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Iraq: Politics and Governance

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Summary

Iraq's sectarian and ethnic divisions—muted toward the end of the 2003-2011 U.S. military intervention in Iraq—have reemerged to fuel a major challenge to Iraq's stability and to U.S. policy in Iraq and the broader Middle East region. The resentment of Iraq's Sunni Arabs toward the Shiite-dominated central government facilitated the capture in 2014 of nearly one-third of Iraqi territory by the Sunni Islamist extremist group called the Islamic State (also known as the Islamic State of Iraq and the Levant, or ISIL). Iraq's Kurds have been separately embroiled in political and territorial disputes with Baghdad, although those differences have been at least temporarily subordinated to the common struggle against the Islamic State.

U.S. officials assert that defeating the Islamic State will require the Iraqi government to gain the loyalty of more of Iraq's Sunnis and to resolve differences with the Kurdistan Regional Government (KRG). Prospects for greater inter-communal unity appeared to increase in 2014 with the replacement of former Prime Minister Nuri al-Maliki with another Prime Minister, Haydar al-Abbadi. Although both men are from the Shiite Islamist Da'wa Party, Abbadi has taken some steps to try to compromise with Sunni interests and with those of the KRG. In November 2014, Baghdad and the KRG reached a temporary agreement on the KRG's exportation of oil separately from Baghdad, but that agreement largely collapsed in mid-2015.

Achieving the hoped-for political consensus in Iraq has been hindered in part because of divisions within the major communities. Iraq's Sunnis remain divided between those who accept Islamic State rule over many Sunni areas and those who actively want to help the government defeat it. At the same time, Abbadi has been weakened politically by the growing influence of Shiite militias and their commanders who operate largely independent of the official military chain of command and who have close ties to Iranian leaders and who question the Abbadi government's alliance with the United States. The government has needed to rely on the militias since the Islamic State's capture of Mosul in mid-2014 while the Iraq Security Forces (ISF) recover from their 2014 collapse in the north. Some Shiite militia leaders seek to combat the Islamic State without the participation of Sunni fighters, who many experts assert are key to ultimately defeating Islamic State forces. And, divisions within the KRG have been widened by a dispute over the position of KRG President Masoud Barzani, whose term has expired but who his supporters insist should stay on in the interests of stability.

The strains of fighting the Islamic State have caused a deterioration of services and produced unrest in Baghdad itself. Protests in the summer of 2014 prompted Abbadi to push for significant restructuring of the Iraqi government, and efforts against corruption and excessive government spending. These efforts were supported by Iraq's highest Shiite leadership based in Najaf, but have been blunted Iraqi politicians whose positions are threatened by reform and by many citizens who do not want their salaries cut.

As part of an overarching effort to defeat the Islamic State, the United States is helping the Iraqi government try to recapture territories in Iraq that have fallen under Islamic State control. The United States is conducting airstrikes against the group and has deployed over 3,500 U.S. military personnel to advise and training the Iraqi Security Forces (ISF), the Kurdish *peshmerga* militia, and Sunni tribal fighters. For detail on the U.S.-led efforts to defeat the Islamic State forces in Iraq, see CRS Report R43612, *The Islamic State and U.S. Policy*, by Christopher M. Blanchard and Carla E. Humud

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Introduction

This report provides background and analysis on the politics of Iraq, including its communities, its governing personalities and factions, security forces and militias, and the government's human rights record. The report does not provide a detailed analysis of the U.S.-led campaign to defeat Islamic State forces in Iraq. For analysis on that issue, see CRS Report R43612, *The Islamic State and U.S. Policy*, by Christopher M. Blanchard and Carla E. Humud

Brief Historical Overview

The territory that is now Iraq fell under the rule of the Ottoman Empire in the 16th Century, divided into three provinces: Mosul Province, Baghdad Province, and Basra Province. Ottoman rule lasted until World War I, in which that empire was defeated and its dominions in the Middle East were taken over by the European powers that had defeated the Ottomans in the war. Britain took over Iraq (then still called “Mesopotamia”) under a League of Nations mandate, but ruled by Faysal I, a leader of the Hashemite family (which still rules modern-day Jordan). Iraq gained independence in 1932, with Faysal as King. Arab nationalist military leaders led by Abd al-Qarim Qasim overthrew the monarchy (King Faysal II) in July 1958, proclaiming a republic. Qasim invited Kurdish leader Mullah Mustafa Barzani to return to Iraq but, beginning in 1961, he led Kurdish forces in a significant war for autonomy from Baghdad, with the ultimate objective of forming a separate Kurdish state. The Ba’th (“Renaissance”) Party organized against Qasim and took power briefly in a 1963 coup, but the first Ba’thist government was ousted in late 1963 by nationalist military leaders, who ruled until a successful second Ba’th takeover in 1968. In July 1979, Saddam Hussein ousted then-President Ahmad Hasan Al Bakr and assumed his position.

Saddam Hussein came to power in Iraq about six months after Ayatollah Ruhollah Khomeini’s Islamic revolution ousted the U.S.-backed Shah in neighboring Iran. Saddam apparently perceived Iran’s revolution as an existential threat for its potential to inspire a Shiite-led revolution in Iraq, which is about 60% Shiite Arab, 20% Sunni Arab, and 18% Kurdish. In September 1980, Saddam launched war against Iran, but the war bogged down into a rough stalemate until the summer of 1988, when Iran accepted a ceasefire encapsulated in U.N. Security Council Resolution 598, adopted a year prior. Perhaps seeking a broader hegemony in the Gulf, in August 1990, Saddam ordered an invasion and occupation of Kuwait, which along with the other Persian Gulf monarchies had underwritten Iraq’s war effort against Iran. A U.S.-led coalition expelled Iraqi forces by the end of March 1991, and Iraq accepted an intrusive U.N.-led inspection regime to dismantle its weapons of mass destruction (WMD) programs, including a nuclear program that apparently was close to producing enough fissile material for a nuclear weapon. By the end of the 1990s, the inspection regime broke down over Iraqi objections to its intrusiveness and stated frustrations about a worldwide economic embargo imposed on Iraq after the Kuwait invasion. However, Iraq’s WMD program, it was later determined in a late 2002 investigation by the International Atomic Energy Agency and the U.N. inspections mission in Iraq UNMOVIC (U.N. Monitoring, Verification, and Inspection Commission authorized by U.N. Security Council Resolution 1284 of December 1999, superseding Resolution 687 of April 1991), had not been revived to any meaningful extent.¹

¹ The Iraq WMD inspections mandate of UNMOVIC and IAEA were terminated by Resolution 1762 of June 29, 2007.

The U.S. Intervention and Post-Saddam Transition

A U.S.-led military coalition that included about 250,000 U.S. troops crossed the border from Kuwait into Iraq on March 19, 2003, to oust the regime of Saddam Hussein and eliminate suspected WMD programs that were retained. After several weeks of combat, the regime of Saddam Hussein fell on April 9, 2003. During the 2003-2011 presence of U.S. forces, Iraq completed a transition from the dictatorship of Saddam Hussein to a plural political system in which varying sects and ideological and political factions compete in elections. A series of elections began in 2005, after a one-year occupation period and a subsequent seven-month interim period of Iraqi self-governance that gave each community a share of power and prestige to promote cooperation and unity. Still, disputes over the relative claim of each community on power and economic resources permeated almost every issue in Iraq and were never fully resolved. These unresolved differences—muted during the last years of the U.S. military presence—reemerged in mid-2012 and have since returned Iraq to major conflict.

After the fall of Saddam Hussein, all U.S. economic sanctions against Iraq were lifted, removing impediments to U.S. business dealings with Iraq. During 2003-2004, Iraq was removed from the “terrorism list,” and the Iraq Sanctions Act (Sections 586-586J of P.L. 101-513), which codified a U.S. trade embargo imposed after Iraq’s invasion of Kuwait, was terminated. In subsequent years, a series of U.N. Security Council resolutions removed most remaining “Chapter VII” U.N. sanctions against Iraq that stemmed from the 1990 invasion of Kuwait—opening Iraq to receiving arms from any country. Iraq still is required to comply with international proliferation regimes that bar it from reconstituting Saddam-era weapons of mass destruction programs, and still pays into a U.N.-run fund to compensate victims of the 1990 Kuwait invasion. The Iraq WMD inspections mandate of UNMOVIC and IAEA were terminated by Resolution 1762 of June 29, 2007. On October 24, 2012, Iraq signed the “Additional Protocol” of the Nuclear Non-Proliferation Treaty.

Construction of the Post-Saddam Political System

After the fall of Saddam’s regime, the United States set up an occupation structure based on concerns that immediate sovereignty would favor established Islamist and pro-Iranian factions over nascent pro-Western secular parties. In May 2003, President Bush named Ambassador L. Paul Bremer to head a Coalition Provisional Authority (CPA), which was recognized by the United Nations as an occupation authority. In July 2003, Bremer ended Iraqi transition negotiations and appointed a non-sovereign Iraqi advisory body, the 25-member Iraq Governing Council (IGC). He also issued orders barring mid to high ranking Ba’thists from holding government posts and disbanded the Iraqi military—steps many experts assert contributed to Sunni alienation (most Ba’thists of significant rank were Sunnis) and the rise of a Sunni-led insurgency by late 2003. 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, 2004.²

On June 28, 2004, Bremer appointed an Iraqi interim government, ending the occupation period. The TAL also laid out a 2005 elections roadmap, based on agreement among all Iraqi factions that elections should determine future political outcomes. The interim government was headed by a prime minister (Iyad al-Allawi) and a president (Sunni tribalist Ghazi al-Yawar). It was heavily populated by parties and factions that had long campaigned to oust Saddam.

² Text, in English, is at <http://www.constitution.org/cons/iraq/TAL.html>.

In accordance with the dates specified in the TAL, the first elections process, on January 30, 2005, produced a 275-seat transitional parliament and government that subsequently supervised writing a new constitution, held a public referendum on a new constitution, and then held elections for a full-term government. Elections for four-year-term provincial councils in all 18 provinces (“provincial elections”) and a Kurdistan regional assembly (111 seats) were held concurrently. The election 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 people). The ballot included 111 entities, nine of which were multi-party coalitions. Sunni Arabs (20% of the overall population) boycotted and won only 17 seats in the transitional parliament. The government included PUK leader Jalal Talabani as president and Da’wa Party leader Ibrahim al-Jafari as prime minister. Sunni Arabs held the posts of parliament speaker, deputy president, one of the deputy prime ministers, and six ministers, including defense.

Table I. Major Political Factions in Post-Saddam Iraq

Faction	Leadership/Description
Da’wa Party/State of Law Coalition	The largest faction of the Da’wa Party has been led since 2006 by Nuri al-Maliki, who displaced former Da’wa leader (and former Prime Minister) Ibrahim al-Jaafari. Da’wa was active against Saddam but also operated in some Persian Gulf states, including Kuwait, where they committed attacks against the ruling family during the 1980s. Da’wa is the core of the “State of Law” political coalition. Maliki remains Da’wa Party leader and Iraq’s current Prime Minister. Haydar al-Abbadi, is a senior Da’wa figure.
Islamic Supreme Council of Iraq (ISCI)	Current leader is Ammar al-Hakim, who succeeded his father Abd al-Aziz al-Hakim upon his death in 2009. The Hakims descend from the revered late Grand Ayatollah Muhsin Al Hakim, who hosted Iran’s Ayatollah Ruhollah Khomeini when he was in exile in Iraq during 1964-1978. Abd al-Aziz’s elder brother, Mohammad Baqr al-Hakim, headed the movement when it was an underground armed opposition group against Saddam, but he was killed outside a Najaf mosque shortly after returning to Iraq following Saddam’s overthrow. Its ally is the Badr Organization, which fields a Shiite militia force commanded by parliamentarian Hadi al Ameri.
Sadrists and Offshoot Militias	Thirty-seven-year-old Shiite cleric Moqtada Al Sadr is the son of revered Ayatollah Mohammad Sadiq Al Sadr, who was killed by Saddam’s security forces in 1999, and a relative of Mohammad Baqr Al Sadr, a Shiite theoretician and colleague of Ayatollah Khomeini. Moqtada formed a Shiite militia called the Mahdi Army during the U.S. military presence, which was formally disbanded in 2009 but has regrouped under an alternate name to combat the Islamic State organization. The Sadrists have competed in all Iraqi elections since 2006. In 2014, the group competed under the “Al Ahrar” (Liberal) banner. Runs its own Shiite militia, of which several major Iran-allied Shiite militias are offshoots, including Asa’ib Ahl Al Haq and Kata’ib Hezbollah.
Kurdish Factions: Kurdistan Democratic Party (KDP), Patriotic Union of Kurdistan (PUK), and Gorran	Masoud Barzani heads the KDP and remains the elected President of the Kurdistan Regional Government (KRG), although his term expired in August 2015. The PUK is led by the ailing Jalal Talabani, who was President of Iraq until the 2014 government selection process. Iraq’s current president, Fouad Masoum, is a senior PUK leader as well. Gorran (“Change”) is an offshoot of the PUK.
Iraqi National Alliance/”Iraqiyya”	Led by Iyad al-Allawi, a longtime anti-Saddam activist who was transitional Prime Minister during June 2004-February 2005. Allawi is a Shiite Muslim but most of his bloc’s supporters are Sunnis, of which many are ex-Baath Party members. Iraqiyya bloc fractured after the 2010 national election into blocs loyal to Allawi and to various Sunni leaders including ex-COR peaker Osama al-Nujaifi and deputy Prime Minister Saleh al-Mutlaq. Allawi and Nujaifi are both vice presidents in the government formed in September 2014, and Mutlaq has retained his deputy prime ministerial post.

Faction	Leadership/Description
Iraqi Islamic Party	Sunni Islamist faction that was underground during Saddam's rule, joined post-Saddam politics, and was headed by then Vice President Tariq al-Hashimi. The group was part of the Iraqiyya alliance in the 2010 election. Hashimi fled a Maliki-ordered arrest warrant in late 2011 and has remained mostly in Turkey since.

Sources: Various press reports and author conversations with Iraq experts.

Permanent Constitution³

A 55-member drafting committee—in which Sunnis were underrepresented—produced a draft constitution, which was adopted in a public referendum of October 15, 2005. Its major provisions are as follows:

- It does not stipulate any ethnic or sectarian-based distribution of positions. An informal agreement developed in the process of forming successive governments in which a Shiite Muslim is Prime Minister, a Kurd is President, and a Sunni is Speaker of the Council of Representatives (COR, parliament).
- In Article 113, it acknowledges that the three Kurdish-controlled provinces of Dohuk, Irbil, and Sulaymaniyah constitute a legal “region” administered by the Kurdistan Regional Government (KRG). Such regions are able to organize internal security forces, legitimizing the Kurds’ fielding of their *peshmerga* militia (Article 117). This continued a TAL provision. There would be a December 31, 2007, deadline to hold a referendum on whether Kirkuk (Tamim Province) would join the Kurdish region (Article 140).
- Any two or more provinces may join together to form a new “region,” according to an October 2006 law on formation of regions. Holding a referendum on region formation requires obtaining signatures of 10% of the provinces’ voters, or the support of one-third of the members of their provincial councils.
- Islam was designated as “a main source” of legislation.
- It stipulates that a “Federation Council” (Article 62) would be formed by future law as a second parliamentary chamber with size and powers to be determined. The body has not been formed to date.
- It sets a 25% electoral goal for women (Article 47).
- Families are to choose which courts to use for family issues (Article 41), and only primary education is mandatory (Article 34). Islamic law experts and civil law judges would serve on the federal supreme court (Article 89).
- The central government is to distribute oil and gas revenues from “current fields” in proportion to population, and “regions” will have a role in allocating revenues from new energy discoveries (Article 109).

