center for Dignitary Protection	About 500 personnel	
National Police	About 22,600, comprising "Police Commandos," Public Order Police," and "Mechanized Police." Organized into 27 battalions, 7 of which (about 5,000) are able to lead counter-insurgency operations. Overwhelmingly Shiite, but U.S. is attempting to recruit more Sunnis. Gets four weeks of counter-insurgency training.	
Emergency Response Unit	About 300, able to lead operations. Hostage rescue.	
Border Enforcement Department	About 18,000. Controls 258 border forts built or under construction. Has Riverine Police component to secure water crossings.	\$437 million, \$3 million of which is allocated to pay stipends to 150 former regime WMD personnel.
Totals (all forces)	138,700. Goal is 195,000	
Training	Training by 2,000 U.S. personnel as embeds and partners. Pre-operational training mostly at Jordan International Police Training Center; Baghdad Police College and seven academies around Iraq; and in UAE. Countries doing training aside from U.S.: Canada, Britain, Australia, Sweden, Poland, UAE, Denmark, Austria, Finland, Czech Republic, Germany, Hungary, Slovenia, Slovakia, Singapore, Belgium, and Egypt.	
Facilities Protection Service	Technically outside MOI. About 140,000 security guards protecting economic infrastructure.	\$53 million allocated for this service thus far.



**ISF Funding.** The accelerated training and equipping of the Iraqis is a key part of U.S. policy. The Administration has been shifting much U.S. funding into this training and equipping mission; according to the State Department, a total of \$5.036 billion in IRRF funds has been allocated to build (train, equip, provide facilities for, and in some cases provide pay for) the ISF. Of those funds, about \$4.887 billion has been obligated as of April 19, and \$4.435 billion of that has been disbursed. A FY2005 supplemental appropriation (P.L. 109-13) provided an additional \$5.7 billion to equip and train the ISF, funds to be controlled by the Department of Defense and provided to MNSTC-I. (When spent, that would bring total ISF funding to \$11 billion.) The FY2006 supplemental request asks for another \$3.7 billion in DOD funds for the ISF. The House-passed supplemental funding bill (H.R. 4939) provides about \$3 billion of those funds, but withholds the remaining ISF facilities construction funding. The Senate version matches the request.

## **Coalition-Building and Maintenance<sup>51</sup>**

Some believe that the Bush Administration did not exert sufficient efforts to enlist greater international participation in peacekeeping originally and that the U.S. mission in Iraq is being complicated by diminishing foreign military personnel contributions. As of May 10, 2006, 28 coalition partner forces are contributing 20,000 forces, but that total is expected to fall later in 2006. Poland and Britain lead multinational divisions in central and southern Iraq, respectively. The UK-led force (UK forces alone number about 8,000) is based in Basra; the Poland-led force (Polish forces number 1,700) is based in Hilla. British leaders have confirmed that they will draw down about 800 of those forces later in 2006. Since March 2005, Poland has drawn down to about 900 from its prior force level of 2,400. This smaller force has been slated to leave by the end of 2006, although a newly elected government says it might extend the mission into 2007.

The coalition in Iraq has been shrinking since 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 and threatened with beheading. On the other hand, many nations are replacing their contingents with trainers for the ISF or financial contributions or other assistance to Iraq. Among other changes are the following.

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<sup>51</sup> For additional information on international contributions to Iraq peacekeeping and reconstruction, see CRS Report RL32105, *Post-War Iraq: Foreign Contributions to Training, Peacekeeping, and Reconstruction*, by Jeremy Sharp and Christopher Blanchard.

- Hungary completed a pullout of its 300 forces in December 2004.
- Italy has reduced its force from 3,200 in September 2005 to about 2,600 currently, based in the southern city of Nasiriyah (Dhi Qar Province). Italian officials have planned to halve that number by June 2006, and new Prime Minister Romano Prodi indicated during his election campaign that he wants to pull Italy's troops out entirely.
- Thailand, New Zealand, and Norway withdrew in early 2005, and Norway's 20 personnel were withdrawn in October 2005.
- In March 2005, the Netherlands withdrew almost all of its 1,350 troops. Australian forces subsequently took over the Netherlands force's duty to help protect Japan's forces in Samawa.
- Ukraine, which lost eight of its soldiers in a January 2005 insurgent attack, completed withdrawal of its remaining 1,500 forces after the December 2005 elections.
- Bulgaria pulled out its 360-member unit after the December 15 Iraqi elections. However, in March 2006 it said it had sent in a 150-person force to take over guard duties of Camp Ashraf, a base in eastern Iraq where Iranian oppositionists are located.
- South Korea withdrew 270 of its almost 3,600 troops in June 2005, and, in line with a November 2005 decision, withdrew another 1,000 in May 2006, bringing its troop level to about 2,200 (based in Irbil in Kurdish-controlled Iraq). The remainder will stay through 2006.
- Japan's parliament voted in mid-December 2005 to extend the deployment of its 600-person military reconstruction contingent in Samawah until as late as the end of 2006. In May 2006, Japan said its forces would withdraw when British and Australian forces leave the Samawah area, which is to occur some time later in 2006.
- Denmark said in May 2006 it will keep its forces in Iraq (Basra), although it is withdrawing 80 of its 530-person force in May 2006.
- Some countries have increased forces to compensate for withdrawals. Singapore deployed 180 troops in November 2004 after a hiatus of several months. Azerbaijan also has increase forces.
- In February 2005, El Salvador agreed to send a replacement contingent of 380 soldiers to replace those who are rotating out.
- In February 2005, Australia added 450 troops, bringing its contribution to over 900.
- In March 2005, Georgia sent an additional 550 troops to Iraq to help guard the United Nations facilities, bringing its total Iraq deployment

