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Iraq: Politics, Governance, and Human Rights

Kenneth Katzman
Specialist in Middle Eastern Affairs

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Summary

Iraq's political system is increasingly characterized by peaceful competition and formation of cross-sectarian alliances. However, ethnic and sectarian political and sometimes violent infighting continues, often involving the questionable use of key levers of power and legal institutions. This infighting—and the belief that holding political power may mean the difference between life and death for the various political communities—significantly delayed agreement on a new government that was to be selected following the March 7, 2010, national elections for the Council of Representatives (COR, parliament). With U.S. diplomatic help, on November 10, 2010, major ethnic and sectarian factions agreed on a framework ("Irbil Agreement") for a new government, breaking the long deadlock. The agreement, under which Prime Minister Nuri al-Maliki is serving a second term, began to be implemented with the selection and confirmation of a broad-based cabinet on December 21, 2010.

In recent months, the agreement has stalled and relations among major factions have frayed. Among ongoing schisms, Sunni Arabs fear that Maliki and his Shiite allies seek to monopolize power. The Kurds are wary that Maliki will not honor pledges to resolve Kurd-Arab territorial and financial disputes. There are significant tensions between Sunni Arabs and the Kurds over territory and governance in parts of northern Iraq, particularly Nineveh Province. Some Iraqi communities, including Christians, are not necessarily at odds with the government but they have been targeted by insurgent attacks in late 2010 and early 2011. These differences have created conditions under which the insurgency that hampered U.S. policy during 2004-2008 continues to succeed in conducting occasional high casualty attacks, and in which Shiite militias are conducting attacks on U.S. forces still in Iraq.

These splits also cloud the approaching completion of a U.S. military withdrawal from Iraq at the end of 2011, in keeping with a 2008 U.S.-Iraq Security Agreement. With the formal end of the U.S. combat mission on August 31, 2010, U.S. forces have dropped to 47,000, from a 2008 high of 170,000. The continuing high-profile attacks, coupled with deficiencies in Iraq's 650,000 member security forces, cause U.S. officials to question Iraqi stability were the United States to withdraw completely as provided in the Security Agreement. There are also continuing U.S. concerns over Iranian influence over Iraq as U.S. forces depart, particularly given the activism of radical pro-Iranian Shiite cleric Moqtada Al Sadr. In several high-level visits and statements during 2011, senior U.S. officials have said that Iraq should request a continuing but likely sharply reduced presence of U.S. forces after 2011. However, an Iraqi decision on such a request is hampered by all the same political schisms discussed above, as well as the Sadr threats to rearm his followers if U.S. forces remain after 2011. If all U.S. troops leave at the end of 2011, some question the ability of the U.S. State Department to secure its facilities and personnel and to carry out its mission on its own.

The Administration is hopeful that, as a U.S. drawdown or complete withdrawal proceeds, all factions will cooperate to act on key outstanding legislation crucial to attracting foreign investment, such as national hydrocarbon laws. The new government took action on some long-stalled initiatives, including year-long tensions over Kurdish exports of oil. However, the lack of a broader and sustained focus on governance, or on improving key services, such as electricity, created popular frustration that manifested as protests since February 2011. The demonstrations were partly inspired by the wave of unrest that has broken out in many other Middle Eastern countries, but were not centered on overthrowing the regime or wholesale political change.

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Overview of the Political Transition/First Elections

Iraq has completed a political transition from the dictatorship of Saddam Hussein to a plural polity that encompasses varying sects and ideological and political factions. That transition has been accomplished through a series of elections that began in 2005, after a one-year occupation period and a subsequent seven-month interim period of Iraqi self-governance. However, disputes over the relative claim of each community on power and economic resources permeate almost every issue in Iraq, including security, elections, economic decision making, and foreign policy. The constant infighting over these issues has contributed to popular frustration over the lack of focus on improving governance and delivery of services.

Initial Transition and Construction of the Political System

After the fall of Saddam Hussein's regime in April 2003, the United States set up an occupation structure, reportedly based on concerns that immediate sovereignty would favor major factions and not produce democracy. In May 2003, President Bush, reportedly seeking strong leadership in Iraq, named Ambassador L. Paul Bremer to head a "Coalition Provisional Authority" (CPA), which was recognized by the United Nations as an occupation authority. Bremer discontinued a tentative political transition process and instead appointed (July 13, 2003) a non-sovereign Iraqi advisory body, the 25-member "Iraq Governing Council" (IGC). During that year, U.S. and Iraqi negotiators, advised by a wide range of international officials and experts, drafted a "Transitional Administrative Law" (TAL, interim constitution), which became effective on March 4, 2004.

After about one year of occupation, the United States, following a major debate between the CPA and various Iraqi factions over the modalities and rapidity of a resumption of Iraqi sovereignty, handed sovereignty to an appointed Iraqi interim government on June 28, 2004. That date was two days ahead of the TAL-specified date of June 30, 2004, for the handing over of Iraqi sovereignty and the end of the occupation period, which also laid out the elections roadmap discussed below. The interim government was headed by a prime minister, Iyad al-Allawi, leader of the Iraq National Accord, a secular, non-sectarian faction but whose supporters are mostly Sunni Arabs. Allawi is a Shiite Muslim but many INA leaders were Sunnis, and some of them were formerly members of the Baath Party. The president was Sunni tribalist, Ghazi al-Yawar.

January 30, 2005, Elections for an Interim Government

A series of elections in 2005 produced the full-term government structure that is in place today. In accordance with the dates specified in the TAL, the first post-Saddam election was held on January 30, 2005. The voting was for a 275-seat transitional National Assembly (which formed an executive), four-year term provincial councils in all 18 provinces and a Kurdistan regional assembly (111 seats). The election for the transitional Assembly was conducted according to the "proportional representation/closed list" election system, in which voters chose among "political entities" (a party, a coalition of parties, or persons). A total of 111 entities were on the national ballot, of which nine were multi-party coalitions.

Still restive over their displacement from power in the 2003 U.S. invasion, Sunni Arabs (20% of the overall population) boycotted, winning only 17 Assembly seats, and only one seat on the 51-seat Baghdad provincial council. That council was dominated (28 seats) by representatives of the Islamic Supreme Council of Iraq (ISCI), then led by Abd al-Aziz al-Hakim. (In August 2003,

when Abd al-Aziz's brother, Mohammad Baqr al-Hakim, was assassinated in a bombing outside a Najaf mosque, Abd al-Aziz succeeded his brother as ISCI leader. After Abd al-Aziz al-Hakim's death from lung cancer in August 2009, his son Ammar, born in 1971, succeeded him.)

Radical Shiite cleric Moqtada Al Sadr, whose armed faction (the militia operated under the name Mahdi Army) was then at odds with U.S. forces, also boycotted, leaving his faction poorly represented on provincial councils in the Shiite south and in Baghdad. The resulting transitional government placed Shiites and Kurds in the highest positions—Patriotic Union of Kurdistan (PUK) leader Jalal Talabani was president and Da'wa (Shiite party) leader Ibrahim al-Jafari was prime minister. Sunnis were Assembly speaker, deputy president, a deputy prime minister, and six ministers, including defense.

Permanent Constitution

The elected Assembly was to draft a permanent constitution by August 15, 2005, to be put to a referendum by October 15, 2005, subject to veto by a two-thirds majority of voters in any three provinces. On May 10, 2005, a 55-member drafting committee was appointed, but with only two Sunni Arabs (15 Sunnis were later added as full members and 10 as advisors). In August 2005, the talks produced a draft, providing for

- a December 31, 2007, deadline to hold a referendum on whether Kirkuk (Tamim province) would join the Kurdish region (Article 140);
- designation of Islam as "a main source" of legislation;[1]
- a 25% electoral goal for women (Article 47);
- families choosing which courts to use for family issues (Article 41); making only primary education mandatory (Article 34);
- having Islamic law experts and civil law judges on the federal supreme court (Article 89).

Many women opposed the two latter provisions as giving too much discretion to male family members. It made all orders of the U.S.-led occupation authority (Coalition Provisional Authority, CPA) applicable until amended (Article 126), and established a "Federation Council" (Article 62), a second chamber with size and powers to be determined in future law (not adopted to date).

The major disputes—never fully resolved—centered on regional versus centralized power. The draft permitted two or more provinces together to form new autonomous "regions"—reaffirmed in passage of an October 2006 law on formation of regions. Article 117 allows "regions" to organize internal security forces, legitimizing the fielding of the Kurds' *peshmerga* militia (allowed by the TAL). Article 109 requires the central government to distribute oil and gas revenues from "current fields" in proportion to population, and gave regions a role in allocating revenues from new energy discoveries. Disputes over these concepts continue to hold up passage of national hydrocarbons legislation. Sunnis dominate areas of Iraq that have few proven oil or gas deposits, and favor centralized control of oil revenues, whereas the Kurds want to maintain maximum control of their own burgeoning energy sector.

[1] http://www.washingtonpost.com/wp-dyn/content/article/2005/10/12/AR2005101201450.html.

With contentious provisions unresolved, Sunnis registered in large numbers (70%-85%) to try to defeat the constitution, prompting a U.S.-mediated agreement (October 11, 2005) providing for a panel to propose amendments within four months after a post-December 15 election government took office (Article 137), to be voted on within another two months (under the same rules as the October 15 referendum). The Sunni provinces of Anbar and Salahuddin (which includes Saddam's home town of Tikrit) had a 97% and 82% "no" vote, respectively, but the constitution was adopted because Nineveh province only voted 55% "no," missing the threshold for a "no" vote by a two-thirds majority in three provinces.

December 15, 2005, Elections

The December 15, 2005, elections were for a full-term (four-year) national government (also in line with the schedule laid out in the TAL). Under the voting mechanism used for that election, each province contributed a predetermined number of seats to a "Council of Representatives" (COR)—a formula adopted to attract Sunni participation. Of the 275-seat body, 230 seats were allocated this way, with 45 "compensatory" seats for entities that would have won additional seats had the constituency been the whole nation. There were 361 political "entities," including 19 multi-party coalitions, competing in a "closed list" voting system (in which party leaders choose the persons who will actually sit in the Assembly). As shown in **Table 5**, voters chose lists representing their sects and regions, and the Shiites and Kurds again emerged dominant. The COR was inaugurated on March 16, 2006, but political infighting caused the Shiite bloc "United Iraqi Alliance" to replace Jafari with another Da'wa figure, Nuri Kamal al-Maliki, as prime minister.

On April 22, 2006, the COR approved Talabani to continue as president. His two deputies were Adel Abd al-Mahdi (incumbent) of the Islamic Supreme Council of Iraq (ISCI) and Tariq al-Hashimi, leader of the broad Sunni-based coalition called the Accord Front ("Tawafuq"—within which Hashimi leads the Iraqi Islamic Party). Another Accord figure, the hardline Mahmoud Mashhadani (National Dialogue Council party), became COR speaker. Maliki won COR approval of a 37-member cabinet (including two deputy prime ministers) on May 20, 2006. Three key slots (Defense, Interior, and National Security) were not filled permanently until June 2006, due to infighting. Of the 37 posts, there were 19 Shiites; nine Sunnis; eight Kurds; and one Christian. Four were women.

Post-2005 Elections and Steps Toward Reconciliation

The 2005 elections were, at the time, considered successful by the Bush Administration but did not resolve the Sunni-Arab grievances over their diminished positions in the power structure. Some argue that the elections in 2005 worsened the violence by exposing the new-found subordination of the Sunni Arabs. The Sunni-led insurgency accelerated in the two subsequent years, in turn prompting the empowerment of Shiite militia factions to counter the insurgency. The sectarian violence was so serious that many experts, by the end of 2006, were considering the U.S. mission as failing.

In August 2006, the Administration and Iraq agreed on a series of "benchmarks" that, if adopted and implemented, might achieve political reconciliation. Under Section 1314 of a FY2007 supplemental appropriation (P.L. 110-28), "progress" on 18 political and security benchmarks—as assessed in Administration reports due by July 15, 2007, and then September 15, 2007—was

required for the United States to provide $1.5 billion in Economic Support Funds (ESF) to Iraq. President Bush used the waiver provision. The law also mandated an assessment by the GAO, by September 1, 2007, of the degree to which the benchmarks have been met, as well as an outside assessment of the Iraqi security forces (ISF).

In early 2007, the United States began a "surge" of about 30,000 additional U.S. forces (bringing U.S. troop levels to about 170,000 at the height of the surge) intended to blunt insurgent momentum and take advantage of growing Sunni Arab rejection of extremist groups. As 2008 progressed, citing the achievement of many of the major legislative benchmarks and a dramatic drop in sectarian violence that was attributed to surge—the Bush Administration asserted that political reconciliation was advancing. However, U.S. officials maintained that the extent and durability of reconciliation would depend on the degree of implementation of adopted laws, on further compromises among ethnic groups, and on continued attenuated levels of violence. For Iraq's performance on the benchmarks, see **Table 7**.