These provisions left many disputes unresolved, particularly the balance between central government and regional and local authority. The TAL made approval of the constitution subject to a veto if a two-thirds majority of voters in any three provinces voted it down. Sunnis registered in large numbers (70%-85%) to try to defeat the constitution, despite a U.S.-mediated agreement

³ Text of the Iraqi constitution is at <http://www.washingtonpost.com/wp-dyn/content/article/2005/10/12/AR2005101201450.html>.

of October 11, 2005, to have a future vote on amendments to the constitution. The Sunni provinces of Anbar and Salahuddin had a 97% and 82% “no” vote, respectively, but the constitution was adopted because Nineveh Province voted 55% “no”—short of the two-thirds “no” majority needed to vote the constitution down.

December 15, 2005, Elections Put Maliki at the Helm

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). Each province contributed a set number of seats to a “Council of Representatives” (COR), a formula adopted to attract Sunni participation. There were 361 political “entities,” including 19 multi-party coalitions, competing in a “closed list” voting system (in which votes are cast only for parties and coalitions, not individual candidates). The Shiites and Kurds again emerged dominant. The COR was inaugurated on March 16, 2006, and Jafari was replaced with a then-obscure Da’wa figure, Nuri Kamal al-Maliki, as Prime Minister. Talabani was selected to continue as president, with deputies Adel Abd al-Mahdi (incumbent) of ISCI and Tariq al-Hashimi, leader of the Sunni Iraqi Islamic Party (IIP). Of the 37 Cabinet posts, there were 19 Shiites; 9 Sunnis; 8 Kurds; and 1 Christian. Four were women.

2006-2011: Sectarian Conflict and U.S. “Surge”

The 2005 elections did not resolve the Sunnis’ grievances over their diminished positions in the power structure, and subsequent events reinforced their political weakness and sense of resentment. The bombing of a major Shiite shrine (Al Askari Mosque) in the Sunni-dominated city of Samarra (Salahuddin Province) in February 2006 set off major Sunni-Shiite violence that became so serious that many experts, by the end of 2006, were considering the U.S. mission as failing. The “Iraq Study Group” concluded that U.S. policy required major change.⁴

In August 2006, the United States and Iraq agreed on “benchmarks” that, if 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 September 15, 2007—was required for the United States to provide \$1.5 billion in Economic Support Funds (ESF) to Iraq.⁵ In early 2007, the United States began a “surge” of about 30,000 additional U.S. forces—bringing U.S. troop levels from their 2004-2006 levels of 138,000 to a high of about 170,000—intended to blunt insurgent momentum and take advantage of growing Sunni Arab rejection of Islamist extremist groups. As 2008 progressed, citing the achievement of many of the agreed benchmarks and a dramatic drop in sectarian violence, the Bush Administration asserted that political reconciliation was advancing but that the extent and durability of the reconciliation would depend on further compromises among ethnic groups.

⁴ “The Iraq Study Group Report.” Vintage Books, 2006. The Iraq Study Group was funded by the conference report on P.L. 109-234, FY2006 supplemental, which provided \$1 million to the U.S. Institute of Peace for operations of an Iraq Study Group. The legislation did not specify the Group’s exact mandate or its composition.

⁵ President Bush exercised the waiver provision of that law in order to provide that aid. The law also mandated an assessment by the Government Accountability Office, by September 1, 2007, of Iraqi performance on the benchmarks, as well as an outside assessment of the Iraqi Security Forces (ISF).

United Nations Assistance Mission—Iraq (UNAMI)

The United Nations contributes to political reconciliation through its U.N. Assistance Mission—Iraq (UNAMI). The head of UNAMI is also the Special Representative of the Secretary General for Iraq. The mandate of UNAMI was established in 2003 and has been renewed each July since in a U.N. Security Council resolution. UNAMI's primary activities have been to help build civil society, assist vulnerable populations, consult on possible solutions to the Arab-Kurd dispute over Kirkuk Province, and resolve the status of the Iranian opposition group People's Mojahedin Organization of Iran that remains in Iraq (see below). The first head of the office was killed in a car bombing on his headquarters in August 2003. In February 2015, Jan Kubis, the former head of UNAMA in Afghanistan, replaced Bulgarian diplomat Nickolay Mladenov as head of UNAMI.

Governance Strengthens and Sectarian Conflict Abates

The passage of Iraqi laws in 2008 that were considered crucial to reconciliation, continued reductions in violence accomplished by the U.S. surge, and the Sunni militant turn away from violence, facilitated political stabilization. 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 willing to take on armed groups even if they were Shiite. This contributed to a decision in July 2008 by several Sunni ministers to end their one-year boycott of the Cabinet.

U.S. officials also pressed Maliki to devolve power from Baghdad, in large part to give Iraq's Sunnis more ownership of their own affairs and regions. Such devolution could take the form of establishment of new "regions," modeled after the KRG, or allowing provinces or groups of provinces more autonomy and powers. Opponents of that proposal asserted that devolving power from the central government would lead to the breakup of Iraq.

In part to address U.S. advice, in 2008, a "provincial powers law" (Law Number 21, replacing the 1969 Provinces Law Number 159) was adopted that assigned substantial powers for provincial governing councils, such as enacting provincial legislation, regulations, and procedures, and choosing the province's governor and two deputy governors. That added to the duties of the provincial administrations, which serve four-year terms, to draft provincial budgets and implement federal policies. Some central government funds are given as grants directly to provincial administrations for their use. Provinces have a greater claim on Iraqi financial resources than do districts, and for that reason many communities support converting their areas into provinces.

Law 21 has been amended on several occasions to try to accommodate restive areas of Iraq. A June 2013 amendment gave provincial governments substantially more power, a move intended to satisfy Sunnis. In December 2013, the central government announced it would convert the district of Halabja into a separate province—Halabja is symbolic to the Kurds because of Saddam's use of chemical weapons there in 1988. In January 2014, the government announced other districts that would undergo similar conversions: Fallujah (in Anbar Province), a hotbed of Sunni restiveness; Tuz Khurmato (in Salahuddin Province) and Tal Affar (in Nineveh Province), both of which have Turkmen majorities; and the Nineveh Plains (also in Nineveh), which has a mostly Assyrian Christian population. These conversions appeared intended to keep minorities and Sunnis on the side of the government, but were not implemented.

Second Provincial Elections in 2009

The second set of provincial elections were delayed until January 21, 2009, because of differences between the KRG and the central government over the province of Kirkuk. The dispute caused provincial elections in the three KRG provinces to be postponed to an unspecified

future time. About 14,500 candidates (including 4,000 women) vied for the 440 provincial council seats in the 14 Arab-dominated provinces of Iraq. 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 violence was minimal but turnout was lower than expected at about 51%.

The certified vote totals (March 29, 2009) gave Maliki's State of Law Coalition a very strong 126 out of the 440 seats available (28%). Its main Shiite rival, ISCI, went from 200 council seats to only 50, a result observers attributed to its perceived close ties to Iran. Iyad al-Allawi's faction won 26 seats, a gain of 8 seats, and a Sunni faction loyal to Tariq al-Hashimi won 32 seats, a loss of 15. Sunni tribal leaders who boycotted the 2005 elections participated in the 2009 elections. Their slate came in first in Anbar Province. Although the State of Law coalition fared well, the party still needed to strike bargains with rival factions to form provincial administrations.

The March 7, 2010, National Elections

With the strong showing of his slate in the provincial elections, Maliki seemed poised to retain his position after the March 7, 2010, COR elections. Yet, as 2009 progressed, Maliki's image as protector of order was tarnished by several high-profile attacks, including major bombings in Baghdad on August 20, 2009. A strong rival Shiite slate took shape—the "Iraqi National Alliance (INA)"—consisting of ISCI, the Sadrist, and other Shiite figures. Sunni Arabs rallied around the outwardly cross-sectarian but mostly Sunni-supported "Iraq National Movement" (Iraqiyya) of former Prime Minister Iyad al-Allawi.

The election law passed by the COR in November 2009 expanded the size of the COR to 325 total seats, of which 310 were allocated by province and constituency sizes ranged from Baghdad's 68 seats to Muthanna's seven. The remaining 15 seats were minority reserved seats and "compensatory seats"—seats allocated from "leftover" votes for parties and slates that did not meet a minimum threshold to win a seat.

The U.S. and Iraqi goal of bringing Sunni Arabs further into the political structure was jeopardized when the Justice and Accountability Commission (JAC, the successor to the De-Baathification Commission that purged former Ba'athists from government) invalidated the candidacies of 499 individuals (out of 6,500 candidates running) on various slates. Appeals reinstated many of them. The JAC continues to operate—a source of significant complaints from Sunnis.

The final candidate list contained about 6,170 total candidates spanning 85 coalitions. Turnout was about 62%, and certified results were announced on June 1, 2010, showing Iraqiyya winning two seats more than did State of Law. The Iraqi constitution (Article 73) mandates that the COR "bloc with the largest number" of members should be afforded the first opportunity to form a government. However, on March 28, 2010, Iraq's Supreme Court ruled that a coalition that forms *after* the election could be deemed to meet that requirement. On October 1, 2010, a six-month deadlock among major blocs over major positions broke when Maliki received the backing of the Sadr faction. The Obama Administration initially appeared to favor Allawi's efforts to form a governing coalition but later acquiesced to a second Maliki term.

On November 10, 2010, an "Irbil Agreement" was reached in which (1) Maliki and Talabani would serve another term; (2) Iraqiyya would be extensively represented in government; (3) Allawi would form an oversight body called the "National Council for Strategic Policies";⁶ and

⁶ Fadel, Leila and Karen DeYoung. "Iraqi Leaders Crack Political Deadlock." *Washington Post*, November 11, 2010.

(4) de-Baathification laws would be eased. At the November 11, 2010, COR session to implement the agreement, Iraqiyya figure Usama al-Nujaifi (brother of Nineveh Governor Atheel Nujaifi) was elected COR speaker. Several days later, Talabani was reelected president and subsequently tapped Maliki as prime minister-designate. Maliki met the December 25, 2010, to achieve COR confirmation of a Cabinet, which divided the positions among the major factions, but Maliki formally held the positions of Defense Minister, Interior Minister, and Minister of State for National Security. Other officials headed these ministries on an “acting” basis, without the full authority they would normally have as COR-approved ministers.

U.S. Involvement Winds Down: 2009-2011

As the second full-term government took shape in Iraq, the United States began implementing its long-planned military withdrawal from Iraq. A November 2008 U.S.-Iraq “Security Agreement” (SA), which took effect on January 1, 2009, stipulated that the withdrawal was to be completed by the end of 2011. On February 27, 2009, President Obama announced that U.S. troop levels in Iraq would decline to 50,000 by September 2010 (from 138,000 in early 2009) and the U.S. mission would shift from combat to training the ISF. By the formal end of the U.S. combat mission on August 31, 2010, the size of the U.S. force was 47,000 and it declined steadily thereafter until the last U.S. troop contingent crossed into Kuwait on December 18, 2011.

With the final withdrawal deadline approaching, fears of expanded Iranian influence, deficiencies in the Iraqi Security Forces (ISF), and simmering sectarian rifts caused U.S. officials to seek to revise the SA to keep some U.S. troops in Iraq after 2011. U.S. officials emphasized that the ISF remained unable to defend Iraq’s airspace and borders, and Iraqi commanders indicated that the ISF would be unable to execute full external defense until 2020-2024.⁷ Renegotiating the SA to allow for a continued U.S. troop presence required discussions with the Iraqi government and, in accordance with Iraq’s constitution, a ratification vote of the Iraqi COR.

Several high-level U.S. visits and statements urged the Iraqis to consider extending the U.S. troop presence. Maliki told then Speaker of the House John Boehner during his April 16, 2011, visit to Baghdad that Iraq would welcome U.S. training and arms after that time.⁸ Subsequently, Maliki stated that a continued U.S. troops presence would require a “consensus” among political blocs (which he later defined as 70%+ concurrence)—an apparent effort to isolate the Sadr faction, the most vocal opponent of a continuing U.S. presence. On August 3, 2011, most major factions gave Maliki their backing to negotiate an SA extension, but Sadr threatened to activate his Mahdi Army militia to oppose any extension of the U.S. presence. U.S.-Iraq negotiations on a post-2011 U.S. presence reportedly ranged from 3,000 to 15,000 remaining U.S. troops.⁹

On October 5, 2011, Iraq stated that it would not extend the legal protections contained in the existing SA. Extending those protections was a Defense Department requirement to ensure that U.S. soldiers not be subject to prosecution under Iraq’s constitution and its laws. On October 21, 2011, President Obama announced that the United States and Iraq had agreed that, in accordance with the SA, all U.S. troops would be out of Iraq by the end of 2011. Whether the Obama Administration made substantial efforts to overcome the Iraqi resistance remains an issue of debate in the United States. In his 2011 Iraq withdrawal announcement, President Obama stated that, through U.S. assistance programs, the United States would be able to continue to develop all

⁷ “Iraq General Says Forces Not Ready ‘Until 2020.’” *Agence France Presse*, October 30, 2011.

⁸ Prashant Rao. “Maliki Tells US’ Boehner Iraqi Troops Are Ready.” *Agence France Presse*, April 16, 2011.

⁹ Author conversations with Iraq experts in Washington, DC, 2011; Eric Schmitt and Steven Lee Myers. “Plan Would Keep Military in Iraq Beyond Deadline.” September 7, 2011.

facets of the bilateral relationship with Iraq and help strengthen its institutions.¹⁰ He and other U.S. officials asserted that the United States would continue to help Iraq secure itself, using programs commonly provided for other countries. Administration officials stressed that the U.S. political and residual security presence would be sufficient to ensure that Iraq remained stable, allied to the United States, moving toward full democracy, and economically growing.

U.S. officials asserted that, even though it would not retain forces in Iraq, the United States could help defend Iraq through the significant force it maintained in the Persian Gulf. Information on the U.S. military presence in the Gulf is analyzed in detail in CRS Report RL32048, *Iran, Gulf Security, and U.S. Policy*, by Kenneth Katzman.