to 850. In March 2005, Albania increased its force by 50, giving it about 120 troops in Iraq.

**NATO/EU/Other Offers of 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 train not only Iraqi security but also 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. At the June 22, 2005 Brussels conference discussed above, the EU pledged a \$130 million package to help Iraq write its permanent constitution and reform government ministries; Norway offered energy sector cooperation, and Turkey offered to conduct seminars on democracy for Iraqis. Japan has made a similar offer on constitutional drafting, and Malaysia has offered to train Iraqi civil servants. The FY2005 supplemental appropriations (P.L. 109-13) provides \$99 million to set up a regional counter-terrorism center in Jordan to train Iraqi security personnel and civil servants.

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. However, the idea floundered because of opposition from potential contributing countries.

## Options and Debate on an “Exit Strategy”

Some Members say that major new initiatives need to be considered to ensure success of the U.S. mission in Iraq. As U.S. public support for the U.S. commitment in Iraq has appeared to decline, debates have emerged over several congressional resolutions proposing an “exit strategy.” Some of the ideas widely circulated among Members and other policy experts are discussed below.

**Troop Increase.** Some have said that the United States should increase its troops in Iraq in an effort to prevent insurgents from re-infiltrating areas cleared by U.S. operations. Some experts believe the extra troops needed for such an effort might number about 100,000.<sup>52</sup> The Administration asserts that U.S. commanders feel that planned force levels are sufficient to complete the mission, and that U.S. commanders are able to request additional forces, if needed. About 700 additional forces were sent to Iraq briefly following the February 22 Samarra bombing to help prevent a descent into all out-civil war. Some experts believe that troop level increases would aggravate Sunni Arabs already resentful of the U.S. intervention in Iraq and that even many more U.S. troops would not necessarily produce stability and would appear to deepen the U.S. commitment without a clear exit strategy. Others believe that increasing U.S. force levels would further the impression that the Iraqi government depends on the United States for its survival.

**Immediate Withdrawal.** Some Members argue that the United States should begin to withdraw virtually immediately. Supporters of this position tend to argue

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<sup>52</sup> Bersia, John. “The Courage Needed to Win the War,” *Philadelphia Inquirer*, Aug. 9, 2005.

that the decision to invade Iraq and change its regime was a mistake in light of the failure thus far to locate WMD, that a continued 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. Those who take this position include the approximately 50 Members of the “Out of Iraq Congressional Caucus,” formed in June 2005. In November 2005, Representative John Murtha, a ranking member and former chairman of the Defense Appropriations Subcommittee, publicly articulated a similar position, calling for an “immediate” pullout (over six months). His resolution (H.J.Res. 73) called for a U.S. withdrawal “at the earliest practicable date” and the maintenance of an “over the horizon” U.S. presence to help the ISF. A related resolution, H.Res. 571 (written by Representative Duncan Hunter, 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. Other bills, such as H.R. 3142, H.Con.Res. 197, and a provision of the House version of the FY2006 supplemental appropriation (H.R. 4939), state that it [should be] U.S. policy not to maintain a permanent or long-term presence in Iraq.

**Withdrawal Timetable.** Another alternative is the setting of a timetable for a U.S. withdrawal. This has been exemplified by H.J.Res. 55, introduced by five House Members from both parties, which calls on the Administration to begin a withdrawal by October 2006. In November 2005, Senator Levin, who takes the view that the United States needs to force internal compromise in Iraq by threatening to withdraw, introduced an amendment to S. 1042 (defense authorization bill) to compel the Administration to work on a timetable for withdrawal (during 2006). Reportedly, on November 10, 2005, Chairman of the Senate Armed Services Committee John Warner reworked the Levin proposal into an amendment that stopped short of setting a timetable for withdrawal but requires 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.R. 1815, H.Rept. 109-360, P.L. 109-163). Senator Russ Feingold expressed a view similar to that of Senator Levin in August 2005 when Senator Feingold called for a withdrawal of U.S. forces by the end of 2006. His resolution (S.Res. 171) calls for the Administration to report to Congress on the time frame needed for the United States to complete its mission.