The Strengthening of Maliki and the Iraqi Government: 2008-2009

The passage of Iraqi laws in 2008 considered crucial to reconciliation, continued reductions in violence accomplished by the U.S. surge, and the continued turn of many Sunni militants away from violence, enhanced Maliki's political position. A March 2008 offensive ordered by Maliki against the Sadr faction and other militants in Basra and environs ("Operation Charge of the Knights") pacified the city and caused many Sunnis and Kurds to see Maliki as even-handed. This contributed to a decision in July 2008 by the Accord Front to end its one-year boycott of the cabinet. Other cabinet vacancies were filled with independents, and Maliki's position was secured. (Earlier, in 2007 the Accord Front, the Sadr faction, and the bloc of former Prime Minister Iyad al-Allawi pulled out of the cabinet, leaving it with 13 vacant seats, out of 37 cabinet slots.)

Attempts to Decentralize Governance: January 31, 2009, Provincial Elections

Although Maliki gained adherents within the political structure, the January 31, 2009, provincial elections represented an opportunity to try to ensure that neither he, nor any future prime minister, could centralize power to the extent witnessed under Saddam Hussein's rule. In addition to the checks and balances established in the central government, a 2008 "provincial powers law" was intended to decentralize Iraq by setting up powerful provincial councils that decide on local allocation of resources. The provincial councils in Iraq choose each province's governor and governing administrations—in contrast to Afghanistan, where provincial governors are appointed by the president. Some central government funds are given directly to provincial administrations for their use, although most Iraqi funds are allocated centrally.

ISCI, which had already been distancing itself from its erstwhile ally, Maliki's Da'wa Party, ran under a separate slate in the provincial elections—thus splitting up the formerly powerful UIA. Ideologically, ISCI favors more power for the provinces and less for the central government; Maliki prefers centralization.

The provincial elections had originally been planned for October 1, 2008, but were delayed when Kurdish restiveness over integrating Kirkuk and other disputed territories into the KRG caused a presidential council veto of the July 22, 2008, election law needed to hold these elections. That draft provided for equal division of power in Kirkuk (among Kurds, Arabs, and Turkomans) until

its status is finally resolved, a proposal strongly opposed by the Kurds. On September 24, 2008, the COR passed a final election law, providing for the elections by January 31, 2009, and putting off provincial elections in Kirkuk and the three KRG provinces.[2]

In the elections, about 14,500 candidates vied for the 440 provincial council seats in the 14 Arab-dominated provinces of Iraq. About 4,000 of the candidates were women. The average number of council seats per province was about 30,[3] down from a set number of 41 seats per province (except Baghdad) in the 2005-2009 councils. The Baghdad provincial council has 57 seats. This yielded an average of more than 30 candidates per council seat. However, the reduction in number of seats also meant that many incumbents were not reelected.

The provincial elections were conducted on an "open list" basis—voters were able to vote for a party slate, or for an individual candidate (although they also had to vote for that candidate's slate). This procedure encouraged voting for slates and strengthened the ability of political parties to choose who on their slate will occupy seats allotted for that party. This election system was widely assessed to favor larger, well-organized parties, because smaller parties might not meet the vote threshold to obtain any seats on the council in their province.[4] This was seen as likely to set back the hopes of some Iraqis that the elections would weaken the Islamist parties, both Sunni and Shiite, that have dominated post-Saddam politics.

About 17 million Iraqis (any Iraqi 18 years of age or older) were eligible for the vote, which was run by the Iraqi Higher Election Commission (IHEC). Pre-election-related violence was minimal, although five candidates and several election/political workers were killed. There were virtually no major violent incidents on election day. Turnout was about 51%, somewhat lower than some expected. Some voters complained of being turned away at polling places because their names were not on file. Other voters had been displaced by sectarian violence in prior years and were unable to vote in their new areas of habitation.

The vote totals were finalized on February 19, 2009, and were certified on March 29, 2009. Within 15 days of that (by April 13, 2009) the provincial councils began to convene under the auspices of the incumbent provincial governor, and to elect a provincial council chairperson and deputy chairperson. Within another 30 days after that (by May 12, 2009) the provincial councils selected (by absolute majority) a provincial governor and deputy governors. The term of the provincial councils is four years from the date of their first convention.

Outcomes

Some concerns of Maliki's opponents—and of those who favor decentralized power—were realized when his allies in his "State of Law Coalition" were clear winners of the provincial elections. His Shiite opponents (his former allies) all ran separate slates and fared generally poorly. With 28 out of the 57 total seats, the Maliki slate gained control of the Baghdad provincial

[2] The election law also stripped out provisions in the vetoed version to allot 13 total reserved seats, spanning six provinces, to minorities. An October 2008 amendment restored six reserved seats for minorities: Christian seats in Baghdad, Nineveh, and Basra; one seat for Yazidis in Nineveh; one seat for Shabaks in Nineveh; and one seat for the Sabean sect in Baghdad.

[3] Each provincial council has 25 seats plus one seat per each 200,000 residents over 500,000.

[4] The threshold for winning a seat is the total number of valid votes divided by the number of seats up for election.

council, displacing ISCI. Da'wa also emerged very strong in most of the Shiite provinces of the south, including Basra, where it won an outright majority (20 out of 35 seats).

Although Maliki's coalition fared well, the subsequent efforts to form provincial administrations demonstrated that he still needed to strike bargains with rival factions, including Sadr, ISCI, and even the Sunni list of Saleh al-Mutlaq (National Dialogue Front) that contains many ex-Baathists. The provincial administrations that took shape are discussed in **Table 5**. Aside from the victory of Maliki's slate, the unexpected strength of secular parties, such as that of former Prime Minister Iyad al-Allawi, corroborated the view that voters favored slates committed to Iraqi nationalism and strong central government.

The apparent big loser in the elections was ISCI, which had been favored because it is well organized and well funded. ISCI did not win outright in Najaf province, which it previously dominated and which, because of Najaf's revered status in Shiism, is considered a center of political gravity in southern Iraq. It won seven seats there, the same number that was won by the Maliki slate. ISCI won only 3 seats on the Baghdad province council, down from the 28 it held previously, and only 5 in Basra. Some observers believe that the poor showing for ISCI was a product not only of its call for devolving power out of Baghdad, but also because of its perceived close ties to Iran, which some Iraqis believed was exercising undue influence on Iraqi politics. Others say ISCI was perceived as interested in political and economic gain for its supporters.

The Sadr faction, represented mainly in the "Independent Liberals Trend" list, did not come close to winning outright control of any councils, although it won enough seats in several southern provinces to, through deal-making, gain senior positions in a few southern provinces. The showing of the Sadrists was viewed as reflecting voter disillusionment with parties that field militias—which many Iraqis blame for much of post-Saddam violence.

Another important trend noted in the 2009 provincial elections was the increasing Sunni entry into the political process. Participating in the provincial elections were Sunni tribal leaders ("Awakening Councils") who had recruited the "Sons of Iraq" fighters and who were widely credited for turning Iraqi Sunnis against Al Qaeda-linked extremists in Iraq. These Sunni tribalists had largely stayed out of the December 2005 elections because their attention was focused primarily on the severe violence in the Sunni provinces, particularly Anbar. These tribal figures were, at the time of the December 2005 election, still intimidated by Al Qaeda in Iraq's admonition that Sunnis stay out of the political process. However, in the 2009 provincial elections, as the violence ebbed, Sunni tribalists offered election slates and showed strength at the expense of the established Sunni parties, particularly the Iraqi Islamic Party (IIP) and the National Dialogue Council. The main "Iraq Awakening" tribal slate came in first in Anbar Province. The tribalists benefitted from the decline of the IIP and other mostly urban Sunni parties, including the National Dialogue Council. In Diyala Province, hotly contested among Shiite and Sunni Arab and Kurdish slates, the provincial version of the (Sunni Arab) Accord Front edged out the Kurds for first place, and subsequently allied with the Kurds and with ISCI to set up the provincial administration.

The March 7, 2010, Elections: Coalitions and Political Infighting

After his slate's strong showing in the January 2009 provincial elections, Maliki became the immediate favorite to retain his position in the March 7, 2010, COR elections. The elected COR chooses the full-term government, as discussed above. With many perceiving Maliki as the likely winner for another term, Maliki was able to include some political competitors in some provinces,

including those dominated by Sunni Arabs and Sunni tribalists, into his State of Law coalition that would compete in the national elections for a new COR. However, Sunnis were not in high positions on his slate, and his slate was still perceived as primarily Shiite.

Maliki derived further political benefit from the U.S. implementation of the U.S.-Iraq "Security Agreement" (SA, sometimes referred to as the Status of Forces Agreement, or SOFA), discussed below in the section on the U.S. military mission. However, as 2009 progressed, Maliki's image as protector of law and order was tarnished by several high-profile attacks from mid-2009 to the eve of the election. Realizing the potential for security lapses to reduce his chances to remain prime minister, Maliki ordered several ISF commanders questioned for lapses in connection with the major bombings in Baghdad on August 20, 2009, in which almost 100 Iraqis were killed and the buildings housing the Ministry of Finance and of Foreign Affairs were heavily damaged. Makeshift alternate Ministry of Finance buildings were attacked again on December 7, 2009. After this latter bombing, which also resulted in the parliament's insistence that it hear Maliki's explanation of his responses, Maliki replaced the commander of the Baghdad Brigade. He also attempted to place substantial blame for the lapses on Interior Minister Jawad Bolani, who was heading a rival slate in the elections. (See **Table 1** on major slates in the election.)

Politically, sensing Maliki's weakness and a more open competition for prime minister, Shiite unity broke down and a rival Shiite slate took shape as a competitor to Maliki's State of Law. The "Iraqi National Alliance (INA)" was composed of ISCI, Sadr, and other Shiite figures. The INA coalition believed that each of its component factions would draw support from their individual constituencies to produce an election majority or clear plurality. Sistani remained completely neutral in the election, endorsing no slate, but calling on all Iraqis to participate.

To Sunni Arabs, the outwardly cross-sectarian Iraq National Movement ("Iraqiyya") of former transitional Prime Minister Iyad al-Allawi had strong appeal. There was an openly Sunni slate, leaning Islamist, called the Accordance slate ("Tawaffuq") led by IIP figures, but it was not expected to fare well compared to Allawi's less sectarian bloc. Some Sunni figures were recruited to join Shiite slates.

Table 1. Major Coalitions for 2010 National Elections

State of Law Coalition (slate no. 337)	Led by Maliki and his Da'wa Party. Includes Anbar Salvation Front of Shaykh Hatim al-Dulaymi, which is Sunni, and the Independent Arab Movement of Abd al-Mutlaq al-Jabbouri. Appealed to Shiite sectarianism during the campaign by backing the exclusion of candidates with links to outlawed Baath Party. Was favored in the 2010 election due to strong showing in 2009 provincial elections.
Iraqi National Alliance (slate no. 316)	Formed in August 2009, was initially considered the most formidable challenger to Maliki's slate. Consists mainly of his erstwhile Shiite opponents and is perceived as somewhat more Islamist than the other slates. Includes ISCI, the Sadrist movement, the Fadilah Party, the Iraqi National Congress of Ahmad Chalabi, and the National Reform Movement (Da'wa faction) of former Prime Minister Ibrahim al-Jafari. Possible Prime ministerial candidate from this bloc was deputy President Adel Abd al-Mahdi, a moderate well respected by U.S. officials. However, some observers say Chalabi—the key architect of the effort to exclude candidates with Baathist ties—wanted to replace Maliki. This slate was considered close to Ayatollah Sistani, but did not receive his formal endorsement.
Iraqi National Movement ("Iraqiyya"—slate no. 333)	Formed in October 2009. Led by former Prime Minister Iyad al-Allawi (Iraq National Accord) who is Shiite but his faction appeals to Sunnis, and Sunni leader Saleh al-Mutlaq (ex-Baathist who leads Iraq Front for National Dialogue). Backed by Iraqi Islamic Party leader and Deputy President Tariq Al-Hashimi as well as other powerful Sunnis, including Usama al-Nujaifi and Rafi al-Issawi. However, Justice and Accountability Commission (formerly the De-Baathification Commission) disqualified Mutlaq and another senior candidate on this slate, Dhafir al Ani, for supporting the outlawed Baath Party. An appeals court affirmed their disqualification (decision legislatively reversed after the election).
Kurdistan Alliance (slate no. 372)	Competed again in 2010 as a joint KDP-PUK Kurdish list. However, Kurdish solidarity was shaken by July 25, 2009, Kurdistan elections in which a breakaway PUK faction called Change (Gorran) did unexpectedly well. Gorran ran its own separate list for the March 2010 elections. However, PUK's ebbing strength in the north did not jeopardize Talabani's continuation as president, although Sunnis sought that position.
Unity Alliance of Iraq (slate no. 348)	Led by Interior Minister Jawad Bolani, a moderate Shiite who has a reputation for political independence. Bolani has not previously been affiliated with the large Shiite parties such as ISCI and Dawa, and was only briefly affiliated with the Sadrist faction (which has been strong in Bolani's home town of Amarah, in southeastern Iraq). Considered a non-sectarian slate, this list Included Sunni tribal faction led by Shaykh Ahmad Abu Risha, brother of slain leader of the Sunni Awakening movement in Anbar. The list included first post-Saddam defense minister Sadun al-Dulaymi.
Iraqi Accordance (slate no. 338)	A coalition of Sunni parties, including breakaway factions of the Iraqi Islamic Party (IIP). Led by Ayad al-Samarrai, speaker of the COR. Viewed as a weak competitor for Sunni votes against Allawi slate.