The Post-2011 Diplomatic and Economic Relationship

With U.S. troops departing in 2011, the cornerstone of the bilateral relationship was to be the Strategic Framework Agreement (SFA), which entered into effect at the same time as the SA. The SFA outlined long-term U.S.-Iraqi relations with the intent of orienting Iraq's politics and its economy toward the West and the developed nations, and reducing its reliance on Iran or other regional states. It set up a Higher Coordination Committee (HCC) as an institutional framework for high-level U.S.-Iraq meetings, and subordinate Joint Coordinating Committees. The SFA provides for the following (among other provisions):

- 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.
- U.S. support for Iraqi democracy and support for Iraq in regional and international organizations.
- U.S.-Iraqi dialogue to increase Iraq's economic development, including through the Dialogue on Economic Cooperation and a Trade and Investment Framework Agreement (TIFA). The two countries Iraq finalized a TIFA on March 6, 2013.
- U.S. promotion of Iraq's development of its electricity, oil, and gas sector and Iraqi participation in agricultural programs run by the U.S. Department of Agriculture and USAID.
- Cultural cooperation through several exchange programs, such as the Youth Exchange and Study Program and the International Visitor Leadership Program. At least 1,000 Iraqi students are studying in the United States.

State Department-run aid programs, implemented mainly through Economic Support Funds (ESF), are intended to fulfill the objectives of the SFA, according to State Department budget documents. Most U.S. economic aid to Iraq now goes to programs to promote democracy, adherence to international standards of human rights, rule of law, and conflict resolution. Programs funded by the State Department Bureau of International Narcotics and Law Enforcement (INL) focus on rule of law, moving away from previous use of INL funds for police training. Funding continues for counterterrorism operations (NADR funds), and for anti-corruption initiatives. U.S. officials stress that, for programs run by USAID in Iraq, Iraq matches one-for-one the U.S. funding contribution.

The State Department became the lead U.S. agency in Iraq as of October 1, 2011, and closed its “Office of the Iraq Transition Coordinator” in March 2012. In July 2011, as part of the transition

¹⁰ Remarks by the President on Ending the War in Iraq. <http://www.whitehouse.gov>, October 21, 2011.

to State leadership in Iraq, the United States formally opened consulates in Basra, Irbil, and Kirkuk. An embassy branch office was considered for Mosul but cost and security issues kept the U.S. facility there limited to a diplomatic office (until the Islamic State capture of that city in 2014, which caused any U.S. personnel there to leave the city). The Kirkuk consulate closed at the end of July 2012 in part to save costs. The State Department has planned to replace the U.S. consulate in Irbil with a New Consulate Compound in Irbil, and the FY2014 Consolidated Appropriation, P.L. 113-76, provided \$250 million for that purpose. The U.S. Embassy in Baghdad, built at a cost of about \$750 million, controlled over 16,000 personnel at the time of the 2011 U.S. withdrawal—about half of which were contractors—a number that fell to about 5,500 at the end of 2013.¹¹ Of the contractors, most were on missions to protect the U.S. Embassy and consulates, and other U.S. personnel and facilities throughout Iraq. The U.S. Ambassador in Iraq is Stuart Jones, who was sworn in on September 17, 2014.

Iraqi Security Forces (ISF) and Post-Withdrawal U.S. Support

At the time of the U.S. withdrawal, the Iraqi Security Forces (ISF) was assessed as a relatively well-trained and disciplined force of about 800,000, of which about 350,000 were Iraqi Army and the remainder were mostly Iraqi Police Service personnel. Of the military forces, a mostly-Shiite Counter-Terrorism Service (CTS), of which about 4,100 are Iraqi Special Operations Forces (ISOF), were considered highly capable but reported directly to Maliki's "Office of the Commander-in-Chief. The ISF ground forces were also relatively well armed, utilizing heavy armor supplied by the United States. However, the Air Force was limited, using mostly propeller-driven aircraft.

Following the withdrawal, competent commanders were in some cases replaced by Maliki loyalists and many commanders viewed their positions as financial and political rewards. Iraqi investigations in 2014 found that about 50,000 ISF personnel on the rolls were "ghost" or "no-show" forces. During his April 2014 visit to the United States, Prime Minister Haydar al-Abadi did not dispute assertions that the Iraqi military is about 80% Shiite Muslim—possibly explaining why some Iraqi Sunnis say they considered the ISF an "occupation force" or an "Iranian force." The collapse of the ISF in northern Iraq in the face of the Islamic State offensive in 2014 might have left the Iraqi Army regular force with as few as 50,000 personnel, and very low morale.

Office of Security Cooperation-Iraq (OSC-I)

The Office of Security Cooperation-Iraq (OSC-I), operating under the authority of the U.S. Ambassador to Iraq, was to be the primary Iraq-based U.S. entity tasked with interacting with the post-2011 Iraqi military. Its primary mission is to administer the foreign military sales (FMS) programs (U.S. arms sales to Iraq), funded with foreign military financing (FMF) funds, discussed in the aid table below, and Iraqi national funds. Prior to the 2014 ISIL-led challenge, it worked out of the U.S. Embassy in Baghdad and five other locations around Iraq (Kirkuk Regional Airport Base, Tikrit, Besmaya, Umm Qasr, and Taji). It left the facility in Tikrit before the Islamic State captured that city in June 2014.

Total OCS-I personnel number over 3,500, most of which are security contractors. Of the staff, about 175 are U.S. military personnel and an additional 45 are Defense Department civilians. Some of these personnel have been seconded to anti-Islamic State missions, but some remain as OSC-I personnel performing the functions they have since 2012. About 46 members of the staff

¹¹ Ernesto Londono. "U.S. Clout Wanes in Iraq." *Washington Post*, March 24, 2013.

administer the FMS program and other security assistance programs such as the International Military Education and Training (IMET) program.

Major Arms Sales 2011-2013

A pillar of the post-2011 U.S. security effort was to continue to supply Iraq with substantial quantities of arms. In August 2012, the United States completed delivery to Iraq of 140 M1A1 Abrams tanks. Iraq paid for \$800 million of the \$860 million cost of the tanks with national funds. In December 2012, the U.S. Navy delivered two support ships to Iraq to assist Iraq's fast-attack and patrol boats in securing its offshore oil platforms and other coastal locations. The United States also sold Iraq equipment that its security forces can use to restrict the ability of insurgent and terrorist groups to move contraband across Iraq's borders and checkpoints (RAPISCAN system vehicles), at a cost of about \$600 million. Some refurbished air defense guns were provided gratis as excess defense articles (EDA).

F-16s

The largest FMS case is the sale of 36 U.S.-made F-16 combat aircraft to Iraq, notified to Congress in two equal tranches, the latest of which was made on December 12, 2011 (Transmittal No. 11-46). The total value of the sale of 36 F-16s is up to \$6.5 billion when all parts, training, and weaponry are included. Deliveries of the aircraft began in July 2014 at a U.S. air base in Arizona because of the Islamic State presence near their permanent home at Balad Air Base, north of Baghdad. The aircraft and their trained pilots deployed to Iraq later in mid-2015 and have been engaged in air strikes against Islamic State positions.

Apache Attack Helicopters, Air Defense Equipment, and Stingers

In 2013 Iraq requested to purchase from the United States Apache attack helicopters and other military equipment including Stinger shoulder-held anti-aircraft weapons.¹² A \$2.4 billion sale to Iraq of 681 Stinger units, three Hawk anti-aircraft batteries, and other equipment was notified to Congress on August 5, 2013, as was \$2.3 billion worth of additional sales to Iraq including Stryker nuclear, chemical, and biological equipment reconnaissance vehicles and 12 Bell helicopters. The provision of Apaches was to involve leasing of six of the helicopters, with an estimated cost of about \$1.37 billion, and the sale of 24 more, with an estimated value of \$4.8 billion. As noted below, the provision of the Apaches was held up by some in Congress until the December 2013 Islamic State gains in Anbar Province. Iraq subsequently allowed the deal to lapse because of a lack of trained manpower.¹³

Other Suppliers. The United States is not the only arms supplier to Iraq. In October 2012, Iraq and Russia signed deals for Russian arms worth about \$4.2 billion. In November 2013, Russia delivered four Mi-35 attack helicopters to Iraq, and Russia quickly delivered several combat aircraft in late June 2014 that Iraq sought to fill a gap in its air attack capabilities. In October 2012, Iraq agreed to buy 28 Czech-made military aircraft, a deal valued at about \$1 billion.¹⁴ In December 12, 2013, South Korea signed a deal to export 24 FA-50 light fighter jets to Iraq at an estimated cost of \$1.1 billion; the aircraft will be delivered between 2015 and 2016.¹⁵

¹² John Hudson. "Iraqi Ambassador: Give Us Bigger Guns, And Then We'll Help on Syria." July 17, 2013.

¹³ <http://www.janes.com/article/43680/iraq-passes-on-apache-buy>

¹⁴ Adam Schreck. "Iraq Presses US For Faster Arms Deliveries." Yahoo.com, October 18, 2012.

¹⁵ Defense News. December 12, 2013.

Other Post-2011 Security Assistance and Training Programs

OSC-I's mandate included training and assistance programs for the Iraq military. Because the United States and Iraq did not conclude a long-term Status of Forces Agreement (SOFA) that granted legal immunities to U.S. military personnel, the 160 OSC-I personnel involved in these programs, which focused mostly on counterterrorism and naval and air defense, were mostly contractors. Some were embedded with Iraqi forces not only tactically, but at the institutional level by advising Iraqi security ministries and its command structure.

As Sunni unrest increased in 2012, Iraq sought additional security cooperation with the United States, expressing interest in expanded U.S. training of the ISF and joint exercises. Subsequently, a unit of Army Special Operations forces reportedly deployed to Iraq to advise on counterterrorism and help with intelligence against AQ-I/ISIL,¹⁶ operating under a limited SOFA drafted for this purpose. In December 5-6, 2012, Iraq and the United States signed a Memorandum of Understanding (MOU) providing for high level U.S.-Iraq military exchanges; professional military education cooperation; counter-terrorism cooperation; the development of defense intelligence capabilities, and joint exercises.

During his November 1, 2013, meeting with President Obama in the United States, Maliki reportedly discussed enhanced security cooperation, including expanded access to U.S. intelligence.¹⁷ The joint statement issued at the conclusion of the meeting did not specify any U.S. commitments to this level of cooperation, but expressed a "shared assessment of al Qaida affiliated groups threatening Iraq." Aside from increasing U.S. training for the ISF, the United States arranged Iraq's participation in the regional Eager Lion military exercise series in Jordan and participation in the U.S.-led international mine countermeasures exercise off Bahrain in 2013. In July and November 2013, the United States convened a strategic dialogue that included Iraq, Jordan, the United Arab Emirates, and Egypt.

Police Development Program

A separate program, the Police Development Program, was intended to maintain the proficiency of Iraq's police forces. It was the largest program that in 2012 transitioned from DOD to State Department lead, using International Narcotics and Law Enforcement (INCLE) funds. However, Iraq's drive to emerge from U.S. tutelage produced apparent Iraqi disinterest in the PDP. By late 2012, it consisted of only 36 advisers, about 10% of what was envisioned, and it was phased out entirely during 2013. Two facilities built with over \$200 million in U.S. funds (Baghdad Police College Annex and part of the U.S. consulate in Basra) were turned over to the Iraqi government at the end of 2012.

Unresolved Schisms after the U.S. Withdrawal

Even though violence in Iraq was relatively low at the time of the 2011 U.S. withdrawal, numerous armed groups and the political contributing factors to the post-Saddam insurgency and sectarian conflict remained. The sections below discuss the various threats to the political and security situation, some of which undoubtedly contributed to the successes of the Islamic State in

¹⁶ Tim Arango. "Syrian Civil War Poses New Peril For Fragile Iraq." *New York Times*, September 25, 2012.

¹⁷ Michael Gordon and Eric Schmitt. "As Security Deteriorates at Home, Iraqi Leader Arrives in U.S. Seeking Aid." *New York Times*, November 1, 2013.

Iraq in 2014 and the difficulty Iraqi forces have had in defeating the Islamic State, despite substantial U.S. help.

Armed Sunni Groups

At the time of the 2011 U.S. withdrawal, some Sunni antigovernment armed groups were still operating, although at low levels of activity. Such groups included Baath Party and Saddam Hussein supporters as well as hardline Islamists, some of whom were linked to Al Qaeda. After the U.S. military departure in 2011, these groups increased their armed opposition to the Maliki government, drawing on increasing Sunni resentment of Shiite political domination.

Al Qaeda in Iraq/Islamic State of Iraq and the Levant (ISIL)/Islamic State

Iraq's one-time Al Qaeda affiliate constitutes the most violent component of the Sunni rebellion that has become a major threat to Iraqi stability and a significant terrorism threat to Western countries including the United States. Its antecedent called itself Al Qaeda in Iraq (AQ-I), which was led by Jordanian militant Abu Musab al-Zarqawi until his death by U.S. airstrike in 2006.¹⁸ In October 2012, Jordanian authorities disrupted an alleged plot by AQ-I to bomb multiple targets in Amman, Jordan, possibly including the U.S. Embassy there. The Iraqi members of the Islamic State constitute an amalgam of Sunni Iraqis who became Islamists during Saddam's rule or after his ouster; some reportedly became radicalized during U.S.-led incarceration of insurgents and suspected insurgents from 2003-2011.

In 2013, the group adopted the name Islamic State of Iraq and the Levant (ISIL) or, alternately, Islamic State of Iraq and Syria (ISIS). In June 2014, the group changed its name to the Islamic State (IS), and declared its leader, Abu Bakr Al Baghdadi, as the "Commander of the Faithful"—a term essentially declaring him leader of all Muslims. It also declared a caliphate in the territory it controls in Iraq and Syria. The group's attacks on the government began to escalate significantly after an assault on Sunni protesters in the town of Hawija on April 23, 2013. The group increased its violent activity to about 40 mass casualty attacks per month, far more than the 10 per month of 2010.¹⁹ In 2013, the group began asserting control of territory and operating training camps close to the Syria border.²⁰ The head of the National Counterterrorism Center, Matt Olsen, told Congress on November 14, 2013, that ISIL was the strongest it had been since its peak in 2006.²¹ The Islamic State's subsequent activities, and the U.S.-led response, are analyzed in significant detail in: CRS Report R43612, *The Islamic State and U.S. Policy*, by Christopher M. Blanchard and Carla E. Humud and CRS Report R44276, *The Islamic State—Frequently Asked Questions: Threats, Global Implications, and U.S. Policy Responses*, coordinated by John W. Rollins and Heidi M. Peters.

Naqshabandi Order (JRTN) and Ex-Saddam Military Commanders

Some insurgent groups are composed of members of the Saddam-era regime or Iraqi military. These groups include the 1920 Revolution Brigades, the Islamic Army of Iraq, and, most

¹⁸ An antecedent of AQ-I was named by the United States as a Foreign Terrorist Organization (FTO) in March 2004 and the designation applies to AQ-I and now the Islamic State.

¹⁹ Michael Knights. "Rebuilding Iraq's Counterterrorism Capabilities." *Washington Institute for Near East Policy*, July 31, 2013.

²⁰ Ben Van Heuvelen. "Al Qaeda-Linked Group Gaining Ground in Iraq." *Washington Post*, December 8, 2013.

²¹ Eileen Sullivan. "Official: Al-Qaida in Iraq Strongest Since 2006." Associated Press, November 14, 2013.

prominently, the Naqshabandi Order—known by its Arabic acronym “JRTN.”²² The JRTN, based primarily in Nineveh Province, has been designated by the United States as a Foreign Terrorist Organization (FTO).