**Troop Reduction.** Responding to the November 2005 congressional action, President Bush and U.S. commanders remained adamant in their stated opposition to the setting of any timetable for troop pullouts, let alone an immediate pullout. They maintained that the Iraqi government would collapse upon an immediate pullout, representing a victory for terrorists such as Abu Musab al-Zarqawi. However, senior U.S. military officials said in late 2005 that there were plans for a substantial drawdown (40,000 - 50,000 of the total contingent) in 2006 if there is continued political progress and the insurgency does not escalate. Such talk diminished in the wake of the post-February 22 Samarra bombing violence discussed above. However, on April 26, 2006, CNN reported that senior U.S. commanders are again indicating planning for a reduction of about 30,000 U.S. forces (5 brigades fewer than the 15 currently in Iraq) later in 2006, if security conditions permit. In

early May 2006, the Defense Department announced it had withheld deployment to Iraq of a U.S. brigade (3,500 troops), a possible indication that a more substantial drawdown might be planned, even though the level of violence in Iraq is not diminishing.

**Power-Sharing Formulas.** Both the Administration and its critics have identified the need to bring more Sunni Arabs into the political process. As noted, U.S. Ambassador Khalilzad has been reaching out to Sunni groups, with some success, and some believe that a key to progress in this effort will be U.S. ability to persuade the Shiites and Kurds to agree to major amendments to the constitution during the four month amendment process that begins after a new government is seated. An unknown is what package of incentives, if any, would persuade most Sunnis to end support for the insurgency and fully support the government. Many experts believe that the Sunnis will only settle for a share of power that is perhaps slightly less than that wielded by the majority Shiites, even though the Shiites greatly outnumber Sunni Arabs in Iraq.

**Negotiating With the Insurgents.** In addition to exploring power sharing arrangements with moderate Sunni leaders, the Administration appears to have adopted a recommendation by early critics of U.S. policy to negotiate with some Sunni figures representing the insurgency (including members of the MSA) and even with some insurgent commanders. Secretary of Defense Rumsfeld confirmed to journalists in June 2005 that such discussions had taken place, and Iraqi President Talabani said in May 2006 that he had had talks with insurgent factions as well. The U.S. talks reportedly have been intended to help U.S. forces defeat Zarqawi's foreign insurgent faction. However, no major insurgent faction has lain down arms. The insurgents who have attended such talks reportedly want an increased role for Sunnis in government and a withdrawal of U.S. and ISF forces from Sunni-inhabited areas. Some U.S. officials appear to believe that talking directly with insurgents increases insurgent leverage and emboldens them to continue attacks.

**Accelerating Economic Reconstruction.** Some believe that the key to calming Iraq is to accelerate economic reconstruction. According to this view, accelerated reconstruction will drain support for insurgents by creating employment, improving public services, and creating confidence in the government. This idea appears to have been incorporated into the President's "National Strategy for Victory in Iraq" document and the formation of the 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. In addition, the U.S. plan to transfer most reconstruction management to Iraqis by the end of 2007 might indicate that the Administration has not found this idea persuasive.

**Partition or Decentralization.** Some commentators believe that Iraq cannot be stabilized as one country and should be broken up into three separate countries: one Kurdish, one Sunni Arab, and one Shiite Arab. However, many Middle East experts believe the idea is unworkable because none of the three would likely be self-sufficient and would likely fall firmly under the sway of Iraq's powerful neighbors.

Another version of this idea, propounded by Senator Biden and Council on Foreign Relations expert Leslie Gelb (May 1, 2006, *New York Times* op-ed) is to form three autonomous regions, dominated by each of the major communities. According to the authors, doing so would ensure that these communities do not enter an all-out civil war with each other. 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.

**Internationalization Options.** Some observers believe that the United States needs to recruit international help in stabilizing Iraq. One idea is to identify a high-level international mediator to negotiate with Iraq's major factions. In a possible move toward this option, in March 2006 President Bush appointed former Secretary of State James Baker to head a congressionally recruited "Iraq Study Group" to formulate options for U.S. policy in Iraq. However, there is no public discussion, to date, that Baker himself might be such a mediator, and most experts believe that a mediator, if selected, would likely need to come from a country that is viewed by all Iraqis as neutral on internal political outcomes in Iraq. Another idea is to form a "contact group" of major countries and Iraqi neighbors to prevail on Iraq's factions to compromise.

**Table 6. U.S. Aid (ESF) to Iraq's 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 (Apr. 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*, Apr. 2004.

Figure 1. Map of Iraq



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