Sources: Carnegie Endowment for International Peace; various press.

Election Law Dispute and Final Provisions

While coalitions formed to challenge Maliki, disputes emerged over the ground rules for the election. The holding of the elections required passage of an election law setting out the rules and parameters of the election. Under the Iraqi constitution, the elections were to be held by January 31, 2010, in order to allow 45 days before the March 15, 2010, expiry of the current COR's term.

Iraq's election officials had ideally wanted a 90-day time frame between the election law passage and the election date, in order to facilitate the voter registration process.

Because the provisions of the election law (covering such issues as voter eligibility, whether to allot quota seats to certain constituencies, the size of the next COR) have the potential to shape the election outcome, the major Iraqi communities were divided over its substance. These differences caused the COR to miss almost every self-imposed deadline to pass it. One dispute was over the election system, with many COR members leaning toward a closed list system (which gives the slates the power to determine who occupies actual COR seats after the election), despite a call by Grand Ayatollah Sistani for an open list vote (which allows voters to also vote for candidates as well as coalition slates). Each province served as a single constituency and a fixed number of seats for each province (see **Table 2**, which includes number of COR seats per province).

There was also a dispute over how to apply the election in disputed Tamim (Kirkuk) province, where Kurds feared that the election law drafts would cause Kurds to be underrepresented. The version of the election law passed by the COR on November 8, 2009 (141 out of 195 COR deputies voting), called for using 2009 food ration lists as representative of voter registration. The Kurds had sought this provision, facing down the insistence of many COR deputies to use 2005 voter lists, which presumably would contain fewer Kurds. A compromise in that version of the law allowed for a process to review, for one year, complaints about fraudulent registration, thus easing Sunni and Shiite Arab fears about an excessive Kurdish vote in Kirkuk.

However, this version guaranteed only a small quota of seats for Iraqis living abroad or who are displaced—and Sunnis believed they would therefore be undercounted because it was mainly Sunnis who had fled Iraq. On this basis, one of Iraq's deputy presidents, Tariq al Hashimi, a Sunni Arab, vetoed the law. The veto, on November 18, sent the law back to the COR. A new version was adopted on November 23, but it was viewed as even less favorable to Sunni Arabs than the first version, because it eliminated any reserved seats for Iraqis in exile. Hashimi again threatened a veto, which he was required to exercise within 10 days. As that deadline was about to lapse, the major factions, reportedly at the urging of U.S. and other diplomats, adopted a new law (December 6, 2009).

Election Parameters

The compromise version, not vetoed by any member of the presidency council, provided for:

- Expansion of the size of the COR to 325 total seats. Of these, 310 were allocated by province, with the constituency sizes ranging from Baghdad's 68 seats to Muthanna's seven. The COR size, in the absence of a recent census, was based on taking 2005 population figures and adding 2.8% per year growth.[5] (A new census was scheduled to begin on October 24, 2010, although on October 2, 2010, Prime Minister Maliki postponed the census until at least December 2010. The move presumably was intended to allow time for a full-term government to be put in place, which would oversee the census. (The census has not begun, as of July 2011, in part because of continued factional disputes as discussed below.)

[5] Analysis of Iraq expert Reidar Visser. "The Hashemi Veto." http://gulfanalysis.wordpress.com/2009/11/18/the-hashemi-veto/.

- The remaining 15 seats were to be minority reserved seats (8) and "compensatory seats" (7)—seats allocated from "leftover" votes; votes for parties and slates that did not meet a minimum threshold to achieve any seats outright.
- No separate electoral constituency for Iraqis in exile, so Iraqis in exile had their votes counted in the provinces where these voters originated.
- An open list election system.
- An election date set for March 7, 2010.

Flashpoint: Disqualification of Some Prominent Sunnis

The electoral process since the end of 2005 has been at least partly intended to bring Sunni Arabs ever further into the political structure and to turn them away from violence and insurgency. Sunnis boycotted the January 2005 parliamentary and provincial elections and were, as a result, poorly represented in all governing bodies. Sunni slates, consisting mainly of urban, educated Sunnis, did participate in the December 2005 parliamentary elections. This represented an apparent calculation that it would not serve Sunni interests to remain permanently alienated from the political process.

The Sunni commitment to the political process appeared in some jeopardy in the context of a major dispute over candidate eligibility for the March 2010 elections. Although a Sunni boycott of the elections did not materialize, there was a Sunni Arab perception that the election might be unfair because of this dispute. The acute phase of this political crisis began in January 2010 when the Justice and Accountability Commission (JAC, the successor to the "De-Baathification Commission" that worked since the fall of Saddam to purge former Baathists from government) invalidated the candidacies of 499 individuals (out of 6,500 candidates running), spanning many different slates. The JAC was headed by Ali al-Lami, a Shiite who had been in U.S. military custody during 2005-2006 for alleged assistance to Iranian agents active in Iraq. He was perceived as answerable to or heavily influenced by Ahmad Chalabi, who had headed the De-Baathification Commission. Both were part of the Iraqi National Alliance slate and both are Shiites, leading many to believe that the disqualifications represented an attempt to exclude prominent Sunnis from the vote.

The JAC argued that the disqualifications were based on law and careful evaluation of candidate backgrounds and not based on sect, because many of the candidates disqualified were Shiites. The IHEC reviewed and backed the invalidations on January 14, 2010; disqualified candidates had three days to file an appeal in court. Apparently due in part to entreaties from the U.S. Embassy, Vice President Joseph Biden (during a visit to Iraq on January 22, 2010) and partner embassies in Iraq—all of which feared a return to instability—the appeals court at first ruled that disqualified candidates could run in the election and clear up questions of Baathist affiliation afterwards. However, reported pressure by Maliki and other Shiites caused the court to reverse itself on February 12, 2010, and to disqualify 145 candidates. Twenty-six candidates were reinstated. The remaining approximately 300 disqualified candidates had already been replaced by other candidates on their respective slates. The slate most affected by the disqualifications was Iraqiyya, because two of its leading candidates, National Dialogue Front party leader Saleh al-Mutlaq and Dhafir al-Ani, both Sunnis, were barred from running.

The Iraqiyya slate did not, as a whole, call for a broad boycott—nor did Mutlaq himself call for a boycott. Mutlaq was replaced as a candidate by his brother. The slate campaigned vigorously, and

many Sunnis seemed to react by recommitting to a high turnout among their community, in order to achieve political results through the election process. Even the JAC's disqualification of an additional 55 mostly Iraqiyya candidates the night before the election did not prompt a boycott.

The crisis appeared to prompt the February 16, 2010, comments by General Ray Odierno, then the top U.S. commander in Iraq (who was replaced as of September 1, 2010, by his deputy, General Lloyd Austin), that Iran was working through Chalabi and al-Lami to undermine the legitimacy of the elections. General Odierno specifically asserted that Chalabi was in close contact with an Iraqi, COR member Jamal al-Ibrahimi, who is an ally of Iranian General Qasem Soleimani, who commands the Qods Force unit of Iran's Islamic Revolutionary Guard Corps (IRGC).[6] Chalabi's successful efforts to turn the election into a campaign centered on excluding ex-Baathists—which Sunnis view as a codeword for their sect—caused particular U.S. alarm.

Possibly because of the disqualification dispute, Lami was assassinated on May 26, probably by Sunnis who viewed him as an architect of the perceived election discrimination. Chalabi, now a member of parliament, replaced Lami as manager of the JAC, but Maliki dismissed him in that role, appointing instead the Minister for Human Rights.

Election and Results

About 85 total coalitions were accredited for the March 7, 2010, election. There were about 6,170 total candidates running on all these slates and, as noted, Iraqis were able to vote for individual candidates as well as overall slates. The major blocs are depicted in **Table 1**. All blocs offered voters gifts and favors at pre-election rallies, and all available press reports indicate that campaigning was vibrant and vigorous. Total turnout was about 62%, according to the IHEC. Turnout was slightly lower in Baghdad because of the multiple insurgent bombings that took place there just as voting was starting.

The final count was announced on March 26, 2010, by the IHEC. As noted in **Table 2**, Iraqiyya won a plurality of seats, winning a narrow two-seat margin over Maliki's State of Law slate. The Iraqi constitution (Article 73) mandates that the COR "bloc with the largest number" of members gets the first opportunity to form a government. On that basis, Allawi, leader of the Iraqiyya slate, demanded the first opportunity to form a government. However, on March 28, 2010, Iraq's Supreme Court issued a preliminary ruling that any group that forms after the election could be deemed to meet that requirement, laying the groundwork for Allawi to be denied the right to the first opportunity to form a government.

The vote was to have been certified by April 22, 2010, but factional wrangling delayed this certification. On March 21, 2010, before the count was final, Prime Minister Maliki issued a statement, referring to his role as armed forces commander-in-chief, demanding the IHEC respond to requests from various blocs for a manual recount of all votes. The IHEC responded that any recount decisions are under its purview and that a comprehensive recount would take an extended period of time. Several international observers, including U.N. Special Representative for Iraq Ad Melkert, indicated that there was no cause, at that point, to suggest widespread fraud.

However, in response to an appeal by Maliki's faction, on April 19, 2010, an Iraqi court ordered a recount of votes in Baghdad Province. The recount in the province, which has 68 elected seats,

[6] Gertz, Bill. "Inside the Ring." *Washington Times*, February 18, 2010.

was completed on May 15, 2010, and did not result in an alteration of seat totals. This followed a few days after the major factions agreed to put aside any JAC disqualifications of winning candidates. With the seat count holding, the way was set for Iraq's Supreme Court to certify the results.

The final certification came on June 1, 2010, and the following timelines were to apply:

- Fifteen days after certification (by June 15), the new COR was to be seated and to elect a COR speaker and deputy speaker. (The deadline to convene was met, although, as noted, the COR did not elect a leadership team and did not meet again until November 11, 2010.)
- After electing a speaker, but with no deadline, the COR is to choose a president (by a two-thirds vote). (According to Article 138 of the Iraqi constitution, after this election, Iraq is to have a president and at least one vice president—the "presidency council" concept was an interim measure that expired at the end of the first full-term government.)
- Within another 15 days, the largest COR bloc is tapped by the president to form a government. (The selection of a president occurred on November 11, 2010, and Maliki was formally tapped to form a cabinet on November 25, 2010.)
- Within another 30 days (by December 25), the prime minister-designate (Maliki) is to present a cabinet to the COR for confirmation (by majority vote).

Post-Election Government

In accordance with timelines established in the Constitution, the newly elected COR did convene on June 15, 2010. However, the session ended after only 18 minutes and, because of the political deadlock, it did not elect a COR leadership team. Under Article 52 of the Constitution, the "eldest member" of the COR (Kurdish legislator Fouad Massoum) became acting COR speaker. During the period when no new government was formed, the COR remained inactive, with most COR members in their home provinces, but still collecting their $10,000 per month salaries. The resentment over this contributed to the popular unrest in February 2011.

Allawi's chances of successfully forming a government appeared to suffer a substantial setback in May 2010 when Maliki's slate and the rival Shiite INA bloc agreed to an alliance called the "National Alliance." However, the alliance was not able to agree to a prime minister selectee, with the Sadr faction and ISCI opposing Maliki. With no agreement, the COR aborted its second meeting scheduled for July 27, 2010. On August 3, 2010, this putative alliance splintered.

The various factions made little progress through August 2010, as Maliki insisted he remain prime minister for another term. Some observers believe that bilateral meetings among bloc leaders would not resolve the impasse and that only a broad meeting of the four major COR blocs—Maliki's bloc, the INA, Allawi's Iraqiyya, and the Kurdistan Alliance—and discussing all outstanding issues that face Iraq—would result in an agreement on a government. With the factional disputes unresolved, Maliki remained prime minister in a caretaker role. Some observers assert that he continued to govern as a caretaker, having had little incentive to see a new government formed.