In mid-2012, JRTN attacks on U.S. facilities in northern Iraq apparently contributed to the State Department decision to close the Kirkuk consulate. In February 2013 Sunnis linked to the JRTN circulated praise for the protests from the highest-ranking Saddam regime figure still at large, Izzat Ibrahim al Duri. He reportedly issued anti-Iraq government statements during the course of the 2014 Islamic State offensive. Iraqi officials say they killed Duri during a battle in northern Iraq in early May 2015, but that claim awaits confirmation.

The JRTN and related ex-Ba’thist groups disagree with the Islamic State’s ideology but apparently support it as a Sunni organization opposed to the Iraqi government. Some of these ex-military officers reportedly are helping the Islamic State by providing tactical and strategic military planning. Some JRTN ex-Saddam military officers operate under a separate structure called the “General Military Council for Iraqi Revolutionaries,” which includes Sunni tribal fighters and other ex-insurgent figures.

Sunni Tribal Leaders/Sons of Iraq Fighters

Approximately 100,000 Iraqi Sunnis fighters known as “Sons of Iraq” (also called Awakening, or “Sahwa” fighter) were part of the insurgency against the U.S. military during 2003-2006 but then cooperated with U.S. and Iraqi forces against AQ-I during 2006-2011. The Iraqi government promised all of the Sons of Iraq integration into the Iraqi Security Forces (ISF) or government jobs but, by the time of the U.S. withdrawal in 2011, only about two-thirds of the Sons had received these benefits. The remainder continued to man checkpoints in Sunni areas and were paid about \$500 per month by the government but were not formally added to security ministry rolls. As a result, some of these fighters became disillusioned with the Maliki government and some (numbers unknown) reportedly joined the Islamic State offensives in 2014.

Many of the Sons of Iraq belong to the tribes of Anbar Province that seek more Sunni influence in the central government and oppose the Islamic State. The leaders of these tribes include Ahmad Abu Risha, Ali Hatem Suleiman al-Dulaymi, and Majid al-Ali al-Sulayman al-Dulaymi. Abu Risha is the brother of the slain tribal leader Abdul Sattar Abu Risha, who, with Ali Hatem, were key figures in starting the Awakening movement. These leaders generally oppose the involvement of Shiite militiamen in Iraqi efforts to recapture Sunni-inhabited territory from the Islamic State, and instead are trying to recruit Sunni tribal fighters to spearhead government offensives against Islamic State positions. Some Anbar tribal leaders and other Sunni figures visited Washington, DC, in the spring of 2015, in part to request direct transfer of U.S. weaponry to Sunnis who oppose the Islamic State.

Some of the Sons of Iraq and their tribal recruiters have supported the Muslim Scholars Association (MSA), a Sunni Islamist organizations that is far less violent than AQ-I or the Islamic State. The MSA is led by Harith al-Dari, who in 2006 fled U.S. counter-insurgency operations to live in Jordan and who has been sanctioned by the United States. Harith al-Dari’s son, Muthana, is reportedly active against the government, possibly in cooperation with the Islamic State.

²² The acronym stands for Jaysh al-Rijal al-Tariq al-Naqshabandi, which translated means Army of the Men of the Naqshabandi Order.

Shiite Militias and their Relations with Political Leaders

The 2006-2008 period of sectarian conflict was fueled in part by Shiite militias, such as those formed by Moqtada Al Sadr. Sadr is considered an Iraqi “nationalist,” who did not go into exile during Saddam’s rule, and his following is particularly strong among lower class Shiites. Sadr has sometimes tried to reach out to Sunni leaders in an effort to demonstrate opposition to sectarianism and bolster his nationalist credentials.

Iran reportedly armed some of these militias with upgraded rocket-propelled munitions, such as Improvised Rocket Assisted Munitions (IRAMs). Shiite militias are estimated to have killed about 500 U.S. military personnel during 2003-11.²³ Until the U.S. withdrawal in December 2011, rocket attacks continued against the U.S. consulate in Basra. Some Shiite militia forces went to Syria after 2012 to protect Shiite shrines and fight in support of the government of Bashar Al Assad.²⁴ Many of these militiamen returned to Iraq after the Islamic State capture of Mosul in 2014, in part to fend off any potential threat to Baghdad.

Current estimates of the total Shiite militiamen in Iraq number about 100,000, including the longstanding Iran-backed militias discussed below and those recruited since the major Islamic State offensive of mid-2014. Collectively, all of the Shiite militias—those that are Iran-associated as well as those that work directly with the ISF—are known as Popular Mobilization Forces or Units (PMFs or PMUs) also known by the Arabic name of *Hashid al-Shaabi*. All the PMFs are not part of the formal ISF command structure, but report to a Popular Mobilization Committee that is headed by National Security Adviser Falih Al Fayyad. The deputy head of the Committee is the head of Kata’ib Hezbollah, Abu Mahdi Al Muhandis. Some Sunni fighters are included in the PMF, for the primary purpose of freeing Sunni inhabited areas from Islamic State rule. As of May 2015, the United States has provided air strike support to those PMFs combat by Shiite militias that are under ISF command.

The militias, and particularly some of their commanders, reportedly are an increasingly influential force in Iraqi politics as the war against the Islamic State progresses. Their political fortunes have risen at times when the performance of the ISF against the Islamic State has faltered, such as the May 2015 fall of Ramadi to the Islamic State. The commanders of the longstanding and most powerful militias, including Asa’ib Ahl Al Haq’s Qais Khazali, the Badr Organization’s Hadi al-Amiri, and Kata’ib Hezbollah’s Muhandis are said to wield growing influence. They all have close ties to Iran dating from their Iran-backed underground struggle against Saddam Hussein in the 1980s and 1990s, and the commanders are publicly pressuring Abbadi to reduce his reliance on the United States and instead ally more closely with Iran and potentially with Russia in the fight against the Islamic State. The PMFs receive about \$1 billion per year from the government budget, but also receive funds from Iran and from various parastatal organizations in Iran.²⁵ The key militia commanders are pressing Abbadi to increase official government funding for the militias.

Sadrist Militias

Sadr’s professed Iraqi nationalism in part explains his opposition to the United States during 2003-11. He formed his “Mahdi Army” militia in 2004 to combat the U.S. military presence in

²³ <http://www.militarytimes.com/story/military/capitol-hill/2015/07/14/iran-linked-to-deaths-of-500-us-troops-in-iraq-afghanistan/30131097/>

²⁴ Abigail Hauslohner. “Iraqi Shiites Take Up the Cudgels for Syrian Government.” *Washington Post*, May 27, 2013.

²⁵ Ned Parker. “Power Failure in Iraq as Militias Outgun State.” *Reuters*, October 21, 2015.

Iraq, and U.S. troops fought several major battles with the Mahdi Army, an offshoot called the “Special Groups,” and several other offshoots including Asa’ib Ahl Al Haq and Kata’ib Hezbollah, from 2004 to 2008. Sadr’s campaign meshed with Iran’s policy to ensure that the United States completely withdrew from Iraq. Much of the Mahdi Army had already been slowly integrating into the political process as a charity and employment network called *Mumahidoon* (“those who pave the way”). In response to the Islamic State capture of Mosul in 2014, former Mahdi Army militiamen reorganized as the “Salaam (Peace) Brigade.”

Other Mahdi Army Offshoots: Kata’ib Hezbollah and Asa’ib Ahl Al Haq

Sadrism pressure on the U.S. forces during 2003-11 was amplified by the activities of several other Shiite militias, some of which left Sadr’s control and fell increasingly under the sway of Iran its Islamic Revolutionary Guard-Qods Force (IRGC-QF) and its commander, Major General Qasem Soleimani. The Sadrism offshoot militias the IRGC-QF most intensively advised and armed include Asa’ib Ahl al-Haq (AAH, League of the Family of the Righteous), Kata’ib Hezbollah (Hezbollah Battalions), and the Promised Day Brigade, the latter organization of which might still be affiliated to some degree with Sadr.²⁶ In June 2009, Kata’ib Hezbollah was designated by the State Department as a Foreign Terrorist Organization (FTO). In July 2009, the Treasury Department designated Kata’ib Hezbollah and its commander, Abu Mahdi Al Muhandis, as threats to Iraqi stability under Executive Order 13438. On November 8, 2012, the Treasury Department designated several Kata’ib Hezbollah operatives as terrorism supporting entities under Executive Order 13224.

Muhandis was a Da’wa party operative during Saddam’s rule, and was convicted in absentia by Kuwaiti courts for the Da’wa attempt on the life of then Amir Jabir Al Ahmad Al Sabah in May 1985, and for the 1983 Da’wa bombings of the U.S. and French embassies in Kuwait City. After these attacks, he served as leader of the Badr Corps (Badr Organization, see below) of the Supreme Council for the Islamic Revolution in Iraq (SCIRI), but he broke with SCIRI after the U.S. invasion of Iraq in 2003 because SCIRI did not oppose the U.S. military presence in Iraq. He associated with Sadr and the Mahdi Army during 2003-2006 but then broke from Sadr to form Kata’ib Hezbollah.

AAH’s leader, Qais al-Khazali, headed the Mahdi Army “special groups” during 2006-2007, until his capture and incarceration by U.S. forces for his alleged role in a 2005 raid that killed five American soldiers. During his imprisonment, his followers formed the Mahdi Army offshoot as AAH. After his release in 2010, Khazali took refuge in Iran, returning in 2011 to take resume command of AAH while also converting it into a political movement and social service network. AAH did not compete in April 2013 provincial elections, but allied with Maliki in the 2014 elections (Al Sadiqun, “the Friends,” slate 218).²⁷ AAH resumed its military activities after the 2014 Islamic State offensive that captured Mosul.

The Badr Organization

One major Shiite militia is neither a Sadrism offshoot nor an antagonist of U.S. forces during 2003-2011. The Badr Organization was the armed wing of the Islamic Supreme Council of Iraq, a mainstream Shiite party, headed now by Ammar al-Hakim. The Badr Corps was the name of the organization’s underground military wing during Saddam’s rule. It received training and support

²⁶ Department of State. Bureau of Counterterrorism. Country Reports on Terrorism 2014. Released June 19, 2015.

²⁷ Liz Sly. “Iran-Tied Group Is On Rise in Iraq.” *Washington Post*, February 19, 2013.

from the IRGC-QF in its failed efforts to overthrow Saddam, and particularly during the failed Shiite uprising in southern Iraq that took place after Iraq's expulsion from Kuwait in 1991. The Badr Organization largely disarmed after Saddam's fall and integrated immediately into the political process. It did not oppose the U.S. presence in Iraq, instead apparently viewing the United States as facilitating Iraq's transition to Shiite rule. Its leader is Hadi al-Amiri, an elected member of the National Assembly who is viewed as a hardliner advocating extensive use of the Shiite militias to recapture Sunni-inhabited areas. It might have as many as 30,000 militia fighters.

Shiite Militias Formed after the U.S. Withdrawal

Some Shiite militias formed after the U.S. withdrawal. Some formed mainly to assist Assad in Syria, while others have gained strength since the 2014 Islamic State offensive. Those that formed to assist Assad include the Harakat Hezbollah al-Nujaba or "Nujaba Movement," which organized in 2013. It is led by Shaykh Akram al-Ka'bi, its secretary general, and remains engaged in Syria as well as in Iraq. It receives some backing from the IRGC-QF. Another Shiite militia that formed in 2013 is the "Mukhtar Army," reportedly formed to help the government suppress Sunni protests. It was led by Wathiq al-Battat, who reportedly was killed in late 2014.²⁸ The Mukhtar Army claimed responsibility for a late October 2015 attack on Iranian dissidents inhabiting the "Camp Liberty" facility, discussed further below.

The Islamic State offensive prompted many young Shiite men to answer a call from Grand Ayatollah Ali al-Sistani to rally with the government to combat the Islamic State. These men joined the newly-formed PMF organization to fight alongside the ISF against the Islamic State. Exact numbers of PMF fighters recruited since mid-2014 are not known, but are widely estimated to be in the tens of thousands. These recently recruited PMFs work directly with the ISF and have received U.S. air strike support in some battles since mid-2015.

The Kurds and the Kurdistan Regional Government (KRG)²⁹

Since the end of the U.S.-led war to end Iraq's occupation of Kuwait in early 1991, the United States has helped ensure Iraqi Kurdish autonomy, while opposing any Iraqi Kurdish move toward independence. Iraq's Kurds have tried to preserve a "special relationship" with the United States and use it to their advantage. The collapse of the ISF in northern Iraq in mid-2014 enabled the Kurds to seize long-coveted Kirkuk and many of its oilfields. However, that collapse also contributed to the advance of the Islamic State force close to the KRG capital Irbil before U.S. airstrikes beginning on August 8, 2014, drove Islamic State fighters away from KRG-controlled territory. The KRG region now shares a tense and long border with Islamic State forces and is largely cut off from central government-controlled Iraq. The seizure of Kirkuk gives the Kurds even more control over economic resources, so much so that in June 2014, Kurdish leaders indicated the region might hold a referendum on independence within a few months. However, the subsequent Islamic State threat to KRG-controlled territory muted further public discussion of Iraqi Kurdish independence.

As permitted in the Iraqi constitution, the KRG fields its own force of *peshmerga* and Zeravani ground forces, which together number about 150,000 active duty fighters. The KRG has about

²⁸ http://www.longwarjournal.org/archives/2014/12/leader_of_iran-suppo.php

²⁹ For more information on Kurd-Baghdad disputes, see CRS Report RS22079, *The Kurds in Post-Saddam Iraq*, by Kenneth Katzman.

350 tanks and 40 helicopter gunships, but has not been eligible to separately purchase additional U.S. weaponry. The Kurdish militias are under the KRG's Ministry of *Peshmerga* Affairs and are paid out of the KRG budget. Prior to the June 2014 Islamic State offensive, the KRG had made some headway in its plans to transform the *peshmerga* into a smaller but more professional and well trained force, and the *peshmerga* is benefitting from the U.S. training discussed below.

KRG Structure/Intra-Kurdish Divisions

The Iraqi Kurds' two main factions—the Patriotic Union of Kurdistan (PUK), and the Kurdistan Democratic Party (KDP)—are the dominant factions in the KRG. Barzani, the son of the revered Kurdish resistance fighter Mullah Mustafa Barzani, is not only President of the KRG but also head of the KDP. The PUK is led by Jalal Talabani, who served two terms as Iraq's President and is still ailing following a 2012 stroke. Masoud Barzani is President of the KRG, directly elected in July 2009. The KRG has an elected Kurdistan National Assembly (KNA, sometimes called the Kurdistan Parliament of Iraq, or KPI), and an appointed Prime Minister. Since January 2012, the KRG Prime Minister has been Nechirvan Barzani (Masoud's nephew), who replaced PUK senior figure Barham Salih. Masoud Barzani's son, Suroor, heads KRG security institutions. In July 2014, another senior PUK figure, Fouad Masoum, succeeded Talabani as Iraq's President—continuing the informal understanding that a PUK figure be Iraq's President.

