

The Future of Iraq: RELEASED IN FULL the Iraqi Component

The Future of Iraq: the Iraqi Component

- ~~USG position must mesh with Principals' decision on the International component—~~
- **3 main options:**
 - Transitional Civil Authority, run and staffed through UN.
 - Transitional Civil Authority authorized by UNSC resolution but funded, staffed and jump-started by a coalition of the willing led by the United States.
 - US- or Coalition-led military government.

Objectives and Desired End-State

- Iraq moving towards democracy—
 - with respect for principles of justice, rule of law and rights of its citizens, in compliance with obeying UNSC resolutions (no WMD), peace with its neighbors, territorial integrity.
- Legitimate institutions of government.
- ~~Political parties participating democratically—~~
 - ~~no "one man, one vote, one time."~~
 - ~~most current opposition groups will morph into political parties; expect many new political parties to set themselves up.~~
- International transitional authority gradually works itself out of a job, as Iraqis increasingly assume responsibility for Iraq's affairs.

Overview

- 3-5 person Sovereignty Council.
 - Primary mission is to oversee transition to democracy.
 - Secondary mission is to work with international transitional authority.
 - Tertiary mission is working with existing Iraqi government bureaucracy.
- Constituent Assembly to write the new constitution.
 - For Iraqis, this is where the action is.
- Existing Iraqi government bureaucracy.
- 20-30 person Advisory Council.
 - Advises Sovereignty Council or the international transitional authority on an as-needed basis.
- Judicial Council—separation of powers begins at outset.
 - Oversees reform of the judiciary, courts, prisons and legal system.

Sovereignty Council

- 3-5 members of the highest integrity, widely respected inside Iraq.
 - service on Sovereignty Council must not be seen as empire building or political parties will resist their efforts.
- Must have national vision for future democratic direction of the country—
 - not sectarian or regional.
 - vision of rule of law is vital: focus on laying ground for changing culture of corruption – this will determine long-term success of reforms and international efforts to improve conditions for Iraqi people.
- Must accept “term limits”: No national public office for 10 years.

Sovereignty Council

- Top priority must be building democracy, rule of law, and civil society in Iraq.
- Expect several months to geljell—
 - to learn statecraft required in post-Saddam Iraq.
 - to learn how to work effectively with international transitional authority.
 - to learn how to work effectively with Iraqi bureaucracy.
 - to be effective with Iraq’s regional neighbors.
- The Iraqi face – they will become the face of the future Iraqi government to the world and to the Iraqi people.

Sovereignty Council

- ~~Best candidates [delete this slide??]~~
 - ~~Adnan Pachachi~~
 - ~~Sunni, former foreign minister, widely respected elder statesman.~~
 - ~~Sayyed Abdul Majid al-Khoe’i or Sayyed Ibrahim Bahr Aluloom~~
 - ~~al-Khoe’i is son of revered Iraqi Ayatollah al-Khoe’i, and is head of the al-Khoe’i Foundation, emerged with higher status after London conference as a leader of the non-SCIRI Shia and the independents (knocked heads to put together 11 person independent delegation).~~
 - ~~Bahr Aluloom is most respected Iraqi Shi’a cleric living outside of Iraq, however does not believe in political parties.~~
 - ~~Someone agreeable to both Barzani and Talabani.~~

Too soon to start naming candidates.

Constituent Assembly

- Drafts, debates and approves new Iraqi constitution for submission to the people for ratification.
- No legislative powers.

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- Most members should be elected by the Iraqi people (as in 1924), ~~some (especially experts) appointed by Sovereignty Council.~~
- At time of election of members, also hold referendum on system of government (republic vs. constitutional monarchy) – binding on Constituent Assembly.
- For Iraqis, this should will be the political arena for today's opposition leaders and those now inside Iraq who want a political role. This is where the action is (actually, many Iraqis will likely see the Sov. Council and Advisory Council as where the action is).

Existing Iraqi Government Bureaucracy

- Civilian ministries: remove top few people.
- Security ministries: thorough de-Ba'athification, ~~perhaps dismantlement.~~
- Key issues will be money and staffing. At first, international transitional authority will control.
- Goal is empowerment of ministries to serve the people, not the regime.
- Use internal and external technocrats chosen by Iraqis, USG, ~~or~~ international transitional authority as "advisers to the ministry" (not shadow ministers)— each ministry should have a 3-person advisory group that reports to international transitional authority and the ministry. The advisory groups should:
 - review programs of each ministry and recommend changes to international transitional authority
 - recommend further changes in staffing to international transitional authority.

Existing Iraqi Government Bureaucracy

- Reform of Iraqi government bureaucracy will be key to success of international mission.
 - Extensive retraining required: How to serve the people, not the regime.
 - Focus on grass-roots delivery of services: heavy USAID component.
 - Rule of law is essential: Must take on the culture of corruption.

Existing Iraqi Government Bureaucracy

- Civilian ministries report to Sovereignty Council
 - Initially, international transitional authority controls money and staffing.
 - Control shifts over time to Sovereignty Council as it is able to assume responsibility.

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- After 12 months, Sovereignty Council will select new ministers, subject to approval of international transitional authority and the Constituent Assembly.

Advisory Council

- 20-30 people, chosen by US, allies, and international transitional authority.
- Role is to advise Sovereignty Council and international transitional civil authority on as-needed basis.
- Should include:
 - influential prominent opposition leaders
 - tribal and religious leaders from inside Iraq, including those from inside Iraq.
 - independents.
 - anyone who leads a coup against Saddam Hussein government would have a seat at this table (anyone who leads a coup against Saddam will likely be President!!)
- Quality of their advice is what will determine their influence.

Judicial Council

- 7-15 people, chosen by US, allies, international transitional authority.
- Should include:
 - Respected judges and judicial experts from inside Iraq
 - Legal experts from external Iraqi community
- Will need Secretariat from both existing ministries and outsiders.
- Separate from other councils to show importance of principle of separation of powers.
- Begins immediate reform of the judiciary, courts, prisons and legal system.
- Recommends legal changes to international transitional authority and to Sovereignty Council—
 - vehicle for changes in laws that can't wait until new National Assembly is established under new Constitution.
 - goal is not to pass new legislation but to fix old legislation.
- Oversees establishment of trials for Saddam Hussein and top associates, and establishment of a Truth and Reconciliation Commission.

Timetable – Liberation Plus

- 2 weeks Sovereignty Council announced.
- 4 weeks Advisory Council announced.
- 6-8 weeks Judicial Council announced.

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- 2-3 months Establishment of office to prosecute Saddam Hussein and top associates.
Announcement of names for Truth and Reconciliation Commission.
- 3-4 months Census – run by internationals.
- 3-~~5~~6 months Referendum on System of Government
(Republic or Constitutional Monarchy)
Election of Constituent Assembly members
- ~~4-7 months~~ Sovereignty Council announces appointed members of Constituent
Assembly
- 5-~~6~~8 months Constituent Assembly begins to meet.
- 6-8 months Judicial Council announces court system and judges for trials of Saddam
Hussein and top associates.
- 9-12 months Trials begin.
- ~~6~~-12 months Election of Local Government officials (mayors, city and town councils).
- ~~6~~-12 months Sovereignty Council names new ministers after approval by international
transitional authority.
- ~~12-20-24~~30 months Constituent Assembly completes new Iraqi constitution.
- 24-34 months National elections under new Iraqi constitution
- 26-36 months New Iraqi government takes office.

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