With the end of the U.S. combat mission on August 31, 2010, approaching, the United States reportedly stepped up its involvement in political talks. Some discussions were held between

Maliki and Allawi's bloc on a U.S.-proposed formulas under which Allawi, in return for supporting Maliki, would head a new council that would have broad powers to rival those of the prime minister. Alternate proposals had Allawi being given the presidency, although the Kurds refused to cede that post to another community, fearing loss of leverage on other demands. The Kurds' insistence was despite the fact that there would not be a "presidency council" with an executive veto in the next government—the transitional provision for that power expired after the first four-year government ended. An expectation that the August 10-September 11, 2010, Ramadan period would enable the blocs to reach an agreement was not met.

On October 1, 2010, Iraq became a country with the distinction of having gone longer than any other country without an agreed government following an election. Part of the difficulty forming a government was the close result, and the dramatic implications of gaining or retaining power in Iraq, where politics is often seen as a "winner take all" proposition. Others blamed Allawi for the impasse, claiming that he was insisting on a large, powerful role for himself even though he could not assemble enough COR votes to achieve a majority there.

Political Agreement ("Irbil Agreement) Reached

On October 1, 2010, Maliki, possibly due to Iranian intervention, received the backing of most of the 40 COR deputies of Shiite cleric Moqtada Al Sadr, bringing Maliki within striking distance of obtaining the necessary votes to obtain another term as prime minister. The United States reportedly was alarmed at the prospect that Maliki might be able to form a government primarily on the strength of Sadr's backing, but, in early November 2010, the United States, Allawi, and many of the Sunni Arab regional states acquiesced to a second Maliki term. The key question that remained was whether Maliki, and Iraq's Kurds—who held the swing vote that could determine the next government—would agree to form a broad based government that meets the demands of Iraqiyya for substantial Sunni Arab inclusion. Illustrating the degree to which the Kurds reclaimed their former role of "kingmakers," Maliki, Allawi, and other Iraqi leaders met in the capital of the Kurdistan Regional Government-administered region in Irbil on November 8, 2010, to continue to negotiate on a new government. (Sadr did not attend the meeting in Irbil, but ISCI/Iraq National Alliance slate leader Ammar Al Hakim did.)

On November 10, 2010, with reported direct intervention by President Obama, the Irbil Agreement was reached in which: (1) Allawi agreed to support Maliki and Talabani to remain in their offices for another term, and for Iraqiyya to join the new government; (2) an Iraqiyya figure reportedly would become COR Speaker, another (perhaps Allawi himself) would chair the enhanced oversight body discussed above, though renamed the "National Council for Strategic Policies;"[7] (3) Iraqiyya would obtain several major cabinet posts, including the Defense Minister post; and (4) amending the de-Baathification laws that had barred some Iraqis, such as Saleh al-Mutlaq, from holding political positions. Although some of the provisions of the agreement have been subsequently disputed or not implemented, as discussed below, observers praised it as helpful to U.S. policy because an agreement was signed among major factions, with Masoud Barzani and U.S. Ambassador to Iraq James Jeffries attending. The agreement did not specify concessions to the Sadr faction, a development that observers viewed as a setback to Iran.

The November 11, 2010, COR session that would implement the agreement was held, and Iraqiyya figure Usama al-Nujaifi was elected COR speaker, as agreed. However, Allawi and most

[7] Fadel, Leila and Karen DeYoung. "Iraqi Leaders Crack Political Deadlock." *Washington Post*, November 11, 2010.

of his bloc walked out after three hours over the refusal of the other blocs to readmit the three Iraqiyya members who had been disqualified from running for the COR by the JAC (see above on the disqualification crisis). The walkout raised U.S. and other fears that the agreement might immediately unravel, but the remaining COR members were sufficient for a quorum and Talabani was re-elected president after two rounds of voting. Fears were calmed on November 13, 2010, when most of Allawi's bloc attended the COR session and continued to implement the settlement agreement; Allawi himself did not attend. On November 25, 2010, Talabani formally tapped Maliki as the prime minister-designate, giving him 30 days (until December 25) to name and achieve majority COR confirmation for a new cabinet.

New Government Formed[8]

The stage was set for a new cabinet to be announced after December 19, when Allawi reaffirmed his intent to join the government. Allawi's assurance came the same day that the COR voted (with barely a quorum achieved after a Shiite walkout of the vote) to reinstate to politics the three senior members of his bloc, including Saleh al-Mutlaq, who had been barred from politics by the JAC, as discussed above. Mutlaq was subsequently named one of the three deputy prime ministers.

On December 21, 2010, in advance of the December 25, 2010, deadline, Maliki presented a cabinet to the COR (42 seats, including the posts of prime minister, three deputy prime ministers, and 38 ministries and ministers of state) receiving broad approval. No permanent appointments were named for seven ministries. Still, the government formed was inclusive of all major factions. Among major outcomes were the following.

- As for the State of Law list, Maliki remained prime minister, and retained for himself the Defense, Interior, and National Security posts pending permanent nominees for those positions. The faction holds seven other cabinet posts, in addition to the post of first deputy president (Khudair Al Khuzai of the Da'wa Party) and deputy prime minister for energy issues (Hussein Shahristani, previously the oil minister).
- For Iraqiyya, in addition to Mutlaq becoming a deputy prime minister, Tariq al-Hashimi remains a deputy president (the second deputy).[9] The bloc also obtained nine ministerial posts, of which a senior Iraqiyya figure, Rafi al-Issawi (previously a deputy prime minister), is finance minister.
- For the Iraqi National Alliance, a senior figure, Adel Abdul Mahdi, remained one of the three deputy presidents. The alliance also obtained 13 cabinet positions, parceled out among its various factions. An INA technocrat Abd al Karim Luaibi, was appointed oil minister. A Fadilah party member, Bushra Saleh, is a minister of state without portfolio and was the only woman in the cabinet until the February 13, 2011, naming of Ibtihal Al Zaidy as minister of state for women's affairs (although she is not from the INA). Another Fadila activist was named minister of justice.

[8] The following information is taken from Iraqi news accounts presented in http://www.opensource.gov.

[9] Some sources say that Hashimi and another figure, Adel Abdul Mahdi, may not have received permanent appointments to these second and third deputy presidential posts.

- Of the 13 INA cabinet seats, Sadr faction members head eight ministries, including Housing, Labor and Social Affairs, Ministry of Planning (Ali Abd al-Nabi, appointed in April 2011), and Tourism and Antiquities. A Sadrist also is one of two deputy COR speakers. However, these positions are relatively junior within the cabinet and appeared to represent less influence for the Sadrists than was anticipated when Sadr threw his backing to Maliki in October. Still, the Sadr faction receive some compensatory influence in support for one of its members becoming governor of Maysan Province.
- The Kurdistan Alliance received major posts. Talabani stayed president; and the third deputy prime minister is Kurdish figure (PUK faction) Rows Shaways, who has served in various central and KRG positions since the fall of Saddam. Arif Tayfour is second deputy COR speaker. Alliance members have six other cabinet seats, including longtime Kurdish (KDP) stalwart Hoshyar Zebari remaining in position. He has been foreign minister since the transition governments that followed the fall of Saddam. Khairallah Hassan Babakir, was named trade minister in the February 13, 2011, "second wave" of ministerial appointments.

Unresolved Political Schisms

Ambassador to Iraq Jim Jeffries testified before the Senate Foreign Relations Committee on February 1, 2011, describing the Iraqi government as a success for U.S. foreign policy because it is inclusive and "focused on power sharing." However, continuing schisms exist among the various Iraqi communities and factions, and all of Iraq's ethnic communities and sects remain suspicious of the others' longer-term intentions. Among the sources of ongoing political friction is the fact that Maliki continues to holds the security posts, an issue that has caused written recriminations between him and Allawi since April 2011 and which threatens to potentially unravel the delicate governing consensus. On July 9, 2011, with Talabani acting as mediator, the main political blocs again failed to reach agreement on nominees for the security-related ministries, as well as on the issue of whether to request that some U.S. troops remain in Iraq past 2011, as discussed further below. Maliki interprets the Irbil Agreement as requiring appointment of a Sunni Arab, such as Sadoun Dulaymi, as Defense Minister, and not necessarily a member of the Iraqiyya faction. Allawi's view is that an Iraqiyya member is required to be appointed under the Irbil Agreement.

A further cause of tension between Maliki and Alawi is the continuing stalemate over the formation of the National Council for Strategic Policies. Some proposals call for the council to include the prime minister, president, their deputies, and a representative of all major blocs—and for decisions of the council to be binding on Maliki if they achieve support of 80% of the council members. However, the powers have not been voted on by the COR, and Allawi is considered unlikely to chair the body unless it is given significant authorities.

Sunni Community

The earlier disqualification crisis—and the denial to Allawi of the ability to try to form a government after his bloc won the most seats—leaves unanswered questions about the long-term loyalty of Sunni Arabs to the central government. Separate from the government formation process, Sunni Arabs resented the slow pace with which the Maliki government implemented its pledge to fully integrate the "Sons of Iraq" fighters into the Iraqi Security Forces (ISF). At the peak, there were about 100,000 (80% are Sunni Arab) of these fighters nationwide cooperating

with U.S. forces against Al Qaeda in Iraq and other militants. As of January 2011, about half of them (about 50,000) had been integrated into the ISF or given civilian government jobs. There have been reports that some Sons of Iraq have been dropped from payrolls, harassed, arrested, or sidelined—indications that the Maliki government might want to strangle the program. However, Ambassador Jeffries testified on February 1, 2011, that no payment difficulties existed as of that time, and no U.S. official has since amended or altered that assertion.

KRG-Central Government Disputes/Combined Security Mechanism[10]

The COR elections and cabinet formation were not expected to—and did not—heal KRG-central government disputes. KRG President Masoud Barzani visited Washington, DC, in January 2010 and, according to participants in his meetings, discussed with senior officials ways in which the Kurds would cooperate with Iraq's Arabs after the election. That was widely interpreted as an Administration admonition not to establish territorial-related preconditions to join a governing coalition after the elections. However, KRG Prime Minister Barham Salih said on June 15, 2010, that Kurdish leaders sought guarantees from Iraq's Arab leaders that, as a condition of providing Kurdish votes for any new governing coalition, 19 specific demands (retaining the presidency for one of their own was one such demand) would be addressed. Although receiving from Maliki only vague assurances on their key demands, the main Kurdish factions eventually threw their weight behind Maliki to continue as prime minister, as discussed above.

KRG-central government differences had been aggravated by the 2009 provincial elections because Sunni Arabs wrested control of the Nineveh (Mosul) provincial council from the Kurds, who won control of that council in the 2005 election because of the broad Sunni Arab boycott of that election. A Sunni list (al-Hadba'a) won a clear plurality of the Nineveh vote and subsequently took control of the provincial administration there. Al-Hadba'a is composed of hardline Sunni Arabs who openly oppose Kurdish encroachment in the province and who are committed to the "Arab and Islamic identity" of the province. A member of the faction, Atheel al-Nufaiji, is the governor (brother of 2010-2014 COR speaker Usama al-Nujaifi), and, even before the popular unrest that broke out in Iraq as of February 2011, the Kurds had been preventing his visitation of areas of Nineveh where the Kurds' *peshmerga* militia operates.

Additional friction was created in the context of the KRG's parliamentary and presidential elections on July 25, 2009. The KRG leadership had been planning, during that vote, to conduct a referendum on a separate KRG constitution. However, the central government asserted that a KRG constitution would conflict with the publicly adopted national constitution, and that the KRG draft constitution, adopted by the Kurdish parliament on June 23, 2009, claimed Kurdish control over disputed territories and oil resources. The KRG did not hold the referendum.

Combined Security Mechanism at Kurd-Arab Frontier

In part to prevent outright violence, in August 2009 then-top U.S. commander in Iraq General Odierno developed an unprecedented plan to partner U.S. forces with *peshmerga* units and with ISF units in the province to build confidence between the two forces and reassure Kurdish, Arab, Turkomen, and other province residents. Implementation of this "combined security mechanism"

[10] For more information on Kurd-Baghdad disputes, see CRS Report RS22079, *The Kurds in Post-Saddam Iraq*, by Kenneth Katzman.

(CSM) began in January 2010 and U.S. officials said on August 16, 2010, that the joint (ISF-U.S-Kurdish) patrols, maintenance of checkpoints and training would continue until the U.S. pullout at the end of 2011. Fifteen joint checkpoints were established, but, as of October 2010, the United States had ceased participating at four of them, in concert with the U.S. change of mission to a non-combat role (Operation New Dawn) on September 1, 2010.