On July 1, 2013, the KNA voted to extend Barzani's term two years, until August 20, 2015. No consensus emerged among the KRG factions over how to choose a replacement, and he remains as President while the parties try to negotiate a way forward. The KDP argues that there are no obvious successors and that, in the interests of stability, his term should be extended again. The PUK and Gorran, which together control more seats in the KNA than does the KDP, want the KNA to choose a successor. As a sign of growing tensions over the issue, in September 2015 the KDP expelled Gorran members from several KRG ministerial positions.³⁰ Some observers assert that unity might be restored if Barzani agrees to substantial political reforms within the KRG as a condition of receiving PUK and Gorran support to continue as president.

Disputes between the KDP and PUK are not new and have sometimes clashed over territorial control and resources; a serious armed conflict between them flared in 1996. Since the fall of Saddam, the two parties have generally abided by a power-sharing arrangement. However, their dynamic has been altered since 2005 as Gorran (Change) has become a significant factor in Kurdish politics. Gorran, a PUK breakaway, is headed by Neshirvan Mustafa, a longtime critic of the PUK. In 2014, Aram al-Sheikh Mohammad, a Gorran leader, became second deputy COR speaker, becoming the first Gorran leader to obtain a senior leadership post in the central government.

The latest KNA elections were held on September 21, 2013. About 1,130 candidates registered to run for the 111 available seats, 11 of which are reserved for minority communities such as Yazidis, Shabaks, Assyrians, and others. Gorran continued to increase its political strength, winning 24 seats, second to the KDP's 38 (which was up from 30 in 2010) and ahead of the PUK that won only 18 seats (down from 29 in the 2010 election). In part because of Gorran's increased representation, the Kurds did not agree on a new government for the KRG region until June 2014. Nechirvan Barzani remained KRG prime minister. Jalal Talabani's son, Qubad, who headed the KRG representative office in Washington, DC, until 2012, became deputy prime minister.

³⁰ Denise Natali. "Countering ISIS with the Kurds: A View from the Ground Up" National Defense University Institute of Strategic Studies, November 2, 2015.

Provincial elections in the KRG-controlled provinces were held concurrent with the Iraq-wide parliamentary elections on April 30, 2014.

KRG-Baghdad Disputes

Even the common threat from the Islamic State has not prompted a permanent resolution of the various disputes between the Kurds and the central government. The most emotional of these is the Kurdish insistence that Tamim/Kirkuk Province (which includes oil-rich Kirkuk city) is “Kurdish land” and must be formally affiliated to the KRG. Most of the oil in northern Iraq is in Kirkuk, and legal KRG control over the province would give the KRG substantial economic leverage. However, the Kirkuk dispute has been put aside, at least temporarily, by the Kurds’ seizure of Kirkuk in the face of the ISF collapse in the Islamic State offensive of June 2014. Many experts assess that the Kurds will be hesitant to yield back their positions to the central government if the government succeeds in defeating the Islamic State challenge.

Under the Iraqi constitution, there was to be a census and referendum on the affiliation of the province by December 31, 2007 (Article 140), but the Kurds agreed to repeated delays in order to avoid antagonizing Iraq’s Arabs. Nor has the national census that is pivotal to any such referendum been conducted; it was scheduled for October 24, 2010, but then repeatedly postponed by the broader political crises. On the other hand, a Property Claims Commission that is adjudicating claims from the Saddam regime’s forced resettlement of Arabs into the KRG region is still functioning.

KRG Oil Exports

The KRG and Baghdad have been at odds over the Kurds’ insistence on being able to export oil that is discovered and extracted in the KRG region. Baghdad terms the KRG’s separate oil exports and energy development deals with international firms “illegal,” insisting that all KRG oil exports go through the national oil export pipeline grid and that revenues earned under that arrangement go to the central government. Under an agreement forged shortly after the fall of Saddam, a fixed 17% share of those revenues goes to the KRG. The Obama Administration has generally sided with Baghdad’s position that all Iraqi energy projects and exports be implemented through a unified central government.

In recent years, KRG oil exports through this system have been repeatedly suspended over KRG-central government disputes on related issues, such as Baghdad’s arrears due to the international firms operating Kurdish-controlled oil fields. In January 2014, the Iraqi government suspended almost all of its payments to the KRG of about \$1 billion per month on the grounds that the KRG was not contributing oil revenue to the national treasury. In what it described as an effort to compensate for that loss of revenue, the KRG began exporting oil through a newly constructed pipeline to Turkey that bypasses the Iraqi national grid. The pipeline is capable of carrying 300,000 barrels per day of oil.³¹

The need to cooperate against the Islamic State organization paved the way for an interim resolution of the dispute. On December 2, 2014, the KRG and Baghdad signed a deal under which the KRG would provide to SOMO 550,000 barrels per day of oil (300,000 from the Kirkuk fields now controlled by the KRG and 250,000 barrels from fields in the KRG itself) in exchange

³¹ Much of the dispute centers on differing interpretations of a 1976 Iraq-Turkey treaty, which was extended in 2010, and which defines “Iraq” (for purposes of oil issues) as the “Ministry of Oil of the Republic of Iraq.” See “Analysis: Iraq-Turkey Treaty Restricts Kurdistan Exports.” Iraq Oil Report, April 18, 2014.

for a restoration of the 17% share of national revenues (which will amount to about \$600 million per month at current oil prices).³² In addition, Baghdad would provide the KRG with approximately \$100 million per month to pay for *peshmerga* salaries and weapons purchases and facilitate the transfer of some U.S. weapons to the *peshmerga*.³³ The agreement was incorporated into the 2015 Iraqi budget, adopted by the COR on January 29, 2015. However, in mid-2015, the Kurds complained that Baghdad was making only partial payments, and the pact broke down. The KRG reportedly has been exporting its oil on its own, including some from Kirkuk fields, and without involvement of government institutions, and it has been directly paying the international firms involved in the exportation.

KRG fields, excluding those in Kirkuk, have the potential to export 500,000 barrels per day and are expected to eventually be able to increase exports to 1 million barrels per day.³⁴ It appears that the KRG would be able to separately export any amounts over the 250,000 barrels per day that the December deal requires the KRG to transfer to Baghdad's control. Left unresolved was the disagreement over separate foreign firm investment deals with the KRG. Baghdad has sought to deny energy deals with the central government to any company that signs a separate development deal with the KRG. This dispute has affected such firms as Exxon-Mobil and Total SA of France.

Tier Three Designations of the KDP and PUK

In 2001, U.S. immigration officials placed the KDP and PUK in a Tier Three category that makes it difficult for members of the parties to obtain visas to enter the United States. The categorization was based on a determination that the two parties are “groups of concern”—meaning some of their members committed acts of political violence (to try to overthrow Saddam). A provision of the FY2015 National Defense Authorization Act (P.L. 113-291) gave the Administration authority, without judicial review, to revoke the Tier 3 designation. The designation was subsequently removed.

Unrest and Insurgency since 2011

The fragile power-sharing arrangement among all Iraqi factions agreed to in 2010 largely unraveled in 2011-2012, casting doubt on President Obama's assertion, stated at the time of the final U.S. withdrawal, that Iraq is now “sovereign, stable, and self-reliant.” On December 19, 2011, the day after the final U.S. withdrawal (December 18, 2011)—and one week after Maliki met with President Obama in Washington, DC, on December 12, 2011—the government announced an arrest warrant against Vice President Tariq al-Hashimi, a major Sunni figure, for allegedly ordering his security staff to commit acts of assassination. He fled to the KRG region and then to Turkey, where he remains. Maliki's opponents also cited his retaining the three main security portfolios for himself as an indication that he sought to concentrate power.³⁵

In an effort to try to restore Sunni trust in the Maliki government, U.S. officials intervened with various political factions and obtained Maliki's agreement to release some Baathists prisoners and to give provinces more autonomy (discussed above). The concessions prompted Sunni COR

³² Ibid.

³³ Tim Arango, “Iraq Government Reaches Accord with the Kurds.” *New York Times*, December 3, 2014.

³⁴ Jane Arraf, “Iraq's Unity Tested by Rising Tensions Over Oil-Rich Kurdish Region.” *Christian Science Monitor*, May 4, 2012.

³⁵ Sadun Dulaymi, a Sunni Arab, is acting Defense Minister; Falih al-Fayad, a Shiite, is acting Minister of State for National Security; and Adnan al-Asadi, another Shiite, is acting Interior Minister.

members and ministers to resume their duties.³⁶ In March 2012, all factions tentatively agreed to hold a “national conference” to try to reach a durable political solution, but that agreement was not finalized and no such conference was held. Maliki critics subsequently collected signatures from 176 COR deputies to request a no-confidence vote against Maliki. Under Article 61 of the constitution, signatures of 20% of the 325 COR deputies (65 signatures) are needed to trigger a vote, but then President Talabani stated on June 10, 2012, that there were an insufficient number of valid signatures to proceed.³⁷

The disputes flared again after Talabani suffered a stroke on December 18, 2012, and left Iraq for treatment in Germany. Two days later, Maliki moved against another Sunni leader, Finance Minister Rafi al-Issawi, by arresting 10 of his bodyguards. Al Issawi took refuge in Anbar Province with Sunni tribal leaders, sparking anti-Maliki demonstrations in the Sunni cities in several provinces and in Sunni districts of Baghdad. Demonstrators demanded the release of prisoners; repeal of antiterrorism laws under which many Sunnis are incarcerated; reform or end to the de-Baathification laws; and improved government services in Sunni areas.³⁸

Sunni Unrest Escalates in 2013

During January-March 2013, the use of small amounts of force against Sunni demonstrators caused the unrest to worsen. On January 25, 2013, the ISF killed nine protesters, causing Sunni demonstrators to set up protest camps in some cities. Extremist Sunni elements, including ISIL (now called the Islamic State), stepped up attacks on the ISF. On April 23, 2013, three days after the first group of provinces voted in provincial elections, the ISF stormed a Sunni protest camp in the town of Hawijah and killed about 40 civilians. In the following days, many Sunni demonstrators and tribal leaders took up arms, and some gunmen took over government buildings in the town of Suleiman Pak. Maliki attempted with some temporary success to calm the unrest through conciliation, including amending (in June 2013) the 2008 provincial powers law (No. 21, see above) to give the provinces substantially more authority and transferring province-based operations of central government to the provincial governments.³⁹ In July 2013, the Cabinet approved reforms easing de-Baathification laws to allow former Baathists to serve in government.

April 2013 Provincial Elections Occur Amid Tensions. The April 20, 2013, provincial elections were affected by the growing unrest. The government postponed the elections in two Sunni provinces, Anbar and Nineveh, until June 20, 2013, but the election in the remaining provinces went forward as planned. The COR’s law to govern the election for the 447 provincial council seats (including those in Anbar and Nineveh that voted on June 20, 2013), passed in December 2012, provided for an open list vote. A total of 50 coalitions registered, including 261 political entities as part of those coalitions or running separately, and comprising about 8,150 individual candidates. With the April 20, 2013, vote being held mostly in Shiite areas, the election was largely a test of Maliki’s popularity. Maliki’s State of Law coalition remained relatively intact, including Fadilah (virtue) and the Badr Organization (see above). The coalition won 112 of the 447 seats up for election, a decrease from 2009. ISCI registered its own Citizen Coalition, which won 75 seats. Sadr registered a separate “Coalition of Liberals” that won 59 seats.

³⁶ Tim Arango. “Iraq’s Prime Minister Gains More Power After Political Crisis.” *New York Times*, February 28, 2012.

³⁷ “Embattled Iraqi PM Holding On To Power for Now.” Associated Press, June 12, 2012.

³⁸ Author conversations with Human Rights Watch researchers, March 2013.

³⁹ Reidar Vissar. “Provincial Powers Revisions, Elections Results for Anbar and Nineveh: Is Iraq Headed for Complete Disintegration?” June 27, 2013.

Among the mostly Sunni groupings, Allawi's Iraqiyya and 18 smaller entities ran as the Iraqi National United Coalition. A separate United Coalition consisted of supporters of the Nujaifi brothers (then COR speaker Osama and Nineveh governor Atheel), Vice President Tariq al-Hashimi, and Rafi al-Issawi. A third Sunni coalition was loyal to Saleh al-Mutlaq. The two main Kurdish parties ran under the Co-Existence and Fraternity Alliance. The June 20, 2013, election in Anbar and Nineveh was primarily a contest among these blocs. In Anbar, the Nujaijis won a slight plurality, but in Nineveh, where the Nujaijis previously held an outright majority of provincial council seats (19 or 37), Kurds won 11 out of the province's 39 seats and the Nujaijis came in second with 8 seats. However, Atheel Nujaifi was selected to another term as Nineveh governor. The results suggested that Sunnis want to avoid a return to sectarian conflict.⁴⁰

ISIL Begins to Capture Cities in Anbar in Late 2013

Unrest in Sunni areas escalated sharply at the end of 2013, after yet another arrest order by Maliki against a prominent Sunni leader—parliamentarian Ahmad al-Alwani. The order, which followed an ISIL attack that killed 17 ISF officers, prompted a gun battle with security forces that killed Alwani's brother and several of his bodyguards. Maliki subsequently ordered security forces to close down a protest tent camp in Ramadi (capital of Anbar Province), prompting ISIL to attack and take over Ramadi, Fallujah, and some smaller Anbar cities. ISIL fighters were joined by some Sunni protesters, defectors from the ISF, and some Sons of Iraq and other tribal fighters.

Partly at the urging of U.S. officials, Maliki opted primarily to arm and fund loyal Sunni tribal leaders and Sons of Iraq fighters to help them expel the ISIL fighters. By early January 2014, these loyalists had helped the government regain most of Ramadi, but Fallujah remained in insurgent hands. In April 2014, ISIL-led insurgents also established a presence in Abu Ghraib, only about 10 miles from Baghdad, prompting the government to close the prison. Some ISF officers told journalists that the ISF effort to recapture Fallujah and other opposition-controlled areas suffered from disorganization and ineffectiveness.⁴¹

Effect of the Islamic State Challenge on Stability

At the time of the April 30, 2014, national (COR) elections, the ISIL-led insurrection appeared contained in Anbar Province. That assessment was upended on June 10, 2014, when Islamic State fighters—apparently assisted by large numbers of its fighters moving into Iraq from the Syria theater—captured the large city of Mosul amid mass surrenders and desertions by the ISF. The group later that month formally changed its name to “The Islamic State.” Apparently supported by many Iraqi Sunni residents, Islamic State-led fighters subsequently advanced down the Tigris River valley as far as Tikrit, east into Diyala Province, and further in Anbar Province to within striking distance of Baghdad. The offensive also threatened KRG-controlled territory when Islamic State forces advanced to within 30 miles of the KRG capital of Irbil. The relatively lightly armed Kurdish forces withdrew from numerous towns inhabited mostly by Christians and other Iraqi minorities, particularly the Yazidis—a Kurdish-speaking people who practice a mix of ancient religions, including Zoroastrianism, which held sway in Iran before the advent of Islam.⁴²

⁴⁰ Kirk Sowell. “Sunni Voters and Iraq's Provincial Elections.” July 12, 2013.

⁴¹ Loveday Morris. “Iraqi Army Struggles in Battles Against Islamist Fighters in Anbar Province.” *Washington Post*, February 27, 2014.