Many who assert that Iraq should ask U.S. forces to remain after 2011 do so on the grounds that U.S. troops are needed to continue the CSM. In the event U.S. troops do not remain, as noted by Ambassador Jeffries and top U.S. commander in Iraq General Lloyd Austin on February 1, 2011, it is possible that a United Nations force, or even NATO, might take over this mediating and confidence-building role. It is not clear that this idea is supported by the Iraqi factions involved Other ideas advanced by the U.N. Assistance Mission—Iraq (UNAMI) say that civilians (Iraqi or international) could take over the mediating role now played by U.S. troops in the CSM.

Broader Territorial Issues ("Disputed Internal Boundaries")

The CSM is not a substitute for a broader settlement of the various territorial disputes between the Kurds and Iraq's Arabs—the most emotional of which is the Kurdish insistence that Tamim Province (which includes oil-rich Kirkuk) be formally affiliated to the KRG. There was to be a referendum on the affiliation of the province by December 31, 2007—in accordance with Article 140 of the Constitution- but the Kurds have agreed to repeated delays in order to avoid jeopardizing overall progress in Iraq. Nor has the national census that is pivotal to any such referendum been conducted; it has repeatedly been postponed. Attempting to resolve these long-standing disputes is another issue within the mandate of UNAMI, and consultations with all parties are ongoing, according to UNAMI head Ad Melkert in February 2011.[11]

The three Kurdish-controlled provinces and the disputed province of Kirkuk did not hold provincial elections with the rest of Iraq on January 31, 2009. Elections had been rescheduled for November 2010 but were not held. However, the Property Claims Commission that is adjudicating claims from the Saddam regime's forced resettlement of Arabs into the KRG region is functioning and about 10,000 Iraqi Arabs have relocated back to their original provinces as of the end of 2010.

There continues to be substantial friction between Sunni and Shiite Arabs in Diyala province. This is in part because of disputes over territory in the province that are inhabited by Kurds and Arabs. In addition, there is tension in the province between Sunni and Shiite Arabs there because Sunni militants drove out many Shiites from the province at the height of the civil conflict during 2005-2007.

KRG Oil Exports

Another issue remains over the ability of the Kurds to export oil that is discovered and extracted in the KRG region. Oil exports from the KRG have been suspended since late 2009 over central government opposition to proposed mechanisms for paying the international investors who are performing the extraction and exportation. However, Ambassador Jeffries testified on February 1, 2011, that, as a consequence of the formation of a government and greater factional harmony, a

[11] Meeting with congressional staff, February 24, 2011.

compromise had been reached that would allow the KRG energy exports to resume, and exportation of about 100,000 barrels of crude oil per day has resumed from the KRG fields as of March 1, 2011.

Intra-Kurdish Divisions

Further complicating the political landscape are widening divisions within the Kurdish community. The KRG elections also, to some extent, shuffled the political landscape. A breakaway faction of President Talabani's PUK, called "Change" ("Gorran"), won an unexpectedly high 25 seats (out of 111) in the Kurdistan national assembly, embarrassing the PUK and weakening it relative to the KDP. KRG President Masoud Barzani, leader of the KDP, easily won reelection against weak opposition. Gorran ran its own list in the March 2010 elections and constituted a significant challenge to the Kurdistan Alliance in Sulaymaniyah Province, according to election results. As a result, of the 57 COR seats held by Kurds, 14 are held by parties other than the Kurdistan Alliance. Gorran has 8, the Kurdistan Islamic Union has 4, and the Islamic Group of Kurdistan has 2.

These divisions may also be playing a role in the popular demonstrations that have occurred in Sulaymaniyah since February 2011. The demonstrations reflect frustration over jobs and services but possibly also over the monopolization of power in the KRG by the Barzani and Talabani clans. Some of these have been suppressed by *peshmerga.*

The Sadr Faction and Its Position

As noted above, Sadr was part of the anti-Maliki Shiite coalition Iraqi National Alliance for the March 2010 national elections. Sadr sees himself as the main representative for Iraq's Shiites, causing an inherent rivalry with Maliki and other more mainstream Shiite leaders in Iraq. On October 17, 2009, the Sadr movement held a "primary" election to determine who would fill the 329 total candidate slots that will be fielded by the Sadr movement in the elections (as part of the broader Iraqi National Alliance bloc discussed above). About 800 total candidates competed.

After the election, the Sadr faction was extensively involved in bargaining over composition of the government and he initially insisted that Maliki should be replaced by another Shiite. However, the shift by the faction in late September 2010 was decisive in Maliki's success in achieving another term. In return, as discussed above, Sadrists were given several seats in the cabinet and a Sadrist governor was later installed in Maysan Province, which includes the Sadrist stronghold of Amarah. The governor reportedly refuses to meet with U.S. military commanders.

The Sadr faction has been active politically since its leader, Moqtada Al Sadr, returned to Iraq on January 5, 2011. Since his return, he has given several speeches that, among other themes, insist on full implementation of a planned U.S. withdrawal by the end of 2011. Sadr's position on this is so firm that, in an April 9, 2011, statement, he threatened to reactivate his Mahdi Army militia if U.S. forces remain in Iraq beyond the December 31, 2011, deadline. In a May 13, 2011, sermon in Najaf, Sadr indicated he might withdraw this threat if there were a strong consensus among the other blocs that U.S. troops should stay.[12] However, his followers conducted a large march in Baghdad on May 26, 2011—a "show of strength" to make clear that the faction would go to great

[12] Davis, Aaron. "Shiite Infighting May Be Key to U.S. Extension in Iraq." *Washington Post,* May 15, 2011.

lengths to oppose any extension of the U.S. presence in Iraq beyond 2011. Sadr has also issued statements opposing the awarding of Iraqi energy contracts to American firms. In June and July 2011, U.S. officials have accused pro-Sadr Shiite militias for an elevated level of U.S. troop deaths in June 2011 (fourteen killed, the highest in any month in over one year). These officials have accused Iran of arming the militias with upgraded rocket-propelled munitions, possibly in an effort to ensure a full U.S. withdrawal and to claim credit for forcing that withdrawal.

While Sadr has long sought to highlight Maliki's failures to bolster his own influence, the Sadr faction's extensive participation in the post-2010 government complicates the Sadrist efforts to paint governmental failures as purely the fault of Maliki and other elites. Some U.S. officials say they believe the faction may have instigated some of the unrest to discredit Maliki. In addition, the Sadr faction is said to be using its fundraising ability to develop charity and employment networks that rival or displace those of the central government—employing a political model similar to that of Hizballah in Lebanon.[13]

Related Governance Issues

The formation of the government in December 2010 raised hopes that Iraq was well on its way to permanent stability, the strengthening of democracy and institution-building, and a turning of Iraqi official attention toward basic governance and economic issues. U.S. officials, as testified by Ambassador Jeffries on February 1, 2011, saw signs that the factional comity evidenced in the new government would enable the COR to move quickly on long-stalled initiatives. In terms of immediate Iraqi legislative business, the COR turned to and was able, by the end of February 2011, to adopt a calendar year 2011 budget. The draft $67 billion budget was submitted to the COR on December 18, and was subsequently adopted. Ambassador Jeffries pointed to other signs of progress, including resolving the dispute over the de-Baathification issue. In February 2011, other observers reported progress toward enactment of the national hydrocarbon laws that are needed to encourage foreign investment in Iraq's relatively undeveloped energy sector.

On the other hand, some note that efforts to rein in official corruption are failing because no comprehensive anti-corruption law has been passed. Also not passed are laws addressing the environment, other elections, consumer protections, intellectual property rights, building codes, and a new national flag.

Many factions continued to remain wary of Prime Minister Maliki's long-term intentions. Some Iraqi suspicions of a lack of commitment to governing transparency were reinforced by Maliki's request that Iraq's Supreme Court rule that several independent commissions—including the Independent Higher Election Commission and the anti-corruption commission—be supervised by the cabinet. The court ruled in Maliki's favor on January 23, 2011, although the court also said in its ruling that the institutions must remain free of political interference.[14]

Others express concern that Maliki intends to consolidate control over all armed forces. In 2008, he began to create or restructure security organs to report to his office rather than the Defense or Interior ministries. Through his Office of the Commander-in-Chief, he commands direct command of the National Counter-Terrorism Force (about 10,000 personnel) as well as the

[13] Healy, Jack. "Cleric's Anti-U.S. Forces Poised for Gains in Iraq." *New York Times*, December 20, 2010.

[14] Parker, Ned and Salar Jaff. "Electoral Ruling Riles Maliki's Rivals." *Los Angeles Times*, January 23, 2011.

Baghdad Brigade, responsible for security in the capital. Reports quoting U.S. commanders in Iraq in June 2011 say that lower level commanders often bypass the official chain of command and report directly to Maliki's office. As an earlier example, in February 2010, Maliki's government reportedly directed the Iraqi Army's Fourth Division to cordon a provincial council building in Tikrit to influence the resolution of a dispute over the Salahuddin provincial council's ousting of the former governor of the province.[15]

2011 Unrest

Iraq's government, although flawed, is the product of democratic choices. Therefore, many experts were surprised when protests that have ousted leaders in Egypt and Tunisia spread to Iraq. Small protests began in several provinces on February 6, 2011, and later expanded to numerous provinces including Baghdad, Maysan, Sulaymaniyah, Basra, Anbar, Nineveh, Kirkuk, and Diwayniyah provinces. Protests, although small compared to those witnessed in other Middle Eastern countries during the period, resulted in 20 deaths alone on the February 25, 2011, "Day of Rage" demonstrations called by activists. However, most experts agree that the protesters, although to some extent inspired by the uprisings throughout the Middle East, do not have the similar objective of toppling Iraq's leadership because Iraq's government is the product of democratic processes.

The spread of unrest into Iraq suggested to many that Iraqis have been frustrated by what they perceive as a nearly exclusive focus of the major factions on politics rather than governing or improving services. Many protesters expressed particular outrage at the still severe shortages of electricity in Iraq, as well as to the lack of job opportunities and to perceived elite corruption. Iraqis who cannot afford their own generators (or to share a generator with a few others), face repeated power outages every day.

Politically, the protests have affected all factions. The demonstrations caused the resignations of provincial governors in Wasit and Basra provinces and of several municipal leaders in Anbar Province. The governor of Nineveh, discussed above, survived a political challenge there even though Maliki (backed by the Kurds who distrust governor Nujaifi) reportedly sought to use the unrest to oust this political rival from that post. Jafar Al Sadr, who obtained the second most votes in the March 2010 elections on Maliki's list (after Maliki himself), resigned from the COR on February 17, 2011, to protest what he sees as elite interest in politics over governing. The use of force was also at odds with statements by Grand Ayatollah Sistani supporting the right to peacefully protest; a Sistani representative reportedly attended the Day of Rage demonstrations. Moqtada Al Sadr also supported peaceful demonstrations, although its assumption of some of the service-related ministries has complicated the efforts of his faction to absolve itself for responsibility for governmental failures to provide services.

Unrest in the KRG region appears to reflect deep frustrations and has been more consistent and intense than in the rest of Iraq. The unrest in Sulaymaniyah resulted in the deaths of at least three protestors at the hands of *peshmerga* and Kurdish intelligence (*Asayesh*), and is said to rattle the top Kurdish leaders who fear the KRG's image as an oasis of stability and prosperity in Iraq is being clouded. Demonstrations in Sulaymaniyah on February 17, also revived long-standing but

[15] Myers, Steven Lee and Anthony Shadid. "Maliki Faulted On Using Army in Iraqi Politics." *New York Times*, February 11, 2010.

suppressed tensions between the PUK and the KDP as the KDP retaliated for protester attacks on some of its offices.

Both major Kurdish parties have used the unrest to advance pan-Kurdish issues rather than combat each other. After the February 17 clashes discussed above, the two parties ordered *peshmerga* forces into disputed Kirkuk ostensibly to protect demonstrators from Sunni Arab insurgents, although Sunni Arabs saw the move as an attempt to stake the Kurdish claim to Kirkuk through armed force. The governor and provincial council chairs of Kirkuk resigned on March 15, 2011, and a member of the Turkmen minority that is numerous in Kirkuk is expected to become the new council chair. The new governor is, like his predecessor, a Kurd. Most, but not all, *peshmerga* had withdrawn from Kirkuk as of April 1, 2011.

Government Response and Prospects

The government has sought to defuse the unrest in Iraq, with mixed success to date. In early February 2011, Maliki announced a voluntary cut in his salary (from about $350,000 per year to about half that) and indicated he would not seek a third term when his current term expires in 2014. On February 27, 2011, he announced that his new cabinet would have "100 days" to prove their effectiveness or face replacement. That deadline expired on June 7, 2011, without significant incident, although U.S. diplomats say the government has begun public works projects and provided some fuel supplies as part of its efforts to show results by that time. In addition, on May 31, 2011, third deputy president Adel Abdul Mahdi resigned in an effort to show that the government is committed to cutting its bloated bureaucracy. Maliki's indications that he will not seek a third term might reassure some Iraqi leaders who fear that he might try to stay in office indefinitely and build a regime resembling the authoritarian structures of Saddam Hussein.