⁴² Ishaan Tharoor. “Who Are the Yazidis?” *Washington Post*, August 7, 2014.

In response, the PMF and established Shiite militias mobilized and provided time for the ISF to regroup to some extent. These developments, coupled with the fact that Islamic State fighters faced resistance from any location not dominated by Sunni inhabitants, appeared to lessen the threat to Baghdad itself. The defense of Baghdad and of Irbil was aided by U.S. advisers (discussed below), U.S.-led airstrikes, and by Iran's sending of military equipment as well as IRGC-QF advisers into Iraq.

Government Formation Process amid Security Collapse

U.S. officials considered the outcome of the April 30, 2014, national elections as crucial to reversing Islamic State gains by giving Sunni voters an opportunity to signal a rejection of Sunni extremist violence. The law to regulate the vote, passed on November 4, 2013, expanded the COR to 328 seats (from 325). A total of 39 coalitions, comprising 275 political entities (parties), registered. Turnout was about 62% and violence was unexpectedly minimal. Elections for 89 total seats on the provincial councils in the three KRG provinces were held simultaneously.

Maliki appeared positioned to secure a third term because his State of Law bloc had remained relatively intact, whereas rival blocs had fractured. On June 17, 2014, the Independent Higher Election Commission (IHEC) announced certified election results showing Maliki's State of Law winning 92 seats—three more than it won in 2010 and far more than those won by ISCI (29) or the Sadrist (32). Major Sunni slates won a combined 53 seats—far fewer than the 91 seats they won in 2010 as part of the Iraqiyya bloc.⁴³ The Kurdish slates collectively won about 62 seats. Maliki's individual candidate vote reportedly was exceptionally strong, most notably in Baghdad Province, which sends 69 deputies to the COR—results that had appeared to put Maliki in a commanding position to retain his post.

Maliki's route to a third term was upended by the IS offensive, which U.S. officials publicly blamed on Maliki's efforts to marginalize Sunni leaders and citizens (see above). Grand Ayatollah Ali al-Sistani appeared to undermine Maliki by calling for an inclusive government that “avoids mistakes of the past.” The factions ultimately agreed to start filling some key positions before reaching consensus on a Prime Minister. The process unfolded as follows:

- On July 15, the COR named Salim al-Jabburi, a moderate Sunni Islamist (IIP), as speaker. The two deputy speakers selected were Aram al-Sheikh Mohammad of Gorran (Kurdish faction discussed above) and Haydar al-Abbadi of Maliki's Da'wa Party. Jabburi, who is about 46 years old, was a former law professor at the University of Mesopotamia. He visited the United States in June 2015.
- On July 24, the COR selected a senior PUK leader, Fouad Masoum, as Iraq's President. Masoum is about 77 years old and helped draft Iraq's constitution. He is a close ally of Jalal Talabani.
- On August 11, Masoum tapped deputy COR speaker Haydar Al Abbadi as leader of the “largest bloc” in the COR as Prime Minister-designate, giving him a 30-day period (until September 10) to achieve COR confirmation of a government. Abbadi's designation came after several senior figures in the State of Law bloc abandoned Maliki—apparently bowing to pressure from the United States, Iran, Iraq's Sunnis and Kurds, and others. Maliki initially called the designation “illegal” on the grounds that Masoum was required to tap him first as Prime Minister-designate as leader of the largest bloc elected, but U.S. officials and

⁴³ “Iraq: PM's Group Is Biggest Election Winner.” Associated Press, May 19, 2014.

Iranian officials welcomed the Abbadi designation and Maliki's support collapsed.

The Cabinet. The Abbadi cabinet, confirmed on September 8, 2014, appeared to satisfy U.S. and Iraqi demands for inclusiveness. Factional disputes caused Abbadi to delay selecting the key Defense and Interior ministers until October 23, when the COR confirmed Mohammad Salem al-Ghabban as Interior Minister and Khalid al-Ubaydi as Defense Minister. The selection of Ghabban drew criticism from many Sunni figures because he is a leader of the Badr Organization (see above), and his appointment was viewed as reflecting and increasing the influence of Shiite militias in governance. Ubaydi, a Sunni, was an aircraft engineer during the rule of Saddam Hussein, and became a university professor after Saddam's downfall.

A major feature of the Abbadi government is that it incorporated many senior faction leaders, although some posts lack significant authority. At the same time, it gave enhanced security details and prestige and influence to some figures that might represent challenges to Abbadi's authority, particularly Maliki.

- Maliki, Iyad al-Allawi, and Osama al-Nujaifi, all major faction leaders, became Vice Presidents—a position that lacks authority but ensures that their views are heard in government deliberations. Maliki reportedly has used his vice presidential post to exert authority independently, in part by holding meetings of the State of Law bloc and advertising himself as commander of the PMF.
- Ex-Foreign Minister Hoshiyar Zebari, a KDP leader whom Maliki ousted in mid-2014 over the KRG-Baghdad rift, became deputy prime minister and Finance Minister. The two other deputy prime ministers are Saleh al-Mutlaq (Sunni Arab, discussed above) and Baha al-Araji, who heads the Sadrist bloc in the COR.
- Ibrahim al-Jafari, who served as transitional Prime Minister in 2005 and part of 2006, is Foreign Minister. A senior leader of ISCI, Adel Abdul Mahdi, is Minister of Oil. Hussein Shahrastani, a senior member of Maliki's State of Law bloc, is Minister of Higher Education.



**Prime Minister
Haydar al-Abbadi**

Abbadi is about 62 years old and holds a doctorate in engineering from the University of Manchester. He is from a traditional elite family. He is fluent in English and often speaks in English in press conferences in Western countries.

He is a longtime Da'wa Party member but his exile during the Saddam Hussein regime was spent mostly in London, and not in Iran or Syria. During his time as a Da'wa underground activist, he assisted the party by writing tracts and promoting its message, and he apparently was not involved in planning or executing any of the attacks carried out by the Da'wa Party in Iraq or Kuwait during the 1980s.^[1] His familiarity with Western culture and his lack of ties to senior Iranian leaders apparently contributed to Iran's initial reluctance to support him for the prime ministership. However, Abbadi reportedly attracted strong support from Ayatollah Ali al-Sistani and within Da'wa ranks, and Iran acquiesced to his selection.

Photograph from Wikipedia

^[1] Adam Taylor. "Meet Haider al-Abbadi, the Man Named Iraq's New Prime Minister." *Washingtonpost.com*, August 11, 2014.

Table 2. Major Coalitions in April 30, 2014, COR Elections

Coalition	Leaders and Components	Seats Won
State of Law (277)	Maliki and Da'wa Party; deputy P.M. Shahrastani; Badr Organization	92-95
Muwatin (Citizens Coalition) (273)	ISCI list. Includes former Interior Minister Bayan Jabr Solagh; Ahmad Chalabi; many Basra politicians	29
Al Ahrar (Liberals) (214)	Sadrists. Allied with ISCI in 2010 but separate in 2014.	32
Wataniya (Nationalists) (239)	Iyad al-Allawi (ran in Baghdad), Includes Allawi followers from former Iraqiyya bloc	21
Mutahiddun (United Ones) (259)	COR Speaker Nujaifi (ran in Nineveh). No candidates in Shiite-dominated provinces. Was part of Allawi Iraqiyya bloc in 2010.	23
Arabiyya (Arabs) (255)	Deputy P.M. Saleh al-Mutlaq (ran in Baghdad) Also limited to mostly Sunni provinces. Was part of Iraqiyya bloc in 2010.	9
Kurdish parties	KDP, PUK, and Gorran ran separately in most constituencies.	62 (combined)
Fadilah (219)	Shiite faction, was allied with ISCI in 2010 election but ran separately in 2014.	Not available
Da'wa (Jaafari) (205)	Da'wa faction of former P.M. Ibrahim al-Jafari (who ran in Karbala). Was allied with ISCI in 2010.	Not available

Source: Reidar Vissar, "Iraq and Gulf Analysis."

Abbadi's Policies and Political Position

U.S. officials say that Abbadi is attempting to heal the underlying rifts in Iraqi society but that his efforts are often thwarted by hardliners on all sides, by the state of conflict in Iraq, and by vested interests within the political system. President Obama praised Abbadi in the course of their bilateral meeting at the White House on April 14, 2015, saying

And in a significant change from some past practices, I think both Sunni leaders and Kurdish leaders feel that they are heard in the halls of power, that they are participating in governance in Baghdad ... Prime Minister Abbadi has kept true to his commitments to reach out to them and to respond to their concerns and to make sure that power is not solely concentrated within Baghdad....⁴⁴

Since taking office, Abbadi has sought to reverse some of the objectionable policies of Maliki, for example by abolishing the "Office of the Commander-in-Chief." Abbadi has also sought to publicly disclose significant instances of corruption; he announced in November 2014 that 50,000 ISF personnel on the payrolls were not actually performing military service. In February 2015,

⁴⁴ White House. "President Obama Holds a Media Availability with Iraqi Prime Minister Haider Al-Abbadi. April 14, 2015.

the Cabinet approved an amendment to the “de-Baathification” laws (see above) to further re-integrate former members of Saddam’s Baath Party into the political process and presumably reduce Sunni resentment of the government.

Abbadi has promoted formation of a “National Guard” force based on locally recruited fighters, reporting to provincial governments, to protect their home provinces from the Islamic State. The program appears mostly intended to entice Iraq’s Sunnis to resist Islamic State influence—an apparent attempt to revive the concept of the earlier U.S.-led “Awakening”/Sons of Iraq program. The program is planned to also apply to Shiite militias who want to secure Shiite areas.⁴⁵ The initiative received Cabinet approval in February 2015 but has remained stalled in the COR, where the dominant Shiite factions apparently do not want to arm Sunni fighters extensively.

Continued Sunni mistrust of Baghdad appears to have hindered any broad Sunni shift to cooperate with the government against the Islamic State. Abbadi’s visits to Iran (October 2014 and June 2015) continue to fuel Sunni suspicions that Abbadi is susceptible to arguments from some Iranian leaders not to compromise with Sunni factions. The Iraqi decision in late March 2015 to move forward with an attempt to take back the city of Tikrit with Shiite militia and Iranian advisory help—rather than the assistance of the U.S.-led coalition—caused many experts to assess that Abbadi remains dependent politically and militarily on the Shiite militias. Abbadi addressed this perception in an April 3, 2015, interview in the German newspaper *Spiegel* by indicating that “[the militias] are very powerful because they are ideologically motivated. Honestly, it would be a challenge to deal with this.”⁴⁶

Abbadi’s Shiite opponents benefitted from the inability of the U.S.-led coalition to prevent the Islamic State’s takeover of Ramadi in May 2015. As noted above, the commanders of the longstanding Shiite militias—particularly those backed by the IRGC-QF and its commander Qasem Soleimani—have become politically influential and assertive to the point where some experts assess them as able and willing to undermine Abbadi’s authority. Former Prime Minister Maliki continues to seek to exert his influence by holding meetings of the State of Law parliamentary bloc and by cultivating an image of personal affinity for and control over the PMF. Compounding Abbadi’s political problems has been a move by activists in Basra Province, through which the majority of Iraq’s oil is exported, to revive a 2008 effort to convert the province into an autonomous region similar to the KRG. Those supporting forming a region assert that the province does not receive a fair share of national revenues.

The Shiite militia pressure on Abbadi might explain why, in late 2015, Abbadi has increasingly asserted Iraqi nationalism and independence by calling for a withdrawal of additional Turkish troops that had deployed to the KRG area as trainers and insisting that deployment of any U.S. ground combat forces be done with the explicit permission of Baghdad. The militia commanders express suspicions of the United States and want Abbadi to ally more closely with Iran as well as with Russia, which has intervened in Syria in part to help keep President Bashar Al Assad in power. However, Abbadi’s standing might improve following the ISF recapture of Ramadi in December 2015, which was accomplished without involvement of Shiite militias and with the assistance of U.S. airstrikes and other support. Abbadi visited Ramadi immediately after the ISF said the city had been completely “liberated.”

⁴⁵ Loveday Morris. “Iraq’s Plans for Force to Fight Islamic State Meet Distrust.” *Washington Post*, September 14, 2014.

⁴⁶ Susanne Koelbl, “Interview with Iraqi Prime Minister Al-Abbadi: ‘The Liberation of Tikrit Is Very Encouraging,’” *Spiegel* (Hamburg), April 3, 2015.

Popular Unrest Compels Reform Measures

In the summer of 2015, the strains of confronting the Islamic State challenge manifested as popular unrest in some government-controlled areas. Even though observers report that the Islamic State threat to Baghdad had receded substantially and some of the security measures in the city had been eased, large demonstrations took place in Baghdad and elsewhere asserted that the government had failed to reliably deliver key services, particularly electricity that was crucial to coping with a particularly hot summer. In response, Abbadi proposed a reform package to address public grievances but also potentially sideline key rivals such as Maliki. The most controversial part of the reforms was the abolition of the three vice presidential posts, which would remove Maliki (and the other Vice Presidents) from formal positions and reduce their security protections and legal immunities. The reform package had the support of Grand Ayatollah Sistani and apparently the public as well, and the COR generally endorsed the reforms in August 2015. U.S. officials assert that Abbadi's reform package reflects Abbadi's stated goals of creating a more effective, accountable Iraqi government.⁴⁷

However, support for the reforms has been eroded by vested interests and others affected. Ayatollah Sistani came out in opposition to Abbadi's October 2015 pay cut of 20% for government employees. The three vice presidents have refused to vacate their positions, asserting Abbadi had acted outside the constitution. On November 2, 2015, the COR essentially shut down the reform program by voting to require that any anti-corruption or governmental reorganization measures, such as the proposal to eliminate redundant ministerial posts (or reduce the number of deputy prime ministers) require COR approval. At the same time, experts have taken note of the increasing intrusiveness of the normally reserved Ayatollah Sistani into the political process, in some cases comparing him to the clerical supervisory role pioneered by the late Ayatollah Ruhollah Khomeini, leader of Iran's Islamic revolution.⁴⁸ Apparently expressing disappointment with the progress of the reform effort, Ayatollah Sistani did not meet with Abbadi when the Prime Minister visited Najaf in November 2015 and during which he met with other Shiite clerics.

U.S. Policy Response to the Islamic State⁴⁹

The gains by the Islamic State in Iraq in mid-2014 posed a threat to the territorial and political integrity of Iraq, and caused the Obama Administration to resume an active military role in Iraq. President Obama stated on September 10, 2014, that U.S. policy is "to degrade and ultimately defeat the Islamic State." That statement represented an escalation of the U.S. response well beyond the responses undertaken as the ISIL challenge increased in late 2013. From late 2013 until the ISIL capture of Mosul in June 2014, the United States took several actions:

- *Delivered and sold additional weaponry.* The Defense Department supplied Iraq with several hundred HELLFIRE air-to-surface missiles for use against ISIL training camps.⁵⁰ The Administration also obtained the concurrence of Congress to release for sale and lease of 30 Apache attack helicopters (discussed above).⁵¹

⁴⁷ "Iraqi leader wins backing for reforms but walks a dangerous line," *Washington Post*, August 11, 2015.

⁴⁸ Matt Bradley and Safa Majeed. "Iraq Parliament Curbs Premier's Powers." *Wall Street Journal*, November 2, 2015.

⁴⁹ For a comprehensive analysis of U.S. policy against the Islamic State in both Iraq and Syria, see CRS Report R43612, *The Islamic State and U.S. Policy*, by Christopher M. Blanchard and Carla E. Humud

⁵⁰ <http://www.defensenews.com/article/20140106/DEFREG02/301060019/US-Speeds-Up-Drone-Missile-Deliveries-Aid-Iraq>.

⁵¹ Josh Rogin. "Congress to Iraq's Maliki: No Arms for a Civil War." *Daily Beast*, January 8, 2014.

- **Additional Training.** The Department of Defense increased bilateral and regional training opportunities for Iraqi counterterrorism (CTS) units to help burnish ISF counter-insurgency skills. By June 2014, U.S. Special Operations Forces had conducted two sessions of training for Iraqi CT forces in Jordan.⁵²

After the Islamic State's capture of Mosul in June 2014, the U.S. response broadened significantly into a multifaceted strategy to try to degrade and ultimately defeat the Islamic State. The military component of the strategy, conducted in partnership with several dozen other countries playing various roles, is termed "Operation Inherent Resolve."

- **Advice and Training.** The United States has deployed about 3,500 U.S. military personnel to train and advise the ISF, *peshmerga* forces, and Sunni tribal fighters.
- **Air Strikes.** Since August 8, 2014, U.S. military action in Iraq has included airstrikes on Islamic State positions and infrastructure.
- **Weapons Resupply.** Since mid-2014, the United States has delivered to Iraq significant quantities of additional weapons, HELLFIRE missiles, and the F-16s previously purchased. In addition to support for the ISF, the Administration has supplied weaponry and ammunition to the *peshmerga* of the KRG, via the Iraqi government. The Administration has been unable to date to provide U.S. weapons directly to the KRG or Sunni tribal fighters. Under the Arms Export Control Act, all U.S. foreign military sales (FMS) go to central governments, not sub-national forces. However, Section 1223 of the FY2016 National Defense Authorization Act (P.L. 114-92) grants the President authority to provide arms directly to the *peshmerga* and to Sunni security tribal security forces if the President reports that Iraq has failed to increase inclusiveness of ethnic and sectarian minorities in governance and in security institutions. The legislation appears to address KRG complaints that their efforts against the Islamic State suffers from Baghdad's slow passage to the KRG of U.S-supplied weaponry. KRG officials also assert that they have a deficiency of heavy weapons—particularly those that can stop suicide attacks from long range.
- **Military Aid.** The Administration is providing substantial amounts of military aid to help the Iraqi government counter the Islamic State threat. For FY2015, over \$1.6 billion in "Overseas Contingency Operation" funding for an "Iraq Train and Equip Fund" has been provided. For FY2016, the Administration requested \$715 million for those purposes, supplemented by a request for \$250 million in Foreign Military Financing (FMF) for Iraq. That amount is provided in the FY2016 Consolidated Appropriation (P.L. 114-113).

Results of Operation Inherent Resolve in Iraq and Way Forward

Assessments differ over whether, and if so, how steadily, Operation Inherent Resolve is progressing toward the stated goals in Iraq. The campaign in Iraq appears to have gained some momentum in late 2015 with the *peshmerga*-led recapture of Sinjar and the ISF recapture of Ramadi. Some observers have suggested ways to make the Operation more effective, including:

Deploy Ground Combat Units. Some recommend that the need to defeat the Islamic State is sufficiently critical to merit reintroduction of ground combat troops to Iraq. President Obama has repeatedly ruled out the deployment of ground combat units, maintaining that U.S. troops will not

⁵² Missy Ryan. "U.S. Renews Training of Elite Forces in Jordan." *Reuters*, May 7, 2014.

fix the underlying political problems that facilitated or caused the IS-led insurrection. However, in November 2015 U.S. officials announced that several hundred U.S. Special Operations Forces would deploy to Iraq, reportedly the KRG region, to conduct raids against Islamic State targets.

Move U.S. Advisers Closer to the Front Line. Some observers suggest that the mission would benefit from deploying the U.S. advisers at or near the front lines in order to better guide Iraqi forces. A related recommendation some military experts make is to position U.S. military personnel as “forward air controllers” to be able to better target Islamic State forces.

Arm and Train Sunni Tribal Fighters. Some have suggested that the key to defeating the Islamic State is to focus on recruiting, training, and deploying anti-Islamic State Sunni tribal fighters. The Administration has adopted this option. Still, some Sunni tribalists apparently seek a closer direct relationship with the United States and a coalition of Iraqi Sunnis reportedly plan to open an office in Washington D.C. in January 2016 to try to promote a closer relationship.

Support Shiite Militia Forces. Another option that has been adopted, to some extent, has been to provide U.S.-led air strike support to Shiite militia forces. The Administration is providing air strike support to PMF who are commanded by the ISF, but not to Shiite militias commanded or trained by Iran. Opponents of this option argued that doing so would politically alienate Iraq’s Sunnis even further, hindering the overall effort of driving a wedge between Iraq’s Sunni population and Islamic State forces.

Containment of the Islamic State. Some experts assert that the existing or likely level of U.S. resources devoted to the anti-Islamic State mission in Iraq is unlikely to defeat the Islamic State, given the dynamics in Iraq that are driving its successes. Some who agree with that assessment argue that the U.S. goal should be adjusted to containing the Islamic State—preventing it from expanding its areas of operation in Iraq. A component of a containment strategy would be to try to prevent Islamic State fighters from transiting from the Iraq (or Syria) battlefields to Europe, the United States, or elsewhere for the purpose of conducting terrorist attacks. The containment policy, according to advocates of this approach, might provide time for Iraqi politicians to take the steps required to defeat the organization in the long term.⁵³ Support for this option apparently diminished following the November 13, 2015 Islamic State terrorist attacks in Paris and the December 2, 2015 terrorist attack in San Bernardino, California by persons who appeared to have been inspired by the Islamic State or Al Qaeda.

Strategy Change: Support “Federalism” or “Soft-Partition” of Iraq. An option related to “containment” would be to support a de facto partition, or “soft-partition” of Iraq by supporting the concept of “federalism.” This option would envision accepting Iraq’s decentralization along ethnic and sectarian lines, potentially including the formation of a legal Sunni autonomous “region” similar to the KRG. A drawback to this option is that it might entail a de facto acceptance of domination by the Islamic State in at least some Sunni-inhabited areas. Many experts and U.S. officials might oppose this option as an abandonment of the goal of defeating the Islamic State, and maintain that the option is based on an uncertain hope that moderate Sunni forces living under Islamic State control might be able to moderate the group’s ideology and goals over time.

⁵³ <http://nationalinterest.org/feature/the-best-strategy-handle-isis-good-old-containment-11341>

Human Rights Issues

The State Department human rights report for 2014 largely repeated previous years' criticisms of Iraq's human rights record, while also analyzing gross violations of human rights committed in Iraq by the Islamic State. The report cites a wide range of human rights problems committed by Iraqi government security and law enforcement personnel—as well as by KRG security institutions—including 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.⁵⁴ Many of these same abuses and deficiencies are alleged in reports by outside groups such as Human Rights Watch.

Additional human rights issues have arisen from the reemergence of the Shiite militias. Some of these militias reportedly have executed Sunnis for alleged collaboration with the Islamic State. The militias have also, in some cases, allegedly prevented Sunnis from returning to their homes in towns recaptured from the Islamic State.

Trafficking in Persons

The State Department's Trafficking in Persons report for 2015 again places Iraq in Tier 2, as did the reports for 2013 and 2014.⁵⁵ The Tier 2 placement is an upgrade from the Tier 2 Watch List rating for Iraq for the four years prior to 2013, and was based on a U.S. assessment, repeated in the report for 2015, that Iraq is making "significant efforts" to comply with the minimum standards for the elimination of trafficking. The report for 2015 blames much of the human trafficking that is taking place in Iraq on the Islamic State, which conducts such activities—particularly the trafficking of women and girls for forced marriages, sexual slavery, and rape—in areas of Iraq that are outside the control of the Iraqi government.

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, some curbs on free expression are independent of such factors. Human rights activists criticized a law, passed by the COR in August 2011, called the Journalist Rights Law, that purported to protect journalists but left many of the provisions of Saddam-era libel and defamation laws in place. State Department human rights reports have noted continuing instances of harassment and intimidation of journalists who write about corruption and the lack of government services, including raids on media offices. Much of the private media that operate is controlled by individual factions or powerful personalities. There are no overt government restrictions on access to the Internet.

In early 2013, the COR adopted an Information Crimes Law to regulate the use of information networks, computers, and other electronic devices and systems. Human Rights Watch and other groups criticized that law as "violat[ing] international standards protecting due process, freedom of speech, and freedom of association,"⁵⁶ and the COR revoked it in February 2013.

⁵⁴ <http://www.state.gov/documents/organization/236812.pdf>

⁵⁵ <http://www.state.gov/documents/organization/243559.pdf>

⁵⁶ Human Rights Watch. "Iraq's Information Crimes Law: Badly Written Provisions and Draconian Punishments Violate due Process and Free Speech." July 12, 2012.

Corruption

The State Department human rights report for 2014 repeated previous years' reports that political interference and other factors such as tribal and family relationships regularly thwart the efforts of anti-corruption institutions, such as the Commission on Integrity (COI). The report says that corruption among officials across the government is widespread. In addition to the COI (formerly called the Public Integrity Committee), which investigates allegations of governmental corruption and refers cases to the courts for prosecution, there is a Supreme Board of Audits, which monitors the use of government funds. The Central Bank's Money Laundering Reporting Office leads the government's efforts to combat money laundering and terrorism financing. A Joint Anti-Corruption Council, which reports to the Cabinet, is tasked with implementing the government's 2010-2014 Anti-Corruption Strategy. No new anti-corruption strategy was issued in 2014. The KRG has its own separate anti-corruption institutions, including an Office of Governance and Integrity in the KRG Cabinet.

Religious Freedom/Situation of Religious Minorities

The Iraqi constitution provides for religious freedom, but heightened sectarian tensions produced by the overall conflict with the Islamic State caused limitations in religious freedom and substantial discrimination, according to the most recent State Department report on International Religious Freedom.⁵⁷ In addition, reflecting the conservative Islamic attitudes of many Iraqis, Shiite and Sunni clerics seek to enforce aspects of Islamic law and customs, sometimes coming into conflict with Iraq's generally secular traditions as well as constitutional protections. In February 2014, the Cabinet adopted a Shiite "personal status law" that would permit underage marriages—reportedly an attempt by then Prime Minister Maliki to shore up electoral support among Shiite Islamists.

A major concern is the safety and security of Iraq's Christian and other religious minority populations which are concentrated in northern Iraq as well as in Baghdad. These groups include the Yazidis, which number about 500,000-700,000; the Shabaks, which number about 200,000-500,000 and most of whom are Shiites; the Sabeans, who number about 4,000; the Baha'i's that number about 2,000; and the Kakai's of Kirkuk, which number about 24,000. Conditions for these communities have deteriorated sharply since the Islamic State-led offensives that began in June 2014. Of the 325 seats in the Council of Representatives, the law reserves eight seats for members of minority groups: five for Christian candidates from Baghdad, Ninewa, Kirkuk, Erbil, and Dahuk; one Yezidi; one Sabeian-Mandaean; and one Shabak. See also CRS Insight IN10111, *Conflict in Syria and Iraq: Implications for Religious Minorities*, by Christopher M. Blanchard.

Christians. Even before the 2014 Islamic State-led offensives, recent estimates indicate that the Christian population of Iraq had been reduced to 400,000-850,000, from an estimated 1 million-1.5 million during Saddam's time. About 10,000 Christians in northern Iraq, fearing bombings and intimidation, fled the areas near Kirkuk during October-December 2009. After the Islamic State capture of Mosul in June 2014, the city's remaining Christians were expelled and some of their churches and other symbolic locations destroyed. There is one Christian in the central government cabinet.

Prior to the Islamic State capture of much of Nineveh Province, Iraqi Assyrian Christian groups advocated a Nineveh Plains Province Solution, in which the Nineveh Plains would be turned into a self-administering region, possibly its own province. Supporters of the idea claimed such a zone

⁵⁷ <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

would pose no threat to the integrity of Iraq, but others say the plan's inclusion of a separate Christian security force could set the scene for violence and confrontation. The Iraqi government adopted a form of the plan in its January 2014 announcement that the Cabinet had decided to convert the Nineveh Plains into a new province. The Islamic State's takeover of much of the north has probably mooted this concept. One prominent Iraqi human rights NGO, the Hammurabi Organization, is largely run by Iraqi Assyrians.

U.S. Policy and Funding and Issues. 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. The Deputy Assistant Secretary of State for Iraq in the Bureau of Near Eastern Affairs served as the State Department's special coordinator for Iraq's religious and ethnic minority groups.

Appropriations for FY2008 and FY2009 each earmarked \$10 million in ESF to assist the Nineveh Plain Christians. 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. The State Department International Religious Freedom report for 2012 said that the United States funded more than \$73 million for projects to support minority communities in Iraq from 2003 up to that time. Subsequent reports did not update that figure.

Women's Rights

Iraq has a tradition of secularism and liberalism, and women's rights issues have not been as large a concern for international observers and rights groups as they have in Afghanistan or the Persian Gulf states, for example. Women serve at many levels of government, as discussed above, and are well integrated into the work force in all types of jobs and professions. By tradition, many Iraqi women wear traditional coverings but many adopt Western dress. In October 2011, the COR passed legislation to lift Iraq's reservation to Article 9 of the Convention on the Elimination of All Forms of Discrimination Against Women.

Economic Development and the Energy Sector

Iraq's energy sector has enabled the economy to continue to develop despite the setbacks on governance and human rights. The growth of oil exports has fueled rapid expansion of the economy. Iraqi officials estimated that growth averaged 5% growth per year during 2004-2014. GDP now exceeds \$150 billion per year. However, violence slowed Iraq's economy dramatically in 2014 to zero growth or perhaps even slight contraction. Iraq implemented a \$150 billion budget for 2014, but, addressing falling oil prices, on January 29, 2015, the COR adopted a much smaller \$105 billion budget for 2015. On December 16, 2015, the COR adopted an \$88 billion budget for 2015, which projects \$68 billion in revenue and a \$20 billion deficit. However, the 2016 budget envisions about \$9 billion in oil proceeds sold by the KRG being remitted to Baghdad, and is based on an oil price of \$45 per barrel, which is higher than the world price at 2015's end.

During Prime Minister Abadi's visit to Washington, DC, in mid-April 2015, Iraqi officials estimated that they face a \$22 billion budget deficit for 2015, and the visit included talks with the IMF and major multi-national banks to discuss possible bond issues and loans. In his meeting with Abadi on April 14, 2015, President Obama did not announce any additional major economic aid to Iraq, but he did announce a grant of \$200 million in humanitarian aid to help the Iraqi government cope with the financial burden of assisting persons displaced by the Islamic State's offensives. Iraq also opened discussions about \$500 million in short-term funding from the Export-Import Bank to purchase Boeing commercial aircraft for a reviving Iraqi Airways.