Other government actions appear intended to assert long-standing positions. For example, in response to the unrest, 12 out of 28 members of the Najaf provincial council petitioned to convert the province to a "region," as provided for in the constitution. Although the petition meets the constitutional requirement (one-third of a provincial council filing a petition) to start that process, it is not clear that a referendum will achieve a popular majority in the province to accomplish that transition.

Another component of the response was to appoint several technocrats to permanently fill cabinet slots in ministries that deliver services to the public. In a wave of appointments on February 13, 2011, an Iraqiyya technocrat, Radd Shallah, was appointed minister of electricity and Power. In addition, Municipality and Public Works minister Adel Mohder was named, as were appointments to be ministers of state for tribal affairs, civilian community affairs, and national reconciliation.

The government has also used a modest amount of repression. In early June 2011, in advance of the June 7 "100 day" deadline, the government detained several dozen activists in order to preempt protests. Additional steps have been taken since to curb protests, including tolerating pro-government thugs to beat demonstrators on June 10, 2011. Either because of the repression or because of lack of popular support, demonstrations that continue have been relatively scattered and small.

General Human Rights Issues

U.S. and international officials say they expect the 2010-2014 government to make further progress establishing rule of law and adherence to international standards of human rights. The State Department's report on human rights for 2010 released April 8, 2011, largely repeated the previous year's characterizations of Iraq's human rights record as follows: "Extremist violence, coupled with weak government performance in upholding the rule of law, resulted in widespread and severe human rights abuses."[16] The State Department report cited a wide range of human rights problems committed by Iraqi government security and law enforcement personnel, including some unlawful killings; torture and other cruel punishments; poor conditions in prison facilities; denial of fair public trials; arbitrary arrest; arbitrary interference with privacy and home; limits on freedoms of speech, assembly, and association due to sectarianism and extremist threats; lack of protection of stateless persons; wide scale governmental corruption; human trafficking; and limited exercise of labor rights.

Trafficking in Persons

The State Department's Trafficking in Persons report for 2011, released on June 27, 2011, places Iraq in "Tier 2 Watch List." This is one rank below Tier 3, the lowest ranking. The relatively negative rating is on the grounds that, during the reporting period, Iraq did not demonstrate evidence of significant efforts to punish traffickers or proactively identify victims. The report says the Iraqi government has a written plan that, if implemented, would go a long way toward complying with minimum standards for the elimination of trafficking and, for that reason, was not given a Tier 3 ranking.

Media and Free Expression

While State Department and other reports attribute most of Iraq's human rights difficulties to the security situation and factional infighting, apparent curbs on free expression appear independent of such factors. The State Department human rights report for 2010 noted numerous laws that restrict press freedoms, and instances in which officials have beaten or intimidated journalists who try to do their work. In some past cases, Maliki has sued publications that have written articles alleging corruption or nepotism on his part.

One issue that troubles human rights activists is a draft law on freedom of expression. The draft reportedly allows authorities to curtail rights in order to protect "the public interest." The draft was approved by the Council of Ministers (the cabinet) on May 16, 2011 and remains under consideration in the National Assembly. The draft allows for peaceful protest but would require demonstration organizers to obtain a permit.

Labor Rights

A 1987 (Saddam era) labor code remains in effect. Although Iraqis are legally allowed to join unions, the labor code virtually rules out independent union activity. Unions have no legal power to negotiate with employers or protect workers' rights through collective bargaining. However,

[16] http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154462.htm.

some of the February 2011 street demonstrations protesting lack of services have included demands for more worker rights.

Situation of the Christian Religious Minority

In regard to human rights, a major concern is the safety and security of Iraq's Christian population, which is concentrated in northern Iraq as well as in Baghdad. Attacks on members of the community appear to occur in spates. In the run-up to the January 2009 provincial elections, about 1,000 Christian families reportedly fled the province in October 2008, although Iraqi officials report that most families returned by December 2008. The issue faded in 2009 but then resurfaced late in that year when about 10,000 Christians in northern Iraq, fearing bombings and intimidation, fled the areas near Kirkuk during October-December 2009. On October 31, 2010, a major attack on Christians occurred when a church in Baghdad was besieged by militants and as many as 60 worshippers were killed. The siege shook the faith of the Christian community in their security. Several other attacks appearing to target Iraqi Christians have taken place since. Partly as a result, Christian celebrations of Christmas 2010 were said to be subdued—following three years in which Christians had felt confident enough to celebrate that holiday more openly.

Some Iraqi Christians blame all the various attacks on them on Al Qaeda in Iraq, which is still somewhat strong in Nineveh Province and which associates Christians with the United States. Some human rights groups allege that it is the Kurds who are committing abuses against Christians and other minorities in the Nineveh Plain, close to the KRG-controlled region. Kurdish leaders deny the allegations, and the State Department human rights report for 2010 says the KRG has permitted Christians fleeing violence in Baghdad to relocate into KRG-controlled areas. The FY2008 consolidated appropriation earmarked $10 million in ESF from previous appropriations to assist the Nineveh Plain Christians. A supplemental appropriation for 2008 and 2009 (P.L. 110-252) earmarked another $10 million for this purpose. The Consolidated Appropriations Act of 2010 (P.L. 111-117) made a similar provision for FY2010, although focused on Middle East minorities generally and without a specific dollar figure mandated for Iraqi Christians.

Before the 2010-2011 rounds of violence against Christians, about 400,000 Christians had left Iraq since the fall of Saddam Hussein—a large proportion of the approximately 1 million Christian population that was there during Saddam's time. Christian priests have been kidnapped and killed; the body of Chaldean Catholic archbishop Faraj Rahho was discovered in Mosul on March 13, 2008, two weeks after his reported kidnapping. An attack on the Yazidis in August 2007, which killed about 500 persons, appeared to reflect the precarious situation for Iraqi minorities. Even at the height of the U.S. military presence in Iraq, U.S. forces did not specifically protect Christian sites at all times, partly because Christian leaders do not want to appear closely allied with the United States.

Corruption

The State Department human rights report for 2010 contains substantial detail on the relative lack of progress in curbing official corruption. The report discusses political and other factors that have caused anti-corruption institutions, such as the Commission on Integrity, to be regularly thwarted or hampered in attempts to investigate and prosecute corruption. The COR has its own Integrity Committee that oversees the executive branch and the governmental anti-corruption bodies.

Mass Graves

As is noted in the State Department report on human rights for 2010, the Iraqi government continues to uncover mass graves of victims of the Saddam regime. This effort is under the authority of the Human Rights Ministry. On April 15, 2011, a mass grave of more than 800 bodies became the latest such discovery. The largest to date was a mass grave in Mahawil, near Hilla, that contained 3,000 bodies; the grave was discovered in 2003, shortly after the fall of the regime.

Camp Ashraf

The Iraqi government treatment of the population of Camp Ashraf, a camp in which over 3,000 Iranian oppositionists have resided, is an indicator of the government performance on human rights. The residents of the camp accuse the government of repression and of scheming to expel the residents or extradite them to Iran, where they might face prosecution or death. An Iraqi military redeployment at the camp on April 8, 2011, resulted in major violence against camp residents in which 35 of them were killed. This issue is discussed in substantially greater detail in CRS Report RL32048, *Iran: U.S. Concerns and Policy Responses*, by Kenneth Katzman.

Regional Dimension

For Iraq's neighbors as well as for the United States, the stakes in the outcome of the political process in Iraq have been high. First and foremost, according to most experts, the United States sought to prevent the emergence of a governing coalition that left Sunni Arabs disillusioned, or which bolstered the influence of the most pro-Iranian factions such as that of Sadr. The key U.S. objectives were met, in large part because of the inclusion of senior Iraqiyya figures in high positions and the lower-than-expected profile of Sadrists in the new cabinet.

However, the sense of ethno-sectarian reconciliation produced by the government that has been formed could be subject to reversal over the longer term. Iran reportedly was a key broker of the decision by the Sadrists to support Maliki, raising the potential for Iran to continue to support Sadrist interests and influence over time. In addition, Iran's influence was increased by Sadr's return to Iraq as of January 2011, and Sadrist involvement in the protests may have contributed to the 2011 unrest. Iran may be seeking to enhance its influence as the U.S. prepares to complete its withdrawal, possibly explaining what U.S. officials say have been recent weapons deliveries to pro-Sadr militias. Still, the broad view within the U.S. government remains that the majority of the Iraqi people reject Iranian influence or direction and tend to vote against Iraqi leaders who are too tightly linked to Iran. That view may be tested by whether the most pro-Iranian factions, such as that of Sadr, succeed in preventing any extension of the U.S.-Iraq Security Agreement (see below).

The United States also appeared to benefit from the formation of a government that seems able to integrate with all of Iraq's neighbors, including Saudi Arabia, Jordan, and Turkey. However, the long-term degree of regional acceptance for the new government might depend on the extent to which Iyad al-Allawi and his Iraqiyya bloc continue to participate in government and have influence over decisions. Allawi had been favored for prime minister by the Sunni-dominated regional neighbors such as Saudi Arabia and even by Syria, which is mostly Sunni but allied with Iran. Syria hosted numerous meetings among faction leaders, although no agreement was reached among them under Syrian sponsorship.

As a possible indication of greater acceptance of the Iraqi government by Sunni regional states, Kuwait's prime minister visited Iraq on January 12, 2011. Maliki subsequently visited Kuwait on February 16, 2011. These key exchanges took place after the U.N. Security Council on December 15, 2010, passed three resolutions (1956, 1957, and 1958) that had the net effect of lifting most Saddam-era sanctions on Iraq, although the U.N.-run reparations payments process remains intact (and which deducts 5% from Iraq's total oil revenues). On the other hand, Saudi Arabia has not, to date, opened its embassy in Baghdad, a move the United States has long urged.

Implications for the Wind Down of the U.S. Military Mission

These splits within Iraq and ongoing high profile attacks by insurgent groups and Shiite militias cloud the approaching completion of a U.S. military withdrawal from Iraq at the end of 2011, in keeping with a November 2008 U.S.-Iraq Security Agreement (SA), which took effect on January 1, 2009. Following the SA's entry into force, President Obama, on February 27, 2009, outlined a U.S. troop drawdown plan that provided for a drawdown of U.S. combat brigades by the end of August 2010, with a residual force of 50,000 primarily for training the Iraq Security Forces, to remain until the end of 2011. An interim benchmark in the SA was the June 30, 2009, withdrawal of U.S. combat troops from Iraq's cities. This was strictly implemented by U.S. forces, to the point where U.S. forces pulled out of locations in the restive Mosul area and from Sadr City, where U.S. commanders felt U.S. forces should stay. Maliki hailed this interim milestone as a "victory" and declared it a national holiday. With the formal end of the U.S. combat mission on August 31, 2010, U.S. forces dropped to 47,000, from a 2008 high of 170,000. Retaining substantial U.S. troops in Iraq beyond 2011 would require the renegotiation of the Security Agreement.

A separate Strategic Framework Agreement (SFA), signed and entering into effect at the same time as the SA, presents a framework for long-term U.S.-Iraqi relations. The SFA implies ongoing U.S. assistance, but does not stipulate specific anticipated U.S. assistance levels or offer anything beyond vague promises that the United States will assist Iraq in accomplishing various goals. The SFA provides for the following (among other provisions):

- There is to be U.S.-Iraq cooperation "based on mutual respect," and that the United States will not use Iraqi facilities to launch any attacks against third countries, and will not seek permanent bases.
- There will be U.S support for Iraqi democracy and support for Iraq in regional and international organizations.
- There will be cultural cooperation through several exchange programs, such as the Youth Exchange and Study Program and the International Visitor Leadership Program.

Scenarios for Drawdown or Withdrawal

With the end of 2011 deadline in the SA for all U.S. troops to be out of Iraq approaching, The continuing high profile attacks coupled with deficiencies in Iraq's 650,000 member security forces have caused U.S. officials to question Iraqi stability were the United States to withdraw completely as provided in the Security Agreement. There are also continuing U.S. concerns over

Iranian influence over Iraq as U.S. forces depart, particularly given the activism of radical pro-Iranian Shiite cleric Moqtada Al Sadr.

Among major recent attacks that shake confidence are a suicide bombing at an Iraqi Army recruiting station in Baghdad in August 2010 that killed nearly 60 Iraqis; a wave of approximately 15 bombings across Baghdad on the night of November 2, 2010, that killed at least 60 Iraqis; a series of major bombings, causing numerous casualties, that took place in Tikrit, Diyala province, Karbala, and other places in January 2011; the killing of 20 in Baghdad in mid-May 2011 in a spate of bombings; and attacks in Tikrit on June 3, 2011, that killed 20. Many blame much of the continuing violence on Al Qaeda in Iraq, which was assessed to have about 1,000 fighters in Iraq by Defense Secretary-nominee Director Leon Panetta at his June 9, 2011, confirmation hearings.

While praising the dramatic progress of the Iraqi Security Forces (ISF) over the past two years, U.S. officials appear to lack confidence in the ability of the ISF to secure Iraq on their own. There are concerns the ISF cannot prevent such domestic attacks and, particularly, that it cannot defend Iraq's airspace and borders from neighbors such as Iran. Others believe that the reduction in U.S. leverage and influence in Iraq already under way will allow rifts among major ethnic and sectarian communities to widen to the point where Iraq could still become a "failed state" after 2011, unless some U.S. troops remain after that time. Still others note that U.S. troops are required beyond 2011 to ensure that the Kurd-Arab tensions in northern Iraq do not cause conflict—the deployment of Kurdish peshmerga to Kirkuk in March 2011 did not become violent because U.S. troops interceded between them and the Sunni Arabs in the province.

The purpose of several high-level U.S. visits and statements in 2011 have been to urge the Iraqis to consider making such a request. On April 22, 2011, the Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, on a visit to Iraq, said U.S. logistical and operational considerations required that an Iraqi request for U.S. troops to remain in Iraq beyond 2011 come within a few weeks of his visit.[17] Prime Minister Maliki told visiting Speaker of the House John Boehner, during his April 16, 2011, visit to Baghdad, that Iraqi forces were capable of securing Iraq after 2011, but that Iraq would welcome U.S. training and arms after that time.[18]

Subsequent to Boehner visit, Maliki appeared to lay the groundwork for a possible extension of the U.S. presence. He stated that a request for U.S. troops might be made if there were a "consensus" among political blocs, which he defined as not necessarily unanimity but at least 70% concurrence.[19] This statement appeared to be an effort to isolate the Sadr faction, which has been the most vocal opponent of a continuing U.S. presence. In June 2011, and following comments by outgoing Defense Secretary Gates recommending that some U.S. troops remain, some U.S. officials, including Defense Secretary-nominee Panetta, have said they expect an Iraqi request for U.S. forces to remain beyond 2011. In his first visit to Iraq as Defense Secretary on July 11, 2011, Panetta urged Iraqi leaders to make a decision on whether to request U.S. troops remain, and that such a decision be affirmative given the continuing need.

If an Iraqi request is made, it is not clear what the size of any extended presence might be; however, experts on Iraq have had informal discussions in 2011 on this issue and a figure of about

[17] Schmidt, Michael and Tim Arango. "Iraq Must Decide Within Weeks If U.S. Troops Will Stay Past 2011, Top Official Says." *New York Times*, April 23, 2011.

[18] Prashant Rao. "Maliki Tells US' Boehner Iraqi Troops Are Ready." *Agence France Presse*, April 16, 2011.

[19] Aaron Davis. "Maliki Seeking Consensus on Troops." *Washington Post*, May 12, 2011.

15,000 U.S. troops appears to receive substantial discussion.[20] Some press reports cite lower figures of 8,000-10,000 might be sufficient to achieve mission goals.

If Iraq does not request an extension of the SA, it is possible that there will be a decision not to retain large numbers of U.S. forces, but only to establish a large (up to 4,000 person) military liaison office (Office of Security Cooperation-Iraq) engaged mostly in training and assisting Iraq in the use of U.S. arms sold to Iraq, such as combat aircraft. That office would be under the authority of the U.S. Ambassador and some of its facilities around Iraq will be shared with the State Department. Such an arrangement might not require formal amendment of the security agreement. The OSC-I was expected to focus on a planned sale of up to 36 F-16 aircraft to Iraq, although Iraq said on July 12, 2011 that the buy has been postponed due to needs to fund food rations and other items, a decision that may have been influenced by the popular protests in 2011.

Whether or not some U.S. troops remain after 2011, the State Department will transition to the lead U.S. agency in Iraq, with all attendant responsibilities. In July 2011, as part of the transition, the United States formally opened planned consulates in Basra and Irbil. Embassy branch offices are in various stages of opening in Mosul and Kirkuk, although there are continuing security issues in Mosul. There is a vibrant U.S. debate over whether the State Department, using security contractors, will be able to fully secure its personnel in Iraq if all U.S. forces were to depart. A staff report of the Senate Foreign Relations Committee, released January 31, 2011, expresses substantial skepticism.[21] No matter the outcome of that debate, State Department officers will continue to promote Iraqi political reconciliation and peaceful dispute resolution, as well as economic ties, cultural ties, educational ties, and broader relations under the Strategic Framework Agreement. **Table 4** provides information on U.S. assistance to promote Iraqi democracy and peaceful political competition and consensus building. If Iraq's major factions have permanently shifted away from supporting violence and toward peaceful political competition, some might argue that U.S. funding has contributed to that transition. Others might argue that the change was caused by numerous factors, such as the improvement of security and rejection of foreign terrorist influence, and that it is virtually impossible to assess the contribution made by U.S. assistance.

[20] Author conversations with Iraq experts in Washington, DC, 2011.

[21] Senate Foreign Relations Committee. "Iraq: The Transition From a Military Mission to A Civilian-Led Effort." S.Prt. 112-3. January 31, 2011.

Table 2. March 2010 COR Election: Final, Certified Results by Province

Province	Elected Seats in COR	Results
Baghdad	68	Maliki: 26 seats; Iraqiyya: 24 seats; INA: 17 seats; minority reserved: 2 seats
Nineveh (Mosul)	31	Iraqiiya: 20; Kurdistan Alliance: 8; INA: 1; Accordance: 1; Unity (Bolani): 1; minority reserved: 3
Qadisiyah	11	Maliki: 4; INA: 5; Iraqiyya: 2
Muthanna	7	Maliki: 4; INA: 3
Dohuk	10	Kurdistan Alliance: 9; other Kurdish lists: 1; minority reserved: 1
Basra	24	Maliki: 14 ; INA: 7; Iraqiyya: 3
Anbar	14	Iraqiyya: 11; Unity (Bolani): 1; Accordance: 2
Karbala	10	Maliki: 6; INA: 3; Iraqiyya: 1
Wasit	11	Maliki: 5; INA: 4; Iraqiyya: 2
Dhi Qar	18	Maliki: 8; INA: 9; Iraqiyya: 1
Sulaymaniyah	17	Kurdistan Alliance: 8; other Kurds: 9
Kirkuk (Tamim)	12	Iraqiyya: 6; Kurdistan Alliance: 6
Babil	16	Maliki: 8; INA: 5; Iraqiyya: 3
Irbil	14	Kurdistan Alliance: 10; other Kurds: 4
Najaf	12	Maliki: 7; INA: 5
Diyala	13	Iraqiyya: 8; INA: 3; Maliki: 1; Kurdistan Alliance: 1
Salahuddin	12	Iraqiyya: 8; Unity (Bolani): 2; Accordance: 2
Maysan	10	Maliki: 4; INA: 6
Total Seats	**325**	Iraqiyya: 89 + 2 compensatory = 91
	(310 elected + 8 minority reserved + 7 compensatory)	Maliki: 87 + 2 compensatory = 89
		INA: 68 + 2 compensatory = 70 (of which about 40 are Sadrist)
		Kurdistan Alliance: 42 +1 compensatory = 43
		Unity (Bolani): 4
		Accordance: 6
		other Kurdish: 14
		minority reserved: 8

Source: Iraqi Higher Election Commission, March 26, 2010.

Notes: Seat totals are approximate and their exact allocation may be subject to varying interpretations of Iraqi law. Total seat numbers include likely allocations of compensatory seats. Total seats do not add to 325 total seats in the COR due to some uncertainties in allocations.

Other Elections Possible

There had been speculation that the March COR elections would be held concurrently with a referendum on the U.S.-Iraq Security Agreement. The referendum was to be held by July 31, 2009, but the United States, which views the referendum as unnecessary, supported a delay. In mid-October 2009, Iraqi parliamentarians quietly shelved the referendum vote by failing to act on legislation to hold the referendum and focusing instead on the broader election law needed for the National Assembly elections.[22]

District and sub-district elections were previously slated for July 31, 2009, as well. However, those are delayed, and the United Nations Secretary General Ban Ki Moon said in a report on U.N. operations in Iraq, released August 3, 2009, that these elections would likely be held later in 2010, after the National Assembly elections. No date for these elections has been announced.

There could also be a vote on amendments to Iraq's 2005 constitution if and when the major factions agree to finalize the recommendations of the constitutional review commission (CRC). There have been no recent major developments reported that would indicate if and when such a referendum might be ready.

As noted above, there is discussion of provincial elections in the Kurdish region, which were not held during the January 2009 provincial elections in the other areas of Iraq, and were not held in the March 7, 2010, nationwide vote. Nor were they held in November 2010, as was scheduled, and no date is set. There could be a vote on a Kirkuk referendum, if a negotiated settlement is reached.

Some Iraqis believe that the 2011 unrest has created a need for new nationwide provincial elections. However, existing provincial councils mostly maintain that doing so would be contrary to the constitution, which allows a four-year term to the councils elected in 2009.

[22] Sly, Liz. "Iraqi Push Fades For Referendum on U.S. Troop Pullout." *Los Angeles Times*, October 16, 2009.

Table 3. U.S. Assistance to Iraq: FY2003-FY2012 Request

(appropriations/allocations in millions of $)

	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	Total FY2003-FY2011	FY2012 Req.
IRRF	2,475	18,389	—	10.0	—	—	—	—	—	**20,874**	—
ESF	—	—	—	1,535.4	1,676.8	429.0	541.5	382.5	?	**4,565**	325.7
Democracy Fund	—	—	—	—	250.0	75.0	—	—	—	**325.0**	—
IFTA (Treasury Dept. Asst.)	—	—	—	13.0	2.8	—	—	—	—	**15.8**	—
NADR	—	—	3.6	—	18.4	20.4	35.5	30.3	?	**108.2**	—
Refugee Accounts (MRA and ERMA)	39.6	.1	—	—	78.3	277.8	260.0	300.0	—	**955.8**	—
IDA	21.8	—	7.1	.3	45.0	85.0	50.8	42.0	—	**252.0**	—
Other USAID Funds	469.9	—	—	—	—	23.8	—	—	—	**493.7**	—
INCLE	—	—	—	91.4	170.0	85.0	20.0	702.0	?	**1,068**	1,000.0
Foreign Military Financing	—	—	—	—	—	—	—	—	—	**—**	1,000.0
IMET	—	1.2	—	—	1.1	—	2.0	2.0	?	**6.3**	2.0
DOD - ISF Fund	—	—	5,391	3,007	5,542	3,000	1,000	1,000	1,500	**20,440**	—
DOD - Iraq Army	51.2	—	210.0	—	—	—	—	—	—	**261.2**	—
DOD - CERP	—	140	718	708	750	996	339	263	70	**3,984**	—
DOD - Oil Repair	802	—	—	—	—	—	—	—	—	**802**	—
DOD - Business Support	—	—	—	—	50.0	50.0	74.0	—	—	**174.0**	—
Total	**3,859**	**18,548**	**6,329**	**5,365**	**8,584**	**5,042**	**2,322**	**2,721**	**1,570**	**54,325**	**2,327**

Sources: State Department FY2012 Foreign Operations Congressional Budget Justification; SIGIR Report to Congress, April 30, 2011; and CRS calculations.

Notes: Table prepared by Curt Tarnoff, Specialist in Foreign Affairs, on May 5, 2011. FY2011 amount is appropriation/allocation figure available to date. Most 150 account allocations are expected in June 2011; humanitarian and other aid figures become available during course of year. This table does not contain agency operational costs, including CPA, State Department, and PRTs, except where these are embedded in the larger reconstruction accounts. Estimated operational costs to date are an additional $5.7 billion. IG oversight costs estimated at $322 million. IMET=International Military Education and Training; IRRF=Iraq Relief and Reconstruction Fund; INCLE=International Narcotics and Law Enforcement Fund; ISF=Iraq Security Force; NADR=Nonproliferation, Anti-Terrorism, Demining and Related: ESF=Economic Support Fund; IDA=International Disaster Assistance.

Table 4. Recent Democracy Assistance to Iraq

(in millions of current $)

	FY2009	FY2010 (act.)	FY2011 (req.)	FY2012 (req.)
Rule of Law and Human Rights	32.45	33.3	16.5	29.75
Good Governance	143.64	117.40	90.33	100.5
Political Competition/Consensus-Building	41.00	52.60	30.00	16.25
Civil Society	87.53	83.6	32.5	55.5
Totals	**304.62**	**286.9**	**169.33**	**202.0**

Source: Congressional Budget Justification, March 2011.