Iraq's economy remains dependent on the energy sector, which provides 90% of Iraq's budget. Iraq possesses a proven 143 billion barrels of oil. After long remaining below the levels achieved prior to the ouster of Saddam Hussein, Iraq's oil exports recovered to Saddam-era levels of about 2.1 million barrels per day by March 2012. Production reached the milestone 3 million barrels per day mark in February 2012, and expanded further to about 3.6 million barrels per day as of mid-2014. The Islamic State offensive interrupted export of Iraqi oil through the northern route (25% of total exports), contributing to the KRG-Baghdad oil sales deal for 2015, discussed above. Exports from the south of the country (75% of Iraq's totals) have been unaffected.

Iraqi leaders say they plan to increase production to over 10 million barrels per day by 2017. The International Energy Agency estimates more modest but still significant gains: it sees Iraq reaching 6 mbd of production by 2020 if it attracts \$25 billion in investment per year, and potentially 8 mbd by 2035. Helping Iraqi production grow is the involvement of foreign firms, including BP, Exxon-Mobil, Occidental, and Chinese firms. China now buys about half of Iraq's oil exports.

Adopting national oil laws has been considered key to developing and establishing rule of law and transparency in a key sector. Substantial progress appeared near in August 2011 when both the COR and the Cabinet drafted the oil laws long in the works to rationalize the energy sector and clarify the rules for foreign investors. However, there were differences in their individual versions: the version drafted by the Oil and Natural Resources Committee was presented to the COR in August 2011. The Cabinet adopted its separate version on August 28, 2011, but the KRG opposed it as favoring too much "centralization" (i.e., Baghdad control) in the energy sector. A 2012 KRG-Baghdad agreement on KRG oil exports included a provision to set up a six-member committee to review the different versions of the oil laws under consideration and decide which version to submit to the COR for formal consideration. There has been little subsequent movement on this issue. The KRG-Baghdad interim deal on oil sales—coupled with an improved working relationship between the KRG and the Abadi government as compared to the Maliki government—increased the potential for agreement on the issue, but the breakdown of the oil deal in 2015 has stalled progress again.

Regional Relationships

Iraq's neighbors have significant interest in Iraq's stability and in defeating the Islamic State, but Sunni-run governments in the region have been hesitant to work closely with the Shiite-dominated government in Baghdad. Iraq's instability has interrupted its efforts to reintegrate into the Arab fold after more than 20 years of ostracism following Iraq's invasion of Kuwait in August 1990. That reintegration took a large step forward with the holding of an Arab League summit in Baghdad during March 27-29, 2012, even though only 9 heads of state out of the 22 Arab League members attended. Only one of them was a Persian Gulf state leader (Amir Sabah al-Ahmad Al Sabah of Kuwait). On May 23-24, 2012, Iraq hosted nuclear talks between Iran and six negotiating powers. Iraq has also begun to assist other Arab states, for example by assisting post-Qadhafi authorities in Libya to destroy chemical weapons stockpiles from the Qadhafi regime.

Iran

Iran is the chief regional supporter and ally of the Baghdad government and its influence in Iraq has increased steadily since the fall of Saddam Hussein. Iran's leverage over Baghdad has increased further since mid-2014 as a result of Tehran's military assistance to the Iraqi government against the Islamic State. Iran has reportedly sent as many as 1,000 advisers from the

IRGC-QF to help the ISF; in part the role of the IRGC-QF has been to reactivate, arm, and train the established Iraqi Shiite militia forces discussed above.

Iran also has provided to Baghdad substantial quantities of military equipment including a reported five to seven Su-25 combat aircraft; flown drone surveillance flights over Iraq; and conducted at least one airstrike (December 2014) directly against Islamic State forces near Iran's border. The aircraft Iran has provided to Iraq might have been from among 100+ combat aircraft that Iraq flew to Iran at the beginning of the 1991 war against the United States and which Iran integrated into its own air force.⁵⁸ (Iran had not previously returned the jets, asserting that they represented "reparations" for Saddam's invasion of Iran in 1980.) KRG leaders have also praised Tehran for delivering military equipment to the *peshmerga* almost immediately after the Islamic State's major offensive in northern Iraq began in mid-2014.

Iran's military assistance to Iraq furthers the overall U.S. objective in Iraq of countering the Islamic State, but senior U.S. officials say there is no formal U.S. coordination with Iran in Iraq. By many accounts, Iran cooperated with U.S. efforts to achieve a replacement for Maliki as Prime Minister. And, as noted above, the United States is supporting anti-Islamic State operations by only those Shiite PMF that are associated with the ISF, and not those directed by Iran.

Iran has also apparently viewed Iraq as an avenue for reducing the effects of international sanctions. In July 2012, the Treasury Department imposed sanctions on the Elaf Islamic Bank of Iraq for allegedly conducting financial transactions with the Iranian banking system in violation of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (CISADA, P.L. 111-195). Those sanctions were lifted in May 2013 when Elaf reduced its involvement in Iran's financial sector.

The Iraqi government treatment of the population of Camp Liberty, in which over 2,700 Iranian oppositionists (People's Mojahedin Organization of Iran, PMOI) remain, is another indicator of the government's close ties to Iran. The residents of the camps accuse the Iraqi government and some Shiite militias of periodic attacks on the camp. As noted above, the Mukhtar Army claimed responsibility for the late October 2015 attack on Camp Liberty, which killed 23 PMOI residents. This issue is discussed in substantial detail in CRS Report RL32048, *Iran, Gulf Security, and U.S. Policy*, by Kenneth Katzman.

Iran has periodically acted against other Iranian opposition groups based in Iraq, including the Free Life Party (PJAK) that consists of Iranian Kurds and is allied with the Kurdistan Workers' Party that opposes the government of Turkey. Iran has shelled purported camps of the group on several occasions. Iran is also reportedly attempting to pressure the bases and offices in Iraq of such Iranian Kurdish parties as the Kurdistan Democratic Party of Iran (KDP-I) and Komaleh.

The close Iran-Iraq relationship today contrasts sharply with the 1980-1988 Iran-Iraq war, in which an estimated 300,000 Iraqi military personnel (Shiite and Sunni) died. Still, Iraq's Shiite clerics resist Iranian interference and take pride in Najaf as a more prominent center of Shiite theology than the Iranian holy city of Qom.

Syria

One of the major disagreements between the United States and the government of Iraq has been on Syria. U.S. policy is to achieve the ouster of President Bashar Al Assad, whereas Iraq's government apparently sees Assad as an ally that is, like Iraq, governed by Shiite leaders.

⁵⁸ Gareth Jennings. "Iraq Receives Additional Su-25 Jets, Purportedly from Iran." *Jane's Defence Weekly*, July 2, 2014.

(Assad's Alawite community practices a religion that is an offshoot of Shiism.) Iraq has generally refrained from criticizing Assad's military tactics, and it abstained on an Arab League vote in November 2011 to suspend Syria's membership. However, perhaps to ensure Arab participation at the March 2012 Arab League summit in Baghdad, Iraq voted for a January 22, 2012, Arab League plan for a transition of power in Syria. As an indication of Iraq's policy of simultaneously engaging with the United States on the Syria issue, Iraqi officials have attended meetings of countries that are seeking a political transition in Syria.

An issue that divided Iraq and the United States in 2012-2014 was Iraq's reported permission for Iranian arms supplies to overfly Iraq en route to Syria.⁵⁹ Iraq searched a few of these flights, particularly after specific high-level U.S. requests to do so, but routinely allowed the aircraft to proceed after finding no arms aboard, sometimes because the Iranian aircraft had already dropped off their cargo in Syria. Following a March 24, 2013, visit of Secretary of State Kerry to Baghdad, the United States agreed to provide Iraq with information on the likely contents of the Iranian flights, and the overflights decreased in frequency.

In August 2015, Iraq joined with Iran, Syria, and Russia to form an intelligence fusion cell to cooperate against the Islamic State. The Administration interpreted that arrangement as intended to assist Assad primarily and to provide Russia with inroads into anti-Islamic State activities in Iraq. Administration officials, including Chairman of the Joint Chiefs of Staff Joseph Dunford in a visit to Iraq in October 2015, warned Iraq that allowing Russia a military role in Iraq would jeopardize U.S. support.

As noted above, some Iraqi Shiite militias have been fighting on behalf of the Assad regime. The KRG has trained some Syrian Kurdish militia forces to secure an autonomous Kurdish area if Assad loses control and sent about 200 *peshmerga* to assist Syrian Kurdish forces (YPG, a successor to the Kurdistan Workers' Party, PKK) in the successful defense of the town of Kobane in 2014-2015.

Turkey

Turkey's policy toward Iraq has historically focused almost exclusively on the Iraqi Kurdish insistence on autonomy and possible push for independence. Turkey has always expressed concern that Iraqi Kurdish independence could embolden Kurdish oppositionists in Turkey. The anti-Turkey Kurdistan Workers' Party (PKK) has long maintained camps inside Iraq, along the border with Turkey. During the 1990s and 2000s, and again in 2015, Turkey has conducted periodic cross-border military operations against the group's camps in Iraq. However, the PKK issue has not prevented Turkey from building a pragmatic and positive relationship with the KRG and becoming the largest outside investor in northern Iraq. Turkey did not openly oppose the KRG's seizure of Kirkuk in June 2014, even though the capture would help a KRG independence drive.

Turkey's positive relations with the KRG have complicated relations between Turkey and the Iraqi government. On August 2, 2012, then Turkish Foreign Minister (now Prime Minister) Ahmet Davutoglu visited the disputed city of Kirkuk, prompting Iraq's Foreign Ministry to criticize the visit as an inappropriate interference in Iraqi affairs. In an effort to improve relations with Baghdad, Davutoglu in mid-November 2013 visited Najaf and Karbala—Iraqi cities holy to Shiites—apparently to signal Turkish evenhandedness with regard to sectarian disputes in Iraq. Still, Turkey's permission as of mid-2015 for the KRG to sell oil from the KRG region without

⁵⁹ Kristina Wong, "Iraq Resists U.S. Prod, Lets Iran Fly Arms to Syria." *Washington Times*, March 16, 2012.

coordinating the sales with Baghdad remains an irritant in Iraq-Turkey relations. And, the relationship was strained in November-December 2015 when Turkey added trainers to its contingent in the KRG area, near Mosul, prompting Abbadi to insist that the extra forces withdraw.

Gulf States

Most of the Sunni-led Persian Gulf states (Gulf Cooperation Council, GCC: Saudi Arabia, Kuwait, UAE, Qatar, Bahrain, and Oman) have not fully accepted Iraq's domination by Shiite factions. Iraq-GCC relations worsened during 2012-2014 as the Maliki government marginalized Iraq's Sunni leaders. The GCC states have joined the U.S.-led coalition against the Islamic State, but have to date limited their airstrikes to Syria, not Iraq, apparently not wanting to directly support the Shiite-dominated government in Baghdad.

Saudi Arabia had been widely criticized by Iraqi leaders for delaying opening an embassy in Baghdad, a move Saudi Arabia pledged in 2008. This issue faded somewhat after February 2012, when Saudi Arabia announced that it had named its ambassador to Jordan, Fahd al-Zaid, to serve as a nonresident ambassador to Iraq concurrently—although still not opening an embassy in Baghdad. On September 15, 2014, Saudi Arabia announced that it would open an embassy in Baghdad and, during the visit of Prime Minister Abbadi to Washington, DC, in mid-April 2015, Saudi Arabia named a resident Ambassador to Iraq. The appointment coincided with comments by Abbadi during his U.S. visit that were critical of Saudi intervention against Zaidi Shiite Houthi rebels in Yemen. Using language similar to that used by Iran, Abbadi said “There is no logic to the [Saudi] operation [in Yemen] at all in the first place.”⁶⁰ The other Gulf countries have opened embassies and all except the UAE have appointed full ambassadors to Iraq.

Iraq's relationship with Kuwait is always fraught with sensitivity because of the legacy of the 1990 Iraqi invasion. However, the two countries have built a close relationship as Kuwait has been the most accepting of Iraq's government among the GCC states. Amir Sabah of Kuwait was the only Gulf head of state to attend the March 27-29, 2012, Arab League summit in Baghdad; the other Gulf states sent low-level delegations. These issues are discussed in detail in CRS Report RS21513, *Kuwait: Governance, Security, and U.S. Policy*, by Kenneth Katzman.

⁶⁰ Michael Gordon and Eric Schmitt. “Tensions Flare Between Allies in U.S. Coalition.” *New York Times*, April 16, 2015.

Table 3. U.S. Assistance to Iraq Since FY2003

(appropriations/allocations in millions of dollars)

	FY '03	04	05	06	07	08	09	10	11	12	13	14	15	16
IRRF	2,475	18,389	—	10	—	—	—	—	—	—	—	—	—	—
ESF	—	—	—	1,535.4	1,677	429	541.5	382.5	325.7	250	72.3	72.3	22.5	72.5
Democracy Fund	—	—	—	—	250	75	—	—	—	—	—	—	—	—
IFTA (Treasury Dept. Asst.)	—	—	—	13.0	2.8	—	—	—	—	—	—	—	—	—
NADR	—	—	3.6	—	18.4	20.4	35.5	30.3	29.8	32	31.1	31.1	23.86	—
Refugee Accounts (MRA and ERMA)	39.6	.1	—	—	78.3	278	260	316	280	—	—	—	—	—
IDA	22	—	7.1	.3	45	85	51	42	17	—	—	—	—	—
Other USAID Funds	470	—	—	—	—	23.8	—	—	—	—	—	—	—	—
INCLE	—	—	—	91.4	170	85	20	702	114.6	137	13.5	13.5	11	11
FMF	—	—	—	—	—	—	—	—	—	850	471.3	471.3	250	250
IMET	—	1.2	—	—	1.1	—	2	2	1.7	2	1.1	1.7	1.4	1.0
DOD— ISFF Funds	—	—	5391	3007	5542	3000	1000	1000	1155	—	—	—	1618	715
DOD— Iraq Army	51.2	—	210	—	—	—	—	—	—	—	—	—	—	—
DOD— CERP	—	140	718	708	750	996	339	263	44.0	—	—	—	—	—
DOD—Oil Repair	802	—	—	—	—	—	—	—	—	—	—	—	—	—
DOD— Business Support	—	—	—	—	50.0	50.0	74.0	—	—	—	—	—	—	—
Total	3,859	18,548	6,329	5,365	8,584	5,042	2,323	2,738	1,968	1,519	589.4	590	1,927	1,050

Sources: State Department FY2015 budget documents, and CRS calculations. Figures include regular and Overseas Contingency Operations (OCO) funding.

Notes: Table prepared by Curt Tarnoff, Specialist in Foreign Affairs. This table does not contain separate agency operational costs. 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; FMF=Foreign Military Financing; ISF= Iraqi Security Forces. FY2015 and 2016 ISF funding are funds to equip and train the ISF, peshmerga, and Sunni tribal fighters.

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