Table 5. January 31, 2009, Provincial Election Results (Major Slates)

Baghdad—55 regular seats, plus one Sabean and one Christian set-aside seat	State of Law (Maliki)—38% (28 seats); Independent Liberals Trend (pro-Sadr)—9% (5 seats); Accord Front (Sunni mainstream)—9% (9 seats); Iraq National (Allawi)—8.6%; Shahid Mihrab and Independent Forces (ISCI)—5.4% (3 seats) ; National Reform list (of former P.M. Ibrahim al-Jafari)—4.3% (3 seats)
Basra—34 regular seats, plus one Christian seat	State of Law—37% (20); ISCI—11.6% (5); Sadr—5% (2); Fadhila (previously dominant in Basra)—3.2% (0); Allawi—3.2% (0); Jafari list—2.5% (0). Governor : Shiltagh Abbud (Maliki list); Council chair: Jabbar Amin (Maliki list)
Nineveh—34 regular seats, plus one set aside each for Shabaks, Yazidis, and Christians	Hadbaa—48.4%; Fraternal Nineveh—25.5%; IIP—6.7%; Hadbaa took control of provincial council and administration. Governor is Atheel al-Nujaifi (Hadbaa).
Najaf—28 seats	State of Law—16.2% (7); ISCI—14.8% (7); Sadr—12.2% (6); Jafari—7% (2); Allawi—1.8% (0); Fadhila—1.6% (0). Council chairman: Maliki list
Babil—30 seats	State of Law—12.5% (8); ISCI—8.2% (5); Sadr—6.2% (3); Jafari—4.4% (3); Allawi—3.4%; Accord Front—2.3% (3); Fadhila—1.3%. New Council chair: Kadim Majid Tuman (Sadrist); Governor—Salman Zirkani (Maliki list)
Diyala—29 seats	Accord Front list—21.1%; Kurdistan Alliance—17.2%; Allawi—9.5%; State of Law—6 %. New council leans heavily Accord, but allied with Kurds and ISCI.
Muthanna—26 seats	State of Law—10.9% (5); ISCI—9.3% (5); Jafari—6.3% (3); Sadr—5.5% (2); Fadhila—3.7%.
Anbar—29 seats	Iraq Awakening (Sahawa-Sunni tribals)—18%; National Iraqi Project Gathering (established Sunni parties, excluding IIP)—17.6%;; Allawi—6.6%; Tribes of Iraq—4.5%.
Maysan—27 seats	State of Law—17.7% (8); ISCI—14.6% (8); Sadr—7; Jafari—8.7% (4); Fadhila—3.2%; Allawi—2.3%. New Governor: Mohammad al-Sudani (Maliki); Council chair: Hezbollah Iraq
Dhi Qar—31 seats	State of Law—23.1% (13); pro-Sadr—14.1% (7); ISCI—11.1% (5); Jafari—7.6% (4); Fadhila—6.1%; Allawi—2.8%. Governor—Maliki list; Council chair: Sadrist
Karbala—27 seats	List of Maj. Gen. Yusuf al-Habbubi (Saddam-era local official)—13.3% (1 seat); State of Law—8.5% (9); Sadr—6.8% (4); ISCI—6.4% (4); Jafari—2.5% ; Fadhila—2.5%.
Salah Ad Din—28 seats	IIP-led list—14.5%; Allawi—13.9%; Sunni list without IIP—8.7%; State of Law—3.5%; ISCI—2.9%. Council leans Accord/IIP
Qadissiyah—28 seats	State of Law—23.1% (11); ISCI—11.7% (5); Jafari—8.2% (3); Allawi—8%; Sadr—6.7% (2); Fadhila—4.1%. New governor: Salim Husayn (Maliki list)
Wasit—28 seats	State of Law—15.3% (13); ISCI—10% (6); Sadr—6% (3); Allawi—4.6%; Fadhila—2.7%. Governor: Shiite independent; Council chair: ISCI

Source: UNAMI translation of results issued February 2, 2009, by the Independent Higher Election Commission of Iraq; Vissar, Reidar. The Provincial Elections: The Seat Allocation Is Official and the Coalition-Forming Process Begins. February 19, 2009.

Table 6. Election Results (January and December 2005)

Bloc/Party	Seats (Jan. 05)	Seats (Dec. 05)
United Iraqi Alliance (UIA, Shiite Islamist). 85 seats after departure of Fadilah (15 seats) and Sadr faction (28 seats) in 2007. Islamic Supreme Council of Iraq of Abd al-Aziz al-Hakim has 30; Da'wa Party (25 total: Maliki faction, 12, and Anizi faction, 13); independents (30).	140	128
Kurdistan Alliance—KDP (24); PUK (22); independents (7)	75	53
Iraqis List (secular, Allawi); added Communist and other mostly Sunni parties for Dec. vote.	40	25
Iraq Accord Front. Main Sunni bloc; not in Jan. vote. Consists of Iraqi Islamic Party (IIP, Tariq al-Hashimi, 26 seats); National Dialogue Council of Khalaf Ulayyan (7); General People's Congress of Adnan al-Dulaymi (7); independents (4).	—	44
National Iraqi Dialogue Front (Sunni, led by former Baathist Saleh al-Mutlak) Not in Jan. 2005 vote.	—	11
Kurdistan Islamic Group (Islamist Kurd) (votes with Kurdistan Alliance)	2	5
Iraqi National Congress (Chalabi). Was part of UIA list in Jan. 05 vote	—	0
Iraqis Party (Yawar, Sunni); Part of Allawi list in Dec. vote	5	—
Iraqi Turkomen Front (Turkomen, Kirkuk-based, pro-Turkey)	3	1
National Independent and Elites (Jan)/Risalyun (Message, Dec) pro-Sadr	3	2
People's Union (Communist, non-sectarian); on Allawi list in Dec. vote	2	—
Islamic Action (Shiite Islamist, Karbala)	2	0
National Democratic Alliance (non-sectarian, secular)	1	—
Rafidain National List (Assyrian Christian)	1	1
Liberation and Reconciliation Gathering (Umar al-Jabburi, Sunni, secular)	1	3
Ummah (Nation) Party. (Secular, Mithal al-Alusi, former INC activist)	0	1
Yazidi list (small Kurdish, heterodox religious minority in northern Iraq)	—	1

Notes: Number of polling places: January: 5,200; December: 6,200; Eligible voters: 14 million in January election; 15 million in October referendum and December; Turnout: January: 58% (8.5 million votes)/ October: 66% (10 million)/December: 75% (12 million).

Table 7. Assessments of the Benchmarks

Benchmark	July 12, 2007, Admin. Report	GAO (Sept. 07)	Sept. 14, 2007, Admin. Report	Subsequent Actions and Assessments—May 2008 Administration report, June 2008 GAO report, International Compact with Iraq Review in June 2008, and U.S. Embassy Weekly Status Reports (and various press sources)
1. Forming Constitutional Review Committee (CRC) and completing review	(S) satisfactory	unmet	S	CRC filed final report in August 2008 but major issues remain unresolved and require achievement of consensus among major faction leaders.
2. Enacting and implementing laws on De-	(U) unsatisfact.	unmet	S	"Justice and Accountability Law" passed Jan. 12, 2008. Allows about 30,000 fourth ranking Baathists to regain their jobs, and 3,500 Baathists in top three

Benchmark	July 12, 2007, Admin. Report	GAO (Sept. 07)	Sept. 14, 2007, Admin. Report	Subsequent Actions and Assessments—May 2008 Administration report, June 2008 GAO report, International Compact with Iraq Review in June 2008, and U.S. Embassy Weekly Status Reports (and various press sources)
Baathification				party ranks would receive pensions. Could allow for judicial prosecution of all ex-Baathists and bars ex-Saddam security personnel from regaining jobs. As noted, De-Baathification officials used this law to try to harm the prospects of rivals in March 2010 elections.
3. Enacting and implementing oil laws that ensure equitable distribution of resources	U	unmet	U	Framework and three implementing laws stalled over KRG-central government disputes; only framework law has reached COR to date. Revenue being distributed equitably, and 2009 budget maintains 17% revenue for KRG. Kurds also getting that share of oil exported from newly producing fields in KRG area. Some U.S. assessments say factions closer to agreement as a result of the November 2010 formation of a broad-based government.
4. Enacting and implementing laws to form semi-autonomous regions	S	partly met	S	Regions law passed October 2006, with relatively low threshold (petition by 33% of provincial council members) to start process to form new regions, took effect April 2008. November 2008: petition by 2% of Basra residents submitted to IHEC (another way to start forming a region) to convert Basra province into a single province "region. Signatures of 8% more were required by mid-January 2009; not achieved. March 2011: more than 33% of provincial council of Najaf has asked for a referendum to become a province.
5. Enacting and implementing: (a) a law to establish a higher electoral commission, (b) provincial elections law; (c) a law to specify authorities of provincial bodies, and (d) set a date for provincial elections	S on (a) and U on the others	overall unmet; (a) met	S on (a) and (c)	Draft law stipulating powers of provincial governments adopted February 13, 2008, took effect April 2008. Implementing election law adopted September 24, 2008, provided for provincial elections by January 31, 2009. Those elections were held, as discussed above.
6. Enacting and implementing legislation addressing amnesty for former insurgents	no rating	unmet	Same as July	Law to amnesty "non-terrorists" among 25,000 Iraq-held detainees passed February 13, 2008. Most of these have been released. 19,000 detainees held by U.S. were transferred to Iraqi control under Security Agreement.
7. Enacting and implementing laws on militia disarmament	no rating	unmet	Same as July	March 2008 Basra operation, discussed above, viewed as move against militias. On April 9, 2008, Maliki demanded all militias disband as condition for their parties to participate in provincial elections. Law on militia demobilization stalled.
8. Establishing political, media, economic, and services committee to support U.S. "surge"	S	met	met	No longer applicable; U.S. "surge" has ended and U.S. troop total in Iraq now about 50,000, down from about 170,000 at the 2008 height of the surge.

Benchmark	July 12, 2007, Admin. Report	GAO (Sept. 07)	Sept. 14, 2007, Admin. Report	Subsequent Actions and Assessments—May 2008 Administration report, June 2008 GAO report, International Compact with Iraq Review in June 2008, and U.S. Embassy Weekly Status Reports (and various press sources)
9. Providing three trained and ready brigades to support U.S. surge	S	partly met	S	No longer applicable. Eight brigades were assigned to assist the surge when it was in operation.
10. Providing Iraqi commanders with authorities to make decisions, without political intervention, to pursue all extremists, including Sunni insurgents and Shiite militias	U	unmet	S to pursue extremists U on political interference	No significant change. Still some U.S. concern over the Office of the Commander in Chief (part of Maliki's office) control over appointments to the ISF—favoring Shiites. Some politically motivated leaders remain in ISF. But, National Police said to include more Sunnis in command jobs and rank and file than one year ago.
11. Ensuring Iraqi Security Forces (ISF) providing even-handed enforcement of law	U	unmet	S on military, U on police	U.S. interpreted March 2008 Basra operation as effort by Maliki to enforce law even-handedly. Tribal support councils not even-handed, and still widespread Iraqi public complaints of politically-motivated administration of justice.
12. Ensuring that the surge plan in Baghdad will not provide a safe haven for any outlaw, no matter the sect	S	partly met	S	No longer applicable with end of surge. Ethno-sectarian violence has fallen sharply in Baghdad.
13. (a) Reducing sectarian violence and (b) eliminating militia control of local security	Mixed. S on (a); U on (b)	unmet	same as July 12	Sectarian violence has not re-accelerated outright, although there are fears the unrest since February 2011 could reignite sectarian conflict. Shiite militias weak but have potential to reactivate operations.
14. Establishing Baghdad joint security stations	S	met	S	Over 50 joint security stations operated in Baghdad at the height of U.S. troop surge. Closed in compliance with June 30, 2009, U.S. pull out from the cities.
15. Increasing ISF units capable of operating independently	U	unmet	U	ISF expected to secure Iraq by the end of 2011 under the Security Agreement, which requires U.S. troops to depart. Obama Administration officials say ISF will meet the challenges. Iraqi Air Force not likely to be able to secure airspace by then and DOD has approved potential sale to Iraq of F-16s and other major equipment.
16. Ensuring protection of minority parties in COR	S	met	S	No change. Rights of minority parties protected by Article 37 of constitution. Minorities given a minimum seat allocated in election law for march vote.
17. Allocating and spending $10 billion in 2007 capital budget for reconstruction.	S	partly met	S	About 63% of the $10 billion 2007 allocation for capital projects was spent.
18. Ensuring that Iraqi authorities not falsely accusing ISF members	U	unmet	U	Some governmental recriminations against some ISF officers still observed.

Source: Compiled by CRS.

Author Contact Information

Kenneth Katzman
Specialist in Middle Eastern Affairs
kkatzman@crs.loc.gov, 7